



OFFICE OF LEGISLATIVE RESEARCH
AND GENERAL COUNSEL
STATE OF UTAH

DIGEST OF LEGISLATION

ENACTED IN THE

2001 GENERAL SESSION
By the 54th Legislature

Convened January 15, 2001
Adjourned February 28, 2001

INTRODUCTION

The *Digest of Legislation* summarizes bills and resolutions enacted by the 54th Legislature in the 2001 General Session. The digest lists the sponsor, sections of the Utah Code affected, effective date, and session law chapter number for each bill enacted. Bills vetoed by the governor are also identified, summarized, and presented with the governor's veto message. Bills and resolutions not passed are indexed by subject and also listed numerically. Statistical summary data and a staff listing of the Office of Legislative Research and General Counsel are found at the end of the digest.

The complete bill text, a subject index, and a sponsor index for all bills introduced can be found on our web site - <http://www.le.state.ut.us>.

If more detailed information is needed, you may contact the Office of Legislative Research and General Counsel.

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*Prepared by the
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Summaries by Utah Code Titles

Title 4 -- UTAH AGRICULTURAL CODE

- HB 23** **Repeal of Bedding, Upholstered Furniture, Quilted Clothing Advisory Committee** *(Neal B. Hendrickson)* This act repeals the Bedding, Upholstered Furniture, and Quilted Clothing Advisory Committee. *(Government Operations Interim Committee)*

Repeals 4-10-12

Effective April 30, 2001

2001 Utah Laws 18

- HB 24** **Repeal of Dairy Advisory Board** *(Michael R. Styer)* This act repeals the Dairy Advisory Board. *(Government Operations Interim Committee)*

Repeals 4-3-15

Effective April 30, 2001

2001 Utah Laws 19

- SB 19** **Ice Cream and Milk Dispenser Requirements** *(Gene Davis)* This act provides a license application process for the distribution of dairy products and allows ice cream cabinets and milk coolers to be loaned or sold to a retailer if certain conditions are met. *(Business, Labor, and Economic Development Interim Committee)*

Amends 4-3-8, 4-3-11

Effective April 30, 2001

2001 Utah Laws 87

- SB 66** **Animal Feeding Operation Grants** *(Leonard M. Blackham)* This act authorizes the Soil Conservation Commission to make grants to owners or operators of animal feeding operations for plans or projects to improve manure management or control surface water runoff. The act specifies criteria to be considered in the awarding of the grants and requires the Soil Conservation Commission to make rules. This act appropriates \$400,000 from the General Fund, for fiscal year 2001-02, to the Department of Agriculture and Food for grants to owners or operators of animal feeding operations.

Amends 4-18-3; Enacts 4-18-6.5

Effective July 1, 2001

2001 Utah Laws 326

Title 7 -- FINANCIAL INSTITUTIONS ACT

- HB 263** **Interstate Branching of Depository Institution** *(Kevin S. Garn)* This act permits depository institutions to branch de novo in Utah under limited circumstances.

Amends 7-1-702

Effective April 30, 2001

2001 Utah Laws 211

- SB 44** **Fees Payable to the Commissioner of Financial Institutions** *(Terry R. Spencer)* This act modifies the fee paid by certain financial institutions to the Department of Financial Institutions.

Amends 7-1-401

Effective April 30, 2001

2001 Utah Laws 97

Title 9 -- COMMUNITY AND ECONOMIC DEVELOPMENT

HB 75 **Navajo Revitalization Fund Amendments** (*Judy Ann Buffmire*) This act clarifies what is an eligible entity under the Navajo Revitalization Fund, who can provide matching monies or services, and the purpose of the fund. The act modifies priorities for the fund and how fund monies may be distributed.

Amends 9-11-102, 9-11-103, 9-11-107, 59-5-119

Effective April 30, 2001

2001 Utah Laws 150

HB 77 **State Science Center** (*A. Lamont Tyler*) This act reduces the size of the Utah Science Center Authority's board from 17 to 13 members and clarifies that the scope of the authority includes the promotion of technology and engineering. The science center is required to have an extensive collaboration and outreach program that serves all regions of the state. The act repeals the Utah Science Center Authority's power to issue bonds. The act appropriates \$225,000, nonlapsing, from the General Fund for fiscal year 2001-02, to the Utah Science Center Authority for the development of a state science center. The appropriation is conditioned on the center securing a minimum 30 year site lease.

Amends 9-3-402, 9-3-403, 9-3-407; Repeals 9-3-408

Effective July 1, 2001

2001 Utah Laws 151

HB 98 **Enterprise Zone Amendments** (*Bradley T. Johnson*) This act provides a refundable income tax credit targeted at businesses located in certain enterprise zone areas. It also creates an income tax credit application process and defines the new duties of the Department of Community and Economic Development, local enterprise zone administrators, and the State Tax Commission. The act prohibits a targeted business that is claiming the refundable income tax credit from claiming certain other tax credits.

Amends 9-2-413, 59-7-610, 59-10-108.7; Enacts 9-2-1801, 9-2-1802, 9-2-1803

Effective April 30, 2001

2001 Utah Laws 155

HB 107 **Tourism Marketing Amendments** (*Sheryl L. Allen*) This act increases the Tourism Marketing Performance Fund and broadens the Tourism Marketing Performance Fund Committee to include members of the tourism industry. It allows the Division of Travel Development to consult with counties and travel regions about effective tourism promotion, clarifies the purposes of both the tourism room tax and the tourism, recreation, cultural, and convention facilities tax. The act also requires counties with no existing tourism tax advisory boards to create and utilize a tourism tax advisory board.

Amends 9-2-1702, 9-2-1703, 9-2-1704, 9-2-1705, 9-3-204, 17-31-2, 59-12-603; Enacts 9-2-1703.5, 9-2-1706, 17-31-8

Effective April 30, 2001

2001 Utah Laws 159

HB 151 **Olene Walker Housing Trust Fund Amendment** (*Chad E. Bennion*) This act removes legislative members from the Olene Walker Housing Trust Fund Board, designates the director as a nonvoting member of the board, and adds new board duties such as approving the use of certain fund monies.

Amends 9-4-703, 9-4-704, 9-4-705, 9-4-707, 9-4-708

Effective April 30, 2001

2001 Utah Laws 181

HB 386 **Utah Housing Finance Agency Amendments** (*Ron Bigelow*) This act authorizes public corporation status for the Utah Housing Finance Agency and renames it the Utah Housing Corporation. The act declares that the corporation is intended to operate with the power to issue tax exempt bonds to finance the purchase of mortgage loans to qualified buyers, to be a financially independent body with its debts payable solely from its own sources. The act exempts the corporation from the Revenue Procedures and Control Act and requires the corporation to comply with the Open and Public Meeting and Government Records Access and Management Act. The act applies the Utah Governmental Immunity Act to the corporation with specific exceptions related to failure by the corporation to fill its obligations. A copy of each annual independent audit report must be included in its budget request and the corporation must form an audit committee to select an independent CPA. The act also repeals authorization for state grants to the agency.

Amends 9-4-901, 9-4-902, 9-4-903, 9-4-904, 9-4-905, 9-4-906, 9-4-907, 9-4-908, 9-4-909, 9-4-910, 9-4-911, 9-4-912, 9-4-913, 9-4-914, 9-4-915, 9-4-916, 9-4-917, 9-4-918, 9-4-919, 9-4-920, 9-4-922, 9-4-923, 9-4-924, 9-4-925; Enacts 9-4-904.5, 9-4-926; Repeals 9-4-921

Effective July 1, 2001

2001 Utah Laws 319

SB 20 **Reporting Requirements for Science Center Authority** (*Parley Hellewell*) This act requires the Science Center Authority to report to the Legislative Quasi-governmental Entities Committee instead of to the Business, Labor, and Economic Development Interim Committee. (*Business, Labor, and Economic Development Interim Committee*)

Amends 9-3-410

Effective April 30, 2001

2001 Utah Laws 88

SB 217 **Domestic Violence Shelters - Responsibility and Funding** (*Mike Dmitrich*) This act provides that the Division of Community Development coordinate with the Division of Child and Family Services to provide for the construction of domestic violence shelters. The act appropriates \$100,000 for fiscal year 2001-02 to the Division of Community Development for construction of a battered women's shelter in San Juan County.

Amends 9-4-1301

Effective April 30, 2001

2001 Utah Laws 273

SB 253 **Utah State Fairpark Study** (*L. Steven Poulton*) This act enacts new uncodified material directing the governor to form a committee to study the use of land and facilities at the Utah State Fairpark. The act establishes the membership of the committee, defines the committee's responsibilities, and requires the committee to report to the Natural Resources, Agriculture, and Environment Interim Committee, the governor, and the State Fair Board by November 30, 2001.

Effective March 16, 2001

2001 Utah Laws 197

Title 10 -- UTAH MUNICIPAL CODE

HB 90 **Residential Facilities for Persons with a Disability** (*Kory M. Holdaway*) The act modifies certain restrictions on municipal and county ordinances relating to residential facilities for persons with a disability.

Amends 10-9-605, 17-27-605

Effective April 30, 2001

2001 Utah Laws 203

- HB 139** **Cities and Towns - Classification and Related Issues** (*Wayne A. Harper*) This act modifies provisions relating to the direction, control, and supervision of a chief of police or marshal in a third class city or town and their appointment of assistants. The act revises municipal classifications and adjusts certain city and town budgetary procedural requirements to be more consistent with each other. The act also modifies civil service commission provisions. The act establishes existing forms of government for first, second, and third class cities and towns as optional forms for all classes of municipalities.

Amends 10-2-301, 10-3-918, 10-3-1001, 10-3-1002, 10-3-1003, 10-3-1012, 10-3-1203, 10-3-1209, 10-5-107, 10-5-108, 10-6-118

Effective April 30, 2001

2001 Utah Laws 178

- HB 149** **Municipal Cable Television and Public Telecommunications Services Act** (*Greg J. Curtis*) This act limits the authority of municipalities to own and operate cable television and public telecommunications facilities. The act provides a process for a municipality to follow if it elects to provide cable television and public telecommunications services.

Amends 10-8-14, 11-13-4; Enacts 10-18-101, 10-18-102, 10-18-103, 10-18-104, 10-18-105, 10-18-106, 10-18-201, 10-18-202, 10-18-203, 10-18-204, 10-18-301, 10-18-302, 10-18-303, 10-18-304, 10-18-305, 10-18-306

Effective March 13, 2001

2001 Utah Laws 83

- HB 155** **Annexation Amendments** (*Marda Dillree*) This act establishes an annexation procedure for counties of the second, third, fourth, fifth, and sixth classes that is different from that for counties of the first class. The act requires municipalities within counties of the second, third, fourth, fifth, and sixth classes to adopt an annexation policy plan before future annexations, after a certain date may occur. The act eliminates the feasibility study requirement for annexations of areas in a county of the second, third, fourth, fifth, and sixth classes. The act allows an owner of nonfederal public property to file an annexation petition and restricts annexations from taking place in counties of the first class for a specified period, with certain exceptions. The act enacts uncodified material that requires first class counties and cities within first class counties to prepare a plan for annexations within the county and to submit the plan to the Legislative Management Committee.

Amends 10-2-401, 10-2-402, 10-2-403, 10-2-405, 10-2-406, 10-2-407, 10-2-408, 10-2-409, 10-2-410, 10-2-411, 10-2-412, 10-2-413, 10-2-414, 10-2-415, 10-2-416, 10-2-421, 10-2-426; Enacts 10-2-401.5, 10-2-409.5; Repeals 10-2-404

Effective April 30, 2001

2001 Utah Laws 206

- SB 68** **Placement of Certain Residential Facilities for Persons with a Disability** (*Ed P. Mayne*) This act modifies the allowable restrictions that county and municipal ordinances may contain relating to residential facilities for persons with a disability. The act allows county and municipal ordinances, if consistent with federal and state law, to require supervision and security for residential substance abuse facilities located within a certain distance of a school. The act also provides a coordination clause.

Amends 10-9-605, 17-27-605

Effective April 30, 2001

2001 Utah Laws 102

- SB 158** **Manufactured Housing Development Equal Treatment** (*D. Chris Buttars*) This act requires municipalities and counties to treat developments that include manufactured homes the same as developments that do not include manufactured homes. The act prohibits municipalities and counties from rejecting development plans solely because they include manufactured homes.

Amends 10-9-106.5, 17-27-105.5

Effective April 30, 2001

2001 Utah Laws 253

Title 11 -- CITIES, COUNTIES, AND LOCAL TAXING UNITS

- SB 106** **Municipal Bond Secured Transactions** (*Lyle W. Hillyard*) This act establishes a method for creating, perfecting, prioritizing, and enforcing security interests for governmental obligations.

Amends 11-14-23; Enacts 11-14-28

Effective April 30, 2001

2001 Utah Laws 69

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- SB 237** **Excise Tax Bond Process** (*John L. Valentine*) This act establishes a process for notice and a public hearing on the issuance of revenue bonds payable from excise tax revenues and requires the question of whether to issue the bonds to be submitted to a vote of the people upon receipt of a petition signed by 20% of the registered voters.

Amends 11-14-17.5

Effective April 30, 2001

2001 Utah Laws 193

Title 13 -- COMMERCE AND TRADE

- HB 106** **Motor Vehicle Franchise Act Amendments** (*Kevin S. Garn*) This act provides for the appointment of alternate members to the Utah Motor Vehicle Franchise Advisory Board, changes the term of board members, and provides for emergency orders in cases where irreparable injury would otherwise result.

Amends 13-14-103, 13-14-106, 13-14-107

Effective April 30, 2001

2001 Utah Laws 158

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- HB 162** **Motor Fuel Marketing Act** (*David Ure*) This act amends the requirements to establish and disclose certain prices and provisions and clarifies what constitutes unlawful sales and what sales are not considered violations. The act transfers civil enforcement authority from the Division of Consumer Protection to the attorney general, repeals the rebuttable presumption and the right of a purchaser to obtain price and cost information, and sets standards for the confidentiality and use of information, and provides a repeal date of July 1, 2006.

Amends 13-2-1, 13-16-2, 13-16-3, 13-16-4, 13-16-6, 13-16-7, 13-16-10, 13-16-11; Enacts 13-16-13, 63-55-213; Repeals 13-16-5, 13-16-8, 13-16-9, 13-16-12

Effective April 30, 2001

2001 Utah Laws 283

- HB 259 Charitable Solicitations Act Amendments** (*Patrice M. Arent*) This act defines a charitable sales promotion and requires the filing of a notice before a promotion is conducted. The act repeals the bonding requirement for professional fund raisers and the requirement to issue an information card, modifies the exemptions to the Charitable Solicitations Act, and imposes fiduciary duties upon solicitors.

Amends 13-22-2, 13-22-5, 13-22-8, 13-22-9, 13-22-12, 13-22-14, 13-22-15, 13-22-16; Enacts 13-22-22, 13-22-23; Repeals 13-22-10

Effective April 30, 2001

2001 Utah Laws 210

- SB 25 Utah Professional Athletic Commission Act** (*Pete Suazo*) This act repeals and replaces the Utah Professional Boxing Regulation Act with the Utah Professional Athletic Commission Act. The act removes the regulation of boxing and unarmed combat from the Division of Occupational and Professional Licensing and creates an independent Utah Professional Athletic Commission within the Department of Commerce. The act provides for the licensure of promoters, managers, seconds, contestants, judges, and referees, grants rulemaking authority to the Utah Professional Athletic Commission to govern unarmed combat, prohibits ultimate fighting, defines unlawful and unprofessional conduct and provides for penalties. The act authorizes the hiring of a director of the Utah Professional Athletic Commission, levies fees on ticket proceeds and broadcast revenues from contests, and provides for funding of amateur boxing within the state.

Enacts 13-33-101, 13-33-102, 13-33-201, 13-33-202, 13-33-203, 13-33-204, 13-33-205, 13-33-301, 13-33-302, 13-33-303, 13-33-304, 13-33-305, 13-33-401, 13-33-402, 13-33-403, 13-33-404, 13-33-405, 13-33-501, 13-33-502, 13-33-503, 13-33-504, 13-33-505, 13-33-506; Repeals 58-66-101, 58-66-102, 58-66-201, 58-66-301, 58-66-302, 58-66-303, 58-66-401, 58-66-501, 58-66-502, 58-66-503, 58-66-601, 58-66-602, 58-66-603, 58-66-604, 58-66-605, 58-66-606, 58-66-607, 58-66-608

Effective July 1, 2001

2001 Utah Laws 91

- SB 245 Consumer Protection Amendments** (*Mike Dmitrich*) This act clarifies what constitutes a deceptive act or practice by a supplier, clarifies the definition of an assisted marketing plan, and adjusts the bonding requirements for credit services organizations and health spa facilities.

Amends 13-11-4, 13-15-2, 13-21-3, 13-23-5

Effective April 30, 2001

2001 Utah Laws 196

Title 15 -- CONTRACTS AND OBLIGATIONS IN GENERAL

- SB 60 Uniform Athlete Agents Act** (*Lyle W. Hillyard*) This act requires the registration of athlete agents, creates requirements for agency contracts including warnings to student athletes, and specifies that a student-athlete must notify the educational institution where the student is enrolled within 72 hours of signing an agency contract. The act also allows a student-athlete to cancel an agency contract within 14 days after it is signed and requires an athlete agent to retain the related records. Criminal, civil, and administrative penalties are provided for and certain conduct by athlete agents is prohibited.

Enacts 15-9-101, 15-9-102, 15-9-103, 15-9-104, 15-9-105, 15-9-106, 15-9-107, 15-9-108, 15-9-109, 15-9-110, 15-9-111, 15-9-112, 15-9-113, 15-9-114, 15-9-115, 15-9-116, 15-9-117, 15-9-118, 15-9-119

Effective April 30, 2001

2001 Utah Laws 237

Title 16 -- CORPORATIONS

- HB 295** **Electronic Proxy Voting for Corporations** (*Stephen H. Urquhart*) This act defines an electronic transmission, allows shareholders or their representative to vote electronically, and specifies that corporations may accept electronic proxy voting.

Amends 16-10a-102, 16-10a-722, 31A-5-101, 42-2-6.6

Effective April 30, 2001

2001 Utah Laws 218

- SB 139** **Nonprofit Corporation Act Amendments** (*Lyle W. Hillyard*) This act clarifies voting and election procedures affecting candidates for a nonprofit corporation's board of directors, the removal of directors by judicial proceeding, and expands the conditions under which a conflicting interest transaction may not be void or voidable or be enjoined, set aside, or give rise to award for damages or other sanctions.

Amends 16-6a-102, 16-6a-202, 16-6a-302, 16-6a-707, 16-6a-709, 16-6a-717, 16-6a-805 , 16-6a-808, 16-6a-809, 16-6a-817, 16-6a-825, 16-6a-826, 16-6a-1405, 16-6a-1607; Enacts 16-6a-1705

Effective April 30, 2001

2001 Utah Laws 127

Title 17 -- COUNTIES

- HB 206** **Counties Accumulation of Retained Earnings** (*Thomas V. Hatch*) This act expands the maximum amount of unappropriated surplus that a county may retain in its General Fund.

Amends 17-36-16

Effective April 30, 2001

2001 Utah Laws 52

- SB 39** **Allowable Use of County and City Resources** (*D. Chris Buttars*) This act authorizes counties and cities to use resources for private, nonprofit entities.

Amends 10-8-2, 17-50-303

Effective April 30, 2001

2001 Utah Laws 96

- SB 80** **County Statutes Revision** (*David L. Gladwell*) This act prohibits separate ownership or conveyance of a common area on a recorded plat and contains provisions for how a common area is to be treated for assessment purposes and for purposes of instruments describing a parcel on the plat. The act modifies county and municipal land use and development provisions including county board of adjustment power provisions and conditional use and other appeal provisions. The act directs county legislative bodies to define how their power to consent of appointments takes place and authorizes the delegation of that power to the executive. The act modifies county budget provisions, including the designation of the county budget officer. The act modifies county clerk and county recorder provisions, including provisions relating to the recording of documents. The act modifies county surveyor provisions and requires all survey work to be done by a licensed land surveyor and distinguishes those surveyor functions that may
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be performed by someone who is not a licensed land surveyor. The act shifts responsibility for approving plats in the county from the legislative body to the executive. The act repeals certain duties of a county treasurer and a county auditor and repeals penalties for a treasurer or auditor who does not fulfill certain duties. The act modifies certain duties of a county treasurer and repeals a provision authorizing the county legislative body to suspend a treasurer who is charged with official misconduct. The act modifies county career service council provisions, allows for the appointment of alternate members of the career service council, modifies the authority of the career service council with respect to appeals of personnel matters, contains provisions relating to district court review of a career service council decision, and allows the appointment of administrative law judges to hear appeals referred by the career service council. The act modifies provisions relating to the office of personnel management and makes the position of director a merit position. The act modifies the procedure for adopting an alternate form of county government, modifies the makeup of the appointment council, eliminates some alternate forms of government, requires an optional plan to be prepared by a study committee before being presented to voters, and replaces the county attorney with the attorney general with respect to a review of the optional plan for compliance with applicable law. The act authorizes the county executive and county legislative body to exercise limited direction and supervision over other county elected officers and modifies executive functions and powers. The act modifies the procedure for electing a county or district attorney under certain circumstances. The act provides for boundary agreements to act as quitclaim deeds under certain circumstances and eliminates a requirement for water right deeds to be transmitted by the county recorder to the state engineer. The act imposes a one-year limit on actions against a county legislative body or county executive for decisions they make.

Amends 10-9-804, 10-9-805, 10-9-811, 17-16-7, 17-19-3, 17-19-19, 17-20-1, 17-20-4, 17-21-1, 17-21-6, 17-21-13, 17-21-17, 17-21-19, 17-21-21, 17-21-22, 17-23-1, 17-23-2, 17-23-3, 17-23-5, 17-23-14, 17-23-15, 17-23-16, 17-23-17, 17-23-17.5, 17-23-18, 17-24-1, 17-24-4, 17-24-12, 17-27-103, 17-27-406, 17-27-702, 17-27-703, 17-27-704, 17-27-708, 17-27-804, 17-27-805, 17-27-806, 17-27-808, 17-27-809, 17-27-810, 17-27-811, 17-27-901, 17-27-1001, 17-33-1, 17-33-4, 17-33-5, 17-33-7, 17-33-8, 17-36-3, 17-50-402, 17-52-101, 17-52-102, 17-52-201, 17-52-202, 17-52-203, 17-52-204, 17-52-205, 17-52-206, 17-52-207, 17-52-301, 17-52-302, 17-52-303, 17-52-401, 17-52-402, 17-52-403, 17-53-201, 17-53-301, 17-53-302, 17-53-315, 20A-1-102, 20A-6-302, 21-2-3, 57-3-106, 59-2-502, 59-2-1366, 68-3-12, 73-1-10, 78-12-29; Enacts 10-9-806.5, 17-27-806.5, 17-33-4.5, 17-52-203.5, 17-53-106, 17-53-316, 17-53-317, 57-1-45; Repeals 17-5-213, 17-23-4, 17-24-17, 17-52-503, 17-52-506, 59-2-1367, 59-2-1368, 59-2-1369, 59-2-1370, 59-2-1371

Effective April 30, 2001

2001 Utah Laws 241

SB 98 **Locating Telecommunications Facilities** (*Ron Allen*) This act expands exceptions to the definition of subdivision for certain unmanned telecommunications, microwave, fiber optic, electrical, or other utility service regeneration, transformation, retransmission, or amplification facilities.

Amends 17-27-103

Effective April 30, 2001

2001 Utah Laws 66

SB 152 **Medical Expenses of County Inmates** (*Michael G. Waddoups*) This act modifies provisions relating to counties to include inmate medical expenses provided at the request of a county sheriff as county expenses for certain counties. The act specifies the basis for costs of medical services in the absence of a contract between the county and a medical service facility.

Amends 17-50-319

Effective April 30, 2001

2001 Utah Laws 249

- SB 168** **Certain Municipal Services in First Class Counties** (*Leonard M. Blackham*) This act requires counties of the first class to provide detective investigative services in their unincorporated area. The act requires those counties to decrease their countywide tax levy by a specified amount and authorizes cities and towns located within those counties to increase their tax levy to generate within the city or town the same amount of revenue as the county would have collected from within the city or town. The act modifies notice and hearing requirements for cities and towns that increase their levy and expands an exemption from notice and hearing requirements for cities and towns that increase their tax rate to offset a countywide reduction relating to advanced life support and paramedic services.

Amends 17-34-1, 17-34-3, 59-2-924

Effective April 30, 2001

2001 Utah Laws 258

- SB 263** **Amendments to Duties of County Executive** (*Gene Davis*) This act expands a county executive's duties to include signing deeds that convey county property.

Amends 17-53-302

Effective April 30, 2001

2001 Utah Laws 199

Title 17A -- SPECIAL DISTRICTS

- HB 169** **Name of Special District Amendments** (*Eli H. Anderson*) This act authorizes a special district board to change the name of the special district and to require notice of the name change to be given.

Amends 17A-1-204

Effective April 30, 2001

2001 Utah Laws 183

- HB 173** **Special Service District - Qualified Electors** (*DeMar Bud Bowman*) This act provides an exception to the requirement that members of a special service district administrative control board be qualified electors of the special service district.

Amends 17A-2-1326

Effective April 30, 2001

2001 Utah Laws 284

- SB 70** **Redevelopment Agency Tax Increment from School Districts** (*Howard A. Stephenson*) This act requires school district representatives on the taxing agency committee to report their votes in support of tax increment. The act requires county assessors to report on the value of property within a project area to the taxing agency committee. The act also contains a coordination clause.

Amends 17A-2-1247.5

Effective June 1, 2001

2001 Utah Laws 103

- SB 145 Metropolitan Water District Board Amendments** (*Carlene M. Walker*) This act modifies the number and term of members of a metropolitan water district board of trustees and repeals obsolete language relating to the status of board of trustees members serving at the time of a prior amendment.

Amends 17A-2-819

Effective April 30, 2001

2001 Utah Laws 70

- SB 241 Special District Amendments** (*Gene Davis*) This act includes the providing, operating, and maintaining of jails among the services that special service districts are authorized to provide for a first class county. The act requires the number of members of an administrative control board for a special service district providing jail service to be increased. The act restricts funding for a special service district providing jail service to a property tax.

Amends 10-8-58, 17A-2-1304, 17A-2-1320, 17A-2-1322, 17A-2-1326, 59-2-924

Effective April 30, 2001

2001 Utah Laws 195

Title 17B -- LIMITED PURPOSE LOCAL GOVERNMENT ENTITIES

- HB 7 Recodification and Amendments of Redevelopment Agencies Statutes** (*Wayne A. Harper*) This act repeals, reenacts, and rewrites statutory provisions relating to redevelopment agencies. The act modifies the procedure to create an agency and clarifies the distinction between an agency and the community that creates the agency. The act expands the group of agencies that qualify to use certain tax increment funds and modifies the role of the taxing entity committee. The act modifies and clarifies the process for adopting a project area plan and a project area budget and clarifies the uses of tax increment. The act eliminates a restriction on the adoption of a project area budget. The act modifies and clarifies definitions, including the definition of blight, and clarifies the distinctions among and the requirements and other provisions applicable to redevelopment, economic development, and education housing development. The act streamlines the provisions relating to agency bonds. The act clarifies notice and hearing provisions and provisions relating to owner's rights.

Amends 9-4-704, 10-3-1303, 11-25-3, 11-25-5, 11-25-11, 51-2-8, 59-2-906.1, 59-2-924; Enacts 17B-4-101, 17B-4-102, 17B-4-103, 17B-4-104, 17B-4-105, 17B-4-201, 17B-4-202, 17B-4-203, 17B-4-204, 17B-4-205, 17B-4-206, 17B-4-301, 17B-4-302, 17B-4-303, 17B-4-401, 17B-4-402, 17B-4-403, 17B-4-404, 17B-4-405, 17B-4-406, 17B-4-407, 17B-4-408, 17B-4-409, 17B-4-410, 17B-4-411, 17B-4-501, 17B-4-502, 17B-4-503, 17B-4-504, 17B-4-505, 17B-4-506, 17B-4-507, 17B-4-601, 17B-4-602, 17B-4-603, 17B-4-604, 17B-4-605, 17B-4-701, 17B-4-702, 17B-4-703, 17B-4-704, 17B-4-705, 17B-4-801, 17B-4-802, 17B-4-901, 17B-4-902, 17B-4-1001, 17B-4-1002, 17B-4-1003, 17B-4-1004, 17B-4-1005, 17B-4-1006, 17B-4-1007, 17B-4-1008, 17B-4-1009, 17B-4-1010, 17B-4-1011, 17B-4-1101, 17B-4-1102, 17B-4-1103, 17B-4-1104, 17B-4-1201, 17B-4-1202, 17B-4-1203, 17B-4-1204, 17B-4-1205, 17B-4-1206, 17B-4-1207, 17B-4-1208, 17B-4-1301, 17B-4-1302, 17B-4-1303, 17B-4-1304, 17B-4-1305, 17B-4-1306, 17B-4-1401; Repeals 17A-2-1201, 17A-2-1202, 17A-2-1203, 17A-2-1204, 17A-2-1205, 17A-2-1206, 17A-2-1207, 17A-2-1208, 17A-2-1209, 17A-2-1210, 17A-2-1210.5, 17A-2-1211, 17A-2-1212, 17A-2-1213, 17A-2-1214, 17A-2-1215, 17A-2-1216, 17A-2-1217, 17A-2-1218, 17A-2-1219, 17A-2-1220, 17A-2-1221, 17A-2-1222, 17A-2-1223, 17A-2-1224, 17A-2-1225, 17A-2-1226, 17A-2-1227, 17A-2-1228, 17A-2-1229, 17A-2-1230, 17A-2-1231, 17A-2-1232, 17A-2-1233, 17A-2-1234, 17A-2-1235, 17A-2-1236, 17A-2-1237, 17A-2-1238, 17A-2-1239, 17A-2-1240, 17A-2-1241, 17A-2-1242, 17A-2-1243, 17A-2-1244, 17A-2-1245, 17A-2-1246, 17A-2-1247, 17A-2-1247.5, 17A-2-1248, 17A-2-1249, 17A-2-1250, 17A-2-1250.5, 17A-2-1251, 17A-2-1252, 17A-2-1253, 17A-2-1254, 17A-2-1255, 17A-2-1256, 17A-2-1257, 17A-2-1258, 17A-2-1259, 17A-2-1260, 17A-2-1261, 17A-2-1262, 17A-2-1263, 17A-2-1264

Effective June 1, 2001

2001 Utah Laws 133

SB 23 **Special District and Local District Amendments** (*David L. Gladwell*) This act modifies provisions relating to Special Districts and Limited Purpose Local Government Entities to rewrite and standardize annexation and dissolution provisions for specified special districts and for local districts. The act allows for the process to annex an area outside the boundaries of a specified special district or a local district to be initiated by petition or by resolution of a county or municipal legislative body. The act allows, in some circumstances, a county or municipality to terminate the annexation process if the county or municipality will provide the service proposed to be provided by the special or local district. The act requires, with some exceptions, the special or local district to hold a public hearing and provide notice of the hearing and provides for a protest and election, under certain circumstances. The act provides for a streamlined annexation process for a district providing service on a wholesale level and for a district providing transportation service. The act provides a procedure for districts to adjust a common boundary. The act provides a procedure for dissolving a district if certain conditions are present. The act provides for notice and a public hearing for a dissolution. The act repeals inconsistent and obsolete provisions and provides a coordination clause.

Amends 17A-2-101, 17A-2-301, 17A-2-317, 17A-2-403, 17A-2-405, 17A-2-411, 17A-2-413, 17A-2-422, 17A-2-530, 17A-2-622, 17A-2-706, 17A-2-714, 17A-2-715, 17A-2-730, 17A-2-738, 17A-2-741, 17A-2-749, 17A-2-751, 17A-2-752, 17A-2-754, 17A-2-758, 17A-2-759, 17A-2-801, 17A-2-803, 17A-2-842, 17A-2-1048, 17A-2-1049, 17A-2-1420, 17A-2-1821, 17B-2-101, 17B-2-201, 17B-2-217, 73-2-1; Enacts 17A-2-101.3, 17B-2-102, 17B-2-501, 17B-2-502, 17B-2-503, 17B-2-504, 17B-2-505, 17B-2-506, 17B-2-507, 17B-2-508, 17B-2-509, 17B-2-510, 17B-2-511, 17B-2-512, 17B-2-513, 17B-2-514, 17B-2-515, 17B-2-516, 17B-2-517, 17B-2-701, 17B-2-702, 17B-2-703, 17B-2-704, 17B-2-705, 17B-2-706, 17B-2-707, 17B-2-708; Renumbers and Amends 17A-2-326 to 17A-3-244 ; Repeals 17A-2-202, 17A-2-203, 17A-2-204, 17A-2-205, 17A-2-206, 17A-2-207, 17A-2-213, 17A-2-214, 17A-2-303, 17A-2-304, 17A-2-331, 17A-2-332, 17A-2-333, 17A-2-339, 17A-2-404, 17A-2-406, 17A-2-407, 17A-2-408, 17A-2-409, 17A-2-410, 17A-2-417, 17A-2-420, 17A-2-430, 17A-2-529, 17A-2-546, 17A-2-561, 17A-2-562, 17A-2-563, 17A-2-564, 17A-2-565, 17A-2-566, 17A-2-567, 17A-2-602, 17A-2-603, 17A-2-604, 17A-2-605, 17A-2-606, 17A-2-608, 17A-2-614, 17A-2-624, 17A-2-702, 17A-2-703, 17A-2-704, 17A-2-705, 17A-2-731, 17A-2-732, 17A-2-733, 17A-2-734, 17A-2-735, 17A-2-736, 17A-2-737, 17A-2-745, 17A-2-746, 17A-2-747, 17A-2-748, 17A-2-811, 17A-2-812, 17A-2-813, 17A-2-814, 17A-2-815, 17A-2-841, 17A-2-912, 17A-2-913, 17A-2-1404, 17A-2-1405, 17A-2-1406, 17A-2-1407, 17A-2-1408, 17A-2-1437, 17A-2-1815, 17A-2-1816, 17A-2-1817, 17A-2-1818, 17A-2-1819, 17A-2-1820

Effective April 30, 2001

2001 Utah Laws 90

Title 19 -- ENVIRONMENTAL QUALITY CODE

HB 14 **Underground Wastewater Disposal Systems** (*Thomas V. Hatch*) This act requires individuals who design, inspect, maintain, or conduct percolation tests or soil tests for underground wastewater disposal systems to be certified and directs the Water Quality Board to make rules to implement the certification program. The act imposes a fee on new underground wastewater disposal systems and creates the Underground Wastewater Disposal System within the General Fund.

Amends 19-5-102, 19-5-104; Enacts 19-5-121, 19-5-122, 19-5-123

Effective July 1, 2001

2001 Utah Laws 274

HB 16 **Electronic Government Services Amendments - Environmental Quality** (*Richard M. Siddoway*) This act facilitates the provision of electronic government services by the Department of Environmental Quality. (*Public Utilities and Technology Interim Committee*)

Amends 19-2-103, 19-2-124, 19-4-103, 19-5-103, 19-6-320, 19-6-813

Effective April 30, 2001

2001 Utah Laws 275

HB 115 **Waste Tire Recycling** (*Neal B. Hendrickson*) This act restricts eligibility for partial reimbursement of recycling costs to recyclers within the state who recycle a minimum number of waste tires generated within the state. The act increases the waste tire recycling fee, modifies the reimbursement amounts recyclers may receive, reduces reimbursements for removing waste tires from an abandoned waste tire pile or landfill waste tire pile, allows the executive secretary of the Solid and Hazardous Waste Control Board to deny reimbursement of costs to remove waste tires from an abandoned waste tire pile or landfill waste tire pile if payment of the removal costs would result in there being insufficient funds to reimburse the costs of recyclers, and prohibits double payments to reimburse recycling costs when waste tires are converted into crumb rubber, which is subsequently used to create an ultimate product.

Amends 19-6-803, 19-6-805, 19-6-809, 19-6-810, 19-6-811, 19-6-813, 19-6-815, 19-6-816, 19-6-819, 19-6-820

Effective July 1, 2001

2001 Utah Laws 165

HB 356 **State Inspections of Hospitals and Health Clinics** (*Gordon E. Snow*) This act requires the Radiation Control Board to create a rule to allow x-ray facilities to use qualified independent experts to conduct inspections that are required by state law. The act also requires the board to establish qualifications for independent experts.

Amends 19-3-104

Effective April 30, 2001

2001 Utah Laws 311

HB 370 **Hazardous Waste Amendment** (*Jeff Alexander*) This act imposes regulations, fees, and taxes that apply to the reprocessing, treatment, or disposal of certain types of radioactive waste. The act requires generators or brokers of radioactive waste to obtain a permit to transfer the waste to a commercial radioactive waste treatment or disposal facility, and the Board of Radiation Control is authorized to make rules governing a generator site access permit program. The act imposes fees for generator site access permits and modifies the regulatory fee for a commercial radioactive waste treatment or disposal facility. The act imposes an annual fee on a commercial radioactive waste treatment or disposal facility, which is deposited in the Radioactive Waste Perpetual Care and Maintenance Fund, and is used for the perpetual care and maintenance of the facility after its closure. The act imposes a tax on radioactive waste disposed of or reprocessed at a radioactive waste facility and provides for the study of issues relating to radioactive waste.

Amends 19-1-108, 19-3-102, 19-3-106, 59-1-403; Enacts 19-3-106.2, 19-3-106.4, 19-3-201.1, 59-24-101, 59-24-102, 59-24-103, 59-24-104, 59-24-105, 59-24-106, 59-24-107, 59-24-108, 59-24-109

Effective April 30, 2001

2001 Utah Laws 314

SB 81 **Provisions Relating to High-level Nuclear Waste** (*Terry R. Spencer*) This act prohibits the placement of high-level nuclear waste or greater than class C radioactive waste within the borders of the state and prohibits governmental entities or businesses from providing services to facilitate the placement of the waste in the state. However, should the federal government authorize this placement, the act requires mandatory planning by the site county, including a public hearing. The act provides that an entity may not apply for a state license for the transportation, transfer, or storage of high-level nuclear waste or greater than class C radioactive waste until a final court ruling is given regarding the state provisions. The act also prohibits a county from providing municipal-type services to a site under consideration for a facility, entering into contracts to provide the services, or creating political subdivisions to provide the services

until a license is authorized. The act provides that persons or organizations acting in violation of these provisions are subject to penalties. The act requires the Department of Environmental Quality to determine the amount of unfunded potential liability regarding a release of the waste from a facility. Should a facility gain a license, the act imposes on any organization providing municipal-type services a transaction fee of 75% of the value of a contract. This fee is to be applied to the unfunded potential liability and deposited in a restricted account created by this act. In addition, the license applicant is required to deposit in this account not less than 75% of the determined unfunded potential liability within 30 days of issuance of the license for the facility. The licensee is also required to pay an annual fee to be determined by the amount of workers' compensation to be paid for employees in the state, multiplied by the number of casks of nuclear waste brought into the state, which is also to be deposited in the account. The fee does not exempt the licensee from payments for workers' compensation. The act also requires the licensee to test employees for the presence of drugs or alcohol to protect the safety of the public. The act provides for the state engineer to file an action in court to determine water rights for any area within the state's boundaries when any entity is actively seeking a license for a nuclear waste facility.

Amends 17-27-102, 17-27-301, 17-27-303, 17-34-1, 17-34-3, 19-3-301, 19-3-302, 19-3-303, 19-3-308, 19-3-309, 19-3-312, 34-38-3, 73-4-1; Enacts 17-27-308, 17-34-6, 19-3-319

Effective March 15, 2001

2001 Utah Laws 107

SB 198 **High-level Nuclear Waste Prevention Study** (*Terry R. Spencer*) This act requires the Department of Environmental Quality, in its efforts to prevent siting of a nuclear waste facility within the state, to study means of economic development on Native American reservation lands within the state and provide a plan based on this study.

Enacts 19-3-319

Effective April 30, 2001

2001 Utah Laws 269

Title 20A -- ELECTION CODE

HB 29 **Election Law - Technical Amendments** (*Bryan D. Holladay*) This act changes the deadline for determining tie votes in municipal primary elections. The act changes the power of the legislature to modify initiatives, provisions governing misconduct of electors and offices in local initiatives and referenda, and the form of the special military write-in absentee ballot. The act also directs clerks to prepare overseas citizen absentee voter ballots.

Amends 20A-1-304, 20A-3-404, 20A-4-401, 20A-7-212, 20A-7-512, 20A-7-612; Enacts 20A-3-404.5

Effective February 8, 2001

2001 Utah Laws 20

HB 116 **Judicial Retention Election Amendments** (*Gary F. Cox*) This act adds requirements governing judges standing for a retention election. The act requires judges to establish a campaign committee under certain circumstances and a separate account for campaign funds. The act establishes the dates they must file and information they must provide on campaign finance reports. The act also establishes notice requirements and penalties if judges fail to file their campaign reports.

Amends 20A-7-702, 20A-11-103; Enacts 20A-12-301, 20A-12-302, 20A-12-303, 20A-12-304, 20A-12-305, 20A-12-306

Effective April 30, 2001

2001 Utah Laws 166

HB 124 **Amendments to Voter Information Pamphlet** (*J. Morgan Philpot*) This act requires notice of an appeal of the ballot title or impartial analysis to the opponents of measures submitted to the voters.

Amends 20A-7-209, 20A-7-308

Effective April 30, 2001

2001 Utah Laws 169

HB 143 **Voting by Secret Ballot for Persons with Disabilities** (*Richard M. Siddoway*) This act enacts uncodified material requiring the Lieutenant Governor's Elections Office to study and report possible methods for allowing persons with disabilities to vote a secret ballot.

Effective April 30, 2001

2001 Utah Laws 349

HB 179 **Voluntary Contributions Act** (*Chad E. Bennion*) This act requires labor organizations to establish a separate fund for political purposes and establishes registration and disclosure requirements for the fund. The act establishes criminal penalties. The act also prohibits public employees from authorizing payroll deductions to a labor organization's political fund.

Enacts 20A-11-1401, 20A-11-1402, 20A-11-1403, 20A-11-1404, 20A-11-1405; Repeals and Reenacts 34-32-1

Effective April 30, 2001

2001 Utah Laws 285

HB 231 **Electoral College Amendments** (*David Clark*) This act requires political parties to fill vacancies in the office of presidential elector and eliminates a requirement to invite each presidential elector to appear at the state capitol the day before the electors cast their votes.

Amends 20A-8-401, 20A-13-301, 20A-13-302, 20A-13-303

Effective April 30, 2001

2001 Utah Laws 78

HB 314 **Election Code - Military Overseas Ballot Procedures** (*Matt Throckmorton*) This act modifies statutes governing voting by military or overseas citizens by imposing requirements based on the postmark, date received, or other criteria. The act also establishes criteria for declaring certain ballots invalid.

Amends 20A-3-408

Effective April 30, 2001

2001 Utah Laws 373

HB 369 **County Election Amendments** (*Jeff Alexander*) This act allows counties, under the direction of the chief election officer, to develop and implement systems that allow voters to electronically cast their votes.

Enacts 20A-6-104

Effective April 30, 2001

2001 Utah Laws 313

- SB 47** **Ballot Requirements on Legislative and Initiative Proposals** (*Millie M. Peterson*) This act modifies ballot requirements for regular general elections and municipal general elections by establishing the title naming conventions for ballot propositions submitted to the voters.
- Amends 20A-6-301, 20A-6-303, 20A-6-402, 20A-7-103, 20A-7-209, 20A-7-308, 20A-7-508, 20A-7-608
- Effective April 30, 2001 2001 Utah Laws 57
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- SB 86** **Voter Information Pamphlet Amendments** (*Lyle W. Hillyard*) This act clarifies the standard of review in writing and judicially reviewing ballot titles for initiative and referenda and provides a time frame for rebuttals to arguments presented for or against an initiative. The act also clarifies the responsibility for ballot marking procedures.
- Amends 20A-7-209, 20A-7-308, 20A-7-702, 20A-7-704, 20A-7-706
- Effective April 30, 2001 2001 Utah Laws 65
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Title 21 -- FEES

- HB 19** **Fees Recodification** (*Neil A. Hansen*) This act repeals some sections of the Fees Title and renumbers and amends other sections related to fees. (*Government Operations Interim Committee*)
- Amends 10-3-703.5, 17-25a-4, 34A-6-301, 35A-3-114, 41-6-44.10, 53-3-223, 63-55-235, 63-63a-8, 70A-9-403 (Repealed 07/01/01), 70A-9-404 (Repealed 07/01/01), 70A-9a-525 (Effective 07/01/01), 77-18-10, 78-6-14, 78-28-1, 78-31b-9, 78-46-1, 78-56-108; Renumbers and Amends 21-1-2 (Effective 04/30/01) to 67-1a-2.5 (Effective 04/30/01), 21-1-2 (Superseded 04/30/01) to 67-1a-2.5 (Superseded 04/30/01), 21-1-2.5 (Effective 04/30/01) to 13-1a-9 (Effective 04/30/01), 21-1-2.5 (Superseded 04/30/01) to 13-1a-9 (Superseded 04/30/01), 21-1-3 to 67-3-1.5, 21-1-4 to 78-7-35.1, 21-1-5 to 78-7-35, 21-2-3 to 17-21-18.5, 21-2-4 to 17-22-2.5, 21-2-8 to 17-16-21, 21-3-3 to 17-25-2, 21-3-3.5 to 17-25-3, 21-3-4 to 17-25-4, 21-3-5 to 17-25-5, 21-5-1 to 78-46-24, 21-5-1.5 to 78-46-25, 21-5-2 to 78-46-26, 21-5-3 to 78-46-27, 21-5-4 to 78-46-28, 21-5-4.5 to 78-46-29, 21-5-8 to 78-46-30, 21-5-11 to 78-46-31, 21-5-14 to 78-46-32, 21-5-14.5 to 78-46-33, 21-5-15 to 78-46-34, 21-5-16 to 78-46-35, 21-5-17 to 78-46-36, 21-5-18 to 78-46-37, 21-6-5 to 78-46-38, 21-7-2 to 63-38-3.3, 21-7-3 to 78-7-36, 21-7-4 to 78-7-37, 21-7-4.5 to 78-7-38, 21-7-4.6 to 78-7-39, 21-7-4.7 to 78-7-40, 21-7-5 to 78-7-41, 21-7-6 to 78-7-42, 21-7-7 to 78-7-43, 21-7-16 to 78-46-39, 21-7-17 to 78-46-40, 21-7-18 to 78-46-41, 21-7-19 to 78-5-135.5, 21-7-20 to 78-7-44; Repeals 21-1-1, 21-6-1, 21-6-2, 21-6-3, 21-6-6, 21-6-7, 21-7-1, 21-7-9, 21-7-10, 21-7-11, 21-7-12, 21-7-13, 21-7-14, 21-7-15
- Effective April 30, 2001 2001 Utah Laws 46
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Title 23 -- WILDLIFE RESOURCES CODE OF UTAH

- HB 54** **Wildlife - Hunting and Fishing Fees** (*Michael R. Styer*) This act eliminates license fees set in statute and allows the Wildlife Board to set license fees, which must be approved by the legislature.
- Amends 23-14-18, 23-15-14, 23-19-17, 23-19-18, 23-19-21, 23-19-24, 23-19-25, 23-19-26, 23-19-27, 23-19-34.7, 23-19-40, 23-19-42, 23-26-4; Enacts 63-55b-123
- Effective April 30, 2001 2001 Utah Laws 22
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HB 108 **Requirements for Posting Boundaries of Hunting Units** (*Craig W. Buttars*) This act specifies requirements for the posting of boundaries of cooperative wildlife management units.

Amends 23-23-7

Effective April 30, 2001

2001 Utah Laws 160

HB 213 **Fishing License Exemption for Youth in Youth Corrections** (*Bradley T. Johnson*) This act allows certain youth in custody of the Division of Youth Corrections to fish without a license.

Amends 23-19-14

Effective April 30, 2001

2001 Utah Laws 55

HB 226 **Proof of Hunter Education** (*Michael R. Styler*) This act prohibits a person born after December 31, 1965, from purchasing a hunting license or permit unless the person provides proof of passing a hunter education course.

Amends 23-19-11

Effective April 30, 2001

2001 Utah Laws 75

HB 227 **Hunter Safety Amendments** (*Michael R. Styler*) This act provides exceptions to the requirement of wearing hunter orange material while hunting.

Amends 23-20-31

Effective April 30, 2001

2001 Utah Laws 294

HB 318 **Wildlife Resources - License Suspension Process** (*Stephen D. Clark*) This act prescribes procedures for the suspension of privileges conferred by a license, permit, or certificate of registration issued by the Division of Wildlife Resources. The act specifies the grounds for which license, permit, or certificate of registration privileges may be suspended and suspension periods. The Wildlife Board is directed to make rules containing guidelines for determining the type of license or permit privileges to suspend.

Repeals and Reenacts 23-19-9

Effective April 30, 2001

2001 Utah Laws 224

Title 26 -- UTAH HEALTH CODE

HB 61 **Medical Examiner Authority** (*Gary F. Cox*) This act requires the state medical examiner to assume custody of a highway accident decedent in certain circumstances and sets forth the conditions under which an autopsy of the body may be performed.

Amends 26-4-7, 26-4-13

Effective July 1, 2001

2001 Utah Laws 278

HB 79 **Persons with a Disability - Technical Revisions** (*Ty McCartney*) This act makes technical corrections to provisions relating to a person with a disability or impairment. The act restates the federal standard for the definition of a person with a disability and expands the Rights and Privileges of Blind and Disabled Persons Act by allowing any type of service animal to be used as a guide.

Amends 9-4-602, 9-4-614, 9-4-801, 9-4-802, 9-7-205, 10-9-104, 11-17-1.5, 11-17-2, 17-27-104, 17-28-2.6, 17-33-3, 17-33-5, 20A-3-105, 26-10-1, 26-29-1, 26-29-2, 26-29-3, 26-30-1, 26-30-2, 26-30-3, 31A-22-611, 34-38-14, 34-40-104, 34A-5-102, 41-1a-408, 49-1-103, 49-5-103, 53A-1-402, 53A-9-103, 53A-11-203, 53A-17a-106, 53A-17a-127, 53A-20-103, 53A-25-206, 55-5-5, 59-10-108, 62A-1-111, 62A-4a-105, 63B-5-201, 75-5-316, 78-11-23

Effective April 30, 2001

2001 Utah Laws 73

HB 185 **Repeal of Mammography Quality Assurance Advisory Committee** (*Lorraine T. Pace*) This act repeals the Mammography Quality Assurance Advisory Committee.

Amends 26-21a-203, 26-21a-204; Repeals 26-21a-202

Effective April 30, 2001

2001 Utah Laws 286

HB 195 **Department of Health - Fee Process** (*Kevin S. Garn*) This act clarifies the legislature's oversight of fees established by the Department of Health.

Amends 26-1-6

Effective April 30, 2001

2001 Utah Laws 49

HB 208 **Conforming Amendments to Repeal of Health Policy Commission** (*Rebecca D. Lockhart*) This act deletes references to the former Utah Health Policy Commission.

Amends 26-1-30, 26-1-30.5, 26-18-401, 26-33a-106.5, 26-40-103, 26-40-104, 26-40-109, 26-40-110, 31A-30-110, 31A-32a-106

Effective April 30, 2001

2001 Utah Laws 53

HB 331 **Emergency Medical Services Amendments** (*Kory M. Holdaway*) This act mandates the State Emergency Medical Services Committee to report annually to the Law Enforcement Criminal Justice Interim Committee and provide the specifications for that report.

Amends 26-8a-103

Effective April 30, 2001

2001 Utah Laws 228

HB 384 **Utah Olympic Law Enforcement Commander Amendments** (*David Ure*) The act modifies the duties of the medical examiner during a period around the 2002 Olympic Winter Games and provides a repeal date of April 1, 2002.

Enacts 26-4-7.1, 63-55b-126

Effective April 30, 2001

2001 Utah Laws 318

- SB 31** **Area Health Education Center Amendments** (*Peter C. Knudson*) This act appropriates \$300,000 to the University of Utah Health Science Center to expand the Area Health Education Center Program, specifies five regional centers, and eliminates the Health Department's role in establishing centers. (*Health and Human Services Interim Committee*)

Amends 26-9-3

Effective April 30, 2001

2001 Utah Laws 95

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- SB 58** **Repeal of Nursing Facilities Assessment** (*Peter C. Knudson*) This act repeals the nursing facility assessment and appropriates \$1,300,000 of the funds remaining in the Nursing Facilities Account on June 30, 2001 to the University of Utah Health Sciences Center for expansion of the Area Health Education Center Program.

Amends 26-1-30; Repeals 26-35-101, 26-35-102, 26-35-103, 26-35-104, 26-35-105, 26-35-106

Effective July 1, 2001

2001 Utah Laws 325

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- SB 109** **Utah Anatomical Gift Act Amendments** (*Karen Hale*) This act requires a hospital to notify an organ procurement organization of the imminent or actual death of a patient, requires emergency personnel to notify an organ procurement organization of a death at the scene of a motor vehicle accident, and prohibits a funeral establishment from embalming a body until after designated persons are informed of anatomical gift options. The act requires a hospital to collaborate with an organ procurement organization or designate trained individuals to ensure that specified persons are informed about anatomical gift options and permits required information to be entered on the Utah Anatomical Consent Form or hospital death form. The act also authorizes the Driver License Division to release to an organ procurement organization the names and addresses of persons who indicate on their licenses that they intend to make an anatomical gift, sets forth the manner of collecting and releasing anatomical gift information, and sets limits on the use of anatomical gift information.

Amends 26-28-2, 26-28-6, 53-3-205, 53-3-207, 53-3-804, 53-3-805

Effective July 1, 2001

2001 Utah Laws 117

Title 30 -- HUSBAND AND WIFE

- SB 134** **Protective Order Amendments** (*Terry R. Spencer*) This act modifies provisions regarding protective orders to allow either party to a hearing to object to an order recommended by a commissioner and have the matter heard by a judge.

Amends 30-6-4.3

Effective April 30, 2001

2001 Utah Laws 247

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- SB 136** **Parenting Plan for Divorcing Parents** (*Lyle W. Hillyard*) This act requires that a parenting plan be provided by parents requesting joint custody of minor children. The act defines a parenting plan, provides objectives, and prescribes requirements for filing a parenting plan. It also requires the designation of a dispute resolution process for any breakdown of the agreement.

Amends 30-3-10.2, 30-3-10.3; Enacts 30-3-10.7, 30-3-10.8, 30-3-10.9

Effective April 30, 2001

2001 Utah Laws 126

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- SB 146** **Performing Unlawful Marriages** (*Ron Allen*) This act provides specific penalties for performing marriages without authority or a valid license. It also provides a penalty for a parent or guardian who allows a minor child to be married in violation of the law.

Amends 30-1-5, 30-1-13, 30-1-14, 30-1-15; Enacts 30-1-9.1

Effective April 30, 2001

2001 Utah Laws 129

- SB 147** **Extending Child Visitation for Divorced Families** (*Terry R. Spencer*) This act modifies the visitation schedule for children aged three to five years by allowing a noncustodial parent to pick the child up from daycare for a specified evening visitation.

Amends 30-3-35.5

Effective April 30, 2001

2001 Utah Laws 130

- SB 211** **Solemnization of Marriages** (*Gene Davis*) This act provides that a certification, licensure, ordination, or any other endorsement through application over the Internet or by mail that purports to provide religious authority is not valid in Utah for the purpose of performing marriage ceremonies.

Enacts 30-1-6.1

Effective April 30, 2001

2001 Utah Laws 187

Title 31A -- INSURANCE CODE

- HB 44** **Insurance Department - Health Policy Responsibilities** (*Rebecca D. Lockhart*) This act requires the insurance commissioner to prepare an annual evaluation of the state's health insurance market and report the findings to the legislature.

Amends 31A-2-201

Effective April 30, 2001

2001 Utah Laws 277

- HB 59** **Workers' Compensation Fund** (*Kevin S. Garn*) This act allows an employer, whose purchase of insurance arises solely out of the purchase of workers' compensation products and service, to be insured against liability for compensation for job-related injuries through a Workers' Compensation Fund subsidiary. The act exempts the Workers' Compensation Fund from the Open and Public Meetings provisions.

Amends 31A-33-103.5, 31A-33-104

Effective April 30, 2001

2001 Utah Laws 33

HB 109 **Amendments to the Insurance Law** (*John E. Swallow*) This act recodifies the Utah Life and Disability Insurance Guaranty Association Act. The act clarifies the rules of construction, addresses membership in the association and the board of directors of the association, modifies the powers and duties of the association, addresses assessments made on member insurers, and addresses the plan of operation of the association. The act modifies the powers and duties of the commissioner, addresses the prevention of insolvencies, amends the requirements for examinations, annual reports, summary documents, and addresses advertisements.

Amends 31A-28-102, 31A-28-103, 31A-28-104, 31A-28-105, 31A-28-106, 31A-28-107, 31A-28-108, 31A-28-109, 31A-28-110, 31A-28-111, 31A-28-112, 31A-28-113, 31A-28-114, 31A-28-115, 31A-28-117, 31A-28-119; Enacts 31A-28-120

Effective April 30, 2001

2001 Utah Laws 161

HB 233 **Property and Casualty Guaranty Association Act** (*Gerry A. Adair*) This act makes broad changes to Utah's insurance code. It establishes minimum claim amounts, revises definitions such as the definition of a "covered claim," addresses net worth tests for first-party claims, and eliminates the per diem but allows expenses for members of the board of directors. The act also addresses the powers and duties of the board of directors and the state insurance commissioner, and the termination of obligations on covered claims. It allows payment of refunds directly to the State Tax Commission, grants exclusive jurisdiction over claims against the association to the Utah courts, and eliminates classes of assessments. The act also clarifies the association's plan of operation, liabilities, and the annual report submission date.

Amends 31A-28-202, 31A-28-203, 31A-28-205, 31A-28-206, 31A-28-207, 31A-28-208, 31A-28-209, 31A-28-210, 31A-28-213, 31A-28-214, 31A-28-218, 31A-28-220; Enacts 31A-28-222; Repeals 31A-28-201, 31A-28-216, 31A-28-219, 31A-28-221

Effective April 30, 2001

2001 Utah Laws 363

HB 254 **Insurance Company Notification Requirements** (*Chad E. Bennion*) This act amends the requirement for an insurance company to inform a custodial parent of insurance available through a noncustodial parent's employer and modifies the notice that must be provided before terminating dependent coverage.

Amends 31A-22-610.5

Effective April 30, 2001

2001 Utah Laws 207

SB 69 **Medical Claims Amendments** (*Leonard M. Blackham*) This act establishes the duty of an insurer to timely pay providers, the duty of providers to respond to an insurer's request for information, and provides for penalties for failure to timely pay a claim or failure to timely provide information on a claim. The act defines an unfair claim settlement practice and authorizes the Insurance Commissioner to audit compliance, impose sanctions, and adopt rules necessary for enforcement.

Amends 31A-26-301.5; Enacts 31A-26-301.6

Effective September 1, 2001

2001 Utah Laws 240

- SB 83** **Small Employer Purchasing Alliance Amendments** (*Leonard M. Blackham*) This act permits a small employer purchasing alliance to limit reimbursement to providers on the panel of a contracted insurer if the Insurance Commissioner finds that, as a whole, contracts available to alliance members provide a broad and substantial choice of providers encompassing the vast majority of doctors and hospitals in the state.

Amends 31A-34-110

Effective April 30, 2001

2001 Utah Laws 108

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- SB 100** **Insurance Law Amendments** (*L. Steven Poulton*) This act makes broad modifications to the Insurance Code and related provisions involving health insurance, property insurance, and life insurance in general.

Amends 7-9-5, 26-19-2, 26-40-104, 31A-1-103, 31A-1-301, 31A-2-214, 31A-4-103, 31A-4-113, 31A-5-211, 31A-5-418, 31A-5-703, 31A-6a-102, 31A-6a-110, 31A-8-101, 31A-8-103, 31A-8-209, 31A-8-211, 31A-8-213, 31A-8-402, 31A-8-407, 31A-8-408, 31A-9-212, 31A-11-102, 31A-14-201, 31A-14-212, 31A-15-103, 31A-15-106, 31A-17-201, 31A-17-401, 31A-17-402, 31A-17-408, 31A-17-504, 31A-17-505, 31A-17-507, 31A-17-508, 31A-17-509, 31A-17-513, 31A-17-601, 31A-17-602, 31A-17-603, 31A-17-604, 31A-17-605, 31A-17-606, 31A-17-607, 31A-17-608, 31A-17-609, 31A-17-610, 31A-17-613, 31A-18-105, 31A-19a-101, 31A-21-103, 31A-21-104, 31A-21-201, 31A-21-301, 31A-21-303, 31A-21-307, 31A-21-401, 31A-21-402, 31A-21-403, 31A-21-404, 31A-21-501, 31A-21-502, 31A-21-503, 31A-21-505, 31A-22-307, 31A-22-403, 31A-22-404, 31A-22-415, 31A-22-423, 31A-22-510, 31A-22-517, 31A-22-518, 31A-22-520, 31A-22-600, 31A-22-601, 31A-22-602, 31A-22-603, 31A-22-604, 31A-22-605, 31A-22-606, 31A-22-607, 31A-22-608, 31A-22-609, 31A-22-610, 31A-22-610.2, 31A-22-610.5, 31A-22-611, 31A-22-612, 31A-22-613, 31A-22-613.5, 31A-22-614, 31A-22-617, 31A-22-619, 31A-22-620, 31A-22-623, 31A-22-624, 31A-22-626, 31A-22-630, 31A-22-701, 31A-22-702, 31A-22-703, 31A-22-704, 31A-22-705, 31A-22-715, 31A-22-716, 31A-22-717, 31A-22-720, 31A-22-801, 31A-22-802, 31A-22-803, 31A-22-804, 31A-22-805, 31A-22-806, 31A-22-807, 31A-22-808, 31A-22-809, 31A-22-1002, 31A-22-1101, 31A-22-1401, 31A-22-1402, 31A-22-1407, 31A-22-1409, 31A-22-1412, 31A-23-101, 31A-23-102, 31A-23-201, 31A-23-202, 31A-23-203, 31A-23-204, 31A-23-206, 31A-23-207, 31A-23-209, 31A-23-211.7, 31A-23-212, 31A-23-216, 31A-23-218, 31A-23-302, 31A-23-303, 31A-23-307, 31A-23-310, 31A-23-312, 31A-23-404, 31A-23-503, 31A-23-601, 31A-23-702, 31A-23-705, 31A-25-102, 31A-25-202, 31A-25-203, 31A-25-205, 31A-25-206, 31A-25-207, 31A-25-208, 31A-26-101, 31A-26-202, 31A-26-203, 31A-26-204, 31A-26-206, 31A-26-207, 31A-26-208, 31A-26-209, 31A-26-213, 31A-26-302, 31A-28-102, 31A-28-103, 31A-28-106, 31A-28-108, 31A-28-109, 31A-28-202, 31A-29-103, 31A-29-117, 31A-30-103, 31A-30-104, 31A-30-106, 31A-30-106.5, 31A-30-107, 31A-32a-102, 31A-33-103.5, 31A-33-113, 34A-2-103, 58-67-501, 58-68-501, 59-10-114, 62A-11-326.1, 62A-11-326.2, 63-25a-413, 63-55-231, 67-22-1, 67-22-2, 78-14-4.5, 78-45-7.5; Enacts 31A-2-217, 31A-22-424, 31A-22-522, 31A-22-631, 31A-22-632, 31A-22-1413, 31A-22-1414, 31A-23-201.5, 31A-23-317, 31A-26-215; Repeals 31A-8-210, 31A-8-212; Repeals and Reenacts 31A-27-311.5

Effective April 30, 2001

2001 Utah Laws 116

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- SB 122** **Motor Vehicle Insurance Amendments** (*Michael G. Waddoups*) This act requires an underinsured motorist insurance carrier to, within five business days after notification that all liability insurers have paid their policy limits, waive any subrogation claim or pay the insured an amount equal to the policy limits paid by the liability carrier. The act provides that a person making an uninsured motorist claim is not subject to limitations for a cause of action for general damages from personal injury.

Amends 31A-22-305, 31A-22-307, 31A-22-309

Effective April 30, 2001

2001 Utah Laws 59

- SB 138** **Minimum Wage Applicability** (*Howard A. Stephenson*) This act prohibits cities, towns, and counties from establishing a minimum wage rate that exceeds the federal minimum wage rate and from requiring that a person contracting with the city, town, or county pay its employees a minimum wage that exceeds the federal minimum wage.

Enacts 34-40-106

Effective April 30, 2001

2001 Utah Laws 248

Title 34A -- UTAH LABOR CODE

- HB 130** **Exemption for Domestic Workers for Persons Eligible for State and Federal Programs** (*Trisha S. Beck*) This act exempts persons who perform domestic work from coverage under workers' compensation provisions if the person performs the domestic work for an individual who is eligible for a state or federal program designed to prevent that individual from being institutionalized and the person is paid through a certain type of payroll agent. The act also allows an employer to provide workers' compensation if the employer chooses to do so.

Amends 34A-2-104

Effective April 30, 2001

2001 Utah Laws 171

- HB 207** **Coal Mine Regulation by Labor Commission** (*Gerry A. Adair*) This act addresses the Labor Commission's obligation to regulate mining activities.

Amends 34A-1-407; Repeals 40-2-1, 40-2-1.5, 40-2-2, 40-2-3

Effective April 30, 2001

2001 Utah Laws 291

- SB 95** **Workers' Compensation Advisory Council Amendments** (*Ed P. Mayne*) This act permits a designee of the insurance commissioner to serve on the Workers' Compensation Advisory Council instead of the insurance commissioner.

Amends 34A-2-107

Effective April 30, 2001

2001 Utah Laws 114

- SB 276** **Workers' Compensation Coverage for Public Safety Workers During the Olympics** (*Beverly Ann Evans*) This act provides for workers' compensation coverage for law enforcement and public safety volunteers and paid officers who provide public safety services during the Olympic Winter Games of 2002 and the Paralympic Winter Games of 2002. The act provides that the workers compensation coverage is the public safety officers' and public safety volunteers' exclusive remedy against their employers, the act also provides a repeal date of January 1, 2003.

Amends 63-55b-134; Enacts 34A-10-101, 34A-10-102, 34A-10-201, 34A-10-202, 34A-10-301, 34A-10-302, 34A-10-303

Effective April 30, 2001

2001 Utah Laws 200

Title 35A -- UTAH WORKFORCE SERVICES CODE

- HB 51** **Workforce Services Amendments** (*Richard M. Siddoway*) This act clarifies the functions and duties of the Office of Child Care and repeals the Workforce Reentry Program.
- Amends 35A-3-114, 35A-3-203, 35A-3-304; Repeals 35A-3-305
- Effective April 30, 2001 2001 Utah Laws 143
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- HB 52** **Unemployment Insurance Amendments** (*Richard M. Siddoway*) This act requires that employers with over 250 employees file quarterly wage data on magnetic media or electronically, makes various changes to the provisions governing access to Department of Workforce Services records gathered from employers, and clarifies that the determination of benefit eligibility is solely an agency function. (*Workforce Services Interim Committee*)
- Amends 35A-4-305, 35A-4-309, 35A-4-312, 35A-4-405
- Effective April 30, 2001 2001 Utah Laws 144
-

- SB 179** **Unemployment Insurance - Native American Tribal Units** (*Ed P. Mayne*) This act reflects federal law exempting American Indian tribes and tribal units from the Federal Unemployment Tax Act, provides that services performed in the employ of tribes are covered under state unemployment compensation, and provides for retrospective operation to December 21, 2000.
- Amends 35A-4-201, 35A-4-202, 35A-4-204, 35A-4-311
- Effective April 30, 2001 2001 Utah Laws 265
-

Title 36 -- LEGISLATURE

- SB 32** **Legislative Process Committee - Duties and Responsibilities** (*Leonard M. Blackham*) This act modifies the Legislative Process Committee membership and eliminates committee duties relating to in-depth budget reviews.
- Repeals 36-17-3
- Effective April 30, 2001 2001 Utah Laws 8
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Title 38 -- LIENS

- HB 305** **Judgment Lien Amendments** (*Thomas V. Hatch*) This act provides that a judgment or an abstract of a judgment constitutes a lien when it is recorded in the office of the county recorder. The act exempts state agencies from the recording requirement and outlines requirements for documents presented for recording in the office of the county recorder. The act designates the duration of a judgment recorded in the office of the county recorder and requires that a judgment recorded in the office of the county recorder that becomes a lien on the real property of a judgment debtor shall be entered in the appropriate index in the office of the county recorder. The act modifies provisions related to the filing of judgments in the Registry of Judgments and modifies provisions related to foreign judgment liens. The act also provides a coordination clause.
- Amends 21-7-2, 38-5-1, 38-12-102, 57-3-106, 78-5-119, 78-22-1, 78-22-1.5, 78-22a-5; Renumbers and Amends 63-38-3.3 to
- Effective July 1, 2002 2001 Utah Laws 370
-

- HB 335** **Mechanics' Liens Amendments** (*Kevin S. Garn*) This act provides for the recording of a notice of release of lien and substitution of alternate security in order to release property encumbered by a mechanics' lien and prohibits the variance by agreement of the provisions of the Mechanics' Lien Act.

Amends 38-1-27; Enacts 38-1-28, 38-1-29

Effective April 30, 2001

2001 Utah Laws 229

- SB 167** **Penalty for Wrongful Mechanics' Lien** (*L. Steven Poulton*) This act prohibits the recovery of attorneys' fees by a person who has filed a wrongful mechanics' lien and provides for civil penalties for filing a mechanics' lien in an amount greater than the actual sum due. This act provides for costs and attorneys' fees in cases where an offer of judgment is unreasonably rejected and provides for action against a construction trades license held by a person or entity filing a wrongful mechanics' lien.

Amends 38-1-18, 38-1-25, 58-55-501

Effective April 30, 2001

2001 Utah Laws 257

- SB 254** **Residence Liens Recovery Fund Amendments** (*Lyle W. Hillyard*) This act adds factory built housing to the scope of the Residence Lien Restriction and Lien Recovery Fund, repeals the lifetime cap on recovery from the fund, extends the filing deadline, requires the inclusion of instructions and a form affidavit and motion when serving a complaint on a homeowner, and provides for additional licensure sanctions for actions resulting in payments from the fund.

Amends 38-1-11, 38-11-102, 38-11-107, 38-11-203, 38-11-204, 38-11-207, 38-11-301, 58-55-302, 58-55-303, 58-55-501, 58-55-502, 58-55-503

Effective April 30, 2001

2001 Utah Laws 198

Title 41 -- MOTOR VEHICLES

- HB 15** **Bicycle Law Amendments** (*Marda Dillree*) This act allows a bicyclist to use the right arm for a right-hand turn signal, provides an exception from staying right when a bicyclist is traveling straight through a right-turn-only lane, and allows, instead of requires, a bicyclist to use a bicycle path adjacent to a roadway. The act allows bicycles on sidewalks, except where specifically prohibited, and provides a speed limit for bicycles on sidewalks or paths. The duration of turn signals is made uniform for vehicles and bicycles. A red taillight and a flashing red taillight on a bicycle are allowed, and bicycle headlamps must be approved by the Department of Public Safety. Bicyclists are also required to operate in the designated direction of traffic. (*Transportation Interim Committee*)

Amends 41-6-71, 41-6-87, 41-6-87.3, 41-6-87.7, 41-6-90, 41-6-106.10, 41-6-140

Effective April 30, 2001

2001 Utah Laws 44

HB 30 **Vehicle Towing and Reporting Requirements** (*James R. Gowans*) This act consolidates and makes uniform reporting, notification, and retrieval requirements for a vehicle, vessel, and outboard motor that is towed due to abandonment, improper registration, DUI, theft, or public safety concerns. A vehicle removal is required to be reported immediately by both the peace officer and the tow truck operator. The report is made to the Motor Vehicle Division in a form the division specifies, which may include an electronic form compatible with a database. The division may charge a fee for utilizing the database based on the cost of administering the database. A person may not remove an unattended vehicle without prior authorization of a law enforcement agency or the owner of the property where the vehicle is located. An unattended vehicle is considered abandoned if left for 48 hours, instead of the previous requirement of 24 hours. An authorized towing certificate is required for any tow truck service that performs towing without the knowledge of a vehicle owner. The Department of Transportation is required to make rules for the inspection, investigation, and certification of tow truck motor carriers, tow trucks, and drivers and the department may charge a biennial fee to cover its costs. A tow truck operator who removes a vehicle from private property without the owner's knowledge must immediately report the removal to law enforcement and send a certified letter to the owner within two business days. Until a tow truck motor carrier reports the removal of a vehicle, no fee may be collected for the removal and no storage fees may be charged. All towing and storage fees must be conspicuously posted. (*Transportation Interim Committee*)

Amends 41-1a-1101, 41-6-44.30, 41-6-102, 41-6-116.10, 53-1-106, 53-3-106, 72-9-601, 72-9-602, 72-9-603, 73-18-12.7, 73-18-12.8, 73-18-20.1, 73-18-20.2; Enacts 41-6-102.5, 41-6-102.7

Effective July 1, 2001

2001 Utah Laws 202

HB 49 **Vehicle Suspension Lift Laws** (*DeMar Bud Bowman*) This act modifies motor vehicle frame height requirements for a vehicle less than 15,000 pounds and modifies the method for measuring compliance. The act prohibits a frame height of more than 24 inches for a vehicle less than 4,500 pounds, prohibits a frame height of more than 26 inches for a vehicle at least 4,500 but less than 7,500 pounds, and prohibits a frame height of more than 28 inches for a vehicle at least 7,500 pounds. A vehicle may not have any of its parts, except tires, rims, and mudguards, less than three inches above the ground and the lowest portion of the body floor may not be raised more than three inches above the top of the frame. Stacking axle blocks or additional frames is prohibited. Language requiring rulemaking to specify maximum altered heights for vehicles is repealed.

Amends 41-6-148.29, 41-6-148.31, 41-6-148.32, 41-6-148.33, 41-6-150.10, 53-1-108

Effective April 30, 2001

2001 Utah Laws 47

HB 63 **Off-highway Vehicle Registration Amendments** (*Brent H. Goodfellow*) This act repeals a provision that requires each off-highway vehicle be given an additional assigned identification number upon initial registration that would stay with the off-highway vehicle for subsequent annual registrations until ownership is transferred.

Amends 41-22-3

Effective July 1, 2001

2001 Utah Laws 23

HB 74 **Unauthorized Control of a Motor Vehicle Amendments** (*Gary F. Cox*) This act provides that wrongful appropriation or unauthorized control of a motor vehicle is a lesser included offense of theft.

Amends 41-1a-1314, 76-6-404.5

Effective April 30, 2001

2001 Utah Laws 48

HB 76 **Multistate Highway Transportation Agreement Modifications** (*Don E. Bush*) This act modifies the Multistate Highway Transportation Agreement by updating and correcting language. The act adds a section providing for funding as it is determined appropriate and for selection of designated representatives from each house of the legislature. The act repeals the sunset provision of the Multistate Highway Transportation Agreement.

Amends 41-23-2, 63-55-241

Effective April 30, 2001

2001 Utah Laws 72

HB 92 **Spay and Neuter License Plate** (*Jackie Biskupski*) This act authorizes spay and neuter special group license plates for contributors to No More Homeless Pets in Utah for distribution to pet spay and neuter programs. Beginning January 1, 2002, the Motor Vehicle Division may issue the plates if a \$9,000 contribution for startup material and programming is provided to the division by No More Homeless Pets in Utah.

Amends 41-1a-408, 41-1a-1201, 41-1a-1211

Effective July 1, 2001

2001 Utah Laws 345

HB 190 **Original Issue License Plate Amendments** (*Rebecca D. Lockhart*) This act amends the vehicle model year for vehicles allowed to use original issue license plates from 1968 to 1973.

Amends 41-1a-416

Effective April 30, 2001

2001 Utah Laws 34

HB 196 **DUI - Probation Amendments** (*A. Lamont Tyler*) This act requires a court to order supervised probation for a first conviction of driving under the influence of alcohol with a blood alcohol level of .16 or higher, for a second offense of driving under the influence of alcohol, and for driving with any controlled substance in the person's body.

Amends 41-6-44, 41-6-44.6

Effective April 30, 2001

2001 Utah Laws 355

HB 200 **Ignition Interlock Amendments** (*A. Lamont Tyler*) This act excludes DUI offenders whose offense involves drugs other than alcohol from ignition interlock restrictions. An additional \$100 fee to fund impecunious offenders is repealed and ignition interlock providers are required to cover the costs for impecunious offenders. The act clarifies that operating a motor vehicle in violation of ignition interlock restriction is a class B misdemeanor.

Amends 41-6-44.7

Effective April 30, 2001

2001 Utah Laws 50

HB 201 **Revisions to Driving Under the Influence** (*A. Lamont Tyler*) This act expands when driving under the influence of alcohol or drugs is a felony to include anytime after an automobile homicide conviction or another DUI felony conviction. This act requires the Driver License Division to revoke for one year the license of a person convicted of a DUI within ten years, instead of the previous six years, of a prior violation. This act restricts public access to Driver License Division records to a six-year period.

Amends 41-6-44, 41-6-44.7, 53-3-109

Effective April 30, 2001

2001 Utah Laws 289

HB 289 **Clean Fuel Vehicles - Use of High Occupancy Vehicle Lanes** (*Don E. Bush*) This act authorizes clean fuel special group license plates beginning October 1, 2001, for holders of a current clean special fuel certificate. The act authorizes vehicles with clean fuel special group license plates to travel in lanes designated for high occupancy vehicles, regardless of the number of occupants. The act provides a repeal date of July 1, 2004 for this high occupancy vehicle lane privilege.

Amends 41-1a-408, 41-1a-1211, 41-6-53.5, 63-55-241

Effective July 1, 2001

2001 Utah Laws 369

HB 353 **Driving Under the Influence Amendments** (*Paul Ray*) This act provides that the penalty for a first or second DUI conviction is enhanced from a class B to a class A misdemeanor if the person was 21 years of age or older and had a passenger under 18 years of age in the vehicle at the time of the offense. The act allows a court to order suspension or revocation of the driver license of a convicted DUI offender for an additional period of up to two years.

Amends 41-6-44

Effective July 1, 2001

2001 Utah Laws 309

SB 48 **Passenger Limitations for Young Drivers** (*Karen Hale*) This act prohibits a person from operating a motor vehicle with any passenger who is not an immediate family member until six months after the person's driver license was issued or until the person reaches 18 years of age. It is an affirmative defense if the person is accompanied by a licensed driver at least 21 years of age occupying a seat next to the driver, is engaged in an agricultural operation; has the written consent of the driver's parent traveling to and from the driver's school, school activity, or religion-sponsored activity, or if there is an emergency. The act provides that enforcement is a secondary action when the driver is stopped for another violation.

Enacts 41-8-3

Effective July 1, 2001

2001 Utah Laws 98

SB 56 **Driving Under the Influence Penalty Amendments** (*Karen Hale*) This act expands when driving under the influence of alcohol or drugs is a felony to include anytime after a conviction of automobile homicide or another DUI felony conviction.

Amends 41-6-44

Effective April 30, 2001

2001 Utah Laws 64

SB 108 **Licensure of Motor Vehicles** (*Ed P. Mayne*) This act requires applicants for new vehicle registration to show a valid driver license, unless the vehicle was sold by a vehicle dealer.

Enacts 41-1a-210.5

Effective April 30, 2001

2001 Utah Laws 242

Title 46 -- NOTARIZATION AND AUTHENTICATION OF DOCUMENTS AND DIGITAL SIGNATURES

- SB 15** **Repeal of Commissioners of Deeds Provisions** (*Beverly Ann Evans*) This act repeals certain obsolete and lapsed sections relating to commissioners of deeds. (*Government Operations Interim Committee*)

Repeals 46-2-1, 46-2-2, 46-2-3, 46-2-4, 46-2-5, 46-2-6, 46-2-7, 46-2-8, 46-2-9

Effective April 30, 2001

2001 Utah Laws 6

Title 48 -- PARTNERSHIP

- SB 170** **Utah Revised Limited Liability Company Act** (*John L. Valentine*) This act repeals and replaces the Utah Limited Liability Company Act with the Utah Revised Limited Liability Company Act. The act authorizes the formation of limited liability companies within the state, establishes the structure, characteristics, and powers of limited liability companies. The act establishes the filing requirements with the Division of Corporations and Commercial Code, provides for the service of process on limited liability companies, outlines the process for formation of a limited liability company, provides for operating agreements, and sets the standards for adopting operating agreements. The act grants limited liability to members and managers of limited liability companies and defines the exceptions to limited liability, sets the standards required of members and managers of a limited liability company, and provides for the management of limited liability companies. The act provides standards for the treatment of contributions, capital accounts, and profits and losses, sets standards for distributions, provides for the assignment of interests, sets the standards and procedures for dissolution, sets the standards and procedures for winding up a limited liability company, provides for conversions and mergers, allows for professional services through a limited liability company, provides for the treatment and domestication of foreign limited liability companies, provides for derivative actions, provides for indemnification, and modifies the Utah Revised Uniform Limited Partnership Act to allow for conversions.

Amends 48-2a-101, 53B-5-114 (Effective 04/30/01), 53C-1-201; Enacts 48-2a-108, 48-2a-109, 48-2a-110, 48-2a-111, 48-2a-112, 48-2a-113, 48-2c-101, 48-2c-102, 48-2c-103, 48-2c-104, 48-2c-105, 48-2c-106, 48-2c-107, 48-2c-108, 48-2c-109, 48-2c-110, 48-2c-111, 48-2c-112, 48-2c-113, 48-2c-114, 48-2c-115, 48-2c-116, 48-2c-117, 48-2c-118, 48-2c-119, 48-2c-120, 48-2c-121, 48-2c-122, 48-2c-201, 48-2c-202, 48-2c-203, 48-2c-204, 48-2c-205, 48-2c-206, 48-2c-207, 48-2c-208, 48-2c-209, 48-2c-210, 48-2c-211, 48-2c-212, 48-2c-213, 48-2c-214, 48-2c-301, 48-2c-302, 48-2c-303, 48-2c-304, 48-2c-305, 48-2c-306, 48-2c-307, 48-2c-308, 48-2c-309, 48-2c-310, 48-2c-311, 48-2c-401, 48-2c-402, 48-2c-403, 48-2c-404, 48-2c-405, 48-2c-406, 48-2c-407, 48-2c-408, 48-2c-409, 48-2c-410, 48-2c-411, 48-2c-501, 48-2c-502, 48-2c-503, 48-2c-504, 48-2c-505, 48-2c-506, 48-2c-601, 48-2c-602, 48-2c-603, 48-2c-604, 48-2c-605, 48-2c-701, 48-2c-702, 48-2c-703, 48-2c-704, 48-2c-705, 48-2c-706, 48-2c-707, 48-2c-708, 48-2c-709, 48-2c-710, 48-2c-801, 48-2c-802, 48-2c-803, 48-2c-804, 48-2c-805, 48-2c-806, 48-2c-807, 48-2c-808, 48-2c-809, 48-2c-901, 48-2c-902, 48-2c-903, 48-2c-904, 48-2c-905, 48-2c-906, 48-2c-1001, 48-2c-1002, 48-2c-1003, 48-2c-1004, 48-2c-1005, 48-2c-1006, 48-2c-1007, 48-2c-1008, 48-2c-1101, 48-2c-1102, 48-2c-1103, 48-2c-1104, 48-2c-1105, 48-2c-1106, 48-2c-1201, 48-2c-1202, 48-2c-1203, 48-2c-1204, 48-2c-1205, 48-2c-1206, 48-2c-1207, 48-2c-1208, 48-2c-1209, 48-2c-1210, 48-2c-1211, 48-2c-1212, 48-2c-1213, 48-2c-1214, 48-2c-1301, 48-2c-1302, 48-2c-1303, 48-2c-1304, 48-2c-1305, 48-2c-1306, 48-2c-1307, 48-2c-1308, 48-2c-1309, 48-2c-1401, 48-2c-1402, 48-2c-1403, 48-2c-1404, 48-2c-1405, 48-2c-1406, 48-2c-1407, 48-2c-1408, 48-2c-1409, 48-2c-1410, 48-2c-1501, 48-2c-1502, 48-2c-1503, 48-2c-1504, 48-2c-1505, 48-2c-1506, 48-2c-1507, 48-2c-1508, 48-2c-1509, 48-2c-1510, 48-2c-1511, 48-2c-1512, 48-2c-1513, 48-2c-1601, 48-2c-1602, 48-2c-1603, 48-2c-1604, 48-2c-1605, 48-2c-1606, 48-2c-1607, 48-2c-1608, 48-2c-1609, 48-2c-1610, 48-2c-1611, 48-2c-1612, 48-2c-1613, 48-2c-1614, 48-2c-1615,

48-2c-1701, 48-2c-1702, 48-2c-1703, 48-2c-1704, 48-2c-1705, 48-2c-1706, 48-2c-1801, 48-2c-1802, 48-2c-1803, 48-2c-1804, 48-2c-1805, 48-2c-1806, 48-2c-1807, 48-2c-1808, 48-2c-1809, 48-2c-1901, 48-2c-1902; Repeals 48-2b-101, 48-2b-102, 48-2b-103, 48-2b-104, 48-2b-105, 48-2b-106 (Effective 04/30/01), 48-2b-106 (Superseded 04/30/01), 48-2b-107, 48-2b-108, 48-2b-109, 48-2b-110, 48-2b-111, 48-2b-112, 48-2b-113, 48-2b-114, 48-2b-115, 48-2b-116, 48-2b-117, 48-2b-118, 48-2b-119, 48-2b-120, 48-2b-121, 48-2b-122, 48-2b-123, 48-2b-124, 48-2b-125, 48-2b-126, 48-2b-127, 48-2b-128, 48-2b-129, 48-2b-130, 48-2b-131, 48-2b-132, 48-2b-133, 48-2b-134, 48-2b-135, 48-2b-136, 48-2b-137, 48-2b-138, 48-2b-139, 48-2b-140, 48-2b-141, 48-2b-142, 48-2b-143, 48-2b-144, 48-2b-145, 48-2b-146, 48-2b-147, 48-2b-148, 48-2b-149, 48-2b-150, 48-2b-151, 48-2b-152, 48-2b-153, 48-2b-154, 48-2b-155, 48-2b-156, 48-2b-157, 48-2b-158

Effective July 1, 2001

2001 Utah Laws 260

Title 49 -- UTAH STATE RETIREMENT ACT

HB 36 **Retirement Office Amendments** (*Ron Bigelow*) This act allows a member to purchase service credit for the period of time for which disability benefits were paid if there was no benefit protection contract in place. The act allows an employing unit, when an employee leaves the system, to take the employee's vested contributions and transfer the contributions to another qualified plan. The act: makes post retirement restrictions consistent for all retirees; clarifies a payment process under domestic relations orders and prevents an alternate payee from receiving double benefits; clarifies which party bears the burden of proof in administrative hearings; clarifies that disability retirement benefits are not payable if a firefighter is no longer disabled and prohibits a firefighter from receiving double service for that period of time; specifies how service credit is accrued upon returning to work after a period of disability; and allows firefighter disability to be tax exempt in accordance with federal law. (*Quasi-Governmental Entities Committee*)

Amends 49-1-407, 49-1-502, 49-1-505, 49-1-601, 49-1-606, 49-1-609, 49-1-610, 49-2-103, 49-3-103, 49-3-206, 49-3-410, 49-4-704, 49-4a-704, 49-5-502, 49-5-704

Effective March 15, 2001

2001 Utah Laws 141

SB 85 **Public Safety Retirement Exception** (*Beverly Ann Evans*) This act allows an elected sheriff who retires within the Public Safety Retirement System to receive a retirement payment and to continue in the office with a retirement exclusion.

Amends 49-4-205

Effective March 15, 2001

2001 Utah Laws 110

SB 171 **State Retirement Formula Changes** (*John L. Valentine*) This act authorizes the Utah State Retirement Board to provide an additional retirement benefit to retirees whose retirement allowance is less than 1.25% per year for years of service prior to July 1, 1967.

Amends 49-1-617

Effective July 1, 2001

2001 Utah Laws 332

Title 51 -- PUBLIC FUNDS AND ACCOUNTS

- SB 14** **Accounts of Political Subdivisions - Repeal** (*Terry R. Spencer*) This act repeals certain obsolete and duplicative requirements governing public construction work. (*Government Operations Interim Committee*)
- Repeals 51-3-1, 51-3-2, 51-3-3, 51-3-4
- Effective April 30, 2001 2001 Utah Laws 5
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Title 53 -- PUBLIC SAFETY CODE

- HB 41** **Fire Prevention Amendments** (*Katherine M. Bryson*) This act adds prevention education to the duties of the state fire marshal. The act also sets a standard for the adoption of a state fire code and allows for the acceptance of electronic documents and digital signatures by the Department of Public Safety.
- Amends 53-7-103, 53-7-104, 53-7-106, 53-7-202, 53-7-203, 53-7-204, 53-7-204.2, 53-7-205, 53-7-209, 53-7-210, 53-7-304, 53-7-305; Enacts 53-7-108
- Effective April 30, 2001 2001 Utah Laws 25
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- HB 85** **School Bus - Vehicle Safety Requirements** (*Neal B. Hendrickson*) This act requires vehicles with a seating capacity of 11 or more, including the driver that are used by a school district or private school to transport students, to comply with federal school bus safety standards.
- Enacts 53-8-211.5
- Effective April 30, 2001 2001 Utah Laws 154
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- HB 209** **Issuance of a Drivers License** (*Brent D. Parker*) This act changes "and" to "or" on the list of requirements for whom the Driver License Division may not license. The act clarifies that it is an infraction to fail to notify the division of a change of address within 10 days of moving.
- Amends 53-3-204, 53-3-216
- Effective April 30, 2001 2001 Utah Laws 54
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- HB 234** **Law Enforcement and Special Function Officer Amendments** (*Brent H. Goodfellow*) This act includes special agents, process servers, and investigators for city attorneys in the definition of special function officers and includes federal postal inspectors in the definition of federal officers.
- Amends 53-13-103, 53-13-105, 53-13-106
- Effective April 30, 2001 2001 Utah Laws 296
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- SB 11** **Electronic Government Services Amendments - Drivers License** (*David H. Steele*) This act facilitates the provision of electronic government services by the Driver License Division. (*Public Utilities and Technology Interim Committee*)
- Amends 41-6-17, 41-6-31, 41-6-35, 41-6-35.5, 41-6-37, 41-6-39, 41-6-40, 41-6-42, 41-6-100.15, 41-6-116.10, 41-12a-303, 41-12a-508, 53-3-104, 53-3-105, 53-3-109, 53-3-205, 53-3-210, 53-3-216, 53-3-218, 53-3-221, 53-3-223, 53-3-231, 53-3-303, 53-3-303.5, 53-3-408, 53-3-413, 53-3-418, 53-3-607, 53-3-807
- Effective April 30, 2001 2001 Utah Laws 85
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- SB 52** **Commercial Drivers License Railroad and Highway Grade Requirements** (*David H. Steele*) This act amends at grade railroad-highway crossing provisions for drivers of commercial motor vehicles. Railroad-highway violations are added as grounds for disqualifying a commercial driver licence for 60 days for a first violation, 120 days for a second violation within three years, and one year for a third or subsequent violation within three years. An employer who allows a driver whose license has been disqualified for a railroad-highway violation to drive is subject to a civil penalty of up to \$10,000.

Amends 41-6-97, 41-6-98, 53-3-414, 53-3-415

Effective April 30, 2001

2001 Utah Laws 39

- SB 84** **State Olympic Amendments** (*Beverly Ann Evans*) This act repeals the Utah Sports Committee and modifies the responsibilities of the Olympic Coordination Committee. The act modifies reporting requirements of the State Olympic Officer and expands the number of staff the officer may appoint with the governor's approval. The act clarifies the scope of duties of the State Olympic Public Safety Command. The act also repeals obsolete language.

Amends 53-12-102, 53-12-202, 53-12-301, 53-12-302, 53-12-303, 63A-7-103, 63A-7-104, 63A-7-106, 63A-10-103, 63A-10-109; Repeals 63A-7-111, 63A-7-112

Effective April 30, 2001

2001 Utah Laws 109

- SB 96** **Commercial Drivers License Medical Waivers** (*Ed P. Mayne*) This act allows all drivers, not just those applying for an intrastate commercial driver license, to apply for a medical waiver for intrastate commercial driving privileges.

Amends 53-3-303.5

Effective April 30, 2001

2001 Utah Laws 31

- SB 118** **Emergency Management Assistance Act** (*Lyle W. Hillyard*) This act adopts the interstate Emergency Management Assistance Compact in order for Utah to join the coalition providing for mutual aid and resources to member states affected by disasters.

Amends 53-1-106, 53-2-101, 53-2-102, 53-2-104; Enacts 53-2-201, 53-2-202, 53-2-301

Effective July 1, 2001

2001 Utah Laws 42

- SB 135** **Providing for Selective Service Registration** (*L. Steven Poulton*) This act requires that specific information from the application for a driver license or identification card be forwarded to the Selective Service System for registration as required by federal law. The act also specifies that refusal will result in the denial of the license or card.

Amends 53-3-804; Enacts 53-3-234

Effective April 30, 2001

2001 Utah Laws 125

Title 53A -- STATE SYSTEM OF PUBLIC EDUCATION

- HB 3** **Minimum School Program Act Amendments** (*Marda Dillree*) This act creates a ceiling for the state contribution to the maintenance and operations portion of the Minimum School Program Act, which is not to exceed \$1,607,061,760. The act establishes the value of the weighted pupil unit at \$2,116, provides for block grants and distribution formulas, and provides a \$38,358,000 appropriation for school building aid. The act also provides a one-time appropriation of \$24,785,000 to specified programs within the state system of public education.

Amends 53A-1-702, 53A-17a-103, 53A-17a-104, 53A-17a-111, 53A-17a-112, 53A-17a-113, 53A-17a-116, 53A-17a-119, 53A-17a-120, 53A-17a-121, 53A-17a-124, 53A-17a-124.5, 53A-17a-125, 53A-17a-126, 53A-17a-131.2, 53A-17a-131.4, 53A-17a-131.9, 53A-17a-131.13, 53A-17a-131.17, 53A-17a-132, 53A-17a-133, 53A-17a-134, 53A-17a-135, 53A-21-105; Enacts 53A-3-701; Repeals 53A-17a-124.1, 53A-17a-128, 53A-17a-129, 53A-17a-130, 53A-17a-131.1, 53A-17a-131.3, 53A-17a-131.6, 53A-17a-131.8, 53A-17a-131.11, 53A-17a-131.12, 53A-17a-131.14, 53A-17a-131.18; Repeals and Reenacts 53A-17a-123, 53A-17a-131.15, 53A-17a-131.16, 53A-17a-131.19

Effective July 1, 2001

2001 Utah Laws 335

- HB 38** **School District Voted Leeway Amendments** (*Kevin S. Garn*) This act increases the value of the state guarantee for voted and board leeways. The guarantee is increased from .0075 times the value of the prior year's weighted pupil unit to .008044 and by .0005 for each succeeding year until the guarantee is equal to .010544 times the value of the prior year's weighted pupil unit. (*Education Interim Committee*)

Amends 53A-17a-133, 53A-17a-134

Effective July 1, 2001

2001 Utah Laws 336

- HB 40** **Funding for Textbooks** (*Martin R. Stephens*) This act requires the State Board of Education to design and implement a statewide plan to replace outdated textbooks, replace textbooks in poor condition, and on an ongoing basis provide an adequate supply of textbooks. The act makes a one-time appropriation of \$23,790,000 to the board from the Uniform School Fund for allocation to local school boards to provide enough textbooks or to replace those that are in poor condition, outdated, or both. (*Education Interim Committee*)

Enacts 53A-12-201.5

Effective March 20, 2001

2001 Utah Laws 337

- HB 58** **School Uniforms Amendments** (*Karen W. Morgan*) This act requires that a school uniform policy continue to be in place for at least one year after its formal implementation. The act requires that requests to exempt students from wearing a uniform must be made prior to the beginning of the school year or within 15 days from enrollment during the school year. Students with extenuating circumstances may be granted an exemption any time during the school year.

Amends 53A-15-602

Effective April 30, 2001

2001 Utah Laws 146

HB 99 **Reading Skills Development Center Amendments** (*Karen W. Morgan*) This act changes the Reading Skills Development Center at the University of Utah to a clinic that will assess the reading skills of elementary school students and assist educators and parents of students who have not made satisfactory reading progress. The act provides for professional development programs to help educators and parents assist their students. Reading assessments and services will be offered onsite and through interactive technology.

Amends 53A-3-402.10

Effective April 30, 2001

2001 Utah Laws 156

HB 131 **Internet Child Protection Act** (*Bradley A. Winn*) This act establishes policy and reporting requirements for local library boards that provide Internet and online access by minors in public libraries in order to prevent a minor's access to obscene material. The act also establishes policy and reporting requirements for local school boards that provide Internet and online access in elementary and secondary schools in order to prevent access to obscene material.

Amends 9-7-101; Enacts 9-7-216, 9-7-217, 53A-3-422, 53A-3-423, 53A-3-424

Effective July 1, 2001

2001 Utah Laws 172

HB 145 **Reading Achievement in Elementary Schools - Kindergarten Through Grade Three** (*Karen W. Morgan*) This act modifies the long-term state goal for every student to read at or above grade level by the end of the third grade by setting a short-term goal requiring 90% or more of all third graders to read at or above grade level by the end of the third grade in 2006. The Superintendent of Public Instruction will make an annual report by school and school district on the percentage of students reading at or above grade level in the first, second, and third grades. The superintendent will, as part of the U-PASS testing program, determine the appropriate statewide tests to assess reading levels and an appropriate standard on each assessment to determine grade level reading mastery. Each elementary school is required to develop a plan to achieve the reading goal. The act requires the plan to have assessment, intervention, and reporting components.

Amends 53A-1-606.5

Effective April 30, 2001

2001 Utah Laws 179

HB 174 **Fine Arts Curriculum Amendments** (*Sheryl L. Allen*) This act modifies several provisions of the Arts in Elementary Schools Pilot Program and specifies that the pilot program should not only improve K-6 student achievement in music, art, dance, and drama, but identify and evaluate the effect of professional development experiences on teaching. The act mandates that instruction for each of the arts programs should be given through the joint efforts of a fine arts specialist and the classroom teacher.

Amends 53A-15-901

Effective April 30, 2001

2001 Utah Laws 352

HB 211 **Tuition Waivers for Teachers** (*Wayne A. Harper*) This act exempts public school educators from paying tuition at a public institution of higher education for courses which satisfy requirements for retaining a license to teach. The waiver is contingent on the higher education institution determining that space is available and the educator is enrolled in surplus space after regularly enrolled students have been admitted.

Amends 53A-6-104

Effective July 1, 2001

2001 Utah Laws 292

HB 235 **Publication of School District Expenses** (*Paul Ray*) This act requires the State Board of Education to publish no later than December 15 each year on the Internet an electronic copy of its annual financial report and the annual report of teachers' salaries for each Utah school district.

Amends 53A-3-404, 53A-3-416

Effective April 30, 2001

2001 Utah Laws 297

HB 273 **Education Protection Funding Program** (*Kevin S. Garn*) This act creates a Growth in Student Population Restricted Account within the Uniform School Fund. The account is funded by voluntary contributions and legislative appropriations and is to be used by school districts to meet the challenges created by significant increases in student growth.

Enacts 53A-16-112

Effective July 1, 2001

2001 Utah Laws 215

HB 365 **Institutional Trust Lands Amendments** (*Thomas V. Hatch*) This act establishes an Educational Enrichment Program for Hearing and Visually Impaired Students and is funded by interest and dividends from the permanent trust fund created for the Schools for the Deaf and the Blind through the trust lands administration. The purpose for the program is to enhance educational services required for hearing, visual, or dual sensory impaired students.

Enacts 53A-25-306

Effective July 1, 2001

2001 Utah Laws 312

SB 7 **State Textbook Commission Amendments** (*David H. Steele*) This act changes the name of the State Textbook Commission to the State Instructional Materials Commission to reflect the scope of materials it will review. The State Board of Education is required to establish a process that allows three or more school districts to use or substitute courses within the state curriculum framework of instructional materials, which were not recommended by the commission. The act extends the existence of the State Instructional Materials Commission through July 1, 2011. (*Education Interim Committee*)

Amends 53A-14-101, 53A-14-102, 53A-14-103, 53A-14-104, 53A-14-105, 53A-14-106, 63-55-253

Effective April 30, 2001

2001 Utah Laws 84

SB 16 **Teacher Quality Amendments** (*David H. Steele*) This act acknowledges education as an important function of state and local governments and identifies quality teaching as the basis for successful schools and student achievement. The act provides for a comprehensive policy on teacher quality that includes components on recruitment, preservice, licensure, induction, and professional development and evaluation. The act requires the State Board of Education and the State Board of Regents to make an annual report to the legislature on the status of teacher quality in the state. (*Education Interim Committee*)

Amends 53A-1-501, 53A-1-702, 53A-1-704, 53A-1-705, 53A-1a-104, 53A-1a-107, 53A-1a-403, 53A-3-402.9, 53A-3-402.10, 53A-6-102, 53A-6-104, 53A-8-104, 53A-9-103, 53A-10-101, 53A-10-108, 53A-10-111, 53B-10-101, 53B-10-102, 53B-10-103

Effective April 30, 2001

2001 Utah Laws 86

- SB 28** **Utah Performance Assessment for Students Amendments** (*Howard A. Stephenson*) This act expands the categories for disaggregating student performance data to include limited English proficiency. The act requires each local school board to provide its staff with a professional development program which will help them effectively implement and maintain U-PASS at the school and classroom level. Additional data that will be reported on the annual school performance report includes reading proficiency, student absenteeism, staff qualification, average daily attendance, and disaggregated enrollment totals. The act also requires electronic reporting of additional data related to test scores and trends, grade averages, volunteerism, student discipline and fee waivers. (*Education Interim Committee*)

Amends 53A-1-603, 53A-1-605, 53A-1-606, 53A-3-602.5

Effective July 1, 2001

2001 Utah Laws 93

- SB 35** **Public Education Capital Outlay Act Amendments** (*Michael G. Waddoups*) This act terminates the emergency school building needs program on June 30, 2001 and addresses issues in the capital outlay foundation program. The act increases the state appropriation for the capital outlay foundation program from \$28,358,000 to \$38,358,000. (*Education Interim Committee*)

Amends 53A-21-102, 53A-21-103, 53A-21-105

Effective July 1, 2001

2001 Utah Laws 234

- SB 57** **Instruction in Mandarin Chinese in Public Schools** (*Howard A. Stephenson*) This act allows the State Board of Education and the State Board of Regents to jointly develop and implement a concurrent enrollment course in Mandarin Chinese to be taught over EDNET to public education high school juniors and seniors. Students successfully completing the course will receive tuition reimbursement for a sequential Mandarin Chinese course successfully completed within the state system of higher education.

Enacts 53A-15-101.5

Effective March 15, 2001

2001 Utah Laws 99

- SB 75** **Public Education Curriculum Amendments** (*Bill Wright*) This act requires the State Board of Education to approve instructional materials for use in health, physiology, hygiene, and the prevention of communicable disease curricula that have been adopted by local school boards. The act provides local boards with an option to use other instructional materials for the curricula consistent with state law and board rules that emphasize abstinence before marriage and fidelity after marriage.

Amends 53A-13-101

Effective April 30, 2001

2001 Utah Laws 105

- SB 102** **Middle Schools Exit Requirements** (*David L. Gladwell*) This act modifies the exception that would allow students to advance to high school without meeting required competency levels in English, mathematics, science, or social studies by allowing local boards to permit those student to complete their remediation programs during the first year of high school.

Amends 53A-13-104

Effective April 30, 2001

2001 Utah Laws 68

- SB 115** **Safe Schools Amendments** (*Bill Wright*) This act requires that any student who is expelled from school for at least one year for a firearm, explosive, or flammable material violation must meet with the school district superintendent to determine if the expulsion should be modified.

Amends 53A-11-904

Effective March 13, 2001

2001 Utah Laws 82

- SB 169** **Charter School Amendments** (*Howard A. Stephenson*) This act amends the Utah Charter Schools Act and removes the pilot program status of charter schools. It authorizes the creation of an additional four charter schools under the sponsorship of the State Board of Education for the 2001-02 school year and an increase of up to four per year for the following school year. The act provides a procedure to remedy noncompliance with the Utah Charter Schools Act by a charter school and allows for termination of the school's charter if the school does not comply within an established timeline. The act modifies the funding formula to provide additional monies for charter schools. And, the act provides that charter schools may be sponsored by local school boards but the number of students attending must not exceed 4% of the district's student population.

Amends 53A-1a-502, 53A-1a-505, 53A-1a-506, 53A-1a-508, 53A-1a-509, 53A-1a-513; Enacts 53A-1a-515

Effective July 1, 2001

2001 Utah Laws 259

Title 53B -- STATE SYSTEM OF HIGHER EDUCATION

- HB 64** **Tuition Waivers for Wards of the State** (*Richard M. Siddoway*) This act requires state institutions of higher education to waive tuition for each ward of the state who meets specific requirements, including application and admission to a program of study leading to a degree or certificate. The ward of the state must be a resident, have applied for other financial assistance, maintain satisfactory academic progress, and be certified that the waiver is needed to meet educational expenses. Tuition is waived only to the extent it is not covered by other financial assistance. Each postsecondary institution that provides a waiver will be reimbursed by the Division of Child and Family Services.

Enacts 53B-8d-101, 53B-8d-102, 53B-8d-103, 53B-8d-104

Effective April 30, 2001

2001 Utah Laws 279

- HB 197** **Waiver of Tuition by State College or University** (*Katherine M. Bryson*) This act increases, to meritorious nonresident students, the number of waivers granted by state institutions of higher education for the resident portion of postsecondary tuition.

Amends 53B-8-101

Effective July 1, 2001

2001 Utah Laws 288

- SB 61** **Enhancements to the State Systems of Public and Higher Education** (*Lyle W. Hillyard*) This act establishes a Public Education Job Enhancement Program for secondary teachers. The job enhancement program will provide incentive awards and scholarships to stimulate training and to retain highly qualified teachers in mathematics, physics, chemistry, learning technology and information technology. The act also requires the State Board of Regents to establish an Engineering and Computer Science Initiative and an advisory board to triple the number of graduates in engineering, computer science and related technology by 2009. The initiative calls for improved instructional quality, attracting students through a loan forgiveness program and funding for capital facilities, engineering and computer science programs. The act appropriates \$4,000,000 to fund the Engineering and Computer Science Initiative and \$9,900,000 to fund the Public Education Job Enhancement Program. The act has a split effective date of May 1, 2001 and July 1, 2001.

Amends 63-55-253; Enacts 53A-1a-601, 53A-1a-602, 53B-6-105, 53B-6-105.5, 53B-6-105.7, 53B-6-105.9

Effective July 1, 2001

2001 Utah Laws 238

- SB 120** **Distance Education Doctorate Program** (*Beverly Ann Evans*) This act provides for a Distance Education Doctorate Program to be offered through Utah State University over the UEN-EDNET telecommunications system. It will focus on the development of curriculum and instructional methodology. The act provides a \$195,000 appropriation for fiscal year 2001-02.

Enacts 53B-18-1001

Effective July 1, 2001

2001 Utah Laws 329

- SB 210** **Higher Education Tuition Disclosure** (*Carlene M. Walker*) This act requires higher education institutions to hold a public meeting prior to increasing tuition rates for undergraduate students. The act details the procedures to be followed for the meeting, including publication of a notice in the school's newspaper and the information to be supplied to those at the meeting.

Enacts 53B-7-101.5

Effective April 30, 2001

2001 Utah Laws 186

Title 54 -- PUBLIC UTILITIES

- HB 32** **Unauthorized Charges on Utilities - Cramming Amendments** (*Sheryl L. Allen*) This act excludes cities, towns, and counties as third party providers from the requirements regarding unauthorized charges to a public utility account. (*Public Utilities and Technology Interim Committee*)

Amends 54-4-37

Effective April 30, 2001

2001 Utah Laws 139

- HB 184** **Public Utilities Amendments -- Repeal** (*David Ure*) This act repeals HB 320, "Public Utility Amendments," Chapter 352, Laws of Utah 2000.

Effective April 30, 2001

2001 Utah Laws 24

HB 244 **Modifying the Electric Deregulation and Customer Choice Task Force** (*Thomas V. Hatch*) This act changes the Electric Deregulation and Customer Choice Task Force to the Energy Policy Task Force. The act modifies the duties of the task force and requires the Public Service Commission to work with the task force at the task force's direction.

Amends 54-7-12.5, 54-7-12.7

Effective April 30, 2001

2001 Utah Laws 304

HB 265 **Electric Cooperative Regulatory Fees** (*Gordon E. Snow*) This act adjusts the fees paid by certain electrical cooperatives.

Amends 54-2-1, 54-5-1.5

Effective April 30, 2001

2001 Utah Laws 212

HB 297 **Procedures for Small Telephone Company Rate Cases** (*Thomas V. Hatch*) This act increases the size of a telephone company that is allowed to follow an abbreviated rate increase process.

Amends 54-7-12

Effective April 30, 2001

2001 Utah Laws 219

SB 224 **Damage to Underground Utility Facilities** (*Bill Wright*) This act amends excavating and notification requirements and addresses how an excavator shall respond if it contacts or damages underground facilities. This act also addresses attorneys' fees and provides for alternative dispute resolution.

Amends 54-8a-4, 54-8a-7, 54-8a-8; Enacts 54-8a-8.5

Effective April 30, 2001

2001 Utah Laws 189

Title 55 -- PUBLIC WELFARE

HB 4 **Repeal of Public Works Programs** (*Neil A. Hansen*) This act repeals obsolete provisions governing a public works program required by federal laws enacted in response to the 1932 depression. (*Government Operations Interim Committee*)

Repeals 55-3-1, 55-3-2, 55-3-2.5, 55-3-6, 55-3-7, 55-3-10, 55-3-15, 55-3-16, 55-3-17, 55-3-18, 55-3-19, 55-3-20, 55-3-21, 55-3-22, 55-3-25, 55-3-26, 55-3-28, 55-3-29, 55-3-30, 55-3-31, 55-3-32, 55-3-33, 55-3-34, 55-3-35, 55-3-36, 55-3-37, 55-3-38, 55-3-39, 55-3-40, 55-3-41, 55-3-42, 55-3-43

Effective April 30, 2001

2001 Utah Laws 10

Title 57 -- REAL ESTATE

- HB 379** **Homeowners' Association Fine Authorization** (*Judy Ann Buffmire*) This act grants fine authority to the management committee of a residential condominium project for violations of the association's rules and regulations where authorized in the condominium declaration bylaws or rules. The act sets limits on the fines and provides for interest and late fees, requires that notice of a violation and a period to remedy the violation be given prior to the assessment of a fine, provides for informal hearings and the initiation of a civil action to contest a fine, and creates a lien for unpaid fines.

Enacts 57-8-37

Effective April 30, 2001

2001 Utah Laws 317

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- SB 41** **Utah Coordinate System Amendments** (*Parley Hellewell*) This act adopts special publications to more precisely define the Utah Coordinate Systems of 1927 and 1983 and modifies the requirements for any document identifying or using a coordinate system. The act establishes that, in addition to the Utah Coordinate System of 1983, any person, corporation, municipality, county, or state agency establishing a new coordinate network must conform to the current federal coordinate update.

Amends 57-10-6, 57-10-8, 57-10-9, 57-10-11; Repeals 57-10-10

Effective April 30, 2001

2001 Utah Laws 62

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- SB 53** **Trust Deed Law Amendments** (*Michael G. Waddoups*) This act alters the qualifications and outlines the duties for trustees of trust deeds and modifies provisions relating to successor trustees. The act alters the trustee's requirements when filing a notice of default and alters provisions relating to the trustee's sale of trust property and the proceeds of the sale. The act modifies the requirements for the sale of trust property by public auction and amends the requirements for the trustee's course of action once a default under a trust deed is cured. The act designates the determinative value for trust property. The act also establishes the effect of an erroneously recorded reconveyance of a trust deed.

Amends 57-1-20, 57-1-21, 57-1-22, 57-1-23, 57-1-24, 57-1-25, 57-1-26, 57-1-27, 57-1-28, 57-1-29, 57-1-31, 57-1-32, 57-1-33.1; Enacts 57-1-21.5

Effective April 30, 2001

2001 Utah Laws 236

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- SB 166** **Mobile Home Park Residency Amendments** (*Dan R. Eastman*) The act provides specific criteria by which the Motor Vehicle Division may disclose the name and address of the lienholder or mobile home owner of an abandoned mobile home to the owner of a mobile home park and modifies provisions related to changes in service charges to residents of mobile home parks. The act modifies provisions related to eviction proceedings and amends provisions related to lienholder and owner of a mobile home's rights and liabilities after receipt of a notice of abandonment or issuance of a writ or restitution. The act defines abandonment of a mobile home space or mobile home and designates park procedure in the event of abandonment. The act amends the procedure after an eviction judgment has been entered by a court and allows mobile home park residents to form associations and outlines the requirements of those associations.

Amends 41-1a-116, 57-16-4, 57-16-5, 57-16-6, 57-16-9 (Effective 07/01/01), 57-16-15.1, 63-2-202; Enacts 57-16-13, 57-16-14, 57-16-16

Effective April 30, 2001

2001 Utah Laws 256

Title 58 -- OCCUPATIONS AND PROFESSIONS

- HB 65** **Division of Occupational and Professional Licensure Amendments** (*Jack A. Seitz*) This act amends the definition of unprofessional conduct to include engaging in conduct that results in a plea of guilty or nolo contendere, which is held in abeyance pending the successful completion of probation for any crime that bears a reasonable relationship to the practice of the licensee's or applicant's occupation or profession.

Amends 58-1-501

Effective April 30, 2001

2001 Utah Laws 148

- HB 73** **Mental Health Therapist Licensing Act Amendments** (*Judy Ann Buffmire*) This act places mental health professionals who are undergoing clinical training under the supervision of the division. The act authorizes the division to issue certifications for mental health interns and residents and establishes requirements for certification as a marriage and family therapy intern, a professional counselor intern, and a psychology resident. The act limits a certified resident or intern practice to supervised employed practice, limits certification to the period of time necessary to complete training, clarifies the elements of unprofessional conduct by specifically including practice by a certified intern or resident without supervision or employment, and amends the definition of "unlawful conduct" to include false representations of certification as a mental health professional intern or resident.

Amends 58-60-103, 58-60-107, 58-60-109, 58-60-110, 58-60-304, 58-60-305, 58-60-404, 58-60-405, 58-61-301, 58-61-304, 58-61-307, 58-61-501, 58-61-502; Enacts 58-60-308, 58-60-407, 58-61-308

Effective April 30, 2001

2001 Utah Laws 281

- HB 89** **Rural Pharmacy Changes** (*Lorraine T. Pace*) This act authorizes the use of telepharmacy to provide required supervision to rural hospitals and clinics and appropriates \$100,000 to the Bureau of Primary Care, Rural and Ethnic Health within the Department of Health to establish and oversee a rural telepharmacy system.

Amends 58-17a-611

Effective April 30, 2001

2001 Utah Laws 344

- HB 105** **Licensure of Estheticians and Nail Technicians** (*Sheryl L. Allen*) This act renames the Cosmetologist/Barber Licensing Act to the Cosmetologist/Barber, Esthetician, Electrologist, and Nail Technician Licensing Act and adds estheticians and nail technicians to the scope of the act. The act also renames the Cosmetology/Barbering Licensing Board to reflect the additions, expands and modifies board membership, establishes the qualifications for licensure, provides exemptions from licensure, defines unprofessional and unlawful conduct, creates the Cosmetologist/Barber, Esthetician, Electrologist, Nail Technician Education and Enforcement Fund, and provides for citation authority.

Amends 58-11a-101, 58-11a-102, 58-11a-201, 58-11a-301, 58-11a-302, 58-11a-303, 58-11a-304, 58-11a-305, 58-11a-306, 58-11a-501; Enacts 58-11a-103, 58-11a-502, 58-11a-503

Effective April 30, 2001

2001 Utah Laws 204

HB 228 **Utah Construction Trades Licensing Act Amendments** (*Lorraine T. Pace*) This act expands the penalty provisions for unlawful conduct.

Amends 58-55-503

Effective April 30, 2001

2001 Utah Laws 361

HB 325 **Owner Builder Selling Home** (*Chad E. Bennion*) This act allows sole owners of property to build no more than one residential structure per year and no more than three residential structures per five years on their own property for their own noncommercial, nonpublic use.

Amends 58-55-305

Effective April 30, 2001

2001 Utah Laws 227

SB 46 **Deception Detection Examiners Licensing Act Amendments** (*John W. Hickman*) This act includes a licensing exemption for peace officers operating a voice stress analyzer within the scope of their employment. The act requires training of the officer and compliance with standards as part of the exemption.

Amends 58-1-307

Effective April 30, 2001

2001 Utah Laws 63

SB 59 **Licensing of Genetic Counselors** (*Paula F. Julander*) This act creates the Genetic Counselors Licensing Act, defines the practice of genetic counseling, requires a license to practice genetic counseling within the state, creates the Genetic Counselors Licensing Board, provides the requirements for licensure and exemptions from licensure, defines unlawful and unprofessional conduct, and provides for discipline against licensees.

Enacts 58-75-101, 58-75-102, 58-75-201, 58-75-301, 58-75-302, 58-75-303, 58-75-304, 58-75-401, 58-75-501, 58-75-502

Effective April 30, 2001

2001 Utah Laws 100

SB 104 **Mental Health Practice Amendments** (*Karen Hale*) This act reduces the amount of clinical experience required to qualify as a marriage and family therapist supervisor and adds professional counselors to the list of therapists who have a limited duty to warn or take precautions to provide protection from violent behavior of a client.

Amends 58-60-307, 78-14a-101

Effective April 30, 2001

2001 Utah Laws 40

SB 132 **Veterinary Practice Act Amendments** (*Bill Wright*) This act provides a limited exemption from licensing under the Veterinary Practice Act and expands the scope of practice for chiropractic physicians, physical therapists, and massage therapists who provide certain treatments for animals and meet specified training requirements.

Amends 58-24a-102, 58-28-8, 58-47b-102, 58-73-102

Effective April 30, 2001

2001 Utah Laws 124

SB 197 **Division of Occupational and Professional Licensure - Repeal of Quality Review Requirements** (*David L. Gladwell*) This act repeals peer review, quality review, quality assurance, and quality improvement programs for licensing acts governed by the Division of Occupational and Professional Licensing.

Amends 58-16a-302, 58-16a-303, 58-16a-702, 58-31b-305, 58-44a-303, 58-46a-303, 58-67-303, 58-67-304, 58-68-303, 58-68-304, 58-69-303, 58-70a-303, 58-70a-304, 58-71-303, 58-71-304; Repeals 58-46a-308, 58-69-305

Effective April 30, 2001

2001 Utah Laws 268

SB 204 **Repeal of Licensing Alarm Response Runners** (*Dan R. Eastman*) This act repeals the licensure requirement for alarm response runners.

Amends 58-63-102, 58-63-301, 58-63-302, 58-63-305, 58-63-308, 58-63-310, 58-63-501, 58-63-502

Effective April 30, 2001

2001 Utah Laws 271

Title 59 -- REVENUE AND TAXATION

HB 78 **Sales and Use Tax - Sales Relating to Schools** (*Bradley T. Johnson*) This act exempts from the sales and use tax amounts paid for admission to certain public school related activities.

Amends 59-12-102, 59-12-103

Effective July 1, 2001

2001 Utah Laws 152

HB 110 **Sales Tax Refund for Qualified Emergency Food Agencies** (*Judy Ann Buffmire*) This act allows an association of governments created under the Interlocal Cooperation Act to claim a sales tax refund as a qualified emergency food agency. The act establishes the purposes for which sales tax refund monies may be used, provides that the State Community Services Office within the Department of Community and Economic Development shall certify, monitor, and decertify qualified emergency food agencies for purposes of the sales tax refund.

Amends 9-4-1404, 59-12-901, 59-12-902

Effective July 1, 2001

2001 Utah Laws 162

HB 118 **Mineral Lease Amendments** (*Max W. Young*) This act allows a county that receives in lieu tax payments appropriated from the Mineral Lease Account to distribute the money to school districts.

Amends 11-14-17.6, 59-21-2

Effective July 1, 2001

2001 Utah Laws 205

HB 126 **Amendments to Sales and Use Tax Exemption for Meals** (*Afton B. Bradshaw*) This act amends the exemption from the sales and use tax for sales of meals served by an institution of higher education to exempt certain meals that are part of a prepaid meal plan.

Amends 59-12-104

Effective July 1, 2001

2001 Utah Laws 170

HB 136 Revenue and Taxation Criminal Offenses and Penalties (*Bryan D. Holladay*) This act provides for the offense of intentionally attempting to evade or defeat a tax or the payment of a tax and modifies the statute of limitations for prosecuting certain offenses.

Amends 59-1-401, 76-8-1101

Effective July 1, 2001

2001 Utah Laws 177

HB 205 Employers' Reinsurance Fund Special Assessment (*Gerry A. Adair*) This act reinstates the Employers' Reinsurance Fund Special Assessment beginning calendar year 2002.

Amends 63-55b-159; Enacts 59-9-101.3

Effective April 30, 2001

2001 Utah Laws 290

HB 242 Review of Sales and Use Tax Exemptions (*Greg J. Curtis*) This act amends the Utah Tax Review Commission's study of sales and use tax exemptions and repeals obsolete language.

Amends 59-12-104.5

Effective April 30, 2001

2001 Utah Laws 303

HB 261 Sales and Use Tax Exemption - Scrap Recyclers (*Greg J. Curtis*) This act exempts from the sales and use tax, sales to a scrap recycler of natural gas, electricity, heat, coal, fuel oil, or other fuels for industrial use.

Amends 59-12-102

Effective July 1, 2001

2001 Utah Laws 367

HB 281 Individual Income Tax - Contribution for Education (*Richard M. Siddoway*) This act expands the individual income tax contribution for education to allow contributions to be made to applied technology centers or applied technology service centers. The act clarifies the contribution requirements and requires the State Tax Commission to remove the designation for the contribution if the contribution does not generate a certain amount of revenues within a certain time period.

Amends 59-10-549, 59-10-551

Effective January 1, 2002

2001 Utah Laws 216

HB 287 Public Transit Tax Amendments (*Wayne A. Harper*) This act allows the 25% of the 1/4 cent additional public transit tax to be used for all state highways within a county of the first class instead of only I-15 and for debt service and bond issuance costs related to those projects. The act creates the Public Transportation System Tax Highway Fund and allows a county of the first class, by interlocal agreement, to deposit revenue directly into the fund to be used within the county as prioritized by the Transportation Commission.

Amends 59-12-502 (Superseded 07/01/01), 59-12-502 (Effective 07/01/01); Enacts 72-2-121

Effective March 16, 2001

2001 Utah Laws 217

- HB 313** **Property Tax Relief** (*A. Lamont Tyler*) This act directs the county legislative body to determine who performs the property tax relief functions and duties given to the county, provides for extensions of filing deadlines, clarifies provisions related to tax relief claimed for disabled veterans or related persons, blind or related persons, indigent persons, and the relationship between the various property tax relief programs.

Amends 59-2-1101, 59-2-1104, 59-2-1105, 59-2-1106, 59-2-1107, 59-2-1108, 59-2-1109, 59-2-1202, 59-2-1203, 59-2-1206, 59-2-1207, 59-2-1211, 59-2-1214, 59-2-1215, 59-2-1219, 59-2-1220; Repeals 59-2-1210

Effective April 30, 2001

2001 Utah Laws 221

- HB 323** **Sales and Use Tax - Rural Hospital Tax Amendments** (*DeMar Bud Bowman*) This act provides that a county may not impose a rural health care facility sales and use tax on a transaction to the extent that the transaction is already subject to a rural city hospital sales and use tax.

Amends 59-12-802

Effective July 1, 2001

2001 Utah Laws 226

- HB 354** **Property Tax Relief Amendments** (*Bradley A. Winn*) This act allows a county legislative body to determine who performs functions given to the county. The act requires a county, under certain circumstances, to make refunds to persons granted property tax relief and provides for extensions of filing deadlines. The act amends provisions governing tax relief for disabled veterans, persons who are blind and persons who are indigent. The act also clarifies the relationship between different property tax relief and addresses the process of applying for the homeowner's credit.

Amends 59-2-1101, 59-2-1104, 59-2-1105, 59-2-1106, 59-2-1107, 59-2-1108, 59-2-1109, 59-2-1203, 59-2-1206, 59-2-1207, 59-2-1211, 59-2-1214, 59-2-1215, 59-2-1219, 59-2-1220

Effective April 30, 2001

2001 Utah Laws 310

- SB 22** **Navajo Nation - Motor and Special Fuel Taxes** (*Mike Dmitrich*) This act provides for a reduction of motor and special fuel taxes if the motor or special fuel is taxed by the Navajo Nation. The act authorizes agreements with the Navajo Nation related to the administration of motor and special fuels taxes. (*Revenue and Taxation Interim Committee*)

Amends 59-13-201, 59-13-204, 59-13-301

Effective March 19, 2001

2001 Utah Laws 232

- SB 24** **Individual Income Tax - Additions to Federal Taxable Income** (*John L. Valentine*) This act provides that when determining state taxable income, a taxpayer shall add to federal taxable income certain amounts of a child's income. (*Revenue and Taxation Interim Committee*)

Amends 59-10-114

Effective April 30, 2001

2001 Utah Laws 233

SB 30 **Filing Employee Tax Information Electronically** (*David H. Steele*) This act requires employers who file W-2 forms with the Internal Revenue Service in an electronic format to also file W-2 forms with the State Tax Commission in an electronic format. (*Public Utilities and Technology Interim Committee*)

Amends 59-10-406

Effective April 30, 2001

2001 Utah Laws 94

SB 34 **Individual Income Tax Relief for Low-income Individuals and Related State Tax Commission Amendments** (*Lyle W. Hillyard*) This act establishes an income level below which a taxpayer is not subject to state individual income taxes. The act amends the authority of the State Tax Commission to prescribe tax tables. The act also refines terms and repeals obsolete language.

Amends 59-10-104, 59-10-105, 59-10-116; Enacts 59-10-104.1

Effective January 1, 2002

2001 Utah Laws 323

SB 36 **Individual Income Tax - Bracket Adjustments** (*John L. Valentine*) This act repeals obsolete language and makes adjustments to the individual income tax brackets and amounts of tax.

Amends 59-10-104

Effective April 30, 2001

2001 Utah Laws 324

SB 40 **Penalty for Use of Dyed Diesel** (*Dan R. Eastman*) This act prohibits a person from having dyed diesel fuel in the fuel supply tank of a motor vehicle on a highway unless permitted under federal law or traveling in an agricultural operation from one parcel of land to another. The Tax Commission is required to impose a penalty that is the greater of \$500 or \$5 per gallon of dyed diesel fuel within each fuel supply tank and double those amounts for second and subsequent offenses.

Enacts 59-13-320.5

Effective April 30, 2001

2001 Utah Laws 29

SB 49 **Aviation Fuel Tax** (*John L. Valentine*) This act provides a \$.015 tax refund or credit for aviation fuel tax paid on gallons of aviation fuel purchased by a federally certificated air carrier at the Salt Lake International Airport. The allocation of the tax to the airport is reduced by the same amount. The act provides procedures and Tax Commission rulemaking for filing a claim for a refund, and provides for penalties for making a false claim.

Amends 59-13-402; Enacts 59-13-404

Effective July 1, 2001

2001 Utah Laws 235

SB 71 **Tax Credits for Special Needs Adoptions** (*Carlene M. Walker*) This act provides a tax credit to any taxpayer who adopts a child who has a special need. The act has retrospective operation for taxable years beginning on or after January 1, 2001.

Amends 62A-4a-607; Enacts 59-10-133

Effective April 30, 2001

2001 Utah Laws 327

SB 202 **Confidentiality of Tax Information** (*Karen Hale*) This act permits disclosure of information in certain circumstances, particularly those related to motor fuel and aviation fuel taxation.

Amends 59-1-403, 59-14-212

Effective April 30, 2001 2001 Utah Laws 270

SB 213 **Taxation of Telephone Corporations** (*Curtis S. Bramble*) This act defines "telephone corporation" for purposes of the sales and use tax and clarifies that certain amounts paid to telephone corporations are subject to the sales and use tax.

Amends 59-12-102, 59-12-103

Effective July 1, 2001 2001 Utah Laws 188

SB 226 **Property Tax - Notice of Appeals** (*Scott K. Jenkins*) This act requires that a copy of an application to object to an assessment of property assessed by the State Tax Commission be provided to certain persons.

Amends 59-2-1007

Effective April 30, 2001 2001 Utah Laws 190

SB 234 **Sales and Use Tax - Botanical, Cultural, Recreational, and Zoological Organizations or Facilities Amendments** (*Lyle W. Hillyard*) This act allows a city or town to impose sales and use tax beginning on or after January 1, 2003 for the support of recreational and zoological facilities and botanical, cultural, and zoological organizations if the county in which the city or town is located does not impose a similar tax. The act requires an opinion vote of the electorate for the imposition of the tax and for notification to the State Tax Commission of changes in the imposition of the tax. The act also provides for the distribution of the city or town tax and the distribution of the similar county tax.

Amends 59-12-703, 59-12-704; Enacts 59-12-1401, 59-12-1402, 59-12-1403

Effective July 1, 2001 2001 Utah Laws 192

Title 61 -- SECURITIES DIVISION - REAL ESTATE DIVISION

HB 56 **Utah Uniform Securities Act Amendments** (*Patrice M. Arent*) This act grants authority to the director of the Division of Securities to designate investigators as special function officers.

Amends 61-1-18

Effective April 30, 2001 2001 Utah Laws 145

HB 72 **Penalty for Misuse of Securities** (*Katherine M. Bryson*) This act increases the penalties for securities fraud cases involving the investment of money from home equity or a retirement account.

Amends 61-1-21

Effective April 30, 2001 2001 Utah Laws 149

- HB 114** **Mortgage Practices Act Amendments** (*Gerry A. Adair*) This act exempts persons who are registered under the Residential Mortgage Practices Act from certain notification and registration requirements under the Mortgage Lending and Servicing Act and clarifies that the definition of “business of residential mortgage loans” does not include clerical functions.

Amends 61-2c-102, 70D-1-10

Effective April 30, 2001

2001 Utah Laws 347

- HB 271** **Appraisals and Appraisers Amendments** (*Gerry A. Adair*) This act amends sections relating to the authority of appraisers in order to comply with federal guidelines and to create consistency in appraiser terminology.

Amends 17-17-2, 59-2-701, 59-2-702, 59-2-703, 61-2b-10, 61-2b-13, 61-2b-17

Effective April 30, 2001

2001 Utah Laws 214

Title 62A -- UTAH HUMAN SERVICES CODE

- HB 12** **Provision for Legal Relinquishment of a Newborn** (*Patrice M. Arent*) This act provides a process for safe relinquishment of newborn children by a parent or a parent’s designee. The act provides a process for hospitals to receive those children and for the Division of Child and Family Services to care for and petition for termination of parental rights and adoption of those children. The act eliminates certain civil abuse and neglect requirements and proceedings when newborn children are safely abandoned. The act also amends the civil definition of neglect and provides a limited affirmative defense to any potential criminal liability based upon neglect or abandonment.

Amends 62A-4a-101, 63-55-262, 78-3a-103, 78-3a-407; Enacts 62A-4a-801, 62A-4a-802

Effective April 30, 2001

2001 Utah Laws 134

- HB 31** **Child Welfare Oversight Panel Amendments** (*Trisha S. Beck*) This act requires the Division of Child and Family Services, the attorney general, and the judiciary to annually report to the Child Welfare Legislative Oversight Panel on compliance with statutory time frames governing services, hearings, and trials for children in foster care. The act also directs the panel to receive reports on budgetary issues impacting the child welfare system and make recommendations to legislative committees. The act directs the panel to determine what can be done to preserve and strengthen children’s ties to their families. (*Health and Human Services Interim Committee*)

Amends 62A-4a-207

Effective April 30, 2001

2001 Utah Laws 32

HB 83 **Child Welfare Amendments** (*Wayne A. Harper*) This act requires the Division of Child and Family Services management information system to identify substantiated reports of abuse or neglect and reports without merit separately and to provide restricted access to cases without merit where necessary, reduces the period of time that unsubstantiated reports of child abuse or neglect are maintained in the management information system from ten years to five years, and establishes circumstances in which the division shall remove a name from the management information system. The act requires the Child Welfare Legislative Oversight Panel to study worker liability for child protective services personnel, clarifies the circumstances under which an officer may use force to remove a child from a home and the conditions that must be met before a child suspected of being abused or a sibling may be removed from a home, and requires a court to order visitation with a parent at the shelter hearing and at the dispositional hearing unless visitation is not in the best interest of the child.

Amends 62A-4a-116, 62A-4a-116.5, 62A-4a-207, 78-3a-106, 78-3a-301, 78-3a-307, 78-3a-311

Effective April 30, 2001

2001 Utah Laws 153

HB 104 **Mental Health Professional Financial Assistance Grants** (*Sheryl L. Allen*) This act modifies the Mental Health Therapist Grant and Scholarship Program to expand program eligibility criteria to include persons in training, modify obligated service provisions, and modify penalty provisions for failure to fulfill service obligations. The act also updates membership provisions for the Rural Mental Health Therapist Financial Assistance Committee.

Amends 62A-13-102, 62A-13-103, 62A-13-108

Effective April 30, 2001

2001 Utah Laws 157

HB 117 **Amending the Grounds for Taking a Child into Protective Custody** (*Thomas V. Hatch*) This act clarifies the circumstances under which a child may be taken into the protective custody of the state without a warrant or court order.

Amends 62A-4a-202.1

Effective April 30, 2001

2001 Utah Laws 167

HB 170 **Prescribing Psychiatric Drugs or Medication** (*Matt Throckmorton*) This act amends the definition of substantiated child abuse to exclude the failure to administer a prescribed medication or course of treatment if the parent or legal guardian has not been notified of the opportunity to obtain a physical examination of the minor by a health care professional. The act also authorizes the Division of Child and Family Services to report an individual to the appropriate licensing authority if the division has reason to believe the individual exceeded the individual's scope of practice by recommending medication for a minor.

Amends 62A-4a-116

Effective April 30, 2001

2001 Utah Laws 184

HB 232 **Certified Child Welfare Social Service Worker Amendments** (*Matt Throckmorton*) This act establishes criteria for certification as a child welfare social service worker or child welfare social worker, clarifies that certification is for salary purposes and does not apply to licensing standards, and establishes criteria for the director of the Department of Human Resource Management to follow in establishing salary and benefit ranges for certified child welfare social service workers and certified child welfare social workers.

Enacts 62A-4a-107.1, 67-19-12.4

Effective April 30, 2001

2001 Utah Laws 362

- HB 257** **Mandatory Child Protective Service Requirements** (*Matt Throckmorton*) This act requires the Division of Child and Family Services to follow the same requirements for both preremoval and postremoval investigations of child abuse or neglect.

Amends 62A-4a-202.3, 62A-4a-409

Effective April 30, 2001

2001 Utah Laws 208

- SB 97** **Special Needs Adoption Services** (*Lyle W. Hillyard*) This act codifies the types of state financial assistance available to adoptive parents of children formerly in state custody and directs the Board of Child and Family Services to establish eligibility criteria for each type of assistance. The act also establishes provisions for the modification or termination of assistance.

Amends 62A-4a-105; Enacts 62A-4a-801, 62A-4a-802, 62A-4a-803, 62A-4a-804, 62A-4a-805, 62A-4a-806; Renumbers and Amends 62A-4a-108 to 62A-4a-807

Effective April 30, 2001

2001 Utah Laws 115

- SB 111** **Conflict of Interest Investigations into Allegation of Child Abuse or Neglect** (*D. Chris Buttars*) This act removes the requirement that allegations of abuse and neglect of children in the custody of the Division of Child and Family Services be investigated only by law enforcement officers, authorizes the division to contract with independent child protective services investigators, and directs the director of the Department of Human Services to designate an entity within the department other than the division to monitor investigation contracts.

Amends 62A-4a-202.5, 62A-4a-202.6

Effective April 30, 2001

2001 Utah Laws 58

- SB 125** **Aging and Adult Services Amendments** (*Dan R. Eastman*) This act repeals the authority of the director of the Division of Aging and Adult Services to act as a court-appointed trustee, receiver, custodian, or guardian over a disabled or elder adult, and makes conforming amendments.

Amends 62A-3-301, 62A-3-304; Repeals 62A-3-310

Effective April 30, 2001

2001 Utah Laws 43

- SB 153** **Kinship Placement for Foster Children** (*Bill Wright*) This act authorizes the Division of Child and Family Services to place a child in an emergency kinship placement rather than shelter care prior to a shelter hearing, requires a shelter hearing after an emergency kinship placement or after a parent has entered a domestic violence shelter at the request of the division, and expands the circumstances under which the division must conduct a post-removal investigation.

Amends 62A-4a-202.3, 78-3a-301, 78-3a-306; Enacts 62A-4a-209

Effective April 30, 2001

2001 Utah Laws 250

Title 63 -- STATE AFFAIRS IN GENERAL

HB 5 **Serious Habitual Offender Comprehensive Action Program Amendment**
(DeMar Bud Bowman) This act requires the designated agency to notify the serious habitual offender (SHO) and the parent or guardian when the SHO is included in the Serious Habitual Offender Comprehensive Action Program. *(Law Enforcement and Criminal Justice Interim Committee)*

Amends 63-92-3

Effective April 30, 2001

2001 Utah Laws 11

HB 9 **Repeal of Obsolete Bonding Authorizations and Related Provisions** *(Loraine T. Pace)* This act repeals obsolete and lapsed bonding authorizations and repeals a duplicate section relating to state bonding commissioners. The act also moves language relating to certain water loans. *(Government Operations Interim Committee)*

Amends 11-27-2, 11-31-2, 11-31-3, 59-12-103 (Effective 07/01/01), 59-12-103 (Superseded 07/01/01), 73-10c-4, 73-10c-5; Enacts 73-10c-4.1, 73-10c-4.2; Repeals 63-56a-1, 63-64-1, 63-64-2, 63-64-3, 63-64-4, 63-64-5, 63-64-6, 63-64-7, 63-64-8, 63-64-9, 63-64-10, 63-64-11, 63-64-12, 63-64-13, 63-64-14, 63-64-15, 63-64-16, 63-64-17, 63-64-18, 63-66-1, 63-66-2, 63-66-3, 63-66-4, 63-66-5, 63-66-6, 63-66-7, 63-66-8, 63-66-9, 63-66-10, 63-66-11, 63-66-12, 63-66-13, 63-66-14, 63-66-15, 63-66-16, 63-66-17, 63-67-101, 63-67-102, 63-67-103, 63-67-104, 63-67-105, 63-67-106, 63-67-107, 63-67-108, 63-67-109, 63-67-110, 63-67-111, 63-67-112, 63-67-113, 63-67-114, 63-67-115, 63-67-116, 63-67-117, 63-67-118, 63-69-1, 63-69-2, 63-69-3, 63-69-4, 63-69-5, 63-69-6, 63-69-7, 63-69-8, 63-69-9, 63-69-10, 63-69-11, 63-69-12, 63-69-13, 63-69-14, 63-69-15, 63-69-16, 63-69-17, 63-69-18, 63-74-1, 63-74-2, 63-74-3, 63-74-4, 63-74-5, 63-74-6, 63-74-7, 63-74-8, 63-74-9, 63-74-10, 63-74-11, 63-74-12, 63-74-13, 63-74-14, 63-74-15, 63-74-16, 63-74-17, 63-77-1, 63-77-2, 63-77-3, 63-77-4, 63-77-5, 63-77-6, 63-77-7, 63-77-8, 63-77-9, 63-77-10, 63-77-11, 63-77-12, 63-77-13, 63-77-14, 63-77-15, 63-77-16, 63-77-17, 63-83-1, 63-83-2, 63-83-3, 63-83-4, 63-83-5, 63-83-6, 63-83-7, 63-83-8, 63-83-9, 63-83-10, 63-83-11, 63-83-12, 63-83-13, 63-83-14, 63-83-15, 63-83-16, 63-83-17, 63-84-1, 63-84-2, 63-84-3, 63-84-4, 63-84-5, 63-84-6, 63-84-7, 63-84-8, 63-84-9, 63-84-10, 63-84-11, 63-84-12, 63-84-13, 63-84-14, 63-84-15, 63-84-16, 63-84-17, 63-85-1, 63-85-2, 63-85-3, 63-85-4, 63-85-5, 63-85-6, 63-85-7, 63-85-8, 63-85-9, 63-85-10, 63-85-11, 63-85-12, 63-85-13, 63-85-14, 63-85-15, 63-85-16, 63-85-17, 63-86-1, 63-86-2, 63-86-3, 63-86-4, 63-86-5, 63-86-6, 63-86-7, 63-86-8, 63-86-9, 63-86-10, 63-86-11, 63-86-12, 63-86-13, 63-86-14, 63-86-15, 63-86-16, 63-86-17, 73-10b-1, 73-10b-2, 73-10b-3, 73-10b-4, 73-10b-5, 73-10b-6, 73-10b-7, 73-10b-8, 73-10b-9, 73-10b-10, 73-10b-11, 73-10b-12, 73-10b-13, 73-10b-14, 73-10b-15, 73-10b-16, 73-10b-17, 73-10b-18, 73-10b-19, 73-10b-20, 73-10b-21, 73-10b-22, 73-10g-1, 73-10g-2, 73-10g-3, 73-10g-4, 73-10g-5, 73-10g-6, 73-10g-7, 73-10g-8, 73-10g-9, 73-10g-10, 73-10g-11, 73-10g-12, 73-10g-13, 73-10g-14, 73-10g-15, 73-10g-16, 73-10g-17, 73-10g-18, 73-10g-19, 73-10g-20, 73-10h-1, 73-10h-2, 73-10h-3, 73-10h-4, 73-10h-5, 73-10h-6, 73-10h-7, 73-10h-8, 73-10h-9, 73-10h-10, 73-10h-11, 73-10h-12, 73-10h-13, 73-10h-14, 73-10h-15, 73-10h-16, 73-10h-17, 73-10h-18, 73-10h-19, 73-10h-20, 73-24-1, 73-24-2, 73-24-3, 73-24-4, 73-24-5, 73-24-6, 73-24-7, 73-24-8, 73-24-9, 73-24-10, 73-24-11, 73-24-12, 73-24-13, 73-24-14, 73-24-15, 73-24-16, 73-24-17, 73-24-18

Effective April 30, 2001

2001 Utah Laws 12

HB 20 **State Symbol Recodification** *(Loraine T. Pace)* This act recodifies state symbols into one section. *(Government Operations Interim Committee)*

Enacts 63-13-5.5; Repeals 63-13-6, 63-13-7, 63-13-7.1, 63-13-7.2, 63-13-7.3, 63-13-7.4, 63-13-7.5, 63-13-7.6, 63-13-8, 63-13-8.1, 63-13-8.2, 63-13-9, 63-13-10, 63-13-11, 63-13-11.4, 63-13-11.5, 63-13-11.7, 63-13-11.8, 63-13-11.9, 63-13-11.10

Effective April 30, 2001

2001 Utah Laws 15

HB 21 **Mailing Requirements to State and Political Subdivisions** (*Roger E. Barrus*) This act renumbers and consolidates sections relating to general filing requirements relating to mailing reports and payments to state and political subdivisions. (*Government Operations Interim Committee*)

Renumbers and Amends 63-37-1 to 68-3-8.5 ; Repeals 63-37-2, 63-37-3

Effective April 30, 2001

2001 Utah Laws 16

HB 27 **Electronic Government Services Amendments - Administrative Rules and Procedures** (*Richard M. Siddoway*) This act facilitates the electronic delivery of government services by governmental agencies. (*Public Utilities and Technology Interim Committee*)

Amends 26-1-5, 63-46a-2, 63-46a-3, 63-46a-4, 63-46a-6, 63-46a-7, 63-46a-10, 63-46a-10.5, 63-46a-11, 63-46a-12.1, 63-46b-3, 63-46b-6, 63-46b-9, 63-46b-10, 63-46b-12, 63-46b-13, 63-46b-15; Enacts 46-4-502, 63-46a-17, 63-46b-23

Effective April 30, 2001

2001 Utah Laws 138

HB 88 **Private Records Under Government Records Access and Management Act** (*Cindy Beshear*) This act authorizes government employees to give written notice of their status as government employees to other governmental entities in order to ensure that those entities classify personal information about government employees as "private." The act removes any liability for damages that a government entity or government employee may have if they negligently disclose certain private records.

Amends 26-1-17.5, 31A-23-202, 31A-26-202, 58-1-301, 61-1-4, 61-2-6, 63-2-202, 63-2-206, 63-2-301, 63-2-302, 63-2-803, 76-10-1311

Effective January 1, 2002

2001 Utah Laws 74

HB 132 **Alternative Dispute Resolution** (*Ralph Becker*) This act modifies state administrative procedures to encourage state agencies to develop and implement alternative dispute resolution processes (ADR). It also provides guidelines for developing ADR processes, which include confidentiality of information.

Enacts 63-46c-101, 63-46c-102, 63-46c-103, 63-46c-104

Effective April 30, 2001

2001 Utah Laws 173

HB 133 **Bill of Rights and Constitution Day** (*J. Morgan Philpot*) This act designates December 15 of each year as Bill of Rights Day and September 17 of each year as Constitution Day.

Enacts 63-13-5.6

Effective April 30, 2001

2001 Utah Laws 174

HB 134 **State Accounting Standards** (*Jeff Alexander*) This act brings terms and processes in line with accepted accounting standards. The act defines a new fund type within the governmental funds, clarifies the definitions of enterprise and trust funds, and makes technical corrections to accounting terms in certain titles of the code.

Amends 9-4-303, 9-4-701, 9-4-702, 9-10-102, 9-11-104, 51-5-3, 51-5-4, 51-5-8, 63-38-3.5, 63-38-6, 63-38-8, 63-38-8.1, 63-65-4, 63-88-102, 73-10c-2, 73-10c-4, 73-10c-5, 73-10c-6, 73-10c-7, 73-10c-9

Effective July 1, 2001

2001 Utah Laws 175

HB 189 **Federal Government Acquisition of Real Property in the State** (*Bradley T. Johnson*) This act prohibits the federal government from acquiring land in the state from any state agency without the approval of the legislature, expands the duties of the Constitutional Defense Council, and creates a policy for the use or disposition of public lands within the state.

Enacts 63-34b-101, 63C-4-105

Effective April 30, 2001

2001 Utah Laws 287

HB 245 **Utah Procurement Code - Reverse Auctions** (*Martin R. Stephens*) This act authorizes the use of reverse auctions to award contracts. A reverse auction is defined as a process where contracts are awarded in an open and interactive environment and where bids are opened and made public immediately, giving bidders opportunity to submit revised bids. The act requires the Procurement Policy Board to make rules to govern the reverse auction process.

Enacts 63-56-20.1

Effective April 30, 2001

2001 Utah Laws 305

HB 310 **State Boards and Commissions Amendments** (*Afton B. Bradshaw*) This act establishes set terms for certain members of the Commission on Criminal and Juvenile Justice, the Utah Substance Abuse and Anti-Violence Coordinating Council, the Justice Committee, the Treatment Committee, the Prevention Committee, and the Judiciary Committee and modifies the membership of those groups.

Amends 63-25a-102, 63-25a-104, 63-25a-201, 63-25a-204, 63-63a-4, 67-8-4; Repeals 63-25a-501, 63-25a-502, 63-25a-503

Effective April 30, 2001

2001 Utah Laws 220

HB 316 **Procurement Amendments for Equipment Used During the Olympics** (*David Ure*) This act allows for an exemption from procurement code provisions when a public procurement unit purchases tangible assets used in the Olympics.

Amends 63-55b-163; Enacts 63-56-35.9

Effective April 30, 2001

2001 Utah Laws 223

SB 5 **Disaster Relief Appropriation Repeal** (*Terry R. Spencer*) This act repeals an obsolete and lapsed appropriation to the Disaster Relief Board to provide relief from floods in Weber County in 1991. (*Government Operations Interim Committee*)

Repeals 63-52a-13

Effective April 30, 2001

2001 Utah Laws 26

SB 9 **Repeal of Authorization for Construction of Certain Facilities Completed** (*Beverly Ann Evans*) This act repeals obsolete and lapsed construction authorizations and accompanying requirements. (*Government Operations Interim Committee*)

Repeals 63-57b-1, 63-57b-2

Effective April 30, 2001

2001 Utah Laws 2

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- SB 10** **Sunset Reauthorizations** (*Millie M. Peterson*) This act reauthorizes certain state entities and programs that would otherwise sunset before the 2002 General Session, including: the Lead Acid Battery Disposal program; the Department of Health; the Prened Funeral Arrangement Act; the Sentencing Commission; and sections authorizing the Risk Management Fund to provide coverage to nonstate entities. (*Government Operations Interim Committee*)
- Amends 63-55-219, 63-55-226, 63-55-258, 63-55-263, 63-55b-131
- Effective April 30, 2001 2001 Utah Laws 3
-
- SB 29** **Families, Agencies, and Communities Together for Children and Youth At Risk Amendments** (*Ron Allen*) The repeal date for the Families, Agencies, and Communities Together for Children and Youth Act is changed from July 1, 2001 to July 1, 2006. (*Education Interim Committee*)
- Amends 63-55-263
- Effective April 30, 2001 2001 Utah Laws 36
-
- SB 105** **State Settlement Agreements Amendments** (*Peter C. Knudson*) This act requires approval by the Transportation Commission and the Legislative Management Committee for settlement agreements in certain circumstances.
- Amends 63-38b-104, 72-1-303; Enacts 63-38b-105
- Effective April 30, 2001 2001 Utah Laws 41
-
- SB 159** **Public Access to Budgets and Financial Statements of Taxpayer Funded Entities** (*Howard A. Stephenson*) This act defines “public association” and “public funds” and requires that the budget documents and financial statements of a public association be released upon written request if 50% or more of its members are elected or appointed public officials and if 50% or more of its financial support comes from public funds.
- Enacts 63-2-1001
- Effective April 30, 2001 2001 Utah Laws 254
-
- SB 187** **Prohibiting State Departments and Entities from Employing Contract Lobbyists** (*Beverly Ann Evans*) This act prohibits a state agency that receives appropriated monies from the legislature from spending monies to pay lobbyists who are not employees of the agency.
- Enacts 63-38-3.1
- Effective April 30, 2001 2001 Utah Laws 267
-
- SB 208** **Governmental Immunity for Transporting Persons from Remote or Inaccessible Areas** (*Leonard M. Blackham*) This act adds an exception for waiver of immunity for injury caused by negligent act or omission of employee when transporting injured persons to a place where medical assistance can be rendered or can be transported by a licensed ambulance service.
- Amends 63-30-10
- Effective April 30, 2001 2001 Utah Laws 185
-

- SB 232** **Restrictions on Court House Parking Lots** (*John L. Valentine*) This act requires that parking fees at state-owned or leased court facilities be approved by the legislature before implementation.
- Enacts 63-38-3.3
- Effective April 30, 2001 2001 Utah Laws 191
-

Title 63A -- UTAH ADMINISTRATIVE SERVICES CODE

- HB 62** **Operation and Maintenance of State Buildings** (*Gerry A. Adair*) This act modifies the definitions of capital developments and capital improvements. The act increases the funding required to be set aside for capital improvements from .9% to 1.1% of the replacement cost of existing state facilities.
- Amends 63A-5-104
- Effective April 30, 2001 2001 Utah Laws 147
-

- SB 182** **Liability Coverage for School District and School Employees** (*David L. Gladwell*) This act addresses issues of providing information to school and school district employees regarding state coverage against legal liability.
- Amends 63A-4-204, 63A-4-204.5
- Effective April 30, 2001 2001 Utah Laws 266
-

Title 63B -- BONDS

- SB 2** **2001 General Obligation Bond and Capital Facilities Authorizations** (*Beverly Ann Evans*) This act authorizes issuance general obligation bonds and bond anticipation notes by the State Bonding Commission for highways. The act defines the process and requirements for issuing the bonds and notes and specifies the use of the proceeds. The act imposes a statewide property tax and abates it. The act creates a sinking fund to pay debt service on the bonds. The act authorizes the issuance of other debt obligations by the State Building Ownership Authority. The act also authorizes other capital facility expenditures. The act modifies previously adopted intent language. The act exempts the bonds and notes authorized by this section from the statutory debt limit.
- Amends 63-9a-6, 63-38c-402, 63B-6-502; Enacts 63B-10-101, 63B-10-102, 63B-10-103, 63B-10-104, 63B-10-105, 63B-10-106, 63B-10-107, 63B-10-108, 63B-10-109, 63B-10-110, 63B-10-111, 63B-10-112, 63B-10-113, 63B-10-114, 63B-10-115, 63B-10-116, 63B-10-117, 63B-10-201, 63B-10-202, 63B-10-203, 63B-10-204, 63B-10-501, 63B-10-601
- Effective April 30, 2001 2001 Utah Laws 321
-

- SB 65** **Bonding for Soldier Hollow Golf Course** (*David H. Steele*) This act authorizes the State Building Ownership Authority to issue revenue bonds for funding the construction of a 36-hole golf course at Soldier Hollow in the Wasatch Mountain State Park.
- Enacts 63B-10-301
- Effective April 30, 2001 2001 Utah Laws 239
-

Title 63C -- STATE COMMISSIONS AND COUNCILS CODE

- HB 91** **State Capitol Preservation Board Amendments** (*Ralph Becker*) This act modifies the geographic jurisdiction of the State Capitol Preservation Board, allows the governor to appoint a vice chair of the board, and modifies certain powers of the board relating to budgets and the creation and membership of board subcommittees.

Amends 63C-9-102, 63C-9-202, 63C-9-301

Effective April 30, 2001

2001 Utah Laws 76

Title 63D -- INFORMATION TECHNOLOGY

- HB 35** **Utah Technology Infrastructure Innovation Program Amendments** (*Brent H. Goodfellow*) This act expands the Utah Technology Infrastructure Innovation Program to allow grants for cross-agency technology innovation projects. (*Public Utilities and Technology Interim Committee*)

Amends 63D-1-304

Effective April 30, 2001

2001 Utah Laws 140

- SB 21** **Information Technology Commission Amendments** (*David H. Steele*) This act clarifies that the provisions relating to certain terms of members refer to the members representing the public. (*Public Utilities and Technology Interim Committee*)

Amends 63D-1-203

Effective April 30, 2001

2001 Utah Laws 89

Title 63E -- INDEPENDENT ENTITIES

- HB 28** **Independent Entities Act** (*Richard Bigelow*) This act recodifies provisions relating to the Legislative Quasi-governmental Entities Committee and its oversight functions and renames it the Legislative Independent Entities Committee. The act creates the Independent Entities Code, which includes the Independent Entities Act and the Independent Corporations Act, establishing legislative oversight and general provisions for independent corporations. (*Government Operations Interim Committee*)

Enacts 63E-1-101, 63E-1-102, 63E-1-201, 63E-1-202, 63E-1-203, 63E-1-301, 63E-1-302, 63E-1-303, 63E-1-401, 63E-1-402, 63E-1-403, 63E-1-404, 63E-2-101, 63E-2-102, 63E-2-103, 63E-2-104, 63E-2-105, 63E-2-106, 63E-2-107, 63E-2-108, 63E-2-109, 63E-2-110, 63E-2-111

Effective July 1, 2002

2001 Utah Laws 201

Title 64 -- STATE INSTITUTIONS

- HB 10** **State Institutions Provisions Repeal** (*Michael R. Styler*) This act repeals obsolete and lapsed sections in the State Institutions Title. (*Government Operations Interim Committee*)

Amends 72-11-104; Repeals 64-1-1, 64-1-2, 64-1-4, 64-1-5, 64-1-6, 64-1-7, 64-1-8, 64-1-9

Effective April 30, 2001

2001 Utah Laws 13

- HB 337** **Governmental Law Amendments** (*Greg J. Curtis*) This act requires that the legislature pass a resolution recognizing a proposed contract before the Department of Corrections can enter into the contract with a county government to house inmates in county facilities that are not currently under construction or in existence. The act also clarifies that the resolution does not bind the legislature or the department regarding the proposed contract.

Amends 64-13c-302; Enacts 64-13c-401

Effective March 16, 2001

2001 Utah Laws 230

Title 65A -- STATE LANDS

- HB 144** **Utah Forest Practices Act** (*Craig W. Buttars*) This act requires certain individuals and companies that engage in forestry operations to be registered with the Division of Forestry, Fire, and State Lands and to notify the division of their intent to conduct forestry operations. The Division of Forestry, Fire and State Lands is directed to promote the implementation of Forest Water Quality Guidelines and provide technical assistance to landowners regarding forest practices.

Enacts 65A-8a-101, 65A-8a-102, 65A-8a-103, 65A-8a-104, 65A-8a-105, 65A-8a-106

Effective April 30, 2001

2001 Utah Laws 80

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- HB 388** **Wildland Fire Suppression Fund** (*Bradley T. Johnson*) This act increases the maximum level of the Wildland Fire Suppression Fund and decreases the cost to counties to initiate participation in the fund.

Amends 65A-8-6.1, 65A-8-6.2

Effective March 9, 2001

2001 Utah Laws 81

Title 66 -- STATE LOAN COMMISSIONERS

- HB 11** **State Loan Commissioners and Loan Authorization Repeal** (*Bryan D. Holladay*) This act repeals obsolete and lapsed sections governing state loan commissioners and provisions authorizing certain paid-off loans. (*Government Operations Interim Committee*)

Repeals 66-1-1, 66-1-3, 66-1-4, 66-6-1, 66-6-2, 66-6-3, 66-6-4, 66-7-1, 66-7-2, 66-7-3, 66-7-4

Effective April 30, 2001

2001 Utah Laws 14

Title 67 -- STATE OFFICERS AND EMPLOYEES

- HB 68** **Annual Leave Conversion for State Employees** (*James R. Gowans*) This act relating to state officer and employee benefits allows employees, in each calendar year, to elect to convert up to 20 hours of annual leave, up to \$250 in value, into an employee's deferred compensation account.

Enacts 67-19-12.9

Effective April 30, 2001

2001 Utah Laws 339

HB 340 Public Safety Officers Education Requirements (*David L. Hogue*) This act allows the director of the Department of Human Resource Management to establish a plan for education compensation for law enforcement officers and correctional officers that provides tuition and step increases for officers obtaining specified higher education degrees.

Enacts 67-19-12.4

Effective April 30, 2001

2001 Utah Laws 231

HB 360 Children's Justice Center Program Amendments (*Scott Daniels*) This act adds provisions allowing the attorney general to establish satellite offices for Children's Justice Centers and adds Emery and Wasatch counties to the list of counties in which a Children's Justice Center shall be established. The act also requires that the legislature provide for cost of living increases in the Children's Justice Centers' personnel budget if it provides for a cost of living increase for other state employees.

Amends 63-38-2, 67-5b-102

Effective April 30, 2001

2001 Utah Laws 376

HB 373 Amendments to State Processes - Pornography Ombudsman (*Glenn L. Way*) This act requires the creation of a program to combat Internet pornography. The Pornography Ombudsman's Office is also required to provide resources to parents for assisting them in protecting their children from Internet pornography.

Amends 67-5-18

Effective April 30, 2001

2001 Utah Laws 315

SB 149 Utah Prosecution Council Amendments (*Ron Allen*) This act adds the chair of the Utah Prosecutorial Assistants Association as a voting member of the Utah Prosecution Council. The act also clarifies the procedure for reimbursement of unusual prosecution expenses, amends the procedure for city prosecutors to be appointed to the council, and clarifies the terms of newly appointed members.

Amends 67-5a-1, 67-5a-2

Effective April 30, 2001

2001 Utah Laws 131

SB 176 Executive Compensation (*L. Steven Poulton*) This act provides a salary increase for constitutional officers and other state officers and employees.

Amends 67-22-1, 67-22-2

Effective June 23, 2001

2001 Utah Laws 264

Title 68 -- STATUTES

SB 6 Repeal of 1933 Utah Code Revision Statutes (*Millie M. Peterson*) This act repeals certain obsolete and lapsed provisions relating to the 1933 recodification of the Utah Code. (*Government Operations Interim Committee*)

Repeals 68-2-1, 68-2-3, 68-2-4, 68-2-5, 68-2-6, 68-2-7, 68-2-8, 68-2-9, 68-2-10

Effective April 30, 2001

2001 Utah Laws 1

Title 70A -- UNIFORM COMMERCIAL CODE

SB 151 **Uniform Commercial Code - Technical Amendments** (*Lyle W. Hillyard*) This act corrects cross references in the Uniform Commercial Code.

Amends 70A-9a-334

Effective July 1, 2001

2001 Utah Laws 132

Title 71 -- VETERANS

SB 90 **Veterans Memorials Erected and Maintained by Counties** (*Gene Davis*) This act allows counties to use public funds to decorate veteran graves and memorials.

Amends 71-2-2

Effective April 30, 2001

2001 Utah Laws 30

Title 72 -- TRANSPORTATION CODE

HB 194 **State Highway Designation** (*Bradley T. Johnson*) This act designates a section of State Route 118 in Monroe as Ram Boulevard.

Enacts 72-4-205

Effective April 30, 2001

2001 Utah Laws 77

HB 202 **511 Communications System** (*Marda Dillree*) This act requires the Department of Transportation to implement the "511" traveler information service in the state, to coordinate it with other highway authorities and public transit districts, and to enter into agreements or contracts to share and offset the costs. The act requires the department to make rules to implement the "511" service.

Enacts 72-6-119

Effective April 30, 2001

2001 Utah Laws 51

HB 214 **Corridor Preservation Funding Distribution** (*David L. Hogue*) This act requires the Transportation Commission to consider the cost-effectiveness of a preservation project in prioritizing Corridor Preservation Revolving Loan Fund monies. The act requires the commission to make rules to include members designated by each metropolitan planning organization in the state to represent local governments on the Corridor Preservation Advisory Council.

Amends 72-2-117

Effective April 30, 2001

2001 Utah Laws 60

HB 218 **State Highway Access Management** (*Wayne A. Harper*) This act requires that the Department of Transportation rules for approach roads and driveways on state highways include criteria based on the functional classification of adjacent highways, are consistent with the Manual on Uniform Traffic Control Devices, and include procedures for application, review, and approval of a permit for approach roads and driveways within 45 days of receipt of the application. The act clarifies that a permit is required prior to constructing an approach road or driveway on a state highway.

Amends 72-3-109

Effective April 30, 2001

2001 Utah Laws 61

HB 307 **Utah Spaceport Authority Act** (*Thomas V. Hatch*) This act designates the Department of Transportation as the state spaceport authority and grants the department power to plan, design, acquire property, construct, operate, administer, regulate, charge fees, and make rules governing spaceports. The act creates a Spaceport Advisory Board within the Department of Transportation to advise the department and the Transportation Commission.

Amends 72-1-102; Enacts 72-13-101, 72-13-102, 72-13-103, 72-13-104

Effective July 1, 2001

2001 Utah Laws 372

HB 315 **Olympic Public Safety and Transportation Routes** (*David Ure*) This act allows the executive director of the Department of Transportation, during a specified period, to designate highways as statewide public safety interest highways if certain conditions are met.

Amends 72-3-301; Enacts 63-55b-172

Effective April 30, 2001

2001 Utah Laws 222

SB 12 **Traffic Management Committee Amendments** (*Peter C. Knudson*) This act increases the membership of the Traffic Management Committee from seven to up to 13 members, including a second member designated by UDOT, a member designated by a public transit district, and up to four additional members who may be designated by the committee for one-year terms. Term limitation provisions for members are repealed, counties and municipalities are added as recipients of the committee recommendations, and the committee may establish technical advisory committees as needed. (*Transportation Interim Committee*)

Amends 72-6-115

Effective April 30, 2001

2001 Utah Laws 27

SB 17 **Highway Construction Bid Limit** (*Peter C. Knudson*) This act increases the bid limit for construction or improvement projects on state highways from \$40,000 to the bid limit amount for class B and C road projects, which is currently \$100,000. The Department of Transportation is required to provide an accounting of costs and expenditures of projects completed by its own employees and disclose the information upon request. The department is required to make rules establishing procedures for hearing evidence and administering sanctions for a region within the department that violates the bid limit or accounting requirements. (*Transportation Interim Committee*)

Amends 72-6-107

Effective April 30, 2001

2001 Utah Laws 28

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- SB 26** **Master Road Amendments** (*Peter C. Knudson*) This act affects seven state highways by realigning, renumbering, transferring, or adding sections of highways on the state highway system. The net increase to the state highway system is 2.8 miles.

Amends 72-4-110, 72-4-113, 72-4-115, 72-4-120, 72-4-123, 72-4-136, 72-4-137

Effective April 30, 2001

2001 Utah Laws 92

- SB 38** **Highway Authority Winter Road Closure Authority** (*Parley Hellewell*) This act repeals the 90 days per calendar year limitation on a highway authority's ability to impose restrictions on the use of highways due to climatic conditions.

Amends 72-7-408

Effective April 30, 2001

2001 Utah Laws 37

- SB 89** **State Parks Access Roads Amendments** (*Peter C. Knudson*) This act extends the state park access highway for Hyrum State Park.

Amends 72-3-204

Effective April 30, 2001

2001 Utah Laws 113

- SB 130** **R.S. 2477 Amendments** (*John W. Hickman*) This act provides that an agreement between a political subdivision and the federal government that affects an R.S. 2477 right-of-way is void unless, prior to entering into the agreement, the political subdivision gives notice of its intent and a copy of the proposed agreement to each county of the state through which the right-of-way extends. The notified county then has 60 days to give written notice of no objection or of objections to the proposed agreement. If an objection is entered, the political subdivision entering into the agreement must first obtain declaratory relief from a district court. If a county fails to object within 60 days, the county is considered to have no objections. Any agreement may not affect the interest of the state regarding an R.S. 2477 right-of-way unless the state is a party to the agreement. The act does not affect agreements made solely for maintenance or preservation of safe travel.

Enacts 72-5-307

Effective April 30, 2001

2001 Utah Laws 123

- SB 156** **Oversize Permit Amendments** (*John W. Hickman*) This act amends the method of measuring combination vehicles for oversize and overweight permits from the overall length of the tractor and trailers to the cargo-carrying length and makes related adjustments to the allowable length.

Amends 72-7-406

Effective April 30, 2001

2001 Utah Laws 252

- SB 256** **Transportation Amendments** (*Peter C. Knudson*) This act expands the purposes for which the Department of Transportation may acquire rights-of-way from "highway purposes" to "transportation purposes," including public transportation projects. The title to real property acquired for a public transit project shall be transferred to the public transit district and the public transit district shall cover all costs for the condemnation. The act provides that "transportation purpose" includes mitigation from the effects of construction and maintenance on a transportation facility.

Amends 72-5-102, 72-5-103, 72-5-109, 72-5-110, 72-5-115

Effective March 9, 2001

2001 Utah Laws 79

Title 73 -- WATER AND IRRIGATION

- HB 17** **Electronic Government Services Amendments - Natural Resources** (*Richard M. Siddoway*) This act facilitates the electronic delivery of government services by the state engineer. (*Public Utilities and Technology Interim Committee*)

Amends 73-1-4, 73-3-2, 73-3-3, 73-3-5, 73-3-12, 73-3-27, 73-3-28, 73-5-13

Effective April 30, 2001

2001 Utah Laws 136

Title 75 -- UTAH UNIFORM PROBATE CODE

- HB 349** **Uniform Probate Code - Power of Attorney Amendments** (*Patricia W. Jones*) This act allows for the appointment of a conservator for a person who is disabled even though there may be a valid power of attorney in force. The act also provides that the person holding the power of attorney should be bound by the same standards for trustees.

Amends 75-5-401, 75-5-501

Effective April 30, 2001

2001 Utah Laws 375

Title 76 -- UTAH CRIMINAL CODE

- HB 113** **Surreptitious Administration of a Substance** (*Ron Bigelow*) This act creates the specific criminal offense of surreptitiously administering deleterious or alcoholic substances or drugs to another person. The act provides graduated penalties based on the risks posed by the substance administered and includes a defense for administering medical treatment.

Enacts 76-5-113

Effective April 30, 2001

2001 Utah Laws 164

- HB 135** **Child Pornography Amendments** (*Katherine M. Bryson*) This act defines terms related to child pornography and modifies the crime related to sexual exploitation of a minor.

Amends 76-5a-2, 76-5a-3

Effective April 30, 2001

2001 Utah Laws 176

HB 157 **Consumer Protection from Lottery Advertisements** (*Stephen D. Clark*) This act makes it a crime if the words "Void in Utah" are not conspicuously printed on any written or printed material containing an advertisement or solicitation for participation in a lottery and provides penalties.

Enacts 76-10-1104.5

Effective April 30, 2001

2001 Utah Laws 182

HB 181 **Penalties for Soliciting Minors** (*Duane E. Bourdeaux*) This act creates the offense and penalty regarding enticing a minor over the Internet for sexual activity.

Amends 77-27-21.5; Enacts 76-4-401

Effective April 30, 2001

2001 Utah Laws 353

HB 215 **Forgery Amendments** (*Neal B. Hendrickson*) This act makes all forgery offenses relating to the possession of a forged writing or the possession of a device for making a forgery a third degree felony.

Amends 76-6-502

Effective April 30, 2001

2001 Utah Laws 56

HB 220 **Burglary Amendments** (*Katherine M. Bryson*) This act includes as a burglary offense the entering of a building with the intent to commit certain sexual offenses.

Amends 76-6-202

Effective April 30, 2001

2001 Utah Laws 359

HB 238 **Criminal Penalty for Committing Offense When Using Body Armor** (*Duane E. Bourdeaux*) This act provides an increased sentence for a person convicted of a violent felony if the person used a dangerous weapon and body armor in commission of the felony.

Enacts 76-3-203.7

Effective April 30, 2001

2001 Utah Laws 299

HB 240 **Kidnapping Amendments** (*Glenn L. Way*) This act changes the elements of kidnapping offenses, provides defenses, and specifies lesser included offenses.

Amends 76-3-202, 76-5-301, 76-5-301.1, 76-5-302, 76-5-304, 77-27-7; Enacts 76-5-305, 76-5-306

Effective April 30, 2001

2001 Utah Laws 301

HB 250 **Obstruction of Justice Amendments** (*Scott Daniels*) This act provides penalties in relation to the level of offense regarding which judicial action is obstructed and in relation to the type of action taken to cause the obstruction.

Amends 76-3-203.3, 76-10-1602, 77-23a-8; Repeals 76-8-510; Repeals and Reenacts 76-8-306

Effective April 30, 2001

2001 Utah Laws 307

HB 258 **Criminal Sentencing Amendments** (*Scott Daniels*) This act changes sentencing provisions regarding imprisonment and life imprisonment without parole and clarifies that capital offenses are capital felonies. The act provides an enhanced penalty for specified violent offenses committed by a prisoner and repeals the section dealing only with aggravated assault by a prisoner. The act provides that a murder is aggravated murder if the defendant was previously convicted of a specific violent offense.

Amends 76-3-201, 76-3-203.1, 76-3-206, 76-3-207, 76-3-207.5, 76-4-201, 76-5-103.5, 76-5-202, 76-8-306, 76-8-316, 77-16a-201, 77-16a-202, 77-18-5.5, 77-20-1, 77-32-201, 77-32-601, 77-32-604, 78-46-5; Enacts 76-3-203.6

Effective April 30, 2001

2001 Utah Laws 209

HB 322 **Domestic Terrorism of Commercial Enterprises** (*Gerry A. Adair*) This act creates the offense and penalty regarding commercial terrorism, which refers to interference with the operation of a retail business establishment. The act also provides enhanced penalties for criminal offenses committed against animal enterprises.

Amends 76-6-206; Enacts 76-6-110, 76-10-2401, 76-10-2402

Effective April 30, 2001

2001 Utah Laws 225

HB 376 **Concealed Weapon Permit Holders - Recognition** (*Glenn A. Donnelson*) This act allows a person authorized to carry a concealed firearm in another state to carry a concealed firearm in Utah for up to sixty days. After the sixty day time period, the out-of-state permittee must obtain a Utah concealed weapon permit in order to continue carrying a concealed weapon.

Amends 76-10-523

Effective April 30, 2001

2001 Utah Laws 316

SB 4 **Prohibition of Intimacy with Person in Custody** (*Paula F. Julander*) This act creates the offenses of and penalties for custodial sexual relations and custodial sexual misconduct. These offenses address inappropriate acts committed by a correctional officer, law enforcement officer, or other specified employee against a person in custody. (*Law Enforcement and Criminal Justice Interim Committee*)

Enacts 76-5-412

Effective July 1, 2001

2001 Utah Laws 35

SB 87 **Antique Firearms Amendments** (*Michael G. Waddoups*) This act changes the definition of a firearm to exclude antique firearms, curio or relic firearms, and modifies existing law regarding the assignment of distinguishing marks and numbers to antique pistols and revolvers.

Amends 76-10-501

Effective April 30, 2001

2001 Utah Laws 111

SB 88 **Theft of Rental Motor Vehicle** (*Bill Wright*) This act creates the specific offense of theft of a rental motor vehicle if a person fails to return the vehicle within 72 hours after the date the vehicle is due to be returned.

Enacts 76-6-410.5

Effective April 30, 2001

2001 Utah Laws 112

SB 101 **Unlawful Use of Laser Pointers** (*D. Edgar Allen*) This act creates the offense and penalty regarding unlawful use of a laser pointer.

Enacts 76-10-2401

Effective April 30, 2001

2001 Utah Laws 67

SB 141 **Telephone Harassment Amendments** (*Terry R. Spencer*) This act deletes certain language regarding the offense of telephone harassment that has been found unconstitutional by the Utah Court of Appeals.

Amends 76-9-201

Effective April 30, 2001

2001 Utah Laws 128

Title 77 -- UTAH CODE OF CRIMINAL PROCEDURE

HB 18 **Interstate Compact for Adult Offender Supervision** (*Gary F. Cox*) This act establishes for Utah the Interstate Compact for Adult Offender Supervision and authorizes the governor to act on behalf of the state to join the compact. The act provides updated procedures for movement of adult parolees and probationers across state lines and creates the Interstate Compact Commission, defining its specific functions and authority. The act provides for oversight and enforcement regarding participating states and takes effect the later of July 1, 2002, or upon the enactment of the compact into law by the thirty-fifth jurisdiction. (*Law Enforcement and Criminal Justice Interim Committee*)

Amends 64-13-6; Enacts 77-28c-101, 77-28c-102, 77-28c-103, 77-28c-201

Refer to summary for explanation of effective date.

2001 Utah Laws 45

HB 22 **Sex Offender Lifetime Reporting Amendments** (*DeMar Bud Bowman*) This act requires a previously registered sex offender who commits a subsequent serious sexual offense to be registered for the offender's lifetime. (*Law Enforcement and Criminal Justice Interim Committee*)

Amends 77-27-21.5

Effective April 30, 2001

2001 Utah Laws 17

HB 25 **Civil Stalking Amendments** (*LaWanna Shurtliff*) This act creates a civil stalking injunction and procedure for having the injunction issued by a court. The act provides for a petition, hearing requirements for both parties, and allows for renewal of the injunction under certain conditions.

Amends 76-5-106.5, 77-3-1; Enacts 77-3a-101, 77-3a-102, 77-3a-103

Effective July 1, 2001

2001 Utah Laws 276

HB 26 **Criminal Restitution Amendments** (*Sheryl L. Allen*) This act creates the Crime Victims Restitution Act. The act defines terms and sets out procedures for collecting restitution from persons convicted of a crime and ordered by a court to pay restitution. The act requires input on the issue of restitution from law enforcement agencies, prosecutors, and the Department of Corrections. In addition, the defendant is required to provide information to the court to help the court determine restitution. The act provides a mechanism by which a restitution order can be enforced through a civil action and declares that it is nondischargeable in bankruptcy. The act also provides priority, enforcement, and collection of restitution provisions.

Amends 77-18-1; Enacts 77-38a-101, 77-38a-102, 77-38a-201, 77-38a-202, 77-38a-203, 77-38a-301, 77-38a-302, 77-38a-401, 77-38a-402, 77-38a-403, 77-38a-404, 77-38a-501, 77-38a-502

Effective April 30, 2001

2001 Utah Laws 137

HB 122 **Administrative Traffic Checkpoint Amendments** (*David Ure*) This act restricts a magistrate's authority to authorize an administrative traffic checkpoint to those whose primary purpose is to check for: driving under the influence of alcohol or drugs; vehicle registration, insurance, and driver licenses; violations of the Wildlife Resources Code; and other specifically distinguishable circumstances not including a general interest in crime control. The act prohibits an enforcement officer from displaying a sign warning of a checkpoint unless it is being operated under authority of a magistrate.

Amends 77-23-104; Enacts 77-23-104.5

Effective April 30, 2001

2001 Utah Laws 168

HB 230 **Search Warrant Amendment** (*DeMar Bud Bowman*) This act defines "daytime" for serving search warrants as the hours beginning at 6 a.m. and ending at 10 p.m.

Amends 77-23-201

Effective April 30, 2001

2001 Utah Laws 295

HB 237 **Sex Offender Registry** (*DeMar Bud Bowman*) This act changes the definition of sex offender and requires the registration of sex offenders in a state mental hospital and of sex offenders living in this state but convicted in another state.

Amends 77-27-21.5

Effective April 30, 2001

2001 Utah Laws 298

SB 127 **Bail Bond Amendments** (*Terry R. Spencer*) This act provides procedures for actions against bail bond surety companies for failure to pay bail bond forfeitures. The act also changes the procedures regarding the surety's and the prosecutor's functions if a defendant fails to appear, the procedures for exoneration of the bond, and the procedures for transportation of the defendant.

Amends 77-20-8.5, 77-20b-101, 77-20b-104; Enacts 31A-35-504

Effective April 30, 2001

2001 Utah Laws 245

- SB 154** **Indigent Defendant Legal Services** (*David L. Gladwell*) This act requires that if a county or municipality has contracted for legal defense or defense resources, indigent representation shall be assigned to those who have contracted to provide these services, unless there is a compelling reason to assign representation to a noncontracting party.

Amends 77-32-201, 77-32-302, 77-32-303, 77-32-306

Effective April 30, 2001

2001 Utah Laws 251

Title 78 -- JUDICIAL CODE

- HB 13** **Recovery of Special Damages for Injuries** (*A. Lamont Tyler*) This act defines special damages and clarifies the circumstances under which they may be recovered in certain actions. (*Judiciary Interim Committee*)

Amends 78-11-12

Effective April 30, 2001

2001 Utah Laws 135

- HB 33** **Clarification of Time Limits for Reunification Services** (*Matt Throckmorton*) This act clarifies time requirements for reunification services for children two years of age or younger and requires the juvenile court to schedule the times for the six-month review and the permanency hearing at the adjudication or the dispositional hearings. The act also requires the court to make a finding of whether reasonable efforts have been made by the Division of Child and Family Services to finalize the permanency goal if the court wishes to consolidate the termination of parental rights hearing and the permanency hearing. (*Health and Human Services Interim Committee*)

Amends 78-3a-310, 78-3a-311, 78-3a-312

Effective April 30, 2001

2001 Utah Laws 21

- HB 60** **Justice Court Amendments** (*Brent H. Goodfellow*) This act requires that the salary of a justice court judge be no greater than 85% of the salary of a district court judge unless the justice court judge is employed by more than one entity, in which case the justice court judge's salary may not exceed 100% of the salary of a district court judge. The act also changes who appoints justice court judges in municipalities with the council-manager form of government from the chair of the city council to the city manager.

Amends 78-5-128, 78-5-134

Effective April 30, 2001

2001 Utah Laws 71

- HB 112** **Prevention of Retaliatory Lawsuits** (*Rebecca D. Lockhart*) This act creates the Citizen Participation in Government Act and creates a summary procedure for the courts to use to determine whether a suit is a retaliatory lawsuit for participation by the defendant in the government process. The act also allows for "slapback" suits and specifies damages.

Enacts 78-58-101, 78-58-102, 78-58-103, 78-58-104, 78-58-105

Effective April 30, 2001

2001 Utah Laws 163

HB 148 **Child Welfare - Alternative Dispute Resolution** (*A. Lamont Tyler*) This act authorizes the Juvenile Court to order a family unity conference under the authority of the Division of Child and Family Services when requested by the parents or the parties to a child abuse or neglect action. The act also establishes the purposes of a family unity conference, describes circumstances in which the court may not order a conference, requires current statutory time-lines to be followed when conferences are ordered, and provides for confidentiality.

Amends 78-3a-109

Effective April 30, 2001

2001 Utah Laws 180

HB 221 **Amendments to Attorney Lien Law** (*David L. Hogue*) This act repeals the original statute relating to attorneys' liens and replaces it with provisions allowing for an attorney's lien on work performed, clarifies the circumstances under which it can be filed, specifies what the lien may be applied to, and provides for enforcement of the lien.

Repeals and Reenacts 78-51-41

Effective April 30, 2001

2001 Utah Laws 360

HB 224 **Notice and Reasonable Efforts for Children in Custody on Grounds Other than Abuse or Neglect** (*Matt Throckmorton*) This act requires that prior to the Juvenile Court entering an order to place a minor in the custody of the Division of Child and Family Services on grounds other than abuse or neglect, the court must provide the division with notice of the hearing at least five days before the time specified for the hearing. The act also requires that prior to committing a minor to the custody of DCFS, the court must make a finding as to what reasonable efforts have been attempted to prevent the minor's removal from his home.

Amends 78-3a-118

Effective April 30, 2001

2001 Utah Laws 293

HB 239 **Support for Children in State Custody** (*Eli H. Anderson*) This act clarifies when child support is to be paid to the state or a third party if the state takes custody of a minor. The act also sets out requirements to be followed by the parents or obligated person to insure that the support is paid.

Amends 78-3a-906

Effective April 30, 2001

2001 Utah Laws 300

HB 241 **Jurisdiction Amendments** (*Scott Daniels*) This act clarifies that the Supreme Court and Court of Appeals have jurisdiction to hear appeals involving a charge of a first degree felony or capital felony.

Amends 78-2-2, 78-2a-3

Effective April 30, 2001

2001 Utah Laws 302

HB 247 **Filing Wrongful Liens or Judgements** (*Margaret Dayton*) This act provides a cross reference to the wrongful lien statute for guidance in correcting a wrongful lien or judgement lien.

Amends 78-22-1.5

Effective April 30, 2001

2001 Utah Laws 306

HB 252 **Judiciary Amendments** (*A. Lamont Tyler*) This act changes who should file the declaration of intent from only judges of courts of record to all judges and justices. This act clarifies conflicting provisions regarding the depositing of public funds from justice courts and changes the jury service requirement from five days every two years to one day, with exceptions.

Amends 20A-12-201, 78-5-135, 78-46-12, 78-46-15, 78-46-19

Effective April 30, 2001

2001 Utah Laws 308

HB 269 **Amendments to Concurrent Jurisdiction in Adoption Cases** (*Matt Throckmorton*) This act gives the juvenile court exclusive original jurisdiction in adoption proceedings.

Amends 78-3a-104, 78-3a-105, 78-3a-119, 78-30-7

Effective April 30, 2001

2001 Utah Laws 213

SB 13 **Repeal of Attorneys and Counselors Provisions** (*Terry R. Spencer*) This act repeals Chapter 51 of the Judicial Code, Attorneys and Counselors, and moves two of the sections from that chapter to other parts of the code. (*Judiciary Interim Committee*)

Renumbers and Amends 78-51-41 to 38-2-7, 78-51-45 to 78-2-4.5; Repeals 78-51-1, 78-51-2, 78-51-3, 78-51-4, 78-51-5, 78-51-6, 78-51-7, 78-51-8, 78-51-9, 78-51-10, 78-51-11, 78-51-12, 78-51-13, 78-51-14, 78-51-15, 78-51-16, 78-51-17, 78-51-18, 78-51-19, 78-51-20, 78-51-21, 78-51-22, 78-51-23, 78-51-24, 78-51-25, 78-51-26, 78-51-27, 78-51-28, 78-51-29, 78-51-30, 78-51-31, 78-51-32, 78-51-33, 78-51-34, 78-51-35, 78-51-36, 78-51-37, 78-51-38, 78-51-39, 78-51-40, 78-51-42, 78-51-43, 78-51-44

Effective April 30, 2001

2001 Utah Laws 4

SB 18 **Repeal of Definition of Law** (*Terry R. Spencer*) This act repeals the statutory definition of law. (*Judiciary Interim Committee*)

Repeals 78-27-19

Effective April 30, 2001

2001 Utah Laws 7

SB 50 **Property Exempt from Execution** (*Carlene M. Walker*) This act exempts from judicial processes unmaturing life insurance contracts with accrued dividends and loan values of less than \$5,000.

Amends 78-23-7

Effective April 30, 2001

2001 Utah Laws 38

SB 64 **Adoption Law Amendments** (*Terry R. Spencer*) This act modifies those who are authorized to take consents or relinquishments and requires a father to file an executed voluntary declaration of paternity with the state registrar of vital statistics as required by the Voluntary Declaration of Paternity Act. The act clarifies that a notice of the commencement of paternity proceedings is considered filed when the notice is entered in the registry of notices from unmarried biological fathers. The act also expands the jurisdiction of Utah courts to allow a family to finalize an adoption in the Utah district court where a child was born.

Amends 78-3a-414, 78-30-3.5, 78-30-4.14, 78-30-7; Enacts 78-30-3.6

Effective April 30, 2001

2001 Utah Laws 101

- SB 110** **Criminal Procedure Amendments** (*Lyle W. Hillyard*) This act allows for the temporary expansion of authority for certain magistrates from January 14, 2002 until February 28, 2002. It also provides for the disposition of fines and fees collected during that time.

Amends 77-7-19, 78-7-17.5

Effective January 14, 2002

2001 Utah Laws 118

- SB 117** **Guardian Ad Litem Amendments** (*Lyle W. Hillyard*) This act modifies the duties of the guardian ad litem director, gives a court discretion to appoint a private attorney guardian ad litem in visitation and custody cases, authorizes a court to recover costs of a guardian ad litem from a defendant convicted of a crime or from the parties in visitation and custody cases, provides exceptions to recovery of costs for impecunious persons, defines the duties of a private attorney guardian ad litem, and grants limited immunity to guardians ad litem.

Amends 78-3a-911, 78-3a-912, 78-7-9; Enacts 78-7-36

Effective April 30, 2001

2001 Utah Laws 244

- SB 119** **Child Welfare Records Amendments** (*Lyle W. Hillyard*) This act modifies records provisions pertaining to the Division of Child and Family Services. The first section puts all appeals from informal administrative hearings for substantiation of abuse within the jurisdiction of the juvenile court. The second section clarifies who has access to division records during a proceeding. The last section is modified to give the division access to juvenile court records for investigations and hearings conducted by Child Protective Services.

Amends 63-46b-15, 78-3a-206, 78-3a-314

Effective April 30, 2001

2001 Utah Laws 120

- SB 128** **Justice Court Appeals Revision** (*Terry R. Spencer*) This act modifies provisions providing for appeals from justice court convictions. The act clarifies the circumstances under which a person or the prosecutor may appeal and provides for trial de novo in the district court.

Repeals and Reenacts 78-5-120

Effective April 30, 2001

2001 Utah Laws 122

- SB 129** **Medical Malpractice - Monetary Cap** (*Michael G. Waddoups*) This act increases the limit on the recovery of noneconomic damages in malpractice actions against health care providers from \$250,000 to \$400,000 and provides for an annual adjustment in the amount based on inflation.

Amends 78-14-7.1

Effective July 1, 2001

2001 Utah Laws 246

- SB 165** **Noncustodial Visitation** (*Parley Hellewell*) This act changes the term "visitation" to "parent-time" throughout the code as it applies to the right of a noncustodial parent to spend time with their child.

Amends 26-2-22, 30-1-17.2, 30-3-3, 30-3-5, 30-3-5.2, 30-3-10, 30-3-10.4, 30-3-32, 30-3-33, 30-3-34, 30-3-35, 30-3-35.5, 30-3-36, 30-3-37, 30-3-38, 30-6-4.2, 62A-4a-205, 63-63a-8, 76-5-303, 78-2a-3, 78-3a-103, 78-3a-104, 78-3a-105, 78-3a-118, 78-3a-307, 78-3a-409, 78-7-32, 78-30-4.16, 78-32-12.1, 78-32-12.2, 78-32-17, 78-45-7.7, 78-45-7.11, 78-45-7.17, 78-45a-10.5, 78-45c-102, 78-45c-209, 78-45c-304, 78-45c-305, 78-45f-305

Effective April 30, 2001

2001 Utah Laws 255

- SB 172** **Postconviction DNA Testing** (*Lyle W. Hillyard*) This act provides for postconviction DNA testing of an inmate by creating procedures, if the test is favorable, to declare the person innocent, and by creating procedures if the result is unfavorable.

Enacts 78-35a-301, 78-35a-302, 78-35a-303, 78-35a-304

Effective April 30, 2001

2001 Utah Laws 261

ADMINISTRATIVE RULES AND PROCEDURES

- HB 37** **Reauthorization of Administrative Rules** (*David Ure*) This act is required by the Administrative Rulemaking Act. It reauthorizes all state agency administrative rules except R-156-55b-102(2), Commerce, Occupational and Professional Licensing, Electricians Licensing Rules, Definitions and Commerce, R-156-55c-102(3) Construction Trade Licensing Act, Plumbers Licensing Rules, Definitions.

Effective May 1, 2001

2001 Utah Laws 142

APPROPRIATIONS

- HB 1** **Appropriations Act** (*Jeff Alexander*) The act provides appropriations for the support of state government for the fiscal year beginning July 1, 2001 and ending June 30, 2002. The act provides intent language governing expenditures and approves fees.

Effective July 1, 2001

2001 Utah Laws 334

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- HB 42** **Funding for Classroom Supplies** (*Ron Bigelow*) This act appropriates \$5,000,000 to the State Board of Education for distribution to public school teachers for classroom supplies and materials. The definition of "public schools" includes the Schools for the Deaf and Blind, the Edith Bowen School, and the applied technology centers. "Teachers" are defined as permanent full-time or job sharing instructional personnel, or a teacher/counselor combination. Teachers in grades kindergarten through six receive up to \$225 and those in grades seven through twelve receive up to \$175.

Effective July 1, 2001

2001 Utah Laws 338

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- HB 69** **Sexual Violence Prevention and Community Awareness** (*Trisha S. Beck*) This act appropriates \$70,000 to the Department of Health for community awareness in schools concerning sexual violence prevention.

Effective July 1, 2001

2001 Utah Laws 280

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- HB 71** **Appropriation for Land Use Planning** (*Stephen H. Urquhart*) This act appropriates \$100,000 from the General Fund for fiscal year 2001-02 to the Office of Planning and Budget for distribution to counties and other local governments for developing and implementing land use plans and to Southern Utah University to conduct workshops on land planning.

Effective April 30, 2001

2001 Utah Laws 340

HB 84 **Appropriations for the Blind Center** (*Gerry A. Adair*) This act appropriates \$360,000 from the General Fund to the Division of Services for the Blind and Visually Impaired within the Utah State Office of Rehabilitation for fiscal year 2001-02.

Effective July 1, 2001

2001 Utah Laws 342

HB 87 **Appropriation for Utah Botanical Center** (*Marda Dillree*) This act appropriates \$250,000 to Utah State University for costs related to the Utah Botanical Center.

Effective July 1, 2001

2001 Utah Laws 343

HB 111 **Appropriation for Water Quality Protection** (*Brent D. Parker*) This act appropriates \$75,000 from the General Fund for fiscal year 2001-02 to the Utah State University Extension for a program to assist agricultural producers in identifying and implementing management practices that prevent contamination of water by animal wastes.

Effective July 1, 2001

2001 Utah Laws 346

HB 165 **Appropriation for Home Energy Assistance Target Program** (*Ty McCartney*) This act appropriates \$200,000 from the General Fund for fiscal year 2001-02 to the Department of Community and Economic Development for use in the Home Energy Assistance Target Program.

Effective July 1, 2001

2001 Utah Laws 350

HB 172 **Appropriation for Herd Testing for Johne's Disease** (*David N. Cox*) This act appropriates \$40,000 from the General Fund for fiscal year 2001-02 to the Department of Agriculture and Food for initial testing of livestock to prevent and control the spread of Johne's Disease.

Effective July 1, 2001

2001 Utah Laws 351

HB 204 **Olene Walker Housing Trust Fund Appropriation** (*Wayne A. Harper*) This act appropriates \$800,000 from the General Fund to the Olene Walker Housing Trust Fund and specifies that \$500,000 of the appropriation is for fiscal year 2001-02.

Effective July 1, 2001

2001 Utah Laws 356

HB 212 **Museum Educational Initiative** (*Wayne A. Harper*) This act appropriates \$2,000,000 from the General Fund to the Office of Museum Services to be used for grants for local, regional, and state museums.

Effective July 1, 2001

2001 Utah Laws 357

HB 216 **Appropriation for Advanced Readers at Risk Program** (*Marda Dillree*) This act appropriates \$500,000 to the State Board of Education to fund an Advanced Readers at Risk Program, which has been created to develop advanced reading knowledge and skills in students in the state's public schools.

Effective July 1, 2001

2001 Utah Laws 358

HB 243 **Appropriation for Camp Floyd - Stagecoach Inn State Park** (*David N. Cox*) This act appropriates \$9,000 from the General Fund for fiscal year 2001-02 to the Division of Parks and Recreation for the renovation and reconstruction of the restrooms at the old schoolhouse at Camp Floyd-Stagecoach Inn State Park.

Effective July 1, 2001

2001 Utah Laws 364

HB 246 **Substitute Teachers in Public Schools** (*Lorraine T. Pace*) This act appropriates \$75,000 to Utah State University for its Substitute Teaching Institute to collect data on the supply, qualifications, training, and use of substitute teachers in Utah and for the policies which are used for recruiting, training, using and retaining substitute teachers. The act requires the institute to recommend practices and procedures that would enable school districts to monitor the training, recruitment, and use of substitute teachers.

Effective July 1, 2001

2001 Utah Laws 365

HB 251 **Appropriation for National Guard Education** (*Matt Throckmorton*) This act appropriates \$50,000 to the National Guard to fund the tuition assistance program.

Effective July 1, 2001

2001 Utah Laws 366

HB 306 **Nurse Training Grant Program** (*Chad E. Bennion*) This act appropriates \$9,500 from the General Fund for fiscal year 2001-02 to the Utah Department of Health for the University of Utah College of Nursing to provide for the training and certification of 20 "SANE" (Sexual Assault Nurse Examiner) nurses for use throughout the state.

Effective July 1, 2001

2001 Utah Laws 371

HB 338 **Appropriation for Utah Blue Ribbon Fisheries Initiative** (*Thomas V. Hatch*) This act appropriates \$300,000 from the General Fund for fiscal year 2001-02 to the Division of Wildlife Resources for the development and preservation of high quality aquatic systems to produce healthy fish populations for angling and aesthetic experiences.

Effective July 1, 2001

2001 Utah Laws 374

HB 378 **Appropriation for Statewide Trail Development** (*Fred J. Fife*) This act appropriates \$50,000 from the General Fund for fiscal year 2001-02 to the Division of Parks and Recreation to develop and coordinate a program for a statewide trail system.

Effective July 1, 2001

2001 Utah Laws 377

SB 1 **Supplemental Appropriations Act** (*Leonard M. Blackham*) This act provides appropriations for the operation of state government for the fiscal year beginning July 1, 2000 and ending June 30, 2001. The act provides appropriations for the use and support of certain state departments and agencies of state government and for other purposes as provided in this act.

Effective March 20, 2001

2001 Utah Laws 320

- SB 3** **Supplemental Appropriations II** (*Leonard M. Blackham*) This act provides appropriations for the support of state government for the fiscal years beginning July 1, 2001 and ending June 30, 2002 and beginning July 1, 2000 and ending June 30, 2001. This act provides appropriations for the use and support of certain state departments and agencies of state government. The act provides appropriate funds for the bills with fiscal impact passed in the 2001 General Session and for other purposes as provided in this act. This act provides intent language governing expenditures and approves fees.

Effective March 20, 2001

2001 Utah Laws 322

- SB 112** **Appropriation for Assistive Technology** (*Peter C. Knudson*) This act appropriates \$150,000 from the Uniform School Fund and \$150,000 from the General Fund for fiscal year 2001-02 to the State Board of Education for the State Office of Rehabilitation to purchase assistive technology devices and services.

Amends 53A-24-110.7

Effective July 1, 2001

2001 Utah Laws 328

- SB 123** **Associations of Governments Appropriation** (*Mike Dmitrich*) This act provides \$300,000 from the General Fund for fiscal year 2001-02 to the Department of Community and Economic Development for distribution in equal amounts to each of the seven associations of governments. The purpose of the act is to assist the associations in bringing together local governmental entities for planning and other cooperative efforts that benefit the citizens of Utah.

Effective July 1, 2001

2001 Utah Laws 331

- SB 225** **Appropriation to Memory Grove Foundation** (*Pete Suazo*) This act appropriates \$50,000 from the General Fund to the Department of Community and Economic Development for restoration and construction projects at Memory Grove.

Effective July 1, 2001

2001 Utah Laws 333

RESOLUTIONS

- HCR 1** **Resolution for a Day of Remembrance** (*Michael R. Styer*) This resolution designates January 27, 2001 as a Day of Remembrance to recognize the sacrifices of those affected by Cold War nuclear testing and expresses hope for peace, justice, healing, reconciliation, and commitment not to let the tragedy be repeated.

Effective February 13, 2001

2001 Utah Laws

- HCR 3** **Resolution Supporting Flaming Gorge Dam and Reservoir and Glen Canyon Dam and Lake Powell** (*Gordon E. Snow*) This resolution urges the United States Congress and Department of Interior officials to recognize and protect the benefits that Lake Powell, Glen Canyon Dam, Flaming Gorge Reservoir, and Flaming Gorge Dam bring to U.S. citizens and to visitors from around the world. The resolution urges Congress and Department of Interior officials to oppose any effort to breach Glen Canyon Dam or Flaming Gorge Dam, or to drain Lake Powell or Flaming Gorge Reservoir.

Effective March 19, 2001

2001 Utah Laws

HCR 4 **Resolution on Centennial of Daughters of Utah Pioneers** (*Chad E. Bennion*) This resolution designates April 11, 2001 as International Society Daughters of Utah Pioneers Day and recognizes the Centennial of the International Society Daughters of the Utah Pioneers.

Effective February 22, 2001

2001 Utah Laws

HCR 5 **Resolution Urging Health Study and Information about Nevada Test Site** (*LaWanna Shurtliff*) This resolution urges the United States Department of Health and Human Services to establish and fund a Nevada Test Site Fallout Health Effects Subcommittee and a Nevada Test Site Fallout Health Information Network to study the effects of fallout from the Nevada Test Site.

Effective March 19, 2001

2001 Utah Laws

HCR 8 **Resolution Encouraging Utah Communities to Participate in Nature-Safe Utah** (*Ralph Becker*) This resolution urges state and local partnerships to participate in the Nature-Safe Utah Initiative to help Utah communities to become disaster resistant through disaster prevention.

Effective March 15, 2001

2001 Utah Laws

HCR 10 **Resolution on Housing Preservation** (*David Litvack*) This resolution urges the United States Congress to make the preservation of federally subsidized, project-based low income housing a top priority and urges Congress to work with the state of Utah to form public and private partnerships to resolve affordable housing problems.

Effective March 19, 2001

2001 Utah Laws

HCR 11 **Resolution Urging Federal Funding to Fight Grasshopper and Cricket Infestations** (*Darin G. Peterson*) This resolution urges the United States Congress to appropriate the funds necessary to fight cricket and grasshopper infestation in the state of Utah.

Effective March 19, 2001

2001 Utah Laws

HJR 1 **Joint Rules Resolution - Amendments to Processes** (*Chad E. Bennion*) This resolution modifies the Legislature's Code of Official Conduct to allow legislators to contract with the state using any method authorized by the Utah Procurement Code.

Amends JR-16.03

Effective January 22, 2001

2001 Utah Laws

HJR 2 **Resolution on Social Security** (*James A. Ferrin*) This resolution urges Congress to enact legislation which enhances and modernizes Social Security, allowing workers, in addition to the existing public option, a private option to direct their Social Security tax contributions to individually-owned separate accounts.

Effective February 9, 2001

2001 Utah Laws

HJR 3 **Joint Resolution Approving Appointment of Director** (*Kevin S. Garn*) This resolution approves the appointment of Michael E. Christensen as the director of the Office of Legislative Research and General Counsel.

Effective January 29, 2001

2001 Utah Laws

HJR 5 **Joint Rules Resolution - Reference to Mason's Manual** (*Wayne A. Harper*) This resolution modifies House and Senate rules by establishing Mason's Manual of Legislative Procedure as a reference for parliamentary procedure.

Repeals and Reenacts JR 11.01

Effective January 24, 2001

2001 Utah Laws

HJR 6 **Resolution Urging Congress to Regulate Poll Closing** (*Carl R. Saunders*) This resolution urges Congress to require that the nation's polling places in the Eastern, Central, Mountain, and Pacific time zones close at the same time when participating in a general election. The legislature urges that Congress review the various problems with the 2000 General Election vote for the Presidency.

Effective February 15, 2001

2001 Utah Laws

HJR 7 **Resolution on Compensation of In-session Employees** (*Marda Dillree*) This resolution fixes the compensation for legislative in-session employees for 2001, and provides retrospective operation.

Effective January 31, 2001

2001 Utah Laws

HJR 10 **Resolution Recognizing Bill of Rights Day** (*J. Morgan Philpot*) This resolution designates December 15, 2001 as Bill of Rights Day in the state of Utah, urges government entities in the state to appropriately observe Bill of Rights Day, and urges that the Bill of Rights be read in public schools and in the legislature.

Effective February 22, 2001

2001 Utah Laws

HJR 11 **Resolution Urging Training of Judges** (*Mike Thompson*) This resolution urges the Judicial Council to provide Utah's judges with training in parental rights.

Effective February 27, 2001

2001 Utah Laws

HJR 13 **Resolution Recognizing Sesquicentennial of Ogden City** (*Joseph G. Murray*) This resolution recognizes the Sesquicentennial of Ogden City and encourages former and current citizens of Ogden and all citizens of Utah to join in celebrating the sesquicentennial.

Effective February 5, 2001

2001 Utah Laws

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- HJR 14** **Resolution Supporting Counties' Expansion of Correctional Facilities** (*Thomas V. Hatch*) This resolution supports Beaver, Cache, Emery, and Millard Counties' expansion of their correctional facility capacity by contracting with the Utah Department of Corrections.

Effective February 28, 2001

2001 Utah Laws

- HJR 15** **Resolution Rescinding the Call for Constitutional Convention** (*Fred J. Fife*) This resolution urges the repealing, rescinding, and superseding of any and all existing applications to Congress for a constitutional convention previously made by the legislature and urges other states to take the same action.

Effective February 27, 2001

2001 Utah Laws

- HJR 16** **Master Study Resolution** (*Kevin S. Garn*) This resolution of the legislature directs the Legislative Management Committee to assign items of study to the appropriate interim committee and requests a report to the legislature in the 2002 General Session.

Effective February 28, 2001

2001 Utah Laws

- HJR 17** **Joint Rules Resolution - Sources of Rules Governing Procedure** (*Wayne A. Harper*) This resolution revises joint rules to set out the order and sources governing legislative procedure.

Enacts JR-1.02.1

Effective February 5, 2001

2001 Utah Laws

- HJR 18** **Resolution Supporting President Bush's Tax Relief Proposal** (*David Clark*) This resolution urges the United States Congress to support the tax relief plan introduced by President Bush.

Effective February 27, 2001

2001 Utah Laws

- HR 1** **House Resolution Amending Provisions Relating to Long Title** (*Thomas V. Hatch*) This resolution gives the Chief Clerk of the House limited powers to conform long titles to reflect changes made by substitute or amendment and makes a technical change in reading requirements to conform with the Utah Constitution and with current practice.

Amends HR-20.06, HR-25.08

Effective January 15, 2001

2001 Utah Laws

- HR 2** **House Rules Resolution - Process Amendments** (*Wayne A. Harper*) This resolution establishes Mason's Manual of Legislative Procedure as a reference for parliamentary procedure. This resolution also prohibits bills placed on the third reading calendar from being read and considered on the same day, except during the last three days of the session.

Amends HR 25.03; Repeals and Reenacts HR 34.03

Effective January 19, 2001

2001 Utah Laws

HR 3 **House Rule - Declaration of Conflict of Interest** (*Margaret Dayton*) This resolution suggests that a House member should make an oral declaration of any conflicts of interest before speaking on legislation or legislative matters on the floor of the House.

Enacts HR-26.02

Effective January 24, 2001

2001 Utah Laws

HR 5 **Resolution Providing for the Hard of Hearing** (*Loraine T. Pace*) This resolution urges places of public accommodation to more fully comply with the Americans with Disabilities Act to ensure that persons who are hard of hearing receive the assistance required by the act.

Effective February 20, 2001

2001 Utah Laws

HR 7 **House Rules Resolution - Re-referring Bills to Committee** (*Wayne A. Harper*) This resolution revises House rules to outline the process of re-referring bills to committee.

Repeals and Reenacts HR-25.11

Effective February 2, 2001

2001 Utah Laws

HR 8 **House Resolution Urging Congressional Support of Red Mesa Health Center** (*Max W. Young*) This resolution urges the United States Congress to appropriate \$48,000,000 in construction funds as part of the Indian Health Services budget for federal fiscal year 2002 for the Red Mesa Health Center and staff quarters in Red Mesa, Arizona.

Effective February 20, 2001

2001 Utah Laws

SCR 3 **Resolution Approving Settlement by Utah Department of Transportation** (*Peter C. Knudson*) This concurrent resolution of the legislature and the governor approves the legal settlement reached in the amount of \$2,208,000, which includes the \$208,000 previously paid from the Utah Department of Transportation to Envirotech Corporation, now known as EVT Holdings, Incorporated.

Effective March 9, 2001

2001 Utah Laws

SCR 4 **Concurrent Resolution Urging a Statue of Marriner S. Eccles** (*Howard A. Stephenson*) This resolution urges that a statue of Marriner S. Eccles be erected for placement in the State Capitol Building to recognize the contributions of Mr. Eccles to the financial strength of Utah, the United States, and its economy.

Effective March 16, 2001

2001 Utah Laws

SCR 5 **Concurrent Resolution Recognizing Utah Shakespearean Festival** (*John W. Hickman*) This resolution recognizes the Utah Shakespearean Festival for the consistently high caliber of professional theatre it provides to the citizens of Utah and to the nation and for winning the 2000 Antoinette Perry "Tony" Award for Outstanding Regional Theatre. The resolution recognizes the efforts of festival founder and executive producer Fred C. Adams for his contributions to the festival's enduring success and popularity.

Effective March 16, 2001

2001 Utah Laws

SCR 6 Resolution Urging Availability of Transplant Organs Through Community Pledge Programs (*Mike Dmitrich*) This resolution urges Utah's communities, businesses, educators, service clubs, and interfaith organizations to lead the way in organizing efforts to raise public awareness and education regarding organ and tissue donation to save lives.

Effective March 16, 2001

2001 Utah Laws

SJR 1 Joint Rules Resolution - Mini Appropriations Process (*Leonard M. Blackham*) This resolution modifies the process for addressing certain appropriation requests by revising appropriation subcommittee responsibilities and processes.

Amends JR-4.22, JR-19.02; Enacts JR-4.22.1

Effective January 30, 2001

2001 Utah Laws

SJR 2 Joint Rules Resolution - In-depth Budget Review Selection (*Leonard M. Blackham*) This resolution establishes certain responsibilities for the executive appropriations committee and appropriation subcommittees relating to in-depth budget reviews.

Amends JR-3.02

Effective January 17, 2001

2001 Utah Laws

SJR 4 Joint Rules Resolution - Revisions to Appropriations Subcommittees (*Michael G. Waddoups*) This resolution renames appropriation subcommittees to accurately reflect their jurisdiction.

Amends JR-3.02

Effective January 24, 2001

2001 Utah Laws

SJR 5 Resolution Recognizing Contributions of Richard V. Strong (*Al Mansell*) This resolution recognizes the outstanding contributions of Richard V. Strong to the legislature. The resolution recognizes his 30 years of legislative service, including 15 years as the director of the Office of Legislative Research and General Counsel, and wishes him well in his future endeavors.

Effective January 23, 2001

2001 Utah Laws

SJR 6 Joint Resolution Recognizing Liberty Day (*Ed P. Mayne*) This resolution designates March 16, 2001 as Liberty Day in the state of Utah and urges the citizens of Utah to reflect on the freedoms granted to them in the Declaration of Independence and the United States Constitution.

Effective February 14, 2001

2001 Utah Laws

SJR 8 Resolution on Rent Moratorium During the Olympics (*Ron Allen*) This resolution urges owners of rental properties in communities near 2002 Olympic Winter Games venues to limit rental increases, not evict tenants in the months preceding the games, and allow renters to renew long-term leases.

Effective February 28, 2001

2001 Utah Laws

- SJR 10 Resolution Recognizing Peery's Egyptian Theater** (*Scott K. Jenkins*) This resolution recognizes Peery's Egyptian Theater in Ogden City for its distinctive place in Utah's film history and the efforts made to restore the theater.

Effective February 14, 2001

2001 Utah Laws

- SJR 11 Resolution on Taxation of Remote Sales and Developing Technologies** (*John L. Valentine*) This resolution encourages the Utah Tax Review Commission to study and develop a plan to minimize taxes and remove burdens imposed by the taxes on persons using developing technologies. This study and plan should incorporate the principles of opposing new taxes, opposing the application of sales and use taxes on providing Internet services or electronic communications, and minimizing the application of taxes and administrative burdens on business conducted through the use of developing technologies.

Effective February 27, 2001

2001 Utah Laws

- SJR 13 Joint Resolution Encouraging Use of State Property for Filming** (*David L. Gladwell*) This resolution urges that film production companies be granted incentives to do business in Utah including filming on state property free of charge except for actual costs.

Effective February 28, 2001

2001 Utah Laws

- SR 1 Senate Resolution Amending Provisions Relating to Long Title** (*Michael G. Waddoups*) This resolution gives the Secretary of the Senate limited powers to conform long titles to reflect changes made by substitutes or amendments and makes a technical change in reading requirements to conform with the Utah Constitution and with current practice.

Amends SR-20.06, SR-25.08

Effective January 18, 2001

2001 Utah Laws

- SR 2 Senate Rules Resolution - Use of Mason's Manual** (*Michael G. Waddoups*) This resolution establishes Mason's Manual of Legislative Procedure as a reference for parliamentary procedure.

Repeals and Reenacts SR-34.03

Effective January 24, 2001

2001 Utah Laws

- SR 5 Resolution Urging Jell-o® Recognition** (*Leonard M. Blackham*) This resolution recognizes Jell-O® brand gelatin as a favorite snack of Utah.

Effective January 31, 2001

2001 Utah Laws

- SR 6 Senate Rules Resolution - Re-referring Bills to Committee** (*Michael G. Waddoups*) This resolution revises Senate rules to outline the process of re-referring bills to committee.

Repeals and Reenacts SR-25.11

Effective February 2, 2001

2001 Utah Laws

TASK FORCES

- HB 86** **Government Revenue and Tax System Task Force** (*Chad E. Bennion*) This act creates the Government Revenue and Tax System Task Force and provides for the task force membership, chairs, compensation, duties and responsibilities, the meeting schedule, reporting requirements, and staff support.

Effective April 30, 2001

2001 Utah Laws 282

- HB 267** **Enhancement of Public Education Task Force** (*Matt Throckmorton*) This act creates the Enhancement of Public Education Task Force and designates its legislative membership and staff. The act outlines the duties of the task force, with a primary focus on reviewing the purpose, functions, roles, and responsibilities of the State Office of Education. The act appropriates \$95,500, has a split effective date and a repeal date of November 30, 2002.

Effective March 20, 2001

2001 Utah Laws 368

- SB 121** **Access to Health Care and Coverage Task Force** (*Peter C. Knudson*) This act creates the Task Force on Access to Health Care and Coverage and appropriates \$37,000 to fund the group.

Effective April 30, 2001

2001 Utah Laws 330

- SB 206** **Task Force on Implementation of Water Fluoridation** (*L. Steven Poulton*) This act creates the Task Force on Implementation of Water Fluoridation, provides for task force membership, leadership and compensation of members, outlines the duties of the task force and reporting requirements, and provides for staff support. This act appropriates \$22,000 from the General Fund for fiscal year 2000-01 to the Senate, House of Representatives, and the Office of Legislative Research and General Counsel to fund the task force, and provides that the task force is repealed November 30, 2001.

Effective April 30, 2001

2001 Utah Laws 272

REVISORS

- SB 99** **Revisor's Statute** (*Michael G. Waddoups*) This act makes technical corrections including wording, cross references, numbering changes, and repeals the Utah Sesquicentennial Coordinating Council.

Amends 4-37-503, 7-5-5, 7-15-1, 7-15-3, 8-5-5, 10-6-151, 10-7-3, 10-7-8, 10-8-62, 10-8-63, 11-13-1, 11-13-2, 11-13-5.6, 11-26-1, 13-8-5, 15-7-12, 16-4-12, 16-6a-809 (Effective 04/30/01), 17-18-1, 17-18-1.5, 17A-2-306, 17A-2-307, 17A-2-309, 17A-2-423, 17A-2-543, 17A-2-556, 17A-2-712, 17A-2-747, 17A-2-826, 17A-2-1037, 17A-2-1038, 17A-2-1058, 17A-2-1225, 17A-2-1236, 17A-2-1264, 17A-2-1312, 17A-2-1316, 17A-2-1322, 17A-2-1413, 17A-2-1414, 17A-2-1439, 17A-2-1448, 17A-2-1449, 19-6-505, 19-6-804, 20A-3-304, 20A-5-404, 21-2-8, 23-13-2, 30-3-35, 30-6-1, 31A-22-625, 31A-23-102, 31A-29-103, 31A-35-608, 34A-1-309, 34A-2-105, 35A-3-102, 36-12-8, 41-22-2 (Effective 04/30/01), 41-22-2 (Superseded 04/30/01), 46-4-105, 52-4-7.8, 53A-2-206, 53A-15-305, 53A-18-101, 53A-18-102, 53A-28-302, 54-4-28, 54-4-29, 54-4-30, 54-9-5, 54-13-1, 55-3-2.5, 55-5-6, 57-1-5, 59-1-503, 59-1-703, 59-1-704, 59-1-1005, 59-2-507, 59-2-509, 59-2-704, 59-2-1351.5, 59-2-1354, 59-2-1361, 59-7-114,

59-7-612, 59-10-540, 59-10-541, 59-10-603, 59-12-102 (Effective 07/01/01), 59-12-102 (Superseded 07/01/01), 59-12-111, 59-12-117, 59-13-202.5, 59-13-301.5, 59-13-307, 59-13-322, 59-22-101, 62A-4a-412, 62A-11-304.2, 63-55-258, 63-95-203, 63A-6-105, 63A-6-106, 63A-9-805, 63B-7-502, 67-1-9, 67-1a-1, 73-10b-2, 73-10d-4, 73-10d-7, 73-10h-8, 76-8-316, 76-10-1201, 76-10-1306, 78-14-5, 78-23-10; Repeals 63C-5-101, 63C-5-103, 63C-5-104, 63C-5-105, 63C-5-106, 63C-5-107

Effective April 30, 2001

2001 Utah Laws 9

VETOED BILLS

HB 158 Individual Income Tax - Addition of Interest to Federal Taxable Income (*Greg J. Curtis*) This act provides that interest on certain indebtedness of other states is subject to the individual income tax.

Amends 59-10-114

Governor's Veto Message

"House Bill 158 eliminates the state income tax exemption for interest income paid on bonds issued by state and local governments. The bill retains the exemption for interest paid on government bonds issued in Utah.

Although H.B. 158 received regular hearings during the legislative session, it did not receive the public scrutiny it has since the end of the session. I have decided to veto the bill because the issues it raised were significant and because they were not clearly debated during the session. Moreover, the bill's fiscal note stated that it would have no impact, but it appears that the tax impact could be significant. I support reconsideration of these issues by the Legislature at a future opportunity."

HB 168 Notice by School to Custodial and Noncustodial Parent (*Fred J. Fife*) This act requires public schools to notify a student's custodial parents and attempt to notify the noncustodial parent if the student is injured or ill and treatment is provided at a hospital, doctor's office, or other medical facility not located on the school premises.

Enacts 53A-11-205

Governor's Veto Message

"House Bill 168 requires a public school to notify the parents of a student who is injured or becomes ill at school and requires treatment at a facility away from school. The school must notify both the custodial parent as well as the noncustodial parent, "except when the court has directed otherwise.

The intent of this bill is not an issue. However, the bill places an impractical burden on school administrators to determine the contents of a divorce decree or other court order affecting the noncustodial parent's rights. Schools usually lack the documentation and legal expertise on which to base such decisions. If wrong, the school could face potential liability; or in an extreme case, harm could come to the child.

I have decided to veto H.B. 168 with a pledge to work with the sponsor to draft an acceptable alternative that would implement the bill's intent without creating risks to children or liability for schools. I will invite the Legislature to consider an amended version of the bill at the earliest opportunity."

SB 222 Notification by Family Services of Noncustodial Parent of Child's Removal

(Parley Hellewell) This act requires a peace officer, Division of Child and Family Services caseworker, or school to inform a custodial and noncustodial parent when a minor is taken into custody or suspended or expelled from school.

Amends 53A-11-903, 62A-4a-202.2, 78-3a-113

Governor's Veto Message

"Senate Bill 222 requires a public school, case worker, or peace officer to notify the parents of a minor who is expelled, suspended, or taken into custody. The school, case worker, or officer must notify both the custodial parent as well as the noncustodial parent. In the case of a school, the noncustodial parent must be notified "unless otherwise ordered by a court." The bill places different standards on case workers and peace officers.

The intent of this bill is not an issue. However, the bill places an impractical burden on school administrators to determine the contents of a divorce decree or other court order affecting the noncustodial parent's rights. Schools usually lack the documentation and legal expertise on which to base such decisions. If wrong, the school could face potential liability; or in an extreme case, harm could come to the child.

Moreover, the bill's distinct treatment of schools, case workers, and peace officers deserves more attention and harmonization if possible.

For these reasons, I have decided to veto S.B. 222 with a pledge to work with the sponsor to draft an acceptable alternative that would implement the bill's intent without creating risks to children or liability for those required to notify parents. I will invite the Legislature to consider an amended version of the bill at the earliest opportunity."

Sections Affected for Bills Passed

Legend for Sections Affected for Bills Passed

The action taken on each section in "Sections Affected for Bills Passed" list is as follows:

A	Amended
E	Enacted
R	Repealed
X	Repealed and Reenacted
N	Renumbered and Amended

Duplicate and incorrect section cites are currently being technically renumbered by the Office of Legislative Research and General Counsel and will appear in a separate publication available from our office after May 1, 2001 and on our web site - <http://www.le.state.ut.us>.

<u>Section</u>	<u>Action</u>	<u>Bill Number</u>	<u>Former/ Renumber</u>	<u>Page Number</u>	<u>Section</u>	<u>Action</u>	<u>Bill Number</u>	<u>Former/ Renumber</u>	<u>Page Number</u>
4-3-8	A	SB 19		1	9-4-701	A	HB 134		53
4-3-11	A	SB 19		1	9-4-702	A	HB 134		53
4-3-15	R	HB 24		1	9-4-703	A	HB 151		2
4-10-12	R	HB 23		1	9-4-704	A	HB 151		2
4-18-3	A	SB 66		1			HB 7		10
4-18-6.5	E	SB 66		1	9-4-705	A	HB 151		2
4-37-503	A	SB 99		82	9-4-707	A	HB 151		2
7-1-401	A	SB 44		1	9-4-708	A	HB 151		2
7-1-702	A	HB 263		1	9-4-801	A	HB 79		17
7-5-5	A	SB 99		82	9-4-802	A	HB 79		17
7-9-5	A	SB 100		21	9-4-901	A	HB 386		3
7-15-1	A	SB 99		82	9-4-902	A	HB 386		3
7-15-3	A	SB 99		82	9-4-903	A	HB 386		3
8-5-5	A	SB 99		82	9-4-904	A	HB 386		3
9-2-413	A	HB 98		2	9-4-904.5	E	HB 386		3
9-2-1702	A	HB 107		2	9-4-905	A	HB 386		3
9-2-1703	A	HB 107		2	9-4-906	A	HB 386		3
9-2-1703.5	E	HB 107		2	9-4-907	A	HB 386		3
9-2-1704	A	HB 107		2	9-4-908	A	HB 386		3
9-2-1705	A	HB 107		2	9-4-909	A	HB 386		3
9-2-1706	E	HB 107		2	9-4-910	A	HB 386		3
9-2-1801	E	HB 98		2	9-4-911	A	HB 386		3
9-2-1802	E	HB 98		2	9-4-912	A	HB 386		3
9-2-1803	E	HB 98		2	9-4-913	A	HB 386		3
9-3-204	A	HB 107		2	9-4-914	A	HB 386		3
9-3-402	A	HB 77		2	9-4-915	A	HB 386		3
9-3-403	A	HB 77		2	9-4-916	A	HB 386		3
9-3-407	A	HB 77		2	9-4-917	A	HB 386		3
9-3-408	R	HB 77		2	9-4-918	A	HB 386		3
9-3-410	A	SB 20		3	9-4-919	A	HB 386		3
9-4-303	A	HB 134		53	9-4-920	A	HB 386		3
9-4-602	A	HB 79		17	9-4-921	R	HB 386		3
9-4-614	A	HB 79		17	9-4-922	A	HB 386		3

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<u>Section</u>	<u>Action</u>	<u>Bill Number</u>	<u>Former/ Renumber</u>	<u>Page Number</u>	<u>Section</u>	<u>Action</u>	<u>Bill Number</u>	<u>Former/ Renumber</u>	<u>Page Number</u>
9-4-923	A	HB 386		3	10-8-14	A	HB 149		4
9-4-924	A	HB 386		3	10-8-58	A	SB 241		10
9-4-925	A	HB 386		3	10-8-62	A	SB 99		82
9-4-926	E	HB 386		3	10-8-63	A	SB 99		82
9-4-1301	A	SB 217		3	10-9-104	A	HB 79		17
9-4-1404	A	HB 110		43	10-9-106.5	A	SB 158		5
9-7-101	A	HB 131		34	10-9-605	A	HB 90		3
9-7-205	A	HB 79		17			SB 68		4
9-7-216	E	HB 131		34	10-9-804	A	SB 80		8
9-7-217	E	HB 131		34	10-9-805	A	SB 80		8
9-10-102	A	HB 134		53	10-9-806.5	E	SB 80		8
9-11-102	A	HB 75		2	10-9-811	A	SB 80		8
9-11-103	A	HB 75		2	10-18-101	E	HB 149		4
9-11-104	A	HB 134		53	10-18-102	E	HB 149		4
9-11-107	A	HB 75		2	10-18-103	E	HB 149		4
10-2-301	A	HB 139		4	10-18-104	E	HB 149		4
10-2-401	A	HB 155		4	10-18-105	E	HB 149		4
10-2-401.5	E	HB 155		4	10-18-106	E	HB 149		4
10-2-402	A	HB 155		4	10-18-201	E	HB 149		4
10-2-403	A	HB 155		4	10-18-202	E	HB 149		4
10-2-404	R	HB 155		4	10-18-203	E	HB 149		4
10-2-405	A	HB 155		4	10-18-204	E	HB 149		4
10-2-406	A	HB 155		4	10-18-301	E	HB 149		4
10-2-407	A	HB 155		4	10-18-302	E	HB 149		4
10-2-408	A	HB 155		4	10-18-303	E	HB 149		4
10-2-409	A	HB 155		4	10-18-304	E	HB 149		4
10-2-409.5	E	HB 155		4	10-18-305	E	HB 149		4
10-2-410	A	HB 155		4	10-18-306	E	HB 149		4
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10-2-412	A	HB 155		4	11-13-2	A	SB 99		82
10-2-413	A	HB 155		4	11-13-4	A	HB 149		4
10-2-414	A	HB 155		4	11-13-5.6	A	SB 99		82
10-2-415	A	HB 155		4	11-14-17.5	A	SB 237		5
10-2-416	A	HB 155		4	11-14-17.6	A	HB 118		43
10-2-421	A	HB 155		4	11-14-23	A	SB 106		5
10-2-426	A	HB 155		4	11-14-28	E	SB 106		5
10-3-703.5	A	HB 19		15	11-17-1.5	A	HB 79		17
10-3-918	A	HB 139		4	11-17-2	A	HB 79		17
10-3-1001	A	HB 139		4	11-25-3	A	HB 7		10
10-3-1002	A	HB 139		4	11-25-5	A	HB 7		10
10-3-1003	A	HB 139		4	11-25-11	A	HB 7		10
10-3-1012	A	HB 139		4	11-26-1	A	SB 99		82
10-3-1203	A	HB 139		4	11-27-2	A	HB 9		52
10-3-1209	A	HB 139		4	11-31-2	A	HB 9		52
10-3-1303	A	HB 7		10	11-31-3	A	HB 9		52
10-5-107	A	HB 139		4	13-2-1	A	HB 162		5
10-5-108	A	HB 139		4	13-8-5	A	SB 99		82
10-6-118	A	HB 139		4	13-11-4	A	SB 245		6
10-6-151	A	SB 99		82	13-14-103	A	HB 106		5
10-7-3	A	SB 99		82	13-14-106	A	HB 106		5
10-7-8	A	SB 99		82	13-14-107	A	HB 106		5
10-8-2	A	SB 39		7	13-15-2	A	SB 245		6

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13-16-3	A	HB 162		5	15-9-105	E	SB 60		6
13-16-4	A	HB 162		5	15-9-106	E	SB 60		6
13-16-5	R	HB 162		5	15-9-107	E	SB 60		6
13-16-6	A	HB 162		5	15-9-108	E	SB 60		6
13-16-7	A	HB 162		5	15-9-109	E	SB 60		6
13-16-8	R	HB 162		5	15-9-110	E	SB 60		6
13-16-9	R	HB 162		5	15-9-111	E	SB 60		6
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13-16-11	A	HB 162		5	15-9-113	E	SB 60		6
13-16-12	R	HB 162		5	15-9-114	E	SB 60		6
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13-21-3	A	SB 245		6	15-9-116	E	SB 60		6
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13-22-5	A	HB 259		6	15-9-118	E	SB 60		6
13-22-8	A	HB 259		6	15-9-119	E	SB 60		6
13-22-9	A	HB 259		6	16-4-12	A	SB 99		82
13-22-10	R	HB 259		6	16-6a-102	A	SB 139		7
13-22-12	A	HB 259		6	16-6a-202	A	SB 139		7
13-22-14	A	HB 259		6	16-6a-302	A	SB 139		7
13-22-15	A	HB 259		6	16-6a-707	A	SB 139		7
13-22-16	A	HB 259		6	16-6a-709	A	SB 139		7
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13-33-204	E	SB 25		6	16-6a-1405	A	SB 139		7
13-33-205	E	SB 25		6	16-6a-1607	A	SB 139		7
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13-33-405	E	SB 25		6	17-19-19	A	SB 80		8
13-33-501	E	SB 25		6	17-20-1	A	SB 80		8
13-33-502	E	SB 25		6	17-20-4	A	SB 80		8
13-33-503	E	SB 25		6	17-21-1	A	SB 80		8
13-33-504	E	SB 25		6	17-21-6	A	SB 80		8
13-33-505	E	SB 25		6	17-21-13	A	SB 80		8
13-33-506	E	SB 25		6	17-21-17	A	SB 80		8
15-7-12	A	SB 99		82	17-21-19	A	SB 80		8
15-9-101	E	SB 60		6	17-21-21	A	SB 80		8
15-9-102	E	SB 60		6	17-21-22	A	SB 80		8
15-9-103	E	SB 60		6	17-23-1	A	SB 80		8

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<u>Section</u>	<u>Action</u>	<u>Bill Number</u>	<u>Former/ Renumber</u>	<u>Page Number</u>	<u>Section</u>	<u>Action</u>	<u>Bill Number</u>	<u>Former/ Renumber</u>	<u>Page Number</u>
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17-23-3	A	SB 80		8			SB 81		13
17-23-4	R	SB 80		8	17-34-3	A	SB 168		9
17-23-5	A	SB 80		8			SB 81		13
17-23-14	A	SB 80		8	17-34-6	E	SB 81		13
17-23-15	A	SB 80		8	17-36-3	A	SB 80		8
17-23-16	A	SB 80		8	17-36-16	A	HB 206		7
17-23-17	A	SB 80		8	17-50-303	A	SB 39		7
17-23-17.5	A	SB 80		8	17-50-319	A	SB 152		8
17-23-18	A	SB 80		8	17-50-402	A	SB 80		8
17-24-1	A	SB 80		8	17-52-101	A	SB 80		8
17-24-4	A	SB 80		8	17-52-102	A	SB 80		8
17-24-12	A	SB 80		8	17-52-201	A	SB 80		8
17-24-17	R	SB 80		8	17-52-202	A	SB 80		8
17-25a-4	A	HB 19		15	17-52-203	A	SB 80		8
17-27-102	A	SB 81		13	17-52-203.5	E	SB 80		8
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HB 308	Inheritance Tax Amendments	King, B.
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HB 311	Reading Programs in Public Education	Styler, M.
HB 312	Funding Low Interest Home Loans for Teachers	Thompson, M.
HB 317	Farm Equipment Dealer Requirements	Buttars, C.
HB 319	State Dairy Compact	Buttars, C.
HB 320	Discharge of Mechanics Liens Through Bonding	Hatch, T.
HB 321	Search Dog Teams - Standards and Certification	Saunders, C.
HB 324	Extension of the School Year	Styler, M.
HB 326	Income Tax Credit - School Volunteers	Hendrickson, N.
HB 327	Public Employees Retirement	Hansen, N.
HB 328	Task Force on Campaign Finance Reform and Legislative Salary	Hansen, N.
HB 329	Water Right Amendments	Peterson, D.
HB 330	Property Tax - Truth in Taxation Amendments	Young, M.
HB 332	Political Fundraising Restrictions on Governor	Hansen, N.
HB 333	Sales and Use Tax Exemption for Sales of Unsorted Merchandise	Curtis, G.
HB 334	Individual Income Tax and Corporate Franchise and Income Tax - Energy Saving Systems Credits	Tyler, A.L.
HB 336	State and Local Government Amendments	Holladay, B.
HB 339	Wasatch Front South Applied Technology Center	Tyler, A.L.
HB 341	Noncustodial Visitation Survey	Holladay, B.
HB 342	Education Cost Efficiency Task Force	Morgan, K.
HB 343	Timely Agency Review of Certain Applications	Bennion, C.
HB 344	Restrictions on Gifts to Legislators	Murray, J.
HB 345	Carrying a Firearm	Thompson, M.
HB 346	Parental Involvement in Teaching, Training, and Discipline	Donnelson, G.
HB 347	State Earned Income Tax Credit	Biskupski, J.
HB 348	Highway Improvements	Gowans, J.
HB 350	Classification of State Employees for Insurance Purposes	Seitz, J.

HB 351	General Government Amendments	Arent, P.
HB 352	Environmental Quality Regulation of Discharge into Groundwater	Young, M.
HB 355	Public Schools Surveys Amendments	King, B.
HB 357	Restrictions on State Officials Becoming Lobbyists	Daniels, S.
HB 358	School Districts Medical Insurance Provisions	Tyler, A.L.
HB 359	Retirement System Cost-of-living Adjustment	Tyler, A.L.
HB 361	Changes to General Government Law	King, B.
HB 362	State Affairs Amendments	Becker, R.
HB 363	General State Government Amendments	Becker, R.
HB 364	Changes to State Operations	Bennion, C.
HB 366	Utility Law Amendments	Bennion, C.
HB 367	Individual Income Tax - Election Campaign Fund Designation	Hansen, N.
HB 368	Private Correctional Facilities Act	Aagard, D.
HB 371	Bail Bond Amendment	Urquhart, S.
HB 372	State Government and State Finance Amendments	Way, G.
HB 374	Municipal Corporation Amendments	Ray, P.
HB 375	Credit Union Branching Amendments	Gowans, J.
HB 377	Salvage Vehicle Amendments	Hogue, D.
HB 380	Funding Relocation of Waste Tire Facility	Fife, F.
HB 381	Student and Family Privacy Protection	Bryson, K.
HB 382	School Employee Job Actions	Alexander, J.
HB 383	Government Amendments Regarding Constable Services	Way, G.
HB 385	Utility Amendments	Bowman, D.
HB 387	Narrowing Grounds for Removal of a Child from the Home	Throckmorton, M.
HCR 2	Resolution Urging School Boards to Keep Media Resources a Priority	Tyler, A.L.
HCR 6	Resolution Approving Waste Disposal	Ure, D.
HCR 7	Resolution Regarding Transportation - Related Decisions on State Roads with Municipalities	Gowans, J.
HCR 9	Concurrent Resolution Supporting Governor's Silicon Valley Connection	Hatch, T.
HJR 4	Constitutional Amendment to Highway User and Motor Fuel Fund	Daniels, S.
HJR 8	Resolution Encouraging Federal Construction Grants Program	McCartney, T.
HJR 9	Resolution Protecting Interest on School Fund	Throckmorton, M.
HJR 12	Resolution Supporting Governor's Silicon Valley Connection	Hatch, T.
HR 4	Housing Preservation Resolution	Litvack, D.
HR 6	Resolution Supporting Blackbear / Goshute Lawsuit	Litvack, D.
SB 8	Reauthorization of Utah Steam Coal Tax Credit	Dmitrich, M.
SB 27	Individual Income Tax and Corporate Franchise and Income Tax Credits for Mining Establishments	Stephenson, H.
SB 33	Mental Health Services for Foster and Adopted Children Task Force	Davis, G.
SB 37	Hate Crimes Amendments	Suazo, P.
SB 42	Equity in Prescription Coverage	Julander, P.
SB 43	Mobile Home Park Residency	Peterson, M.
SB 45	Driver License Amendments	Peterson, M.
SB 51	Water Right Transfer Amendments	Blackham, L.
SB 54	Education Roundtable	Buttars, D.C.
SB 55	Nonpartisan Election Commission	Allen, D.E.
SB 62	Optional County Affordable Housing Funds Act	Hale, K.
SB 63	Residential Property Tax Exemption - Secondary Residences	Mayne, E.

SB 67	Sales Tax - Distribution of Olympic Special Revenue Fund Monies	Waddoups, M.
SB 72	Low-level Radioactive Waste Shipping and Disposal	Wright, B.
SB 73	Local Option Oil and Gas Severance Tax and Related Amendments	Evans, B.
SB 77	Mobile Home Park Residency Act Amendments	Mayne, E.
SB 78	Taxation of Food	Waddoups, M.
SB 79	Open Meetings Law	Allen, D.E.
SB 82	Right to Carry Weapons	Jenkins, S.
SB 91	Child Firearm Access Prevention Amendments	Julander, P.
SB 92	Public Safety Retirement Amendments	Dmitrich, M.
SB 93	Regulating Gifts to Legislators from Lobbyists	Peterson, M.
SB 94	Driver License Reporting	Peterson, M.
SB 103	Attempted Murder Amendments	Gladwell, D.
SB 107	Purposes of Transient Room Tax	Blackham, L.
SB 116	Requirements to Incorporate a Town	Wright, B.
SB 124	Education Resource Centers	Evans, B.
SB 131	Firefighter Retirement Amendments	Davis, G.
SB 133	Age Discrimination in Employment	Mayne, E.
SB 137	Procurement Code Requirements of Health Care Benefits	Mayne, E.
SB 140	Cultural and Linguistic Competency in Health Care Task Force	Suazo, P.
SB 142	Personnel Management Act Revision	Spencer, T.
SB 143	Marketing and Distribution of Prescription Drugs	Eastman, D.
SB 144	Criminal Restitution Changes	Spencer, T.
SB 148	Construction Bid Limit Amendments	Stephenson, H.
SB 150	Time Restriction on When State Officials May Become Lobbyists	Allen, D.E.
SB 155	Retirement Board Membership	Steele, D.
SB 157	Vehicle Safety Inspection Amendments	Buttars, D.C.
SB 160	Cosmetologist and Barber Licensing Act Revisions	Evans, B.
SB 161	Revenue Bond for Utah State Fair Park	Suazo, P.
SB 162	Interest on Mortgage Loan Reserve Account Amendments	Spencer, T.
SB 163	Appropriation for Utah State Fair Corporation	Suazo, P.
SB 164	Amendments to English as the Official Language	Suazo, P.
SB 173	Extended School Year Programs	Wright, B.
SB 177	Government Records Access and Management Act Amendments	Spencer, T.
SB 178	Health Care Directives	Knudson, P.
SB 180	Prescription Drug Coverage and Formularies	Knudson, P.
SB 181	Outdoor Advertising Structures Near Power Lines	Dmitrich, M.
SB 183	Credit Union Act Amendments	Waddoups, M.
SB 184	Operation of Nonresident Owned Snowmobile	Hickman, J.
SB 185	Appropriation for 21st Century Library Initiative	Evans, B.
SB 186	Payment of Wages Amendments	Suazo, P.
SB 188	Credit Union Act - Member Business Loans	Spencer, T.
SB 189	Energy Amendments	Blackham, L.
SB 190	Criminal Background Checks for Mental Health Providers and Others	Blackham, L.
SB 191	Bond to be Posted in Environmental Actions	Blackham, L.
SB 192	Repeal of Residence Lien Recovery Fund	Hellewell, P.
SB 193	Title Insurance Amendments	Waddoups, M.
SB 194	Medical Practice Act Amendment	Allen, D.E.
SB 195	Property Tax Amendments	Valentine, J.
SB 196	Bonding Authority for Irrigation Districts	Gladwell, D.

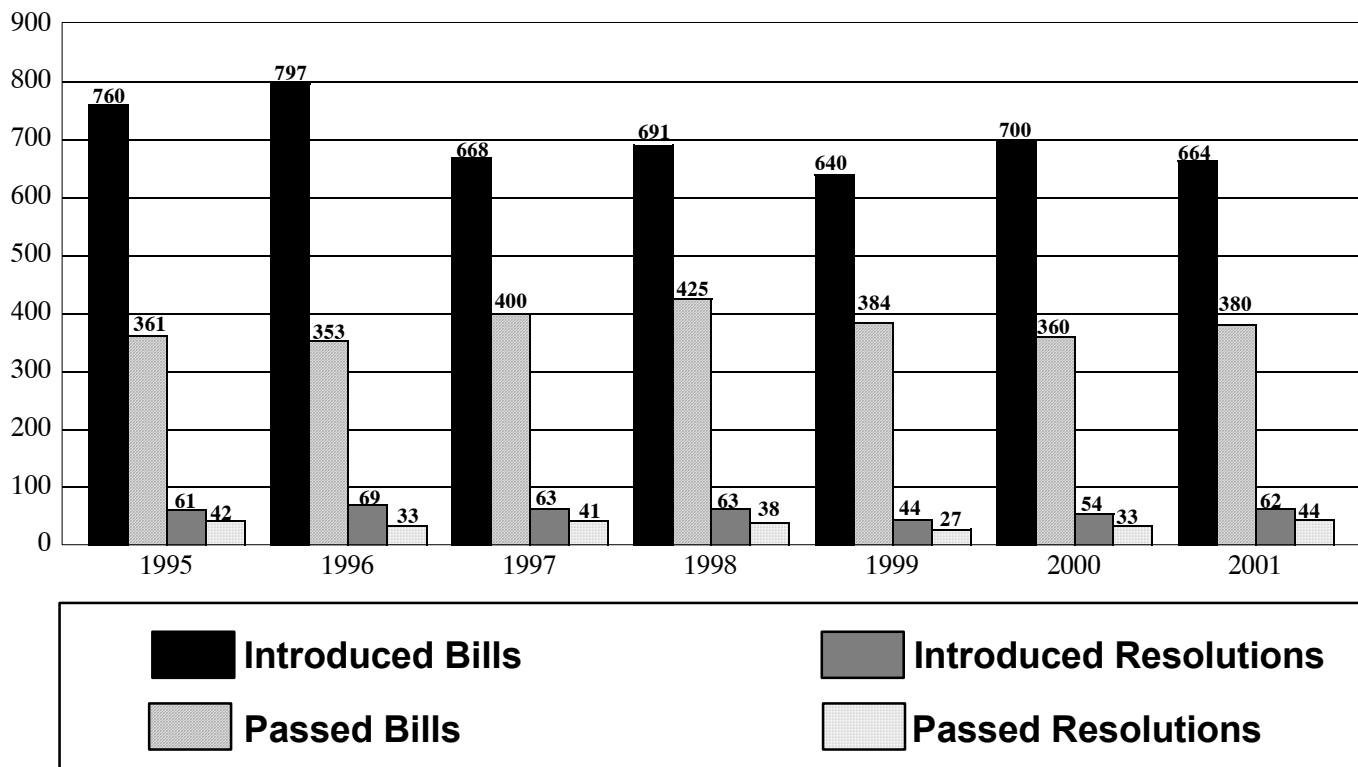
SB 199	Appropriation Regarding High-level Nuclear Waste	Spencer, T.
SB 200	Revisions Regarding High Level Nuclear Waste	Spencer, T.
SB 201	Soldier Hollow Legacy Funding	Evans, B.
SB 203	County Recorder - Recording Law Amendments	Allen, R.
SB 205	Prohibition of Job Actions by Public School Employees	Gladwell, D.
SB 207	Effective and Consistent Prosecution of Criminal Behavior Statewide	Allen, R.
SB 209	Sales and Use Tax - Exemption for Machinery or Equipment Used in Bottling Water	Dmitrich, M.
SB 212	Utah Pawnbroking Act	Waddoups, M.
SB 214	Taxation of Mobile Telecommunications Service and Task Force on Telecommunications Taxation	Bramble, C.
SB 215	Teachers Qualifications in Middle Schools	Blackham, L.
SB 216	Reimbursement of Costs for Investigations of Public Employees ...	Gladwell, D.
SB 218	Registration and Protection of Trademarks	Hillyard, L.
SB 219	Construction Contracts - Prompt Payment Act	Waddoups, M.
SB 220	Agricultural Protection Zone Amendments	Blackham, L.
SB 221	Water Quality Board Amendments	Gladwell, D.
SB 223	Deferred Retirement Option Program	Davis, G.
SB 227	Individual Income Tax Credit for Certain Political Contributions	Wright, B.
SB 228	Sales and Use Tax for Community Development	Suazo, P.
SB 229	Water Companies and Associations Voting Rights	Dmitrich, M.
SB 230	Water Companies and Associations Assessments	Dmitrich, M.
SB 231	Prohibition of Firearms in Schools and Places of Worship	Hale, K.
SB 233	Income Tax Amendments	Bramble, C.
SB 235	Credit Union and Association Conversions	Eastman, D.
SB 236	Credit Unions and Credit Association - Taxation	Hickman, J.
SB 239	Revisions to Government Operations	Suazo, P.
SB 240	Government Operations Amendments	Suazo, P.
SB 242	Hazardous Waste Fee Allocation Amendments	Allen, R.
SB 243	State Government Revisions	Dmitrich, M.
SB 244	Amendments to Utility Regulation	Allen, D.E.
SB 246	Information Technology Training Incentive Program	Steele, D.
SB 247	Tax Law Revisions	Valentine, J.
SB 248	Task Force to Develop Subdivision and Platting Act	Dmitrich, M.
SB 249	Funding Amendments for Public Health	Allen, R.
SB 250	State Law Revisions	Valentine, J.
SB 251	Prohibiting Employment of Relatives - Amendments	Hillyard, L.
SB 252	Amendments to Construction Contracts	Jenkins, S.
SB 255	Task Force on Government Revenue and Tax Structure	Knudson, P.
SB 257	Retirement Amendments	Davis, G.
SB 258	Governmental Immunity Amendments	Davis, G.
SB 259	Public Utility Amendments	Hickman, J.
SB 260	Group Insurance Program Act Amendments	Bramble, C.
SB 261	Oversight of Waste in Abandoned Mines	Knudson, P.
SB 262	Amendments to Optional Forms of County Government	Davis, G.
SB 264	Revisions to Retirement Law	Davis, G.
SB 265	Sick Leave Amendments	Davis, G.
SB 266	Income Tax Credits for Small Business Loans	Waddoups, M.
SB 267	Youth Services Agency	Buttars, D.C.
SB 268	Financial Services Task Force	Buttars, D.C.

SB 269	Medical Credentials of Athletic/Team Physician	Suazo, P.
SB 270	Transportation Funding Amendments	Waddoups, M.
SB 271	Appropriation for Homeless Endowment	Suazo, P.
SB 272	Retirement - Open Window Options	Evans, B.
SB 273	Election Law Procedures	Allen, D.E.
SB 274	Property Tax - Voter Approval	Poulton, L.S.
SB 275	County Tourism, Recreation, Cultural, and Convention Tax Amendments	Valentine, J.
SB 277	Motor Vehicle Safety Inspection Amendments	Buttars, D.C.
SCR 1	Resolution Declaring Constitutional Week	Wright, B.
SCR 2	Energy Resolution	Blackham, L.
SJR 3	Joint Resolution Amending Revenue and Taxation Article - Exemptions	Waddoups, M.
SJR 7	Resolution Addressing Study of Consumer Credit Reporting Laws	Davis, G.
SJR 9	Resolution Urging a Statue of Marriner S. Eccles	Stephenson, H.
SJR 12	Effective and Consistent Prosecution of Criminal Behavior Statewide Resolution	Allen, R.
SR 3	Resolution Urging Requirement of Bond to File a Bar Complaint	Spencer, T.
SR 4	Senate Rules Resolution - Suspension of Rules	Allen, D.E.

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Statistical Summary of General Sessions 1995-2001

	1995	1996	1997	1998	1999	2000	2001
Bills Introduced	760	797	668	691	640	700	664
Bills Passed	361	353	400	425	384	360	380
Bills Vetoed	6	5	6	7	5	5	3
Veto Overridden	0	0	0	0	0	0	0
Joint Resolutions Introduced	34	45	37	37	25	31	31
Joint Resolutions Passed	20	17	23	17	12	15	23
Concurrent Resolutions Introduced	20	17	14	19	10	13	17
Concurrent Resolutions Passed	15	11	9	15	7	10	11
House & Senate Resolutions Introduced	7	7	12	7	9	10	14
House & Senate Resolutions Passed	7	5	9	6	8	8	10



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Summary of Actions on Legislation

2001 General Session

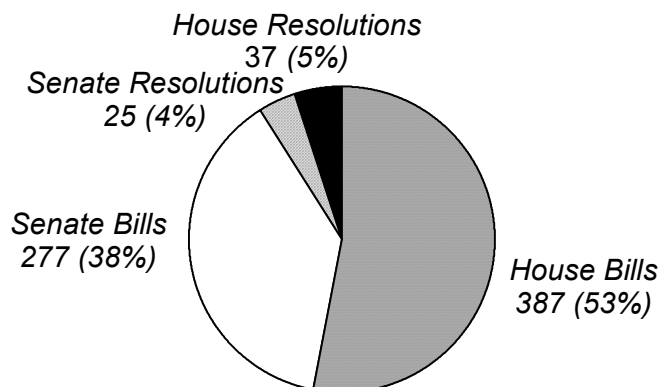
	House	Senate	Total
Total Bills and Resolutions Introduced	424	302	726
Total Bills and Resolutions Passed	247	177	424
Total Bills and Resolutions Enacted	217	171	421

Bills Introduced	387	277	664
Bills Passed	220	160	380
Bills Vetoed	2	1	3
Line Items Vetoed	0	0	0
Total Bills Enacted	218	159	377

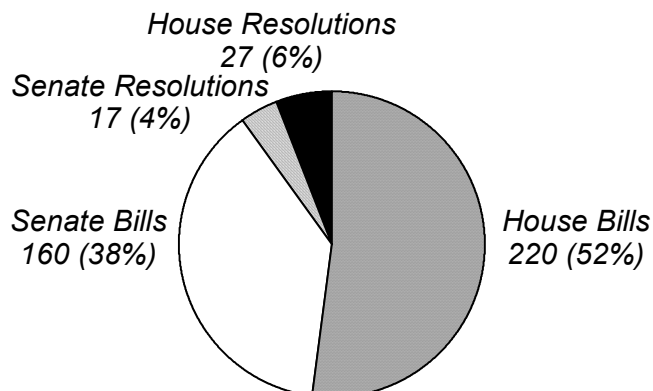
Joint Resolutions Introduced	18	13	31
Concurrent Resolutions Introduced	11	6	17
House & Senate Resolutions Introduced	8	6	14
Total Resolutions Introduced	37	25	62

Joint Resolutions Passed	14	9	23
Concurrent Resolutions Passed	7	4	11
House & Senate Resolutions Passed	6	4	10
Total Resolutions Passed	27	17	44

Introduced



Passed



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Wilson, Maureen J. - Legislative Data Management Specialist
Wissa, Sandra - Committee Secretary
Woodwell, Keith - Associate General Counsel