



# Utah Association of Counties 2017 General Legislative Session Recap





# Table of Contents

---

## Essays

CEO's Message on the 2017 Legislative Session	1
2017 Legislative Scorecard	2
County Appropriations	3
Looking Forward: What Does 2018 Have in Store	4

<b>2016 Tracking Sheet</b>	<b>5</b>
----------------------------	----------

## Legislation by Subject

<b>Elections and Clerk Issues</b>	<b>10</b>
HB 012 – Disposition of Ballots Amendments	10
HB 016 – Voting Revisions	11
HB 022 – Nomination Petition Amendments	11
HB 078 – Nonbinding Opinion Questions	12
HB 086 – Inactive Voter Amendments	12
HB 091 – County Commission Election Amendments	13
HB 105 – Early Voting Amendments	13
HB 159 – Amendments to Voter Registration	14
HB 218 – Poll Location Amendments	14
HB 221 – Election Law Modifications	15
HB 230 – Election Revisions	15
HB 285 – Voter Registration Amendments	16
HB 314 – Election Law Revisions	16
HB 348 – Voter Records Amendments	17
HB 349 – Ranked Choice Voting	17
HB 403 – Electronic Signature on Petitions	17
HJR 02 – Joint Resolution - Nonbinding Opinion Question on Daylight Saving Time	18
SB 013 – Amendments to Election Law	18
SB 069 – Notification Requirements for Ballot Proposals	18
SB 114 – Election Law Amendments	19
SB 116 – Polling Location Amendments	19
SB 128 – Election Day Notification Amendments	20
<b>General Government</b>	<b>21</b>
HB 014 – Uniform Real Property Transfer on Death Act	21
HB 032 – Assessment Area Act Amendments	21
HB 055 – Governmental Nonprofit Entity Compliance Amendments	22
HB 070 – Common Area Assessment Amendments	22
HB 104 – Motor Vehicle Emission	22
HB 115 – Solid Waste Revisions	23
HB 134 – Emissions Testing Amendments	23
HB 163 – Municipality per Diem Amendments	24
HB 214 – Probate Code Amendments	24
HB 224 – Specie Legal Tender Amendments	24
HB 256 – Assessors in Rural Counties	25
HB 265 – Safety Inspection Amendments	25
HB 268 – Money Management Act Amendments	25
HB 277 – Direct to Consumer Food Sales Modifications	26
HB 298 – Free Expression Regulation by Local Government	26
HB 324 – Local Budget Hearing Notice Amendments	27
HB 364 – Removal of Local Elected Officials	27
HB 398 – Procurement Code Amendments	28

**General Government (Continued)**

HB 407 – Utah Public Land Management Act Amendments	28
HB 437 – State Training and Certification Requirements Amendments	29
HB 458 – Local Government Snow Removal	29
SB 029 – Utah Marriage Commission Amendments	30
SB 050 – Automobile Insurance Registry Amendments	30
SB 077 – Vehicle Safety Inspection Amendments	30
SB 081 – Local Government Licensing Amendments	31
SB 090 – Vehicle Inspection and Registration Amendments	31
SB 097 – Public Meeting Minutes Amendments	32
SB 137 – State Auditor Fiscal Auditing and Reporting Amendments	32
SB 140 – Annexation of Islands Within Cities	33
SB 205 – Area Assessment Amendments	33
SB 242 – Government Records Access and Management Act Amendments	33
SB 250 – Food Truck Licensing and Regulation	34
<b>Human Services</b>	<b>35</b>
HB 050 – Opioid Prescribing Regulations	36
HB 090 – Insurance Opioid Regulation	36
HB 246 – System of Care Development	37
HB 286 – Essential Treatment and Intervention Act	37
HB 452 – Homeless Services Amendments	38
SB 037 – Statewide Crisis Line	38
<b>Insurance Issues</b>	<b>39</b>
HB 153 – Uninsured and Underinsured Motorist Coverage Amendments	39
HB 213 – Workplace Discrimination Amendments	39
SB 030 – Insurance Premium Tax Amendments	40
SB 098 – Excess Damages Claims	40
SB 156 – Local Public Safety and Firefighter Surviving Spouse Trust Fund Amendments	40
<b>Local Districts</b>	<b>41</b>
HB 195 – Dissolution of Local Districts	41
HB 229 – Amendments Relating to Local Districts	41
SB 094 – Local District Revisions	42
SB 143 – Local District Board Amendments	42
<b>Planning and Zoning</b>	<b>43</b>
HB 178 – Good Landlord Amendments	43
HB 232 – Land Use Amendments	43
HB 253 – Short-term Rental Amendments	44
HB 301 – Canal Safety Amendments	44
HB 304 – Water Conservation Amendments	45
HB 339 – Economic Development and Low Income Housing Amendments	45
HB 408 – State Property and School and Institutional Trust Land Amendments	45
HB 424 – Community Reinvestment Agency Revisions	46
HB 189 – Oil and Gas Operations Amendments	46
SB 241 – Local Government Plan Review Amendments	47
<b>Public Safety and Courts</b>	<b>48</b>
HB 019 – Civil Asset Forfeiture Reform Amendments	48
HB 079 – Private Attorney General Doctrine	48
HB 149 – Child Abuse Offender Registry	49
HB 237 – Firearms and Domestic Violence Modifications	49
HB 239 – Juvenile Justice Amendments	50
HB 260 – Drug and Alcohol Treatment Related to Bail Amendments	50
HB 381 – Law Enforcement Body Camera Footage Amendments	51
HB 399 – Governmental Immunity Amendments	51

**Public Safety and Courts (Continued)**

HB 461 – Jail Contracting Amendments	52
SB 012 – Expungement Amendments	52
SB 070 – Asset Forfeiture Transparency Amendments	53
SB 072 – Victim Selection Penalty Enhancements	53
SB 075 – Child Welfare Amendments	53
SB 087 – Civil Asset Forfeiture Revisions	54
SB 134 – Indigent Defense Commission Amendments	54
SB 146 – Constable Amendments	55
SB 198 – Utah Communications Authority Amendments	55
SB 251 – Local Government Criminal Penalty Amendments	56
SB 261 – Substance Use Disorder Programs	56
SJR 07 – Joint Resolution Amending Rules of Criminal Procedure	57

**Revenue and Taxation**

HB 026 – Revenue and Taxation Modifications	58
HB 045 – Property Tax Assessment Changes	59
HB 047 – Property Tax Assessment Appeal Amendments	59
HB 064 – Property Tax Relief Amendments	59
HB 089 – Impact Fee Reporting Requirements	60
HB 258 – Veterans Tax Amendments	60
HB 383 – Property Assessment Revisions	61
HJR 07 – Proposal to Amend Utah Constitution -- Active Military Property Tax Exemption	61
SB 023 – Sales Tax Exemption for Guides and Outfitters	62
SB 043 – Property Assessment Amendments	62
SB 093 – Property Assessment Notice Amendments	63
SB 110 – Sales Tax Collection Amendments	63
SB 134 – Tax Increment Financing Revisions	64
SB 142 – Redevelopment Agency Amendments	64
SB 151 – Property Tax Relief Modifications	64
SB 157 – Changes to Property Tax	65
SB 197 – Refinery Sales and Use Tax Exemption Amendments	65
SB 247 – Modifications to Distribution of Local Sales Tax Revenues	65
SB 264 – Outdoor Recreation Grant Program	66

**Transportation and Infrastructure**

HB 082 – Street-legal All-terrain Vehicle Amendments	67
HB 152 – Transportation Funding Revisions	67
SB 174 – Public Transit and Transportation Governance Amendments	68
SB 276 – Transportation Funding Modifications	68



## **CEO's Message on the 2017 Legislative Session**

---

The 2017 Utah Legislative Session proved to be another great one for Utah's Counties. As anticipated, the Legislature set priorities early, with an emphasis on several key county issues. The Governor, Speaker of the House, and President of the Senate all referenced the growing need for criminal justice reform and vowed to meet that concern with enhanced spending in the area of Justice Reinvestment. Additionally, the leadership trio collectively vowed to prioritize spending on infrastructure, to increase spending on substance abuse and mental health responses and to develop resources to address homelessness.

While we often hear these statements of priority and assume they occur organically, in fact, much of the emphasis stated by leadership is attributable to the tireless work of our members and our UAC lobbying team who worked throughout the year to ensure these items became the priority for the Legislature and the Executive.

The work really had only begun by the time the General Session started. We spent countless hours working with appropriations committees and standing committees pressing our issues. And, in the end, the work paid off better than any time in recent memory. With full funding of the Medicaid Match, unprecedented increases in JRI funding, increased funding for jail support, and a robust effort to expedite \$1 Billion in transportation infrastructure, our team showed their brains, grit, and effectiveness.

And the work and success did not stop with funding for local needs. This year was also record setting in the number of bill passed. 530 bills were passed this year and UAC was tracking nearly 125. We testified on 69 pieces of legislation, actively lobbied the floor on 57 bills, proactively provided language to 45 bills, and provided amendments to 20 bills—all of this in our effort to effectively represent and provide a voice for you on Utah's Capitol Hill.

The following publication is a snapshot of the work completed. If you have questions on any of the bills contained here within, please don't hesitate to call me or any member of our staff, and we will be happy to assist. Legislation is the guidepost, now the real work begins. At UAC, we hope to be equally as helpful in the implementation as we were in the policy formulation.

We hope you find your membership valuable, and we look forward to another great year in 2018. Onward and upward.

  
Adam Trupp, CEO  
Utah Association of Counties

## 2017 Legislative Scorecard

While UAC tracked nearly 125 bills during the 2017 legislative session, it wasn't actively involved in lobbying every one of those bills. Below is a list of bills that UAC lobbied through testimony in committee hearings and one-on-one meetings with legislators as well as the outcomes of those bills. As you can see below, while we didn't get everything we wanted, we did fairly well.

UAC Supported Legislation			
Legislation		Outcome	
Bill Number	Bill Name	Enrolled	Failed
HB 045	Property Tax Assessment Changes		X
HB 050	Opioid Prescribing Regulations	X	
HB 090	Insurance Opioid Regulation	X	
HB 105	Early Voting Amendments	X	
HB 159	Amendments to Voter Registration		X
HB 218	Poll Location Amendments	X	
HB 461	Jail Contracting Amendments	X	
SB 087	Civil Asset Forfeiture Revisions	X	
SB 128	Election Day Notification Amendments	X	
SB 198	Utah Communications Authority Amendments	X	
SB 261	Substance Use Disorder Programs	X	
SB 276	Transportation Funding Modifications	X	

UAC Opposed Legislation				
Legislation		Outcome		
Bill Number	Bill Name	Enrolled	Failed	Amended
HB 019	Civil Asset Forfeiture Reform Amendments		X	
HB 079	Private Attorney General Doctrine		X	
HB 091	County Commission Election Amendments			X
HB 239	Juvenile Justice Amendments			X
HB 314	Election Law Revisions			X
HB 349	Ranked Choice Voting		X	
SB 314	Election Law Amendments			X

## County Appropriations

Thanks to the tireless efforts of county officials, UAC staff, and some very helpful legislators; county government did very well in state appropriations during the 2017 legislative session. Below is a review of what exactly we received.

<b>2017 Appropriations</b>		
<b>Funding Item</b>	<b>Ongoing</b>	<b>One-Time</b>
<i>Justice Reinvestment Initiative</i>		
Behavioral Health Treatment of JRI population	\$6,000,000	
Medicaid Match Funds for Local Mental Health Authorities	\$6,400,000	
Medicaid Mental Health Match	\$5,000,000	
<i>Jail Contracting and Reimbursement</i>		
Increase in Jail Contract Treatment	\$427,000	
Jail Contracting	\$500,000	
Salt Lake County Jail Bed Funding	\$2,420,000	\$427,000
Jail Reimbursement to Counties	\$1,725,000	
<i>Indigent Defense</i>		
Indigent Defense Commission Grants	\$500,000	
Indigent Defense Commission Reallocation	\$60,000	\$1,000,000
<i>Public Lands Issues</i>		
Wild Horses and Burros Management	\$1,150,000	
Foundation for Integrated Resource Management (FIRM)		\$400,000
Greater Sage-Grouse Litigation		\$500,000
<i>Elections</i>		
Voting Equipment Grant		\$275,000
Presidential Primary Election		\$100,000
<i>Other Appropriations</i>		
Utah Outdoor Recreation Grant	\$1,000,000	
Surveyor's Monument Replacement	\$150,000	
Homeless to Housing Reform	\$250,000	\$9,850,000
Jail-Based Forensic Competency Restoration	\$3,000,000	
<b>Totals</b>	<b>\$28,582,000</b>	<b>\$12,522,000</b>

## **Looking Forward: What Does 2018 Have in Store**

---

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

Likewise, UAC doesn't rest once the session ends. While the successes of 2017 are significant, there is still much to get done. There remains a handful of county initiated pieces of legislation from the 2017 session that failed to pass and now have become a multi-year effort. Additionally, there are always new issues and ideas that UAC staff will work to shepherd through the legislative process in 2018. The earlier we can identify these issues, the easier it is to find a strong sponsor and work through any concerns prior to the start of the session.

Below is a partial list of issues we're already anticipating for the 2018 Legislative Session. If you have other issues that need our attention, please contact UAC immediately.

- Transit authority governance
- Streamlining provisional ballots
- Cleaning up the voting records
- Proper use of tax increment financing
- Indigent defense
- Centrally assessed appeals process for counties
- Dark store valuation
- Centrally assessed new growth
- Ski resorts in greenbelt
- Appropriations for next generation voting machines
- Citizen petitions rewrite
- Juvenile justice revisions
- Modifications to Justice Reinvestment statutes and funding
- Removal of local elected officials

Number	Short Title	Sponsor	Position	Contact
HB 012	Disposition of Ballots Amendments <i>Sets a process for notifying a would-be voter of a rejected or questioned ballot.</i>	Steve Eliason	Monitor	Arie
HB 014	Uniform Real Property Transfer on Death Act <i>Provides a process for transfer of property at the time of death.</i>	Lowry Snow	Neutral	Lincoln
HB 016	Voting Revisions <i>Appropriates \$275,000 to be used for the purchase of next generation voting machines.</i>	Brad Daw	Monitor	Arie
HB 019	Civil Asset Forfeiture Reform Amendments <i>Limits civil asset forfeiture.</i>	Brian Greene	Oppose	Lincoln
HB 020	Political Activities of Public Entities Amendments <i>Prohibits a person from using the email of a public entity for political purposes including commenting on ballot petitions.</i>	Brad Daw	Oppose	Arie
HB 022	Nomination Petition Amendments <i>Establishes a process for an individual to remove his or her name from a candidate nomination petition.</i>	Brian Greene	Monitor	Arie
HB 026	Revenue and Taxation Modifications <i>Removes the change in assessed value when a property comes out of greenbelt from property tax new growth.</i>	Dan McCay	Neutral	Lincoln
HB 032	Assessment Area Act Amendments <i>Provides that a local entity that levies an assessment for economic promotion activities shall assess each benefitted property.</i>	Curt Webb	Monitor	Lincoln
HB 045	Property Tax Assessment Changes <i>Prohibits ski resorts and solar farms from greenbelt and changes the calculation of the new growth benchmark for centrally assessed values.</i>	Dan McCay	Support	Lincoln
HB 047	Property Tax Assessment Appeal Amendments <i>Establishes the time periods for filing an appeal under the Farmland Assessment Act and the Urban Farming Assessment Act.</i>	Joel Briscoe	Monitor	Lincoln
HB 050	Opioid Prescribing Regulations <i>Limits the number of days for which an opiate may be prescribed for certain individuals.</i>	Raymond Ward	Support	Elizabeth
HB 055	Governmental Nonprofit Entity Compliance Amendments <i>Requires governmental non-profits to comply with some or all of GRAMA and the open meeting act.</i>	Kim Coleman	Neutral	Lincoln
HB 064	Property Tax Relief Amendments <i>Addresses when a surviving spouse may claim property tax relief.</i>	Jeremy Peterson	Monitor	Lincoln
HB 070	Common Area Assessment Amendments <i>Allows a county assessor to consider that a property is a common area or facility when assessing the fair market value of the property.</i>	Gage Froerer	Monitor	Lincoln
HB 078	Nonbinding Opinion Questions <i>Establishes a procedure to include a nonbinding opinion question on a General Election ballot.</i>	Norman Thurston	Oppose	Arie
HB 079	Private Attorney General Doctrine <i>Repeals the provision that disavows the private attorney general doctrine.</i>	Brian Greene	Oppose	Adam
HB 082	Street-legal All-terrain Vehicle Amendments <i>Removes a prohibition of street-legal ATVs in counties of the first class.</i>	Mike Noel	Monitor	Lincoln
HB 086	Inactive Voter Amendments <i>Permits a county clerk to list a voter as inactive if the clerk cannot locate the voter's address.</i>	Craig Hall	Support	Arie
HB 089	Impact Fee Reporting Requirements <i>Modifies the reporting requirements for a local political subdivision that collects an impact fee.</i>	John Knotwell	Monitor	Lincoln
HB 090	Insurance Opioid Regulation <i>Requires insurance policies to establish specific policies to regulate the prescription of certain controlled substances.</i>	Raymond Ward	Support	Elizabeth
HB 091	County Commission Election Amendments <i>Allows a county to lump all county commission vacancies into one race where two or more seats are up for election.</i>	Norm Thurston	Monitor	Lincoln
HB 104	Motor Vehicle Emission <i>Allows a county that imposes a local emissions compliance fee to use the revenues from that fee to promote air quality.</i>	Logan Wilde	Support	Elizabeth
HB 105	Early Voting Amendments <i>Extends the last day of early voting to the day prior to Election Day.</i>	Craig Hall	Support	Arie
HB 115	Solid Waste Revisions <i>Modifies fee structures for nonhazardous solid waste.</i>	Mike McKell	Oppose	Lincoln
HB 134	Emissions Testing Amendments <i>Restricts the authority of a county to exempt a motor vehicle from an emissions test.</i>	Patrice Arent	Monitor	Lincoln
HB 149	Child Abuse Offender Registry <i>Creates the Child Abuse Offender Registry to be administered by the Department of Corrections.</i>	Derrin Owens	Monitor	Lincoln
HB 152	Transportation Funding Revisions <i>Authorizes money in the corridor preservation fund to be spent on B and C roads with limitations.</i>	Scott Sandall	Support	Lincoln

Number	Short Title	Sponsor	Position	Contact
HB 153	Uninsured and Underinsured Motorist Coverage Amendments <i>Disallows a person from rejecting uninsured motorist coverage if that person employs someone who drives a company vehicle.</i>	Michael Kennedy	Oppose	Lincoln
HB 159	Amendments to Voter Registration <i>Makes motor voter registration an opt out program instead of an opt in program.</i>	Stephen Handy	Support	Arie
HB 163	Municipality Per Diem Amendments <i>Requires that per diem and travel expenses for board members serving on certain boards comply with Division of Finance rules.</i>	Craig Hall	Monitor	Lincoln
HB 178	Good Landlord Amendments <i>Prohibits a municipality from requiring a residential landlord to deny tenancy to an individual based on the individual's criminal history.</i>	Brian King	Support	Lincoln
HB 195	Dissolution of Local Districts <i>Modifies the procedure to dissolve a local district.</i>	Justin Fawson	Monitor	Lincoln
HB 213	Workplace Discrimination Amendments <i>Provides for civil actions seeking relief from discriminatory or prohibited employment practices.</i>	Mark Wheatley	Oppose	Adam
HB 214	Probate Code Amendments <i>Modifies how letters upon estates jointly may be granted.</i>	Kelly Miles	Monitor	Lincoln
HB 218	Poll Location Amendments <i>Allows for an election officer to establish additional polling places after certain statutory deadlines.</i>	Craig Hall	Support	Arie
HB 221	Election Law Modifications <i>Requires an election officer to complete an unofficial count of all ballots within three days after an election with a few exceptions.</i>	Bruce Cutler	Oppose	Arie
HB 224	Specie Legal Tender Amendments <i>Authorizes the public treasurer to invest public funds in specie legal tender.</i>	Ken Ivory	Monitor	Lincoln
HB 229	Amendments Relating to Local Districts <i>Allows a municipality to withdraw from a public safety local district without a vote of the municipality's citizens.</i>	Dan McCay	Oppose	Lincoln
HB 230	Elections Revisions <i>Changes the time by which a county clerk is required to remove a deceased individual's name from the official register.</i>	Brad Daw	Support	Arie
HB 232	Land Use Amendments <i>Enacts and modifies definitions applicable to county and municipal land use provisions.</i>	Mike Schultz	Support	Adam
HB 237	Firearms and Domestic Violence Modifications <i>Prohibits perpetrators of domestic violence from possessing firearms, loosens concealed carry prohibitions.</i>	Lee Perry	Support	Lincoln
HB 239	Juvenile Justice Amendments <i>Expands the justice reinvestment initiative to include juveniles.</i>	Lowry Snow	Monitor	Adam
HB 246	System of Care Development <i>Amends the definition of system of care for at-risk children within the Department of Human Services.</i>	Becky Edwards	Monitor	Elizabeth
HB 253	Short-Term Rental Amendments <i>Prevents a political subdivision from prohibiting a person from listing and offering a short-term rental.</i>	John Knotwell	Support	Lincoln
HB 256	Assessors in Rural Counties <i>Repeals a requirement that an elected assessor within a 4<sup>th</sup>, 5<sup>th</sup>, and 6<sup>th</sup> class county be a certified appraiser within 36 months after taking office.</i>	Mike Noel	Monitor	Lincoln
HB 258	Veterans Tax Amendments <i>Companion piece to HJR 7, provides active military servicemen and women additional opportunities for property tax exemptions.</i>	Val Peterson	Support	Lincoln
HB 260	Drug and Alcohol Treatment Related to Bail Amendments <i>Provides drug or alcohol detoxification procedures as an alternative to bail requirements.</i>	Edward Redd	Monitor	Elizabeth
HB 265	Safety Inspection Amendments <i>Repeals the requirement that most vehicles obtain a safety inspection certificate in order to be registered and to operate on a highway.</i>	Dan McCay	Monitor	Lincoln
HB 268	Money Management Act Amendments <i>Modifies the State Money Management Act by amending provisions relating to money management.</i>	John Knotwell	Monitor	Lincoln
HB 277	Direct to Consumer Food Sales Modifications <i>Exempts certain locally produced food from state, county, or city regulations regarding preparation, serving, use, or consumption of that food.</i>	Mark Roberts	Monitor	Lincoln
HB 285	Voter Registration Amendments <i>Provides for a mechanism for citizens to register to vote and vote provisionally on Election Day with a 5-year sunset.</i>	Rebecca Chavez-Houck	Support	Arie
HB 286	Essential Treatment and Intervention Act <i>Establishes a system for court-ordered essential treatment and intervention for an individual suffering from a substance use disorder.</i>	LaVar Christensen	Monitor	Elizabeth
HB 298	Free Expression Regulation by Local Government <i>Requires that a political subdivision pass an ordinance to impose a generally applicable time, place, or manner restriction on free expression.</i>	Norm Thurston	Monitor	Lincoln
HB 301	Canal Safety Amendments <i>Modifies provisions regarding notice to canal owners about land use applications.</i>	Scott Sandall	Monitor	Lincoln

Number	Short Title	Sponsor	Position	Contact
HB 304	Water Conservation Amendments <i>Prohibits counties from requiring more than 5 percent of property be landscaped with vegetation within a commercial or industrial zone.</i>	Gage Froerer	Oppose	Lincoln
HB 314	Election Law Revisions <i>Requires at least three ballot drop boxes in a county that runs an election by-mail.</i>	Keven Stratton	Oppose	Arie
HB 324	Local Budget Hearing Notice Amendments <i>Requires a local government to post a required notice of a local budget hearing on its website.</i>	Bruce Cutler	Support	Lincoln
HB 339	Economic Development and Low Income Housing Amendments <i>Removes the housing allocation requirement for community reinvestment project areas.</i>	Kim Coleman	Monitor	Lincoln
HB 348	Voter Records Amendments <i>Makes voter records a private record under GRAMA.</i>	Becky Edwards	Monitor	Arie
HB 349	Ranked Choice Voting <i>Requires ranked choice voting for races with more than two candidates.</i>	Rebecca Chavez-Houck	Oppose	Arie
HB 364	Removal of Local Elected Officials <i>Establishes a process for removing a local elected official from office due to mental incapacity.</i>	Rebecca Chavez-Houck	Monitor	Lincoln
HB 381	Law Enforcement Body Camera Footage Amendments <i>Provides that any release of recordings made by a body camera that is worn by a law enforcement officer shall be subject to GRAMA.</i>	Paul Ray	Monitor	Lincoln
HB 383	Property Assessment Revisions <i>Modifies the method of valuing property for purposes of the Property Tax Act.</i>	Brian Greene	Oppose	Lincoln
HB 398	Procurement Code Amendments <i>Modifies provisions of the Utah Procurement Code.</i>	Gage Froerer	Monitor	Lincoln
HB 399	Governmental Immunity Amendments <i>Provides that governmental immunity is preserved for an injury in certain circumstances even if immunity would otherwise be waived.</i>	Lowry Snow	Support	Lincoln
HB 403	Electronic Signature on Petitions <i>Allows a voter to sign certain petitions with an electronic signature.</i>	Rebecca Chavez-Houck	Monitor	Arie
HB 407	Utah Public Land Management Act Amendments <i>Creates the Department of Land Management and describes the process for electing the director of that department.</i>	Mike Noel	Monitor	Lincoln
HB 408	State Property and School and Institutional Trust Land Amendments <i>Modifies provisions related to local government's authority related to state owned property and school and institutional trust land.</i>	Mike Noel	Monitor	Lincoln
HB 424	Community Reinvestment Agency Revisions <i>Removes the housing allocation requirement for community reinvestment project areas.</i>	Kim Coleman	Oppose	Lincoln
HB 437	State Training and Certification Requirements Amendments <i>Requires that required state training be provided online where possible.</i>	Ken Ivory	Support	Lincoln
HB 452	Homeless Services Amendments <i>Imposes a population-based fee upon Utah's counties towards Utah's homelessness initiative paid through the property tax.</i>	Steve Eliason	Monitor	Lincoln
HB 458	Local Government Snow Removal <i>Prevents a county from prohibiting a person from removing snow from a road at the person's own expense to access their own property.</i>	Mike Schultz	Monitor	Lincoln
HB 461	Jail Contracting Amendments <i>Increases the daily rate from 86 to 89 percent for treatment beds for state inmates in county jails.</i>	Mike Noel	Support	Lincoln
HJR 02	Joint Resolution - Nonbinding Opinion Question on Daylight Saving Time <i>Places before Utah's voters a nonbinding opinion question regarding Utah's continued Daylight Saving Time practice.</i>	Norm Thurston	Monitor	Arie
HJR 07	Proposal to Amend Utah Constitution -- Active Military Property Tax Exemption <i>Modifies the time of service to qualify for a property tax exemption from 200 days in a calendar year to 200 days within 365 days.</i>	Val Peterson	Support	Lincoln
SB 012	Expungement Amendments <i>Makes changes to provisions regarding expungements and pardons.</i>	Dan Thatcher	Monitor	Lincoln
SB 013	Amendments to Election Law <i>Cleans up errors in the election code.</i>	Margaret Dayton	Support	Arie
SB 023	Sales Tax Exemption for Guides and Outfitters <i>Provides a sales and use tax exemption for amounts paid or charged for certain purchases of hunting guide or outfitting services.</i>	Margaret Dayton	Monitor	Lincoln
SB 029	Utah Marriage Commission Amendments <i>Increases the marriage license fee by \$20 but allows for a \$20 rebate if both parties complete premarital education.</i>	Allen Christensen	Monitor	Arie
SB 030	Insurance Premium Tax Amendments <i>Modifies provisions earmarking revenue for certain firefighter reasons.</i>	Curt Bramble	Monitor	Lincoln
SB 037	Statewide Crisis Line <i>Creates a statewide mental health crisis line as well as a Mental Health Crisis Line Commission.</i>	Dan Thatcher	Support	Elizabeth

Number	Short Title	Sponsor	Position	Contact
SB 043	Property Assessment Amendments <i>Requires a county assessor to consider certain factors in determining the fair market value of a special purpose property.</i>	Deidre Henderson	Support	Lincoln
SB 050	Automobile Insurance Registry Amendments <i>Permits a motor vehicle owner to offer broader proof of ownership in the event of a citation or accident.</i>	Lincoln Fillmore	Neutral	Lincoln
SB 069	Notification Requirements for Ballot Proposals <i>Requires additional noticing of submitted arguments for and against a ballot proposition.</i>	Jacob Anderegg	Monitor	Arie
SB 070	Asset Forfeiture Transparency Amendments <i>Requires additional reporting from law enforcement agencies following asset forfeiture.</i>	Howard Stephenson	Monitor	Lincoln
SB 072	Victim Selection Penalty Enhancements <i>Provides enhanced criminal penalties in the event of a hate crime.</i>	Dan Thatcher	Monitor	Lincoln
SB 075	Child Welfare Amendments <i>Provides that a chief of police or a sheriff may create a child protection unit.</i>	Lincoln Fillmore	Monitor	Lincoln
SB 077	Vehicle Safety Inspection Amendments <i>Adds the sixth year to the frequency a motor vehicle is required to pass a safety inspection.</i>	Don Ipson	Support	Lincoln
SB 081	Local Government Licensing Amendments <i>Prohibits a municipality or a county from requiring a license or charging a fee for certain home based businesses.</i>	Jacob Anderegg	Amend	Lincoln
SB 087	Civil Asset Forfeiture Revisions <i>Provides provisions regarding the determination of property subject to forfeiture.</i>	Dan Thatcher	Support	Lincoln
SB 090	Vehicle Inspection and Registration Amendments <i>Provides exemptions from infractions related to vehicle registration, safety inspection, and emissions inspection requirements.</i>	Jacob Anderegg	Monitor	Lincoln
SB 093	Property Tax Assessment Notice Amendments <i>Requires Treasurer to notice property owners of certain past due municipal or district bills attached to their property.</i>	Wayne Harper	Support	Lincoln
SB 094	Local District Revisions <i>Requires a public report to the legislative body that created the local district prior to a property tax increase.</i>	Lincoln Fillmore	Monitor	Lincoln
SB 097	Public Meeting Minutes Amendments <i>Provides that a recording of a meeting can serve as minutes to that meeting if the recording is public and available online.</i>	Kevin Van Tassell	Support	Lincoln
SB 098	Excess Damages Claims <i>Establishes a process for addressing personal injury claims to the extent that they exceed a statutory limit.</i>	Jani Iwamoto	Neutral	Lincoln
SB 110	Sales Tax Collection Amendments <i>Captures sales and use tax from certain Internet and remote sales.</i>	Curt Bramble	Support	Lincoln
SB 114	Election Law Amendments <i>Shortens the period for filing a notice to gather signatures to qualify for a place on the regular primary election ballot.</i>	Curt Bramble	Monitor	Arie
SB 116	Polling Location Amendments <i>Encourages county election offices to coordinate a line management plan to ensure a wait time of no longer than 30 minutes.</i>	Dan Thatcher	Support	Arie
SB 128	Election Day Notification Amendments <i>Allows county election officials to add additional polling locations after the initial notice of polling locations.</i>	Jani Iwamoto	Support	Arie
SB 134	Indigent Defense Commission Amendments <i>Expands the Utah Indigent Defense Commission to include juvenile defense.</i>	Todd Weiler	Monitor	Adam
SB 137	State Auditor Fiscal Auditing and Reporting Amendments <i>Amends the threshold for certain accounting reports for local governments and nonprofits.</i>	Curt Bramble	Monitor	Lincoln
SB 139	Tax Increment Financing Revisions <i>Reduces the amount of tax increment that a project area may receive from a school district.</i>	Howard Stephenson	Oppose	Lincoln
SB 140	Annexation of Islands Within Cities <i>Modifies the procedure for annexing unincorporated islands within a municipality's boundaries.</i>	Gregg Buxton	Support	Lincoln
SB 142	Redevelopment Agency Amendments <i>Excludes taxes collected under the voted local levy, the board local levy, and the minimum basic levy from tax increment.</i>	Lincoln Fillmore	Oppose	Lincoln
SB 143	Local District Board Amendments <i>Clarifies the definition of elected official for purposes of local board membership and sets the number of votes necessary for action of the board.</i>	Jerry Stevenson	Monitor	Lincoln
SB 146	Constable Amendments <i>Creates the Constable Licensing Board for the purpose of licensing and regulating constables.</i>	Lincoln Fillmore	Monitor	Lincoln
SB 151	Property Tax Relief Modifications <i>Provides that property tax collections of certain water conservancy districts may not exceed a certain amount with exceptions.</i>	Jim Dabakis	Monitor	Lincoln
SB 156	Local Public Safety and Firefighter Surviving Spouse Trust Fund Amendments <i>Amends the Local Public Safety and Firefighter Surviving Spouse Trust Fund provisions.</i>	Todd Weiler	Support	Lincoln

<b>Number</b>	<b>Short Title</b>	<b>Sponsor</b>	<b>Position</b>	<b>Contact</b>
SB 157	Changes to Property Tax <i>Provides a method for determining the fair market value of centrally assessed aircraft.</i>	Curt Bramble	Monitor	Lincoln
SB 174	Public Transit and Transportation Governance Amendments <i>Modifies the makeup of the UTA Board and creates a transit and transportation governance task force.</i>	Wayne Harper	Monitor	Lincoln
SB 189	Oil and Gas Operations Amendments <i>Prohibits a political subdivision from regulating oil and gas operations, except in certain circumstances.</i>	David Hinkins	Monitor	Lincoln
SB 197	Manufacturing Amendments <i>Amends the sales and use tax exemption to include certain manufacturing materials.</i>	Stuart Adams	Monitor	Lincoln
SB 198	Utah Communications Authority Amendments <i>Modifies the composition and duties of the Utah Communications Authority Board.</i>	Wayne Harper	Support	Lincoln
SB 205	Area Assessment Amendments <i>Amends the process for protesting the designation of a sewer assessment area.</i>	Kevin Van Tassell	Support	Lincoln
SB 241	Local Government Plan Review Amendments <i>Establishes a time period within which a county, city, or town shall review certain construction plans.</i>	Curt Bramble	Monitor	Lincoln
SB 242	Government Records Access and Management Act Amendments <i>Provides that a governmental entity is not required to comply with a GRAMA request from a state or county prisoner with exceptions.</i>	Curt Bramble	Support	Lincoln
SB 247	Modifications to Distribution of Local Sales Tax Revenues <i>Removes the repeal date for an eligible county, city, or town to receive a minimum distribution of certain local sales and use tax revenue.</i>	Ralph Okerlund	Support	Lincoln
SB 250	Food Truck Licensing and Regulation <i>Enacts the Food Truck Licensing and Regulation Act to address local regulation of food trucks.</i>	Deidre Henderson	Monitor	Lincoln
SB 251	Local Government Criminal Penalty Amendments <i>Requires that only a law enforcement officer may enforce a local ordinance that is a misdemeanor.</i>	Dan Thatcher	Monitor	Lincoln
SB 261	Substance Use Disorder Programs <i>Establishes a committee to facilitate the distribution of \$6 million towards reducing recidivism in substance abuse offenders.</i>	Karen Mayne	Support	Lincoln
SB 264	Outdoor Recreation Grant Program <i>Creates a state imposed transient room tax of 0.32 percent, which will fund an outdoor recreation grant program administered by commission.</i>	Ralph Okerlund	Monitor	Lincoln
SB 276	Transportation Funding Modifications <i>Modifies the Motor and Special Fuel Tax Act by amending motor and special fuel tax provisions.</i>	Kevin Van Tassell	Support	Lincoln
SJR 07	Joint Resolution Amending Rules of Criminal Procedure <i>Condenses the time that certain evidence shall be shared with a defendant of a criminal procedure to 14 days.</i>	Todd Weiler	Oppose	Adam

## **Elections and Clerk Issues**

---

The 2016 General Election saw a greater voter turnout in Utah than any election in over 50 years. Eighty-two percent of registered voters cast a ballot in that election. One reason for the high participation was the introduction of by-mail elections. Twenty-one counties conducted their election by-mail in 2016. Universally, those counties saw a higher voter participation rate than the eight counties that ran a traditional election.

The 2016 General Election wasn't without problems, however, a particular contentious presidential election resulted in many voters waiting until the last moment to mail in their ballots. This resulted in a number of outstanding ballots at the close of polls on Election Day. Additionally, long lines at various polling locations throughout Utah marred what was otherwise a very successfully administered election.

A result of the perceived problems associated with the 2016 General Election resulted in a higher than average number of election related bills in the 2017 General Election. Fortunately, county clerks and their election staffs along with UAC staff and the Lt. Governor's Office were prepared to lobby on behalf of sound election law policy.

---

### **HB12 Disposition of Ballots Amendments, Eliason**

**UAC Position: MONITOR**

**Status: ENROLLED**

**Outline of bill** – HB 12 codifies existing practice of notifying a voter should the voter's absentee ballot is rejected. The bill sets specific timelines for that notification. It also requires a space be provided on the election ballot envelop for a voter to include an email address and phone number if so desired.

**Our efforts on the legislation** – County clerks reviewed the bill with the sponsor to ensure that the language applied to current practice and procedures.

**What to expect next on the bill** – County clerks will need to be aware of the new deadlines for notifying voters who submitted an invalid absentee ballot. They will also need to ensure their ballot envelopes include space for a voter's email address and phone number.

**Bill link** – <http://le.utah.gov/~2017/bills/static/HB0012.html>

**HB16 Voting Revisions, Daw**  
**UAC Position: MONITOR**  
**Status: ENROLLED**

**Outline of bill** – HB 16 creates a grant program administered through the Lt. Governor’s Office where counties can compete for an appropriated \$275,000 to be used towards next generation voting systems. The bill loosens requirements for voter equipment certification; while requiring specific parameters be met—including a system that can administer ranked choice elections.

**Our efforts on the legislation** – County officials testified their appreciation of the bill before committee, but noted that the total price tag to move to a new election system statewide will be upwards of \$10 million. The original version of HB 16 would have included \$2.5 million in grant money, but was amended on the Senate Floor to represent a figure the legislature was willing to appropriate at this time. We’ll need to do plenty of work in the coming years if the counties expect the state to assist in a meaningful way in funding election equipment moving forward.

**What to expect next on the bill** – After January 1, 2018, a county may submit a proposal to the Office of the Lieutenant Governor to participate in and receive funds from the program.

**Bill link** – <http://le.utah.gov/~2017/bills/static/HB0016.html>

---

**HB22 Nomination Petition Amendments, Greene**  
**UAC Position: MONITOR**  
**Status: FAILED**

**Outline of bill** – HB 22 went from being a bill allowing for individuals to remove their names from a petition while requiring more transparency from petition gathers, to a bill that would prohibit petition gathers to be paid for their work, and then back to the original bill in its long, strange journey. In all eight substitutes of the bill were either adopted or drafted.

**Our efforts on the legislation** – County officials were less interested in the politics of the bill than the administration of the bill. County clerks worked with the sponsor early in the process to ensure that the provision worked administratively and then watched as the bill became far more politicized.

**What to expect next on the bill** – HB 22 was a committee bill with some reasonable changes to petition law. Look for it to return in 2018 (hopefully without so much drama).

**Bill link** – <http://le.utah.gov/~2017/bills/static/HB0022.html>

**HB78 Nonbinding Opinion Questions, Thurston**

**UAC Position: OPPOSE**

**Status: FAILED**

**Outline of bill** – HB 78 would have established a procedure for the legislature to place a nonbinding opinion question on the 2018 General Election ballot. The bill has a repeal date of January 1, 2019. The purpose of HB 78 was to consider the issue raised in HJR 2—Utah’s continued participation in Daylight Saving Time. Had HB 78 and HRJ 2 passed, voters could have voiced their opinion on the 2018 ballot regarding Daylight Saving Time.

**Our efforts on the legislation** – The Utah Association of Counties has a longstanding position to oppose any legislation that would place a nonbinding opinion question on the ballot. Not only would nonbinding questions clutter the ballot, but there are also more prudent ways to judge public sentiment than on the ballot.

**What to expect next on the bill** – Hopefully this issue is dead for the time being.

**Bill link** – <http://le.utah.gov/~2017/bills/static/HB0078.html>

---

**HB86 Inactive Voter Amendments, Hall**

**UAC Position: SUPPORT**

**Status: ENROLLED**

**Outline of bill** – HB 86 allows county clerks to better clean up the voter rolls by classifying a voter as inactive if the county clerk receives a returned voter identification card, determines that there were no clerical errors causing the card to be returned, and has no further information to contact the voter.

**Our efforts on the legislation** – HB 86 codifies current practice. The counties worked with the sponsor and spoke in favor of his legislation in committee.

**What to expect next on the bill** – Passage of HB 86 shouldn’t effect current practice.

**Bill link** – <http://le.utah.gov/~2017/bills/static/HB0086.html>

**HB91 County Commission Election Amendments, Thurston**  
**UAC Position: MONITOR**  
**Status: ENROLLED**

**Outline of bill** – HB 91 allows counties of the first or second class to choose through ordinance to combine the elections of multiple commission or council seats into one race where all candidates file for the office and not a specific seat.

**Our efforts on the legislation** – HB 91 originally required all elections with two or more open commission or council seats to combine the elections of those seats into one race where all candidates file for the office. UAC took a position to oppose that version of the bill and succeeded in getting that version of the bill held in committee. The sponsor returned with the substituted version of the bill giving counties the choice of participating and UAC dropped its opposition.

**What to expect next on the bill** – If counties of the first or second class so desire they can alter the method for electing county commission or council seats when there are more than one seats up for election.

**Bill link** – <http://le.utah.gov/~2017/bills/static/HB0091.html>

---

**HB105 Early Voting Amendments, Hall**  
**UAC Position: SUPPORT**  
**Status: ENROLLED**

**Outline of bill** – HB 105 permits an election officer to extend the last day of the early voting period to the day before the election date.

**Our efforts on the legislation** – The original version of the bill required all counties who hold early voting to extend the period to the day before an election date. A number of counties expressed concern over their ability to comply with that requirement so UAC worked with the sponsor to make the provision optional. After the bill was substituted, UAC adopted a position to support the bill and worked with the sponsor to ensure its passage.

**What to expect next on the bill** – Counties can extend the early voting period up until the day before an election should they so choose. County election offices will have to provide notice if they intend to extend early voting.

**Bill link** – <http://le.utah.gov/~2017/bills/static/HB00105.html>

**HB159 Amendments to Voter Registration, Handy**  
**UAC Position: SUPPORT**  
**Status: FAILED**

**Outline of bill** – HB 159 would have provided that an individual who applies for or renews a driver license or state identification card would be registered to vote unless the individual opts out of voter registration. Currently, driver license applicants can opt into voter registration. The bill also would have required a county clerk to send notification to newly registered voters spelling out, among other things, the procedure to cancel a voter registration should the individual so desire.

**Our efforts on the legislation** – There are numerous advantages to HB 159: it would update voter polls as citizens update their address with the DMV, it would reduce the number of provisional ballots cast at the polling place due to outdated voter information, and it would reduce wait time at the polling place for other voters. Unfortunately, that message was somewhat muddled at the legislature over concerns of privacy and fraud. The bill also included a small fiscal note to the Drivers License Division that was not prioritized by the legislature. County clerks, the Lt. Governor’s Office, and UAC staff all worked hard on this bill only to see it fail to make it onto the Senate Board in the end.

**What to expect next on the bill** – HB 159 will continue to be a priority for county clerks and UAC. Look for another version of the bill to return in 2018.

**Bill link** – <http://le.utah.gov/~2017/bills/static/HB00159.html>

---

**HB218 Poll Location Amendments, Hall**  
**UAC Position: SUPPORT**  
**Status: ENROLLED**

**Outline of bill** – HB 218 allows for election officers to designate additional locations as early vote centers or election day voting centers after the general deadline prior to an election provided that the election officer determines a need for additional polling places and provides notice to the Lt. Governor’s Office and the public.

**Our efforts on the legislation** – UAC took a position to support HB 218 and spoke in support of the bill in committee. Had HB 218 been in place prior to the 2016 General Election it could have alleviated some of the long lines that plagued the election.

**What to expect next on the bill** – Hopefully, counties will never have to use the process spelled out in HB 218, but should a perfect storm election like 2016 come again, it is helpful to have these provisions available.

**Bill link** – <http://le.utah.gov/~2017/bills/static/HB00218.html>

**HB221, Cutler**  
**UAC Position: OPPOSE**  
**Status: FAILED**

**Outline of bill** – HB 221 would have required election officers to tabulate all absentee ballots received by Election Day three days after the election for unofficial election results. Counties would have been exempt from the law in the event of an emergency or approval from the lieutenant governor.

**Our efforts on the legislation** – UAC calculated a fiscal note of \$35,300 to comply with the requirements of HB 221. County election officials would have to work overtime immediately after an election to comply with the bill's provisions. The sponsor graciously agreed to push the bill to interim after discussing the counties' concerns with the bill.

**What to expect next on the bill** – Counties will continue to work with the sponsor in an effort to expedite election results.

**Bill link** – <http://le.utah.gov/~2017/bills/static/HB00221.html>

---

**HB230 Election Revisions, Daw**  
**UAC Position: SUPPORT**  
**Status: ENROLLED**

**Outline of bill** – HB 230 makes a number of small but important changes to the election law, including: the amount of time a clerk has to remove a voter from the rolls once notified by the Department of Health's Bureau of Vital Records that the voter is deceased, the date by which the election officer shall notify the Lt. Governor's Office of a by-mail election, and the adjudication of questions on a vote recorded on a paper ballot.

**Our efforts on the legislation** – The original version of the bill also required any by-mail election include prepaid postage. UAC worked to remove that language and, once done, was able to support the bill.

**What to expect next on the bill** – County election officials will want to review new provisions included in HB 230.

**Bill link** – <http://le.utah.gov/~2017/bills/static/HB00230.html>

**HB285, Chavez-Houck**  
**UAC Position: SUPPORT**  
**Status: FAILED**

**Outline of bill** – HB 285 provides that an otherwise eligible voter may register to vote, and vote, by casting a provisional ballot on Election Day or during the early voting period. It also provided a sunset on January 1, 2022 should the provisions in the bill prove to be problematic.

**Our efforts on the legislation** – HB 285 would have replaced the recently sunset election day voter registration pilot program administered by a number of Utah’s counties and cities with a statewide election day voter registration program. UAC took a position to support the bill based on the positive feedback from the counties that participated in the pilot program. Ultimately, the bill failed to pass out of committee.

**What to expect next on the bill** – After a contentious presidential election in 2016, the 2017 Legislative Session was not the right time for election day voter registration. Look for the bill to return in future sessions.

**Bill link** – <http://le.utah.gov/~2017/bills/static/HB00285.html>

---

**HB314 Election Law Revisions, Stratton**  
**UAC Position: OPPOSE**  
**Status: FAILED**

**Outline of bill** – HB 314 would have required any county that conducts an election entirely by mail to provide ballot drop boxes. The bill requires the greater of 3 drop boxes or one for every 30,000 individuals for whom a ballot is sent unless a county is able to receive approval from the Lt. Governor’s Office not to comply with the ballot drop box requirement.

**Our efforts on the legislation** – The original version of the bill also included a major policy change to the way elections are administered in Utah. Instead of setting the deadline for absentee ballots as postmarked the day before an election, the bill would have set as the deadline for absentee ballots as in the election officials’ hands by Election Day. This change in the law would have resulted in more ballots being rejected. This version of the bill failed to pass on the house floor. The bill was later resurrected, substituted, and passed out of the house; although it failed to be considered in the senate.

**What to expect next on the bill** – HB 314 may return either in part or in whole in future legislative sessions.

**Bill link** – <http://le.utah.gov/~2017/bills/static/HB00314.html>

### **HB348 Voter Records Amendments, Edwards**

**UAC Position: MONITOR**

**Status: FAILED**

**Outline of bill** – HB 348 would have allowed an individual to apply to have the individual's entire voter registration record classified as a private record without cause.

**Our efforts on the legislation** – HB 348 went through a number of iterations throughout the legislative session. Throughout it all, UAC monitored the bill to ensure that it didn't create any unintended consequences for county election officials.

**What to expect next on the bill** – This issue will definitely return to the legislature.

**Bill link** – <http://le.utah.gov/~2017/bills/static/HB00348.html>

---

### **HB349 Ranked Choice Voting, Chavez-Houck**

**UAC Position: OPPOSE**

**Status: FAILED**

**Outline of bill** – HB 349 would have required all general primary elections and municipal elections include ranked choice voting where three or more candidates are running for an office by 2019.

**Our efforts on the legislation** – HB 349 came with a \$10 million fiscal note to the counties since no county in Utah is currently using a voting system that can administer a ranked choice election. The original version of the bill had no delayed implementation date, but was amended to make the bill administratively possible (but still costly). Despite strong county opposition to HB 349, it still managed to make it through the House before failing to receive a Senate committee recommendation.

**What to expect next on the bill** – Look for this idea to return like a bad penny.

**Bill link** – <http://le.utah.gov/~2017/bills/static/HB00349.html>

---

### **HB403 Electronic Signature on Petitions, Chavez-Houck**

**UAC Position: MONITOR**

**Status: FAILED**

**Outline of bill** – HB 403 would have allowed an individual to sign a petition with an electronic signature using the individual's driver license or identification card number if the petition is to qualify a ballot proposition, organize and register a political party, or qualify a candidate for the ballot.

**Our efforts on the legislation** – HB 403 was introduced late in the session and failed to receive so much as a committee hearing. UAC did nothing more than monitor the bill.

**What to expect next on the bill** – Electronic signatures have been explored in the past for petitions. This idea will likely be explored in future legislative sessions.

**Bill link** – <http://le.utah.gov/~2017/bills/static/HB00403.html>

**HJR2 Joint Resolution - Nonbinding Opinion Question on Daylight Saving Time, Thurston**

**UAC Position: MONITOR**

**Status: FAILED**

**Outline of bill** – HJR 2 is a companion resolution to HB 78 and would have placed a nonbinding opinion question on the 2018 General Election ballot concerning Utah’s continued participation in Daylight Saving Time.

**Our efforts on the legislation** – UAC took a position to oppose HB 78 based on general concerns over the inclusion of nonbinding opinion questions on election ballots.

**What to expect next on the bill** – People continue to complain about Daylight Saving Time. Count on this issue returning in some form to the legislature.

**Bill link** – <http://le.utah.gov/~2017/bills/static/HJR002.html>

---

**SB13 Amendments to Election Law, Dayton**

**UAC Position: SUPPORT**

**Status: ENROLLED**

**Outline of bill** – SB 13 is a cleanup bill drafted by the Lt. Governor’s Office to address errors in the election code.

**Our efforts on the legislation** – UAC took a position to support SB 13.

**What to expect next on the bill** – The passage of SB 13 should have little impact on the day to day work of county clerks and their election offices.

**Bill link** – <http://le.utah.gov/~2017/bills/static/SB0013.html>

---

**SB69 Notification Requirements for Ballot Proposals, Anderegg**

**UAC Position: MONITOR**

**Status: ENROLLED**

**Outline of bill** – SB 69 requires a county to post the arguments for and against a ballot proposition on the Utah Public Notice Website, the county’s website, and email them to any citizen who has shared an email address with the county at least 90 days before the date of the election.

**Our efforts on the legislation** – The original version of the bill included additional language requiring a city to send a mailing concerning any ballot proposition. The cities worked with the sponsor to make that provision only apply to cities already sending newsletters or utility statements. UAC monitored the bill to ensure that that provision did not bleed over to the county.

**What to expect next on the bill** – Counties will need to be aware of the additional notice requirements for a ballot proposition prescribed by SB 69.

**Bill link** – <http://le.utah.gov/~2017/bills/static/SB0069.html>

**SB114 Election Law Amendments, Bramble****UAC Position: MONITOR****Status: FAILED**

**Outline of bill** – SB 114 originally would have created a runoff election in the event that a primary election did not produce a winner with over 35 percent of the vote. It also moved the filing period to the beginning of January. The bill was substituted after it became clear that the House had little interest in the provisions of the bill and the Utah Republican Party elected to continue with its lawsuit over SB 54. The substitute version of the bill limited the period to file a notice of intent to gather signatures to qualify for placement on the primary ballot to one week. Finally, the bill was hijacked on the House floor to require a candidate to select the convention route or the signature route to get on a primary ballot.

**Our efforts on the legislation** – County clerks diligently worked with the sponsor to create language and a timeline that would allow for a runoff election. Once the bill was substituted, it no longer impacted county election officials.

**What to expect next on the bill** – The questions regarding plurality in primary elections that have arisen from SB 54 will likely continue to resurface at the legislature.

**Bill link** – <http://le.utah.gov/~2017/bills/static/SB0114.html>

---

**SB116 Polling Location Amendments, Thatcher****UAC Position: SUPPORT****Status: ENROLLED**

**Outline of bill** – SB 116 encourages county clerks to manage polling locations in a way as to ensure the wait time doesn't exceed 30 minutes. It also permits the Lt. Governor's Office to require a county clerk to submit a line management plan to that office.

**Our efforts on the legislation** – The original version of the bill required any county that conducts an election entirely by mail to provide at least one election day voting center for every 10,000 registered voters. UAC worked with the sponsor to find a better solution to his concerns over long Election Day lines that wasn't so rigid.

**What to expect next on the bill** – Counties will continue to improve the voting experience for their citizens.

**Bill link** – <http://le.utah.gov/~2017/bills/static/SB0116.html>

**SB128 Election Day Notification Amendments, Iwamoto**  
**UAC Position: SUPPORT**  
**Status: ENROLLED**

**Outline of bill** – Much like HB 218, HB 128 allows counties to add additional polling locations after the time of initial notification. The bill also requires additional notification in the event that a county adds polling locations.

**Our efforts on the legislation** – UAC took a position to support SB 128. Additionally, county clerks worked closely with the sponsor in drafting the legislation.

**What to expect next on the bill** – County election officials will have more flexibility in dealing with polling places in the unforeseen circumstance that an election warrants additional polling places than what was originally planned for.

**Bill link** – <http://le.utah.gov/~2017/bills/static/SB0128.html>

## General Government

---

Every year, county officials can count on a number of pieces of legislation that deal with general governance. Some of these bills come from the counties and others come from the legislature. But no matter where the bills come from, our goal remains the same: to encourage good public policy.

During the 2017 legislative session, the Utah Association of Counties was successful in helping a number of good bills pass, amending a number of problematic bills, and pushing other troubling legislation to the interim for further discussion.

You can see the results of our work below.

---

### **HB14 Uniform Real Property Transfer on Death Act, Snow**

**UAC Position: NEUTRAL**

**Status: FAILED**

**Outline of bill** – HB 14 would have created a process to transfer deed at the time of death. The bill also made clear that a transfer on death deed is revocable and nontestamentary and required that the transferor have the same capacity as that required to make a will at the time the deed was made.

**Our efforts on the legislation** – UAC worked with the sponsor over the interim on HB 14. Ultimately, issues that arose from the title company prevented the bill from advancing in 2017.

**What to expect next on the bill** – This bill has failed to pass out of the legislature for the past two years. Will the third time be the charm?

**Bill link** – <http://le.utah.gov/~2017/bills/static/HB0014.html>

---

### **HB32 Assessment Area Act Amendments, Webb**

**UAC Position: MONITOR**

**Status: ENROLLED**

**Outline of bill** – HB 32 provides that a local entity that levies an assessment for economic promotion activities shall assess each benefitted property.

**Our efforts on the legislation** – UAC monitored HB 32 to ensure it didn't evolve into something more restrictive to local government.

**What to expect next on the bill** – Counties shouldn't be affected much by HB 32.

**Bill link** – <http://le.utah.gov/~2017/bills/static/HB0032.html>

**HB55 Governmental Nonprofit Entity Compliance Amendments, Coleman**

**UAC Position: NEUTRAL**

**Status: ENROLLED**

**Outline of bill** – HB 55 enacts the Governmental Nonprofit Corporations Act which defines a governmental nonprofit corporation and sets requirements for fiscal procedures and records for such defined governmental nonprofit corporations.

**Our efforts on the legislation** – UAC worked with the sponsor and the State Auditor in drafting this legislation to ensure that trade associations like the Utah Association of Counties are not captured in the definition of a governmental nonprofit corporation.

**What to expect next on the bill** – Counties should review HB 55 to determine which, if any, nonprofits they have created or participate in that are now required to comply with HB 55.

**Bill link** – <http://le.utah.gov/~2017/bills/static/HB0055.html>

---

**HB70 Common Area Assessment Amendments, Froerer**

**UAC Position: MONITOR**

**Status: ENROLLED**

**Outline of bill** – HB 70 allows a county assessor to consider that a property is a common area or facility when assessing the fair market value of the property—something county assessors are already doing.

**Our efforts on the legislation** – UAC and county assessors monitored HB 70 to ensure that it simply codified current practice and didn't attempt to prescribe new requirements upon county assessors.

**What to expect next on the bill** – Counties should see any changes in their day to day business as a result of HB 70.

**Bill link** – <http://le.utah.gov/~2017/bills/static/HB0070.html>

---

**HB104 Motor Vehicle Emission, Wilde**

**UAC Position: SUPPORT**

**Status: ENROLLED**

**Outline of bill** – HB 104 allows a county that imposes a local emissions compliance fee on motor vehicles to use revenues generated from that fee to promote programs to maintain a local, state, or national ambient air quality standard.

**Our efforts on the legislation** – UAC took a position to support HB 104 and was ready to help should the bill run into trouble. (It didn't run into trouble, it passed out of the Legislature without a single nay vote.)

**What to expect next on the bill** – Counties that impose motor vehicle emissions fees now have more of a say in how they will use the revenues generated from those fees.

**Bill link** – <http://le.utah.gov/~2017/bills/static/HB0104.html>

**HB115 Solid Waste Revisions, McKell**

**UAC Position: OPPOSE**

**Status: ENROLLED**

**Outline of bill** – HB 115 requires the Utah Department of Environmental Quality to set a new fee schedule for the treatment, transfer, and disposal of all nonhazardous solid waste by July 1, 2018. The new fee schedule will then go into place on January 1, 2019.

**Our efforts on the legislation** – The original version of the bill set a new fee schedule that greatly benefited the private solid waste industry and hurt government-owned solid waste companies. UAC worked with the sponsor and others to push against such efforts.

**What to expect next on the bill** – The Department of Environmental Quality is scheduled to present their proposed new solid waste fee schedule to the legislature by the end of the 2017 interim so counties interested in the process should reach out to the department right away.

**Bill link** – <http://le.utah.gov/~2017/bills/static/HB0115.html>

---

**HB134 Emissions Testing Amendments, Arent**

**UAC Position: MONITOR**

**Status: FAILED**

**Outline of bill** – HB 134 would have restricted the authority of a county to exempt a motor vehicle from an emissions test by limiting possible exemptions to those specified in code.

**Our efforts on the legislation** – Counties worked with the sponsor to try to identify vehicles that are cost prohibitive to run emissions tests in an effort to improve the bill.

**What to expect next on the bill** – HB 134 failed to make it onto the Senate board at the end of the busy legislative session, it may or may not return in 2018.

**Bill link** – <http://le.utah.gov/~2017/bills/static/HB0134.html>

**HB163 Municipality per Diem Amendments, Hall**  
**UAC Position: MONITOR**  
**Status: ENROLLED**

**Outline of bill** – HB 163 requires that local per diem and travel expenses for board members serving on a board created by or within a political subdivision not exceed rates established by the Division of Finance. The bill allows local entities to set their per diems lower than the state’s per diem.

**Our efforts on the legislation** – UAC monitored HB 163 to ensure it wasn’t amended to impose undue restrictions on county government.

**What to expect next on the bill** – Depending on what your county’s per diem rate currently is, you might be staying in less nice hotels and eating at less nice restaurants.

**Bill link** – <http://le.utah.gov/~2017/bills/static/HB0163.html>

---

**HB214 Probate Code Amendments, Miles**  
**UAC Position: MONITOR**  
**Status: ENROLLED**

**Outline of bill** – HB 214 modifies how letters upon estates jointly may be granted as well as modifies guardian and conservator provisions.

**Our efforts on the legislation** – UAC monitored HB 214 to ensure that it was never amended to be problematic for county governance.

**What to expect next on the bill** – HB 214 is quite technical, please review it if you have specific questions on the bill.

**Bill link** – <http://le.utah.gov/~2017/bills/static/HB0214.html>

---

**HB224 Specie Legal Tender Amendments, Ivory**  
**UAC Position: MONITOR**  
**Status: FAILED**

**Outline of bill** – HB 224 would have authorized the public treasurer to invest public funds in specie legal tender (gold or silver coins) and granted the State Money Management Council rulemaking authority to make rules governing quality criteria for a commercial specie repository.

**Our efforts on the legislation** – UAC did not get involved in the debate on HB 224 but watched it to see what, if any, impact it might have on county treasurers. The bill was held in committee.

**What to expect next on the bill** – HB 224 received little support in the legislature in 2017. That may prevent it from returning in the future.

**Bill link** – <http://le.utah.gov/~2017/bills/static/HB0224.html>

**HB256 Assessors in Rural Counties, Noel**  
**UAC Position: MONITOR**  
**Status: FAILED**

**Outline of bill** – HB 256 would have repealed a requirement that a county assessor in a fourth through sixth class become a state licensed or certified appraiser no later than 36 months after taking office.

**Our efforts on the legislation** – UAC discussed this bill at some length but ultimately elected not to take a position on the bill due to differing opinions within its membership. Despite UAC’s lack of engagement in the bill, the sponsor heard from enough concerned assessors throughout the state that the bill was abandoned.

**What to expect next on the bill** – It seems unlikely that HB 256 will return to the legislature.

**Bill link** – <http://le.utah.gov/~2017/bills/static/HB0256.html>

---

**HB265 Safety Inspection Amendments, McCay**  
**UAC Position: MONITOR**  
**Status: ENROLLED**

**Outline of bill** – HB 265 removes the mandatory safety inspection for all but a small subset of fleet vehicles and specialty vehicles. The bill also increases the motor vehicle registration fee and makes not wearing a seatbelt a permanent primary offense.

**Our efforts on the legislation** – UAC monitored but took no position on HB 265.

**What to expect next on the bill** – Law enforcement will pay special attention to see if there is an influx of unsafe cars on the road after the passage of HB 265. According to the bill’s sponsors, that has not been the case in the 34 states that have already repealed safety inspections.

**Bill link** – <http://le.utah.gov/~2017/bills/static/HB0265.html>

---

**HB268 Money Management Act Amendments, Knotwell**  
**UAC Position: MONITOR**  
**Status: ENROLLED**

**Outline of bill** – HB 268 modifies the State Money Management Act by amending provisions relating to money management.

**Our efforts on the legislation** – UAC monitored but took no position on HB 268.

**What to expect next on the bill** – HB 268 is pretty technical. County officials interested in the money management act should refer to it directly.

**Bill link** – <http://le.utah.gov/~2017/bills/static/HB0268.html>

**HB277 Direct to Consumer Food Sales Modifications, Roberts**

**UAC Position: MONITOR**

**Status: FAILED**

**Outline of bill** – HB 277 would have allowed that food produced and sold within the state that is sold directly to an informed end consumer and for home consumption would be exempt from state and local government regulations regarding the preparation and storage of food and food products.

**Our efforts on the legislation** – UAC took no position on HB 277. The bill failed to receive a vote on the House floor.

**What to expect next on the bill** – This is the second year in a row that this bill was introduced at the legislature, it will likely return.

**Bill link** – <http://le.utah.gov/~2017/bills/static/HB0277.html>

---

**HB298 Free Expression Regulation by Local Government, Thurston**

**UAC Position: MONITOR**

**Status: FAILED**

**Outline of bill** – HB 298 set out to set specific regulations for the manner in which a local government could regulate free expression in its jurisdiction. The bill would have required a local government to impose any restrictions on expressive activity through ordinance or in accordance with a general ordinance.

**Our efforts on the legislation** – UAC as well as the League of Cities and Towns worked closely with the sponsor to try to draft the bill in a way that made sense to both local governments and their citizens. The bill never received a vote on the Senate floor.

**What to expect next on the bill** – HB 298 was much improved from where it started. Look for it to return in 2018.

**Bill link** – <http://le.utah.gov/~2017/bills/static/HB0298.html>

**HB324 Local Budget Hearing Notice Amendments, Cutler**  
**UAC Position: SUPPORT**  
**Status: ENROLLED**

**Outline of bill** – HB 324 adds a requirement that a local government post a budget hearing notice to its website at least seven days before the notice in addition to the existing requirement to post to a newspaper and the Utah Public Notice Website.

**Our efforts on the legislation** – The original version of the bill required a local government to post the notice through any social media platform the government communicates through. UAC worked with the sponsor to substitute that language for the language that ultimately was enrolled.

**What to expect next on the bill** – Counties should post notice of budget hearings on their websites, if they are not doing so already.

**Bill link** – <http://le.utah.gov/~2017/bills/static/HB0324.html>

---

**HB364 Removal of Local Elected Officials, Chavez-Houck**  
**UAC Position: MONITOR**  
**Status: FAILED**

**Outline of bill** – HB 364 would have established a process for removing a local elected official from office due to mental incapacity. The process would have included several steps including: a citizen initiative, a public hearing and a unanimous vote of the local legislative body to seek removal of the elected official, and proceeding in district court for removal of the elected official.

**Our efforts on the legislation** – UAC staff spoke with the sponsor regarding the bill and emphasized the need to make any process for removal a high enough hurdle to apply to only the most extraordinary of circumstances. Even so, the language in HB 364 was problematic enough that the legislature elected to send it to interim study.

**What to expect next on the bill** – Look for a discussion on this issue over the 2017 interim. Based on the progress of that discussion, we may see new legislation in 2018.

**Bill link** – <http://le.utah.gov/~2017/bills/static/HB0364.html>

**HB398 Procurement Code Amendments, Froerer**  
**UAC Position: MONITOR**  
**Status: ENROLLED**

**Outline of bill** – HB 398 makes a number of amendments to the Utah Procurement Code based on recommendations of a working group that met throughout the year leading up to the 2017 Legislative Session.

**Our efforts on the legislation** – UAC and county officials participated in the talks leading up to the Legislative Session and ensured that the bill didn't take any unexpected turns.

**What to expect next on the bill** – County officials who engage in county procurement should carefully review the changes made to the procurement code.

**Bill link** – <http://le.utah.gov/~2017/bills/static/HB0398.html>

---

**HB407 Utah Public Land Management Act Amendments, Noel**  
**UAC Position: MONITOR**  
**Status: ENROLLED**

**Outline of bill** – HB 407 creates the prospective Department of Land Management (from the Division of Land Management) in the event that the federal government begins transferring land to the State of Utah. The bill also spells out the procedure for selecting the director of the Department of Land Management. The director is appointed by the governor with the consent of the Senate.

**Our efforts on the legislation** – UAC didn't take a position on HB 407. The original version of the bill placed the responsibility to select a director of the Department of Land Management by a vote of county commissioners and council members, with each county having one vote. This provision was amended out of the bill before final passage.

**What to expect next on the bill** – HB 407 is set in place in the event that the federal government has a change of heart and transfers public lands to the State of Utah. Outside of that happening, HB 407 will have no impact on county government or the state.

**Bill link** – <http://le.utah.gov/~2017/bills/static/HB0407.html>

**HB437 State Training and Certification Requirements Amendments, Ivory**  
**UAC Position: SUPPORT**  
**Status: FAILED**

**Outline of bill** – HB 437 would have required that any state and local training and certification that can be made available in an online web-based format be made available in an online web-based format. The intent of the legislation was to save rural Utah communities in travel and lodging costs associated with the numerous training required and held along the Wasatch Front.

**Our efforts on the legislation** – UAC took a position to support HB 437 and the genesis of the bill arose from county concerns over costly training. Unfortunately, the bill was drafted and introduced too late in the session to gain any traction. It didn't have time to so much as receive a committee hearing.

**What to expect next on the bill** – HB 437 should return in 2018—hopefully much sooner in the session.

**Bill link** – <http://le.utah.gov/~2017/bills/static/HB0437.html>

---

**HB458 Local Government Snow Removal, Schultz**  
**UAC Position: MONITOR**  
**Status: FAILED**

**Outline of bill** – HB 458 would have prevented a county from prohibiting a person from removing snow from a road at the person's own expense in order to access property that the person owns.

**Our efforts on the legislation** – UAC didn't take a position on HB 458 mainly because the bill was drafted after the final UAC Legislative Committee meeting of the session. Given the tardiness of the bill, it didn't so much as receive a committee hearing.

**What to expect next on the bill** – HB 458 was troubling in its efforts to restrict county governance. It was drafted over a specific incidence and may return at a future date.

**Bill link** – <http://le.utah.gov/~2017/bills/static/HB0458.html>

**SB29 Utah Marriage Commission Amendments, Christensen**

**UAC Position: MONITOR**

**Status: FAILED**

**Outline of bill** – SB 29 would have increased the marriage license fee by \$20 but would have provided a rebate program should couples offer proof of premarital education or counseling. The additional license fees would be used to support and fund the Utah Marriage Commission.

**Our efforts on the legislation** – UAC was working with the sponsor to amend language in the bill removing county officials licensed to perform marriages from the list of qualified persons to offer premarital counseling. Before our amendment made it into the legislation, it was defeated on the Senate floor.

**What to expect next on the bill** – Different version of SB 29 have been introduced from time to time at the legislature. There is a good chance this concept will return again.

**Bill link** – <http://le.utah.gov/~2017/bills/static/SB0029.html>

---

**SB50 Automobile Insurance Registry Amendments, Fillmore**

**UAC Position: NEUTRAL**

**Status: ENROLLED**

**Outline of bill** – SB 50 amends provisions relating to evidence of a motor vehicle owner's insurance in the event where a peace officer is considering seizing the vehicle.

**Our efforts on the legislation** – UAC took an interest in SB 50 when, in an earlier version of the bill, it permitted a motor vehicle owner to bring a cause of action against a public entity that employs a law enforcement officer that improperly seizes a motor vehicle. The troubling language was removed in a later version of the bill and UAC dropped its opposition to the bill.

**What to expect next on the bill** – As it is drafted, SB 50 does very little.

**Bill link** – <http://le.utah.gov/~2017/bills/static/SB0050.html>

---

**SB77 Vehicle Safety Inspection Amendments, Ipson**

**UAC Position: SUPPORT**

**Status: FAILED**

**Outline of bill** – SB 77 would have increased the frequency with which a motor vehicle is required to pass a safety inspection by adding the vehicle's sixth year to the vehicle safety inspection schedule.

**Our efforts on the legislation** – SB 77 was diametrically opposed to HB 265 which does away with safety inspections for most motor vehicles. Since HB 265 moved through the House and Senate and ultimately was enrolled, SB 77 struggled to gain any traction.

**What to expect next on the bill** – This issue is dead for now.

**Bill link** – <http://le.utah.gov/~2017/bills/static/SB0077.html>

**SB81 Local Government Licensing Amendments, Anderegg**

**UAC Position: NEUTRAL**

**Status: ENROLLED**

**Outline of bill** – SB 81 prohibits a city or county from imposing a business license fee to a home based business unless the combined offsite impact of the home based business and the primary residential use materially exceeds the offsite impact of the primary residential use alone.

**Our efforts on the legislation** – UAC and the League of Cities and Towns worked with the sponsor to find language for the bill that addressed the sponsor’s concerns but still didn’t create too much of a loophole for at-home businesses. The sponsor has brought this bill to the legislature for each of the past several years and would have continued to do so until we worked with him.

**What to expect next on the bill** – Hopefully, the passage of SB 81 will satisfy proponents of the bill and put the issue to rest for a time.

**Bill link** – <http://le.utah.gov/~2017/bills/static/SB0081.html>

---

**SB90 Vehicle Inspection and Registration Amendments, Anderegg**

**UAC Position: MONITOR**

**Status: ENROLLED**

**Outline of bill** – SB 90 provides exemptions from infractions related to vehicle registration, safety inspection, and emissions inspection requirements provided the infraction occurred within two months after the expiration of the vehicle’s registration and the owner registers the vehicle within 14 days of the citation.

**Our efforts on the legislation** – UAC took no position on SB 90 and simply monitored the bill to ensure that it didn’t become problematic.

**What to expect next on the bill** – Counties will likely see a reduction in fine revenues but an increase in emissions inspection certificates.

**Bill link** – <http://le.utah.gov/~2017/bills/static/SB0090.html>

**SB97 Public Meeting Minutes Amendments, Van Tassell**

**UAC Position: SUPPORT**

**Status: ENROLLED**

**Outline of bill** – SB 97 allows for a public body to satisfy the requirement of minutes including the substance of matter by maintaining a publicly available online version of the minutes with a link to a meeting recording of the discussion of the matter of substance.

**Our efforts on the legislation** – UAC took a position to support SB 97 as it gives counties more options in how they'll keep meeting minutes.

**What to expect next on the bill** – If your county elects to use recorded minutes in place of written minutes, please ensure that you comply with the provisions included in SB 97.

**Bill link** – <http://le.utah.gov/~2017/bills/static/SB0097.html>

---

**SB137 State Auditor Fiscal Auditing and Reporting Amendments, Bramble**

**UAC Position: MONITOR**

**Status: ENROLLED**

**Outline of bill** – SB 137 authorizes the state auditor to seek judicial relief to take temporary custody of public funds if the state auditor determines an action is necessary to protect public funds from being improperly diverted from their intended public purpose.

**Our efforts on the legislation** – SB 137 began as a vastly different bill, but was substituted very late in the process to grant the state auditor a great deal of authority in taking custody of public funds. The changes to SB 137 came about after several highly publicized governmental scandals.

**What to expect next on the bill** – Hopefully nothing. If you're impacted by SB 137, that means something is terribly wrong.

**Bill link** – <http://le.utah.gov/~2017/bills/static/SB0137.html>

**SB140 Annexation of Islands Within Cities, Buxton**

**UAC Position: SUPPORT**

**Status: ENROLLED**

**Outline of bill** – SB 140 modifies annexation procedures to allow a municipality to annex certain unincorporated islands without allowing or considering protests should a number of requirements be met.

**Our efforts on the legislation** – UAC worked with the sponsor of SB 140 to ensure that the bill still preserved the counties' say in annexations. The provisions of the bill are limited to those annexations that make sense to both the county and the city involved.

**What to expect next on the bill** – Please review the provisions of the bill if you're considering an annexation within your county.

**Bill link** – <http://le.utah.gov/~2017/bills/static/SB0140.html>

---

**SB205 Area Assessment Amendments, Van Tassell**

**UAC Position: SUPPORT**

**Status: FAILED**

**Outline of bill** – SB 205 would have raised the threshold for protesting a sewage assessment area from 40 percent of the property within the assessment area to 50 percent.

**Our efforts on the legislation** – UAC took a position to support SB 205, reasoning that perhaps sewage assessment areas deserved to be treated differently than other assessment areas. The original version of the bill set the threshold for protest at 70 percent but was amended on the Senate floor to 50 percent. It was then circled and failed to advance any further.

**What to expect next on the bill** – It's unclear whether this bill will return.

**Bill link** – <http://le.utah.gov/~2017/bills/static/SB0205.html>

---

**SB242 Government Records Access and Management Act Amendments, Bramble**

**UAC Position: SUPPORT**

**Status: ENROLLED**

**Outline of bill** – SB 242 allows a governmental entity to ignore a GRAMA request from an incarcerated individual. The bill does allow up to five GRAMA requests from an inmate a calendar year if those requests make specific reference to the requester.

**Our efforts on the legislation** – UAC took a position to support SB 242. Bored inmates clogging the system with frivolous GRAMA requests have become a bigger and bigger problem in the state. SB 242 addresses that issue.

**What to expect next on the bill** – Hopefully less frivolous GRAMA requests to the counties.

**Bill link** – <http://le.utah.gov/~2017/bills/static/SB0242.html>

**SB250 Food Truck Licensing and Regulation, Henderson**  
**UAC Position: MONITOR**  
**Status: ENROLLED**

**Outline of bill** – SB 250 prevents a political subdivision from requiring multiple business licenses, permits, or fees for a food truck to operate in more than one location within the political subdivision. It also requires a subdivision to grant a business license to a food truck operator who presents certain safety certificates and a business license from another political subdivision.

**Our efforts on the legislation** – UAC worked a great deal with the sponsor on this legislation to ensure a balance be struck between the owners and operators of food trucks and the political subdivisions regulating them. In the end SB 250 reaches that balance.

**What to expect next on the bill** – Counties should review the new requirements associated with business licenses and food handler permits for food trucks.

**Bill link** – <http://le.utah.gov/~2017/bills/static/SB0250.html>

## Human Services

---

Human service committees examined, discussed, and debated some of the most impactful topics for the 2017 Legislative Session including behavioral health treatment, the opioid epidemic, and justice reinvestment. These topics are important to the county behavioral health treatment system, both funding and policy.

The Utah Behavioral Healthcare Committee monitored almost a 100 bills that had either direct affect upon the behavioral health treatment system or nexus to its functions. The six bills listed below are those with direct impact upon the county behavioral treatment providers and were brought before the UAC Legislative Committee.

Behavioral health providers worked on HB 50 and HB 90 to discuss the issues of opioid epidemic and institute tools that will help address this important issue. HB 246 is an issue that allows for a continuation of the Systems of Care program within the Department of Human Services that will work in conjunction with the Juvenile Justice Amendments. HB 286 allows for court-ordered treatment for individuals suffering from a substance use disorder. HB 452 will be a continued work on how to approach funding the day-to-day needs of homeless shelters. SB 37 establishes a commission to implement a statewide mental health crisis line that will allow greater access to mental health interventions when needed.

Staff would like to recognize and appreciate our Legislators that paid particular attention to county issues: Speaker Hughes, Representative Hutchings, and Representative Sanpei that met with UAC several times before and during the session to discuss funding JRI – we now have a great opportunity to get people into treatment; and Senator Christensen and Representative Ray as the chairs of the Social Service Appropriations Committee were champions to support Medicaid Match, including a heavy lift of additional funding.

Below, is a list of the human service issues UAC tracked during the session.

## **HB50 Opioid Prescribing Regulations, Ward**

**UAC Position: SUPPORT**

**Status: ENROLLED**

**Outline of bill** – HB 50 incorporates several changes to the prescribing practices that will require a first-time prescription for opioids to be limited to seven days for those not suffering from chronic pain. However, a prescriber may prescribe another 30-day supply with a partial fill at the discretion of the practitioner. The prescriber is also required to check the Controlled Substance Database to ensure that the individual does not have other opioid prescriptions elsewhere.

**Our efforts on the legislation** – UBHC worked closely with the sponsor before the legislative session and then made this bill a priority bill for the group and brought it to UAC as important step in moving forward with the Justice Reinvestment Initiative and preventive measures that can be taken to help one of the State’s worst epidemics. UBHC represented UAC and testified in support of the bill at the committee hearings and contacted legislators on the importance of this bill.

**What to expect next on the bill** – Prescribers will be required to follow a number of different preventive measures but there will be no additional burden upon behavioral health treatment providers. However, the State will be working on how to incorporate the measures into the “Opidemic Campaign.”

**Bill link** – <http://le.utah.gov/~2017/bills/hbillenr/HB0050.pdf>

---

## **HB90 Insurance Opioid Regulation, Ward**

**UAC Position: SUPPORT**

**Status: ENROLLED**

**Outline of bill** – HB 90 requires the insurance providers offered to state employees, the Medicaid program, and workers’ compensation insurance to establish policies that will help to minimize the risk of opioid addiction and overdose. Those plans and policies will be required to report back to the Health and Human Services Interim Committee and has a sunset for July1, 2022. The topics requiring policies will be chronic co-prescription of opioids with benzodiazapines, prescriptions of very high dose opioids, the inadvertent transition of short-term opioids for an acute injury into long-term opioid dependence, non-narcotic treatment alternatives for patients who have chronic pain, or medication-assisted treatment for patients who have opioid dependence disorder.

**Our efforts on the legislation** – As with Representative Ward’s other opioid bill, UBHC worked closely with the sponsor before the legislative session and then made this bill a priority bill for the group and brought it to UAC as important step in moving forward with the Justice Reinvestment Initiative and preventive measures that can be taken to help one of the State’s worst epidemics. UBHC represented UAC and testified in support of the bill at the committee hearings and contacted legislators on the importance of this bill.

**What to expect next on the bill** – Health Insurers will be reporting to the Health and Human Services Interim Committee and this will be another tool that will allow prevention of opioid addiction and overdose. There will be no additional burdens upon the county behavioral health providers.

**Bill link** – <http://le.utah.gov/~2017/bills/hbillenr/HB0090.pdf>

**HB246 System of Care Development, Edwards**  
**UAC Position: MONITOR**  
**Status: ENROLLED**

**Outline of bill** – HB 246 defines the System of Care program within the Department of Human Services that allows for children to remain within the home settings to integrate service planning, coordination and management across state and local entities. The bill also allows for additional authority to develop the program and centralize department operations, including procurement and contracting as well as allocate resources that may be used for children and families served by the department or the divisions.

**Our efforts on the legislation** – After expressed concerns during the discussion of Juvenile Justice Amendments, the behavioral health providers have been assured by Juvenile Justice Servants and Representative Snow that these efforts will be coordinated to make sure that all state and county resources will be coordinated for the best situation for the child and the family. The System of Care program will include county behavioral health treatment for those children suffering from mental health illness or substance use disorders.

**What to expect next on the bill** – Public behavioral health treatment providers will coordinate with the different state agencies including the Department of Human Services, Division of Substance Abuse and Mental Health, Juvenile Justice Services, etc.

**Bill link** – <http://le.utah.gov/~2017/bills/hbillenr/HB0246.pdf>

---

**HB286 Essential Treatment and Intervention Act, Christensen**  
**UAC Position: MONITOR**  
**Status: ENROLLED**

**Outline of bill** – HB 286 establishes a system for court-ordered essential treatment and interventions for an individual over the age of 18. These court-ordered treatments would be to a local substance abuse authority or an approved treatment facility or program. This would allow and enable caring relatives to seek essential treatment and intervention through a petition with the district court of the county in which the sufferer of the substance use disorder resides. The cost will be carried by the petitioner (aka caring relative) for those that suffer from a substance use disorder, can benefit for treatment, is unlikely to benefit from less-restrictive alternative treatment, and presents a serious harm to self or others.

**Our efforts on the legislation** – UAC staff and treatment providers worked with the sponsor and advocates of treatment and recovery to ensure that costs would be covered by petitioners as to not burden the current system.

**What to expect next on the bill** – Treatment providers expect to see more petitions of those needing additional resources and fit those four different categories. However, staff does not expect additional financial burden upon the system because the petitioner will cover those costs.

**Bill link** – <http://le.utah.gov/~2017/bills/hbillenr/HB0286.pdf>

## **HB452 Homeless Services Amendments**

**UAC Position: MONITOR**

**Status: FAILED**

**Outline of bill** – HB 452 would have introduced a property tax upon the county that would be annually deposited into the Homeless to Housing Reform Restricted Account. This additional tax would provide services for those shelters of at least 200 individuals per night and operates year-round and would be used for those day-to-day services. The bill would have been implemented on January 30, 2018 and each different class of county would pay a different amount depending on the population as part of the last census. Those cities with a homeless shelter would have received a \$900 per bed credit.

**Our efforts on the legislation** – UAC staff worked closely with the sponsor and making the adjustment from a sales tax change that would be withheld from the current structure to a property tax that would be simpler to impose. However, the committee was hesitant to support the bill that would impose such a tax increase without vetting and strong support. Staff worked to inform the UAC Legislative Committee of the changes that happened quickly and will continue to work with the sponsor as he continues to address the issue.

**What to expect next on the bill** – Staff spoke with the sponsor after the bill didn't come out of committee and he has committed to continue working on the bill over the interim because he sees the need to figure out the funding for the continual operation of the homeless shelters that are being proposed.

**Bill link** – <http://le.utah.gov/~2017/bills/hbillint/HB0452S01.pdf>

---

## **SB37 Statewide Crisis Line, Thatcher**

**UAC Position: SUPPORT**

**Status: ENROLLED**

**Outline of bill** – SB 37 sets up the Mental Health Crisis Line Commission, establish the membership, and a report to the Political Subdivisions Interim Committee. The commission will include the executive director of the University Neuropsychiatric Institute, the governor or the governor's designee, the director of the Division of Substance Abuse and Mental Health, one representative of the Office of the Attorney General, one member of the public as appointed by the chair, two individuals who are mental or behavioral health clinicians, and a licensed as a physician, an individual who represents a first or second class county appointed by UAC, and one individual of the third, fourth, or fifth class counties appointed by UAC. The commission shall report before November 30, 2017.

**Our efforts on the legislation** – UAC staff informed the sponsor about the current mental health crisis system and worked to lay out any possible issues of instituting a single crisis line without coordination of current systems. Also, there is concern of the three-digit number that will be used and other coordination of phone carriers, etc. The sponsor saw the need to delay implementation until all these details could be sorted.

**What to expect next on the bill** – UAC will be appointing two different members to the commission who will work over the next year to ensure that this will be a useful tool to address the mental health crisis.

**Bill link** – <http://le.utah.gov/~2017/bills/sbillenr/SB0037.pdf>

## Insurance Issues

---

Insurance coverage, workplace practices, premiums, injury claims—these are all issues the legislature tackled during the 2017 Legislative Session. UAC tracked a number of these bills as they impacted county government.

---

### **HB153 Uninsured and Underinsured Motorist Coverage Amendments, Kennedy**

**UAC Position: OPPOSE**

**Status: FAILED**

**Outline of bill** – HB 153 would have required any policy of a business entity that allows an employee to drive a vehicle owned by the business entity to include uninsured motorist coverage for the employee. The uninsured motorist coverage of a policy would have been required to be no less than the lesser of the business entity's motor vehicle liability coverage or the maximum uninsured motorist coverage limits made available by the insurer under the business entity's motor vehicle policy (but no less than \$250,000 per person and \$500,000 per occurrence).

**Our efforts on the legislation** – UAC took a position to oppose HB 153. The bill failed to gain any real traction in the legislature and failed to receive a vote on the House floor.

**What to expect next on the bill** – This issue may return to the legislature.

**Bill link** – <http://le.utah.gov/~2017/bills/static/HB0153.html>

---

### **HB213 Workplace Discrimination Amendments, Wheatley**

**UAC Position: OPPOSE**

**Status: FAILED**

**Outline of bill** – HB 213 would have modified provisions related to workplace discrimination, including: remedies available to an administrative action based on prohibited employment practices, provides for civil actions seeking relief from discriminatory or prohibited employment practices. The bill also would have barred further agency action if a civil action is commenced and removed language related to exclusive remedy.

**Our efforts on the legislation** – Concerned over the liability HB 213 created for county government, UAC took a position to oppose HB 213. The bill was held in committee.

**What to expect next on the bill** – This bill has a long way to go if proponents want to see it enrolled.

**Bill link** – <http://le.utah.gov/~2017/bills/static/HB0213.html>

**SB30 Insurance Premium Tax Amendments, Bramble**

**UAC Position: MONITOR**

**Status: FAILED**

**Outline of bill** – SB 30 would have modified provisions related to the insurance premium tax and earmarked revenues for the Firefighters' Retirement Trust Fund and Fire Academy Support Account from the state's general fund.

**Our efforts on the legislation** – UAC monitored but did not take a position on SB 30. The bill didn't receive the funding it needed to become law.

**What to expect next on the bill** – Look for this appropriation request to return next year.

**Bill link** – <http://le.utah.gov/~2017/bills/static/SB0030.html>

---

**SB98 Excess Damages Claims, Iwamoto**

**UAC Position: NEUTRAL**

**Status: ENROLLED**

**Outline of bill** – SB 98 modifies the inflationary adjustment formula for personal injury damages caps and the board of examiner process for reporting claims for damages for personal injury. The fiscal analyst's office estimates the adjusted inflationary formula could result in additional costs to the state of \$25,000 a year. No figures were given at the local level.

**Our efforts on the legislation** – UAC staff and county officials worked closely with the sponsor throughout interim. SB 98 was a continuation of our efforts on 2016's SB 192 that originally set out to make sweeping changes to tort reform.

**What to expect next on the bill** – Hopefully, our efforts on SB 98 will put the tort issue to rest for at least a few years.

**Bill link** – <http://le.utah.gov/~2017/bills/static/SB0098.html>

---

**SB156 Local Public Safety and Firefighter Surviving Spouse Trust Fund Amendments, Weiler**

**UAC Position: SUPPORT**

**Status: ENROLLED**

**Outline of bill** – SB 156 modifies the Public Safety Code by amending provisions relating to line-of-duty death benefits for surviving spouses and their children. The bill provides that a law enforcement agency or other state or local government agency whose employees are eligible to earn service credit in a Utah Retirement System is required to participate in the Local Public Safety and Firefighter Surviving Spouse Trust Fund. Participation in the fund will cost an agency \$95 a year per public safety employee.

**Our efforts on the legislation** – UAC worked with the sponsor on SB 156 to help make the Local Public Safety and Firefighter Surviving Spouse Trust Fund solvent.

**What to expect next on the bill** – Counties will need to budget a little extra for public safety employees.

**Bill link** – <http://le.utah.gov/~2017/bills/static/SB0156.html>

## Local Districts

---

Local districts became a hot legislative item during the 2017 Legislative Session. A number of bills set out to define them, clarify their taxing authority, and present a process for the withdrawal from a local district.

---

### **HB195 Dissolution of Local Districts, Fawson**

**UAC Position: MONITOR**

**Status: ENROLLED**

**Outline of bill** – HB 195 clarifies the process for dissolution of a local district initiated through petition. It also clarifies the steps that must take place after a ballot measure to dissolve passes and the handling of a dissolved local district's assets and debts.

**Our efforts on the legislation** – UAC monitored HB 195, but took no action on the bill.

**What to expect next on the bill** – County election officers will need to be aware of the changes to the petition process for local district dissolution.

**Bill link** – <http://le.utah.gov/~2017/bills/static/HB0195.html>

---

### **HB229 Amendments Relating to Local Districts, McCay**

**UAC Position: OPPOSE**

**Status: ENROLLED**

**Outline of bill** – HB 229 allows for a municipality to withdraw from a local district that provides fire protection, paramedic, and emergency services or law enforcement service without a vote of the people.

**Our efforts on the legislation** – UAC took a position to oppose HB 229. However, the bill received wide support and passed out of the legislature fairly easy.

**What to expect next on the bill** – Counties who have created public safety local districts may see an uptick in cities withdrawing from those districts.

**Bill link** – <http://le.utah.gov/~2017/bills/static/HB0229.html>

**SB94 Local District Revisions, Fillmore**

**UAC Position: MONITOR**

**Status: ENROLLED**

**Outline of bill** – SB 94 requires a member of the an appointed board of trustees of a local district to report a proposed property tax increase to the legislative body that appointed or nominated the member to the board of trustees in an open and public meeting.

**Our efforts on the legislation** – The original version of SB 94 required that in order for a local district to levy an increased property tax, two-thirds of the legislative bodies of the cities and counties that constitute the local district would have to approve the levy. UAC worked with the sponsor and the League of Cities and Towns to amend this language.

**What to expect next on the bill** – County legislative bodies may have to allot time on their agendas to hear reports from local districts interested in levying additional property taxes.

**Bill link** – <http://le.utah.gov/~2017/bills/static/SB0094.html>

---

**SB143 Local District Board Amendments, Stevenson**

**UAC Position: MONITOR**

**Status: ENROLLED**

**Outline of bill** – SB 143 clarifies appointment provisions regarding local district boards of trustees regarding appointments and vacancies.

**Our efforts on the legislation** – UAC did not take a position on SB 143 but thought it wise to monitor the bill. It passed easily without objection.

**What to expect next on the bill** – SB 143 shouldn't affect county government.

**Bill link** – <http://le.utah.gov/~2017/bills/static/SB0143.html>

## Planning and Zoning

---

As with every legislative session, the Utah legislature takes a particular interest in bills dealing with local land use authority. This has been a trend in the legislature for years, and the 2017 Legislative Session was no different.

During the 2017 Legislative Session, the legislature tackled issues of short-term rentals as well as affordable housing, among other things, in regards to planning and zoning.

---

### **HB178 Good Landlord Amendments, King**

**UAC Position: SUPPORT**

**Status: ENROLLED**

**Outline of bill** – HB 178 prohibits a municipality from requiring a residential landlord to deny tenancy to an individual based on the individual's criminal history unless a halfway house is located within the municipality in order to qualify for the municipality's good landlord program. In the event that there is a halfway house within the municipality, the municipality can include a prohibition.

**Our efforts on the legislation** – UAC took a position to support HB 178 and appreciates the sponsor's efforts.

**What to expect next on the bill** – Any county who engages in a good landlord program will need to be aware of what is and isn't permitted under law.

**Bill link** – <http://le.utah.gov/~2017/bills/static/HB0178.html>

---

### **HB232 Land Use Amendments, Schultz**

**UAC Position: SUPPORT**

**Status: ENROLLED**

**Outline of bill** – HB 232 codifies some legal rulings and "clarifies" procedures and processes. It also moves engineering standards under the LUDMA umbrella.

**Our efforts on the legislation** – Mostly a technical bill, HB 232 was worked on with representatives from the cities and counties throughout the interim. UAC staff and county officials helped craft the bill and UAC took a position to support HB 232. It passed without a single nay vote.

**What to expect next on the bill** – County planning officials should review HB 232 to understand the changes to land use the bill makes.

**Bill link** – <http://le.utah.gov/~2017/bills/static/HB0232.html>

**HB253 Short-term Rental Amendments, Knotwell****UAC Position: SUPPORT****Status: ENROLLED**

**Outline of bill** – HB 253 prevents a political subdivision from prohibiting an individual from listing or offering a short-term rental on a short-term rental website.

**Our efforts on the legislation** – HB 253 changed a great deal over the course of the 2017 Legislative Session. The original version of the bill set out to also prevent a political subdivision from prohibiting an owner-occupied short-term rental. Meaning that a political subdivision couldn't zone against short-term rentals where the owner is present while the renter is staying in the home. Efforts by the League of Cities and Towns and UAC resulted in the version of the bill that ultimately passed.

**What to expect next on the bill** – The legislature is watching carefully the manner in which cities and counties are regulating short-term rentals. Should it feel political subdivision are too heavy handed in their regulations, the legislature could return with additional prohibitions on local government regulations of short-term rentals.

**Bill link** – <http://le.utah.gov/~2017/bills/static/HB0253.html>

---

**HB301 Canal Safety Amendments, Sandall****UAC Position: MONITOR****Status: ENROLLED**

**Outline of bill** – HB 301 requires a land use authority to send notice to certain canal owners and operators about a land use application and requires land use authority to wait for a period of days before acting on a land use application in order to allow input from the canal owners and operators.

**Our efforts on the legislation** – HB 301 originated with the Executive Water Task Force over the summer. UAC monitored the bill but took no position on it.

**What to expect next on the bill** – Counties should be aware of the changes in notice associated with HB 301.

**Bill link** – <http://le.utah.gov/~2017/bills/static/HB0301.html>

**HB304 Water Conservation Amendments, Froerer**

**UAC Position: OPPOSE**

**Status: FAILED**

**Outline of bill** – HB 304 would have required that each retail water provider’s existing water conservation plans shall contain water use reduction goals and measures for residential, commercial, and industrial uses.

**Our efforts on the legislation** – UAC’s opposition to HB 304 was based on the original version of the bill that prohibited a local government from requiring any more than 5 percent of property be landscaped with vegetation within a commercial or industrial zone. With the substituted bill, UAC likely would have dropped its opposition to the bill had we discussed the bill again. As it was, the bill failed to receive a vote in the Senate after passing the House.

**What to expect next on the bill** – This issue may return—hopefully, in the substituted version.

**Bill link** – <http://le.utah.gov/~2017/bills/static/HB0304.html>

---

**HB339 Economic Development and Low Income Housing Amendments, Coleman**

**UAC Position: MONITOR**

**Status: FAILED**

**Outline of bill** – HB 339 would have removed the housing allocation requirement for community reinvestment project areas. Tax increment is a primary source of affordable housing funds in the state.

**Our efforts on the legislation** – UAC worked with county officials on HB 339. The bill was problematic, but UAC staff held out hope that a compromise could be reached with the sponsor. Before any compromise could be reached, the bill stalled in committee and the sponsor moved her efforts to another bill that set out to do the same thing (HB 424).

**What to expect next on the bill** – Hopefully, this issue is dead, but UAC will be diligent in monitoring any attempts to harm affordable housing funding moving forward.

**Bill link** – <http://le.utah.gov/~2017/bills/static/HB0339.html>

---

**HB408 State Property and School and Institutional Trust Land Amendments, Noel**

**UAC Position: MONITOR**

**Status: FAILED**

**Outline of bill** – HB 408 would have prohibited a municipality or county from having any planning and zoning authority over any school and institutional trust land including land leased to another entity.

**Our efforts on the legislation** – UAC didn’t take a position on HB 408 but was concerned with the potential impact the bill might have should it pass. UAC staff worked with the sponsor and SITLA and reached an agreement that the bill would be held.

**What to expect next on the bill** – UAC staff is ready to discuss this issue over the interim and continue working with all parties in any effort to reach a compromise.

**Bill link** – <http://le.utah.gov/~2017/bills/static/HB0408.html>

**HB424 Community Reinvestment Agency Revisions, Coleman**

**UAC Position: OPPOSE**

**Status: FAILED**

**Outline of bill** – HB 424 would have removed the housing allocation requirement for certain community reinvestment projects. Tax increment is a primary source of affordable housing funds in the state.

**Our efforts on the legislation** – After HB 339 stalled in committee, its sponsor introduced HB 424 in an effort to find an easier path to passage. The final version of HB 424 limited the impact of HB 339, but still would have severely harmed affordable housing funding in the state. UAC took a position to oppose HB 424 and it, like HB 339 before it, failed to pass out of committee.

**What to expect next on the bill** – Hopefully, this issue is dead, but UAC will be diligent in monitoring any attempts to harm affordable housing funding moving forward.

**Bill link** – <http://le.utah.gov/~2017/bills/static/HB0424.html>

---

**SB189 Oil and Gas Operations Amendments, Hinkins**

**UAC Position: MONITOR**

**Status: FAILED**

**Outline of bill** – SB 189 would have granted the Board of Oil, Gas, and Mining exclusive authority to regulate oil and gas operations.

**Our efforts on the legislation** – The sponsor of SB 189 was gracious to work with the counties over concerns concerning SB 189. After a number of amendments, he agreed to hold the bill for continued negotiations over the interim.

**What to expect next on the bill** – UAC will continue working with the sponsor and other interested parties on this issue over the interim. Look for a consensus bill in 2018.

**Bill link** – <http://le.utah.gov/~2017/bills/static/SB0189.html>

**SB241 Local Government Plan Review Amendments, Bramble**

**UAC Position: MONITOR**

**Status: ENROLLED**

**Outline of bill** – SB 241 establishes a time period for a city or county to review construction plans. Local government has 14 business days to complete an initial plan review of a construction project for a one to two family dwelling and 21 business days to complete an initial plan review of a larger residential structure.

**Our efforts on the legislation** – SB 241 arose out of concerns within the construction industry over long wait periods for approval within certain jurisdictions. UAC worked with the sponsor and other interested parties in amending the bill to allow local government sufficient time to comply with the provisions of the bill. Additionally, SB 241 has a sunset date of July 1, 2018, giving all parties a year to find a long-term workable solution.

**What to expect next on the bill** – UAC will continue to work with other parties in an effort to find a better compromise. In the interim, counties will need to comply with the timeline spelled out in SB 241 for the next year.

**Bill link** – <http://le.utah.gov/~2017/bills/static/SB0241.html>

## Public Safety and Courts

---

While much of the public safety and courts issues during the 2017 Legislative Session were tackled through the appropriation process, there were a number of pieces of legislation that impacted the counties' responsibility in this important area.

Below is a list of each bill dealing with public safety and court that UAC tracked during the session.

---

### **HB19 Civil Asset Forfeiture Reform Amendments, Greene**

**UAC Position: OPPOSE**

**Status: FAILED**

**Outline of bill** – HB 19 would have crippled civil asset forfeiture by requiring a direct nexus of the property to a specific alleged criminal exchange in order for the property to be forfeited. It also would have expanded the definition of an innocent owner to include pretty much anyone.

**Our efforts on the legislation** – UAC and county officials took a position to oppose HB 19 and worked vigorously to keep it from passing. A public safety backed asset forfeiture bill, SB 87, was also introduced in the session and a compromise was reached to endorse SB 87 and abandoned HB 19.

**What to expect next on the bill** – Civil asset forfeiture continues to be a issue of great interest to a number of libertarian groups. More legislation may follow.

**Bill link** – <http://le.utah.gov/~2017/bills/hbillenr/HB0019.pdf>

---

### **HB79 Private Attorney General Doctrine, Greene**

**UAC Position: OPPOSE**

**Status: FAILED**

**Outline of bill** – HB 79 would have repealed a provision that disavows the private attorney general doctrine. The private attorney general doctrine would allow private litigants who sue governmental to recover attorney fees provided the plaintiff successfully asserts that the goal of the lawsuit was to protect an interest transcending the plaintiff's own and that its intention was to vindicate a strong public policy.

**Our efforts on the legislation** – UAC strongly opposed HB 79 and worked to ensure that it failed in the Senate. It didn't receive a vote on the Senate floor but we were confident that we had the votes to kill it had it done so.

**What to expect next on the bill** – This will be back. We'll be ready.

**Bill link** – <http://le.utah.gov/~2017/bills/hbillenr/HB0079.pdf>

**HB149 Child Abuse Offender Registry, Owens**

**UAC Position: MONITOR**

**Status: ENROLLED**

**Outline of bill** – HB 149 creates the Child Abuse Offender Registry to be administered by the Department of Corrections. The bill requires persons convicted of felony child abuse and human trafficking to register with the registry. The registry will function much like the sex offender registry. Local law enforcement agencies will also be required to register child abuse offenders with the Department of Corrections. Offenders will then be charged a \$25 fee to local law enforcement agencies at the time of registration.

**Our efforts on the legislation** – While UAC appreciates the efforts of the legislation, we did not take a position on the bill because should the registry mirror the sex offender registry; the cost to county law enforcement to register offenders will exceed the \$25 fee collected at registration.

**What to expect next on the bill** – County law enforcement will want to work closely with the Department of Corrections to comply with the requirements of the legislation.

**Bill link** – <http://le.utah.gov/~2017/bills/hbillenr/HB0149.pdf>

---

**HB237 Firearms and Domestic Violence Modifications, Perry**

**UAC Position: SUPPORT**

**Status: FAILED**

**Outline of bill** – HB 237 would have done two major things: 1) prohibited a perpetrator of domestic violence from possessing a firearm and 2) removed concealed carry prohibitions for individuals who lawfully own a firearm.

**Our efforts on the legislation** – HB 237 was one of the more controversial bills of the 2017 Legislative Session. While UAC took a position to support the bill, UAC staff did little work on the bill. It passed the House but failed to receive a committee hearing in the Senate.

**What to expect next on the bill** – At least one of the two major pieces of the bill will likely return to the legislature (if not both).

**Bill link** – <http://le.utah.gov/~2017/bills/hbillenr/HB0237.pdf>

**HB239 Juvenile Justice Amendments, Snow**

**UAC Position: MONITOR**

**Status: ENROLLED**

**Outline of bill** – HB 239 reforms the juvenile justice system in much the same way the adult justice system was reformed with the Justice Reinvestment Initiative.

**Our efforts on the legislation** – UAC and county officials worked closely with the sponsor of HB 239 to amend the bill to alleviate county concerns. HB 239 was substantially narrowed from its original version—removing a number of unfunded costs to counties at the court level. In addition, the delay in effective date for parts of the legislation lessens the immediate impacts of the bill.

**What to expect next on the bill** – Counties will continue working with the sponsor of the bill to improve the code. UAC will take a lead on this work.

**Bill link** – <http://le.utah.gov/~2017/bills/hbillenr/HB0239.pdf>

---

**HB260 Drug and Alcohol Treatment Related to Bail Amendments, Redd**

**UAC Position: MONITOR**

**Status: FAILED**

**Outline of bill** – HB 260 would have provided drug or alcohol detoxification procedures as an alternative to bail procedures. Provided a person completes the detoxification procedure, he or she may be released on the person's own recognizance.

**Our efforts on the legislation** – UAC did not take a position on the bill, but was concerned as to the availability of such detoxification procedures throughout the state. The bill was held in committee.

**What to expect next on the bill** – There likely needs to be more work on this idea before it returns to the legislature.

**Bill link** – <http://le.utah.gov/~2017/bills/hbillenr/HB0260.pdf>

**HB381 Law Enforcement Body Camera Footage Amendments, Ray**  
**UAC Position: MONITOR**  
**Status: ENROLLED**

**Outline of bill** – HB 381 provides that any release of recordings made by a body camera that is worn by a law enforcement officer shall be subject to GRAMA and allows a requestor to immediately appeal to a district court any denial of access to a recording if that denial is based solely on the grounds of a pending criminal action.

**Our efforts on the legislation** – County attorneys worked with the sponsor and the media to craft HB 381 to provide some clarity to the existing police-worn body camera code.

**What to expect next on the bill** – County sheriff offices and attorney offices get some clarification on the nature of police-worn body camera recordings.

**Bill link** – <http://le.utah.gov/~2017/bills/hbillenr/HB0381.pdf>

---

**HB399 Governmental Immunity Amendments, Snow**  
**UAC Position: SUPPORT**  
**Status: ENROLLED**

**Outline of bill** – HB 399 provides that governmental immunity is preserved for an injury arising out of or in connection with, or resulting from, certain conduct or conditions even if immunity would otherwise be waived. This fixes issues arising out of the Barneck court decision. The bill also allows a claimant to begin an action after the applicable time limit if a previous timely action failed or was dismissed, other than on the merits, and other conditions are met.

**Our efforts on the legislation** – UAC worked with the sponsor and other interested parties to ensure that the bill was enrolled as drafted.

**What to expect next on the bill** – HB 399 improves Utah's governmental immunity law by correcting some recent court decisions.

**Bill link** – <http://le.utah.gov/~2017/bills/hbillenr/HB0399.pdf>

**HB461 Jail Contracting Amendments, Noel**

**UAC Position: SUPPORT**

**Status: ENROLLED**

**Outline of bill** – HB 461 increases the daily rate for treatment beds in county facilities for state inmates from 86 to 89 percent of state incarceration rate. County facilities that qualify for this rate include those contracted to offer treatment approved by the Department of Corrections. The provisions of the bill work out to \$0.5 million to county government.

**Our efforts on the legislation** – UAC and county sheriffs worked with the sponsor and legislature to continue the legislature’s support of the jail contracting program.

**What to expect next on the bill** – The passage of HB 461 will result in an increased rate for treatment beds.

**Bill link** – <http://le.utah.gov/~2017/bills/hbillenr/HB0461.pdf>

---

**SB12 Expungement Amendments, Thatcher**

**UAC Position: MONITOR**

**Status: ENROLLED**

**Outline of bill** – SB 12 makes changes to provision regarding expungements by specifying that infractions, traffic offenses, and certain minor offences will not count towards expungement availability. The bill further allows for an increase in the number of convictions counted to be eligible for expungement and allows the court during sentencing in a criminal prosecution to take into account if the level of the offense has been reduced since the defendant's conviction.

**Our efforts on the legislation** – UAC monitored SB 12 but never adopted a formal position on the bill.

**What to expect next on the bill** – Changes to expungement law for the benefit of individuals seeking expungement of their records.

**Bill link** – <http://le.utah.gov/~2017/bills/static/SB0012.html>

**SB70 Asset Forfeiture Transparency Amendments, Stephenson**

**UAC Position: MONITOR**

**Status: ENROLLED**

**Outline of bill** – SB 70 expands the reporting requirements for a law enforcement agency with any forfeiture action. The additional reporting includes information available from the law enforcement agency and, where possible, federal data.

**Our efforts on the legislation** – UAC and county prosecutors worked with the sponsor to ensure that the data requested in the bill was available to obtain and share. In the event that federal data isn't available, law enforcement agencies are required to provide reasonably available data.

**What to expect next on the bill** – County sheriffs and attorneys should be aware of the additional reporting now required with forfeiture actions.

**Bill link** – <http://le.utah.gov/~2017/bills/static/SB0070.html>

---

**SB72 Victim Selection Penalty Enhancements, Thatcher**

**UAC Position: MONITOR**

**Status: FAILED**

**Outline of bill** – SB 72 would have provided enhanced sentencing for offenses directed towards a victim based on a hate crime. The bill would have allowed for enhancement by one degree should it be found that the act was perpetrated due to discrimination against a victim's ancestry, disability, ethnicity, gender, gender identity, national origin, race, religion, or sexual orientation.

**Our efforts on the legislation** – UAC did not take a position on SB 72. Shortly after the bill was introduced, we received word that the legislature would not be considering this piece of legislation in 2017.

**What to expect next on the bill** – This issue will likely return to a future legislative session.

**Bill link** – <http://le.utah.gov/~2017/bills/static/SB0072.html>

---

**SB75 Child Welfare Amendments, Fillmore**

**UAC Position: MONITOR**

**Status: ENROLLED**

**Outline of bill** – SB 75 creates a child protection unit pilot program at the state level and permits county sheriff and city police departments to establish a child protection unit should the agency so desire.

**Our efforts on the legislation** – UAC monitored SB 75 but took no position on the bill. We appreciate that the bill allows counties to choose whether or not it makes sense to establish a child protection unit.

**What to expect next on the bill** – Interested counties should coordinate with the Division of Child and Family Services to create a local child protection unit.

**Bill link** – <http://le.utah.gov/~2017/bills/static/SB0075.html>

**SB87 Civil Asset Forfeiture Revisions, Thatcher**

**UAC Position: SUPPORT**

**Status: ENROLLED**

**Outline of bill** – SB 87 modifies the Forfeiture and Disposition of Property Act regarding forfeiture and the claiming of property. The bill provides greater notification for potential innocent owners of seized property and offers greater protections for innocent owners. It also increases attorney fees from 20 percent to 50 percent encouraging agencies to be sure before claiming asset forfeiture.

**Our efforts on the legislation** – SB 87 was a compromise bill that UAC, prosecutors, and law enforcement supported in an effort to curb efforts encapsulated in HB 19 that would neuter asset forfeiture—an important law enforcement tool that emphasizes the adage that “crime doesn’t pay.”

**What to expect next on the bill** – Law enforcement should review the changes from both SB 87 and SB 70 to asset forfeiture.

**Bill link** – <http://le.utah.gov/~2017/bills/static/SB0087.html>

---

**SB134 Indigent Defense Commission Amendments, Weiler**

**UAC Position: MONITOR**

**Status: ENROLLED**

**Outline of bill** – SB 134 expands the Utah Indigent Defense Commission to include juvenile defense. It also expands the commission’s membership to include a juvenile delinquency defense attorney and creates an additional staff member to assist the commission.

**Our efforts on the legislation** – UAC worked closely with the sponsor on the creation of the Utah Indigent Defense Commission in 2016. While we didn’t take a position on SB 134, UAC appreciates the legislature’s efforts to engage the state in this important federal mandate heretofore solely administered and paid for by local government.

**What to expect next on the bill** – Look for additional legislation in the years to come on indigent defense funding as the commission continues to make recommendations.

**Bill link** – <http://le.utah.gov/~2017/bills/static/SB0134.html>

**SB146 Constable Amendments, Fillmore**

**UAC Position: MONITOR**

**Status: FAILED**

**Outline of bill** – SB 146 would have clarified which local jurisdictions can appoint a constable to include all counties and cities of the first and second class only. The bill also would have spelled out how such an appointment is to take place. Current code is unclear if all counties can appoint constables or if it is limited to counties of the first and second class.

**Our efforts on the legislation** – SB 146 was more controversial as originally drafted. The original version of the bill created a state administered Constable Licensing Board and established the process and requirements for licensure. The original version of the bill received little support and the substituted version of the bill also failed to go anywhere.

**What to expect next on the bill** – The lack of clarity regarding which counties can or cannot appoint constables has been raised before. It wouldn't be surprising if the issue was raised in a later legislative session.

**Bill link** – <http://le.utah.gov/~2017/bills/static/SB0146.html>

---

**SB198 Utah Communications Authority Amendments, Harper**

**UAC Position: SUPPORT**

**Status: ENROLLED**

**Outline of bill** – SB 198 modifies the composition and duties of the Utah Communications Authority. The bill also increases 911 emergency services fees up to \$19.4 million a year. Enactment of this bill will change distribution of 911 emergency service charge revenue from being based on access line quantity to being based on emergency call volume, resulting in an increase to some public safety access points (PSAP) and a decrease to others. The bill also repeals current radio user fees and could result in annual local government savings of up to \$3.9 million.

**Our efforts on the legislation** – SB 198 will generally benefit county dispatch centers although each county in the state that is not served by a single, consolidated public safety answering point could incur one-time costs to conduct the audit required by this legislation. Enactment of this bill would also nullify contracts currently held between PSAPs and non-contiguous public agencies and may result in increased costs due to loss of economies of scale. UAC took a position to support the bill recognizing the necessity to update the current E-911 system despite some challenges that may arise in some areas of the state.

**What to expect next on the bill** – E-911 dispatch centers will see plenty of changes due to the passage of SB 198. For the most part, those changes should be for the better.

**Bill link** – <http://le.utah.gov/~2017/bills/static/SB0198.html>

**SB251 Local Government Criminal Penalty Amendments, Thatcher**

**UAC Position: MONITOR**

**Status: ENROLLED**

**Outline of bill** – SB 251 prohibits a municipal officer or official who is not a law enforcement officer to issue a criminal citation for a violation that is punished as a misdemeanor.

**Our efforts on the legislation** – UAC monitored SB 251 but did not take a position on the bill. The intent of the bill was to require any violation that could result in loss of liberty be administered by a law enforcement officer.

**What to expect next on the bill** – SB 251 affects counties insomuch that they enforce violations of municipal ordinances in the unincorporated county.

**Bill link** – <http://le.utah.gov/~2017/bills/static/SB0251.html>

---

**SB261 Substance Use Disorder Programs, Mayne**

**UAC Position: SUPPORT**

**Status: ENROLLED**

**Outline of bill** – SB 261 establishes a program to distribute new funds to reduce recidivism and the number of incarcerated individuals with a substance use disorder or a mental health disorder. These funds will be distributed through a competitive application process to programs implemented by counties, local mental health authorities, or local substance abuse authorities.

**Our efforts on the legislation** – UAC staff and county officials worked hard on SB 261 and its corresponding appropriation. The legislature appropriated \$6 million to fund this competitive application process. The funds will be used to help make the state’s justice reinvestment initiative (JRI) a success.

**What to expect next on the bill** – Counties, now more than ever, have an opportunity to make JRI succeed.

**Bill link** – <http://le.utah.gov/~2017/bills/static/SB0261.html>

**SJR7 Joint Resolution Amending Rules of Criminal Procedure, Weiler**  
**UAC Position: OPPOSE**  
**Status: FAILED**

**Outline of bill** – SJR 7 would have provided sanctions in the event that a court finds a prosecutor knowingly and willfully hide files in connection with the investigation of a crime committed or the prosecution of the defendant. These sanctions could include fees and jail time.

**Our efforts on the legislation** – The original version of the resolution may have been worse than the final version of the bill. It required prosecutors to provide defendants within 14 days information favorable to the defendant that is known to the prosecutor. This requirement would have forced prosecutors to extend far greater resources than currently expending. UAC took a position to oppose the resolution and worked to prevent either version of it from passing.

**What to expect next on the bill** – The resolution failed to receive a floor vote. Hopefully, it won't return.

**Bill link** – <http://le.utah.gov/~2017/bills/static/SJR007.html>

## Revenue and Taxation

---

County government is responsible to administer and collect the property tax. Given that role, it is not surprising that county assessors, treasurers, auditors, and other county officials are some of the most well informed experts on property tax issues in the state.

The property tax continues to be the primary source of county revenue and a major area of interest for legislators. Each year we can count on seeing a number of pieces of legislation dealing with the property tax. And each year, county government and the Utah Association of Counties is ready to offer expertise on the issue.

While property tax issues make up a large portion of the bills dealing with revenue and taxation that UAC tracked during the 2017 Legislative Session, they weren't the only revenue and taxation issue we followed.

---

### **HB26 Revenue and Taxation Modifications, McCay**

**UAC Position: NEUTRAL**

**Status: ENROLLED**

**Outline of bill** – HB 26 amends the definition of locally assessed new growth to exclude a change in assessed value that occurs due to assessment under the Farmland Assessment Act or the Urban Farming Assessment Act. The bill has a retroactive implementation date of January 1, 2017

**Our efforts on the legislation** – County officials and UAC staff met with the sponsor over the interim concerning HB 26. While the outcome of the bill will be a reduction to new growth for property taxing entities, it is hard to argue that undeveloped land coming out of greenbelt in any way is an additional burden to taxing entities and should thus subject to new growth. If and when that land is developed, the new improvements can and will be accounted for as new growth.

**What to expect next on the bill** – Counties will need to be careful not to classify undeveloped land coming out of greenbelt as part of new growth.

**Bill link** – <http://le.utah.gov/~2017/bills/static/HB0026.html>

**HB45 Property Tax Assessment Changes, McCay****UAC Position: SUPPORT****Status: FAILED**

**Outline of bill** – HB 45 would have done three important things: first it would have removed ski resorts and solar energy farms from greenbelt, second it would have defined the term bona fide range improvement plan for purposes of defining eligibility for greenbelt, and third it would have required the centrally assessed benchmark value set for new growth purposes to be adjusted for successful appeals. Of these, the third purpose has probably the most immediate need.

**Our efforts on the legislation** – County officials and UAC staff met throughout the interim with the farm bureau and other interested parties in an effort to craft HB 45. In the end, the piece of the bill dealing with ski resorts and solar energy farms proved too controversial and sunk the rest of the bill.

**What to expect next on the bill** – Look for future legislation to fix parts two and three of the bill. UAC will continue to work towards a solution on part one.

**Bill link** – <http://le.utah.gov/~2017/bills/static/HB0045.html>

---

**HB47 Property Tax Assessment Appeal Amendments, Brisco****UAC Position: MONITOR****Status: ENROLLED**

**Outline of bill** – HB 47 requires a county assessor to notice an owner of an incomplete application for assessment under greenbelt. It also establishes a time period for filing an appeal for a denied application for greenbelt.

**Our efforts on the legislation** – UAC and county officials reviewed HB 47 and found no objection to the changes made in the bill.

**What to expect next on the bill** – HB 47 allows more recourses for property owners applying for the greenbelt exemption. This is a good thing. Counties should be aware of the changes in the law.

**Bill link** – <http://le.utah.gov/~2017/bills/static/HB0047.html>

---

**HB64 Property Tax Relief Amendments, Peterson****UAC Position: MONITOR****Status: ENROLLED**

**Outline of bill** – HB 64 clarifies when a surviving spouse may claim property tax relief.

**Our efforts on the legislation** – UAC monitored HB 64 but took no position on the bill.

**What to expect next on the bill** – County officials administering property tax relief should review HB 64 to clarify the rights of a surviving spouse of a claimant who has filed for property tax relief.

**Bill link** – <http://le.utah.gov/~2017/bills/static/HB0064.html>

**HB89 Impact Fee Reporting Requirements, Knotwell**

**UAC Position: MONITOR**

**Status: ENROLLED**

**Outline of bill** – HB 89 modifies the reporting requirements for a local political subdivision that collects an impact fee. The bill requires an accounting of all impact fee funds that a local political subdivision has on hand at the end of the fiscal year.

**Our efforts on the legislation** – UAC reviewed HB 89 but took no formal position on the bill.

**What to expect next on the bill** – Counties should be aware of any new requirements for reporting impact fees with the passage of HB 89.

**Bill link** – <http://le.utah.gov/~2017/bills/static/HB0089.html>

---

**HB258 Veterans Tax Amendments, Peterson**

**UAC Position: SUPPORT**

**Status: ENROLLED**

**Outline of bill** – HB 258 is a companion piece to a resolution (HJR 7) that would provide active military service men and women additional opportunities for property tax exemptions. The bill changes an active military exemption that is triggered from 200 days of active service outside the state from a calendar year period to any contiguous 365-day period.

**Our efforts on the legislation** – HB 258 and HJR 7 were drafted after concerns regarding the current property tax exemption were raised by a county official. The previous code made it difficult for a service man or woman to qualify for the exemption if his or her service bisected two calendar years. UAC worked with the legislature to identify a sponsor and help shepherd the bill through the process.

**What to expect next on the bill** – HJR 7 places the issue before Utah's citizens in the 2018 General Election. Should the people will it, the bill will take effect January 1, 2019.

**Bill link** – <http://le.utah.gov/~2017/bills/static/HB0258.html>

**HB383 Property Assessment Revisions, Greene**

**UAC Position: OPPOSE**

**Status: FAILED**

**Outline of bill** – HB 383 would have created a new classification of property called “static real property” for the purposes of assessing property value. The bill would have created a new process for calculating property value for those properties that fit into the static real property classification by not seeing any improvement over the previous year, is still zoned the same way from the previous year, and has not been sold or leased over the previous year.

**Our efforts on the legislation** – This bill, which could arguably be argued as unconstitutional, was also introduced during the 2016 Legislative Session, where UAC worked to send to interim study. The bill further received a review this past interim where it received no support. It was introduced late in the 2017 session and failed to receive so much as a committee hearing.

**What to expect next on the bill** – Hopefully, this idea can be put to rest. It would move property tax assessment from fair market value to a California based prop 13 system.

**Bill link** – <http://le.utah.gov/~2017/bills/static/HB0383.html>

---

**HJR7 Proposal to Amend Utah Constitution -- Active Military Property Tax Exemption, Peterson**

**UAC Position: SUPPORT**

**Status: ENROLLED**

**Outline of bill** – Should Utah voters approve HJR 7 during the 2018 General Election, HJR 7 will provide active military service men and women additional opportunities for property tax exemptions. The bill changes an active military exemption that is triggered from 200 days of active service outside the state from a calendar year period to any contiguous 365-day period.

**Our efforts on the legislation** – HB 258 and HJR 7 were drafted after concerns regarding the current property tax exemption were raised by a county official. The previous code made it difficult for a service man or woman to qualify for the exemption if his or her service bisected two calendar years. UAC worked with the legislature to identify a sponsor and help shepherd the bill through the process.

**What to expect next on the bill** – HJR 7 places the issue before Utah’s citizens in the 2018 General Election. Should it pass, its companion bill HB 258 will take effect January 1, 2019.

**Bill link** – <http://le.utah.gov/~2017/bills/static/HJR007.html>

**SB23 Sales Tax Exemption for Guides and Outfitters, Dayton**

**UAC Position: MONITOR**

**Status: FAILED**

**Outline of bill** – SB 23 would have provided a sales and use tax exemption for amounts paid or charged for certain purchases of hunting guide or outfitting services.

**Our efforts on the legislation** – UAC monitored SB 23 but never took a position on the bill. The bill struggled to receive any support and never received a published fiscal note. It failed on a motion to recommend in committee.

**What to expect next on the bill** – The legislature seems to pass one or two sales tax exemptions each session, but seemed unwilling to consider this one. It may return for future sessions.

**Bill link** – <http://le.utah.gov/~2017/bills/static/SB0023.html>

---

**SB43 Property Assessment Amendments, Henderson**

**UAC Position: SUPPORT**

**Status: FAILED**

**Outline of bill** – SB 43 would have required a county assessor to consider certain factors in determining the fair market value of a special purpose property. The definition of a special purpose property would include so-called “big box” retail pads. The bill would require that the fair market value of such a pad not be calculated by the value of vacant pads that have been specially designed for a specific retailer.

**Our efforts on the legislation** – In recent years, big box retailers have successfully argued for reduced property taxes throughout the United States using an argument called “dark store” tax assessment. This argument holds that open, sometimes thriving, big box stores should be compared to vacant pads to determining property value. SB 43 was introduced at the counties’ request to prevent such a practice from finding a foothold in Utah. The bill was held to allow more work with interested parties over the interim.

**What to expect next on the bill** – Unfortunately, dark store assessment practices aren’t going away. UAC will continue to work with interested parties to bring another version of SB 43 to the legislature.

**Bill link** – <http://le.utah.gov/~2017/bills/static/SB0043.html>

**SB93 Property Assessment Notice Amendments, Harper**

**UAC Position: SUPPORT**

**Status: ENROLLED**

**Outline of bill** – SB 93 requires a county treasurer to provide notice to an owner of property for which a municipality or a local district has incurred certain unpaid costs and expenses. The bill requires the notice to include: 1) the amount of unpaid costs and expenses, 2) contact information for the property owner to contact the municipality or local district, and 3) notification of what will happen if the unpaid costs and expenses are not paid.

**Our efforts on the legislation** – The original version of SB 93 erroneously required the county auditor to provide notice of the unpaid expenses addressed in the bill. County auditors and treasurers worked with the sponsor and UAC staff to rewrite the bill to make it workable.

**What to expect next on the bill** – County treasurers will need to provide the notice explained in the bill.

**Bill link** – <http://le.utah.gov/~2017/bills/static/SB0093.html>

---

**SB110 Sales Tax Collection Amendments, Bramble**

**UAC Position: SUPPORT**

**Status: FAILED**

**Outline of bill** – SB 110 would have forced most online retailers to collect and remit Utah sales tax. The bill requires retailers that have an economic presence but not a physical presence to collect and remit sales tax in Utah. This provision of the bill warranted a legislative review note which raised the constitutionality of the bill.

**Our efforts on the legislation** – UAC took a position to support SB 110, as it has a number of bills over the years that have made efforts to collect online sales tax. However, the bill failed to pass out of a House committee.

**What to expect next on the bill** – This issue will return, if not in this form.

**Bill link** – <http://le.utah.gov/~2017/bills/static/SB0110.html>

**SB139 Tax Increment Financing Revisions, Stephenson**

**UAC Position: OPPOSE**

**Status: FAILED**

**Outline of bill** – SB 139 would have reduced by half the amount of tax increment a community reinvestment agency could collect from a school district for a community reinvestment project.

**Our efforts on the legislation** – UAC took a position to oppose SB 139 fearing that the bill would limit the effectiveness of community reinvestment projects while leaving counties to carry more of the burden.

**What to expect next on the bill** – Look for plenty of interim discussion on tax increment and redevelopment projects this coming year. There were a number of bills addressing these issues in the 2017 Legislative Sessions that did not pass.

**Bill link** – <http://le.utah.gov/~2017/bills/static/SB0139.html>

---

**SB142 Redevelopment Agency Amendments, Fillmore**

**UAC Position: OPPOSE**

**Status: FAILED**

**Outline of bill** – SB 142 would have excluded school districts as well as the basic levy from participating in tax increment projects.

**Our efforts on the legislation** – UAC took a position to oppose SB 139 fearing that the bill would limit the effectiveness of community reinvestment projects while leaving counties to carry more of the burden.

**What to expect next on the bill** – Look for plenty of interim discussion on tax increment and redevelopment projects this coming year. There were a number of bills addressing these issues in the 2017 Legislative Sessions that did not pass.

**Bill link** – <http://le.utah.gov/~2017/bills/static/SB0142.html>

---

**SB151 Property Tax Relief Modifications, Dabakis**

**UAC Position: MONITOR**

**Status: FAILED**

**Outline of bill** – SB 151 would have provided a water conservancy an exemption to raise a property tax levy over .0001 in case of an emergency.

**Our efforts on the legislation** – UAC monitored SB 151 but took no position on the bill. The bill was tabled in committee and didn't go anywhere.

**What to expect next on the bill** – It will take a lot for this issue to return.

**Bill link** – <http://le.utah.gov/~2017/bills/static/SB0151.html>

**SB157 Changes to Property Tax, Bramble**

**UAC Position: MONITOR**

**Status: ENROLLED**

**Outline of bill** – SB 157 provides a method for determining the fair market value of centrally assessed aircraft. The bill requires airline value be calculated by a price guide and reduced up to 20 percent for a fleet.

**Our efforts on the legislation** – UAC is deeply troubled by the assessment practice prescribed by SB 157 as well as the direction to value below fair market value (which seems to raise a constitutional concern), but elected not to take a position on SB 157 for various political reasons.

**What to expect next on the bill** – SB 157 will result in a shift from centrally assessed airlines to all other property tax payers.

**Bill link** – <http://le.utah.gov/~2017/bills/static/SB0157.html>

---

**SB197 Refinery Sales and Use Tax Exemption Amendments, Adams**

**UAC Position: MONITOR**

**Status: ENROLLED**

**Outline of bill** – SB 197 provides a sales tax exemption for refinery parts and supplies. The fiscal analyst's office anticipates a sales tax savings upwards of \$3 million to refining companies and a corresponding sales tax loss to state and local government.

**Our efforts on the legislation** – The original version of the bill offered far greater exemptions to the refining industry—a savings upwards of \$87 million. The bill was amended to reduce those exemptions but will still cost counties hundreds of thousands in sales tax.

**What to expect next on the bill** – Look for sales tax reductions to county government.

**Bill link** – <http://le.utah.gov/~2017/bills/static/SB0197.html>

---

**SB247 Modifications to Distribution of Local Sales Tax Revenues, Okerlund**

**UAC Position: SUPPORT**

**Status: ENROLLED**

**Outline of bill** – SB 247 removes the repeal date for a handful of eligible held-harmless counties and cities to receive sales tax revenues.

**Our efforts on the legislation** – UAC took a position to support SB 247, recognizing the necessity to ensure additional revenues to these communities greatly affected by the current local option sales tax formula.

**What to expect next on the bill** – SB 247 prevented things from changing.

**Bill link** – <http://le.utah.gov/~2017/bills/static/SB0247.html>

**SB264 Outdoor Recreation Grant Program, Okerlund**

**UAC Position: MONITOR**

**Status: ENROLLED**

**Outline of bill** – SB 264 creates a statewide transient room tax to support an outdoor recreational infrastructure grant program. The bill also creates a grant advisory committee to administer the grant.

**Our efforts on the legislation** – While the transient room tax has previously been a local government funding source only, the grant program created from SB 264 will certainly assist county government and include county initiatives. For these reasons, UAC took no position on the bill.

**What to expect next on the bill** – Look for more funds available for outdoor recreational infrastructure projects throughout the state.

**Bill link** – <http://le.utah.gov/~2017/bills/static/SB0264.html>

## Transportation and Infrastructure

---

With much of the transportation heavy lifting being done over the past two years, the legislature did relatively little within transportation during the 2017 Legislative Session. That said, there were still some important transportation bills that were enrolled in 2017.

---

### **HB82 Street-legal All-terrain Vehicle Amendments, Noel**

**UAC Position: MONITOR**

**Status: ENROLLED**

**Outline of bill** – HB 82 removes a general restriction prohibiting street-legal ATVs from highways in counties of the first class, but the bill does allow a highway authority in Salt Lake County to prohibit a highway that meets certain qualifications from street-legal ATVs. Street-legal ATVs are still prohibited from operating on an interstate highway.

**Our efforts on the legislation** – UAC staff worked with the sponsor and Salt Lake County to find a compromise to the bill.

**What to expect next on the bill** – Outside of Salt Lake County, HB 82 does not change anything. Salt Lake County officials will need to determine which, if any highways, they wish to prohibit street-legal ATVs.

**Bill link** – <http://le.utah.gov/~2017/bills/static/HB0082.html>

---

### **HB152 Transportation Funding Revisions, Sandall**

**UAC Position: SUPPORT**

**Status: ENROLLED**

**Outline of bill** – HB 152 authorizes money in the Local Highway and Transportation Corridor Preservation Fund to be used for construction, maintenance, and operation of class B and class C roads or survey monument restoration or repair with limitations in a county of the third, fourth, fifth, or sixth class.

**Our efforts on the legislation** – UAC took a position to support HB 152 and stood ready to assist the passage of the bill should help be required. The bill passed out of the legislature with only one solitary nay vote.

**What to expect next on the bill** – HB 152 gives third through sixth class counties more flexibility with funds collected for corridor preservation.

**Bill link** – <http://le.utah.gov/~2017/bills/static/HB0152.html>

**SB174 Public Transit and Transportation Governance Amendments, Harper**

**UAC Position: MONITOR**

**Status: ENROLLED**

**Outline of bill** – SB 174 creates a Transportation Governance and Funding Task Force, with appointments from the Legislature, Governor, local governments, and MPOs. The Task Force will evaluate best practices regarding multimodal transportation to support mobility, safety, economic growth and quality of life.

**Our efforts on the legislation** – UAC staff worked with other interested parties in amending SB 174 into the bill that ultimately passed. SB 174 should provide an excellent opportunity for further collaboration in planning for Utah’s future transportation needs.

**What to expect next on the bill** – UAC is to appoint two members of the task force (with one member coming from a rural county). The task force is charged to present recommendations to the legislature by the end of 2017.

**Bill link** – <http://le.utah.gov/~2017/bills/static/SB0174.html>

---

**SB276 Transportation Funding Modifications, Van Tassell**

**UAC Position: SUPPORT**

**Status: ENROLLED**

**Outline of bill** – SB 276 modifies the motor fuel tax formula so that revenues keep pace with inflation starting in 2019. This will help the cities, counties and UDOT to proactively maintain their transportation infrastructure. This was the original intent of HB 362 passed in 2015. But with fuel prices staying low, current projections are that the inflationary increase programmed in the original bill would not start until approximately 2026. Under SB 276, cities and counties will see their B&C fund revenues grow with inflation beginning in 2019.

**Our efforts on the legislation** – UAC took a position to support SB 276 and worked to help ensure its passage.

**What to expect next on the bill** – The passage of SB 276 will result in more B&C road funds. The fiscal note of the bill anticipates an additional \$1,271,000 in FY 2019 and \$4,387,000 in FY 2020.

**Bill link** – <http://le.utah.gov/~2017/bills/static/SB0276.html>