

The image shows the interior of the Utah State Capitol dome. The dome is covered in colorful murals depicting various scenes of Utah's history and industry. A large, ornate chandelier hangs from the ceiling. The architecture features classical columns and arches. The text "2024 General Legislative Session Summary" is overlaid in large white font.

2024 General Legislative Session Summary

2024 General Legislative Session

OVERVIEW

During the 2024 General Legislative Session, lawmakers tackled big issues including energy, water, affordable housing, homelessness, behavioral health, and more.

Utah Association of Counties (UAC) members had a voice in countless decisions due to excellent participation in Policy Steering Committees and Legislative Committee. Going into session with ten ambitious priority policies, UAC began important conversations and drove public policy decisions to achieve results for county constituents across the state.

We are grateful to legislative partners who championed UAC causes, listened to members, and work so tirelessly on behalf of the state.

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NEW THIS SESSION: UAC’S “Hi Brandy!”, hosted by Chief Executive Officer Brandy Grace, oriented members and friends of the counties to each week of the legislative session as Brandy and guests discussed UAC’s priority policies.

Find UAC’s “Hi Brandy!” on Apple Podcasts, Spotify, and other platforms to listen and learn!



2024 Highlight

Jan. 24, 2024 marked the 100th anniversary of the Utah Association of Counties—to the day!

The first meeting of UAC (initially called the “Conference of County Auditors, Clerks, and Treasurers”) was held in the Utah State Capitol in the House of Representatives on Jan. 24, 1924. The organization was created for county leaders to have a place to develop and learn standards with colleagues from across the state.

Today, our organization still emphasizes the importance of association and collaboration. County leaders are faced with some of the state’s most complex challenges. Our county leaders are inclusive, welcoming, and embrace different perspectives in pursuit of the best results for residents.

We couldn’t be prouder of our first 100 years. Here’s to the next 100!





Community Development

ISSUES

With Gov. Cox's goal to increase the availability of affordable housing and options for first-time homebuyers top-of-mind at the legislature this session, the Community Development Policy Steering Committee addressed a number of bills related to land use authority, and an innovative, market-driven solution to incentivize homebuilders to build homes that make sense for first-time buyers.

Committee members also supported and worked to pass important economic development legislation for rural Utah.

Key Legislation

HB78, *Motion Picture Incentives Amendments* (J. Stenquist)

HB572, *State Treasurer Investment Amendments* (R. Spendlove)

HJR19, *Joint Resolution Encouraging Support for the HOUSES Act* (K. Ivory)

SB168, *Housing Affordability Amendments* (L. Fillmore)

SB268, *First Home Investment Zone Act Amendments* (W. Harper)

FIRST-TIME HOMEBUYERS

Gaps addressed

As state leaders sought to address challenges facing first-time homebuyers, they were faced with a variety of policy decisions. Utah's hot housing market has left supply low and demand high. Since the demand exists, market forces have driven homebuilders to cater to more expensive homes. This practice establishes additional barriers for first-time buyers, even as supply seemingly increases.

Analysis from the Kem C. Gardner Institute demonstrates the complexity of defining goals to help this population of buyers. Figure 1 outlines two methods for determining starter home prices, one that uses mortgage payment maximums based on county median incomes, and one that sets the price based on existing median sales price for the county. State leaders used information like this, as well as other inputs to drive innovative policy solutions during the legislative session.



POTENTIAL STARTER HOME PRICING ANALYSIS

	From Income			From Existing Price	
	Price at 120AMI*	Price at 100AMI*	Price at 80AMI*	80% of Median Sales Price	2023 Med. Sales Price
Beaver County	\$449,000	\$363,000	\$277,000	\$216,000	\$270,000
Box Elder County	\$393,000	\$313,000	\$233,000	\$328,000	\$410,000
Cache County	\$367,000	\$291,000	\$215,000	\$336,000	\$420,000
Carbon County	\$322,000	\$256,000	\$190,000	\$184,000	\$230,000
Daggett County	\$503,000	\$406,500	\$310,000	\$224,000	\$280,000
Davis County	\$503,000	\$402,500	\$302,000	\$400,000	\$500,000
Duchesne County	\$369,000	\$294,500	\$220,000	\$238,600	\$298,250
Emery County	\$380,000	\$305,000	\$230,000	\$184,800	\$231,000
Garfield County	\$351,000	\$281,500	\$212,000	\$280,400	\$350,500
Grand County	\$333,000	\$262,500	\$192,000	\$416,000	\$520,000
Iron County	\$339,000	\$269,500	\$200,000	\$292,000	\$365,000
Juab County	\$488,000	\$392,000	\$296,000	\$331,200	\$414,000
Kane County	\$391,000	\$313,500	\$236,000	\$334,920	\$418,650
Millard County	\$374,000	\$299,500	\$225,000	\$244,000	\$305,000
Morgan County	\$493,000	\$392,500	\$292,000	\$555,200	\$694,000
Piute County	\$236,000	\$185,500	\$135,000	\$270,000	\$337,500
Rich County	\$389,000	\$313,000	\$237,000	\$426,400	\$533,000
Salt Lake County	\$463,000	\$367,500	\$272,000	\$408,000	\$510,000
San Juan County	\$295,000	\$233,500	\$172,000	\$266,800	\$333,500
Sanpete County	\$348,000	\$276,500	\$205,000	\$288,000	\$360,000
Sevier County	\$349,000	\$278,000	\$207,000	\$236,000	\$295,000
Summit County	\$679,000	\$545,500	\$412,000	\$1,104,000	\$1,380,000
Tooele County	\$493,000	\$395,000	\$297,000	\$352,000	\$440,000
Uintah County	\$394,000	\$316,000	\$238,000	\$247,200	\$309,000
Utah County	\$481,000	\$385,000	\$289,000	\$387,712	\$484,640
Wasatch County	\$540,000	\$430,000	\$320,000	\$773,096	\$966,370
Washington County	\$405,000	\$323,000	\$241,000	\$402,000	\$502,500
Wayne County	\$350,000	\$279,500	\$209,000	\$296,000	\$370,000
Weber County	\$504,000	\$403,500	\$303,000	\$331,200	\$414,000
AVERAGE	\$413,138	\$330,138	\$247,138	\$357,018	\$446,273

FIGURE 1: Kem C. Gardner Policy Institute

*Assumes 10% down payment, rounded up to the nearest \$1,000

Innovative solutions

The Community Development Policy Steering Committee vetted and supported two bills focused on home ownership. HB572, *State Treasurer Investment Amendments* (R. Spendlove) creates the Utah Homes Investment Program. The program utilizes existing state transportation investment funds and allows homebuilders who agree to build within certain parameters to access low-interest loans.

To be eligible, no less than sixty percent of the project must be attainable homes (\$450,000 or less) with an owner-occupied deed restriction of at least five -years. Homebuilders are eligible for a loan of up to one-hundred percent of the project cost, and interest rates are set at two percent less than the federal funds effective rate at the time of deposit, but no less than half of one percent. To save administrative costs, the state will authorize qualified, local financial institutions to administer these loans. County leaders were excited to support this bill to change market behavior without costly state intervention in the private market.

SB168, *Home Ownership Promotion Zone* (L. Fillmore) creates an avenue for municipalities to designate Home Ownership Promotion Zones (HOPZ)

by resolution of the municipality’s legislative body. UAC worked on technical modifications to this bill to the improve the implementation of the policy. Municipalities may receive up to sixty percent of the tax increment for a maximum of 15 consecutive years. To qualify, housing within the HOPZ must be offered for sale at seventy-five percent of the median county home price for housing of that type, and include a five-year owner-occupied deed restriction. A HOPZ must increase density from the base zone to at least 6 units per acre.

An additional bill addressing first-time home ownership was reviewed by the Revenue and Taxation Policy Steering Committee due to timing at the end of the session. SB268, *First Home Investment Zone Act* (W. Harper) allows a municipality to apply for a First Time Home Investment Zone (FHIZ) that provides a max of sixty percent of each entity’s tax increment financing above the base year for no more than 25 consecutive years within a 30 year period. A FHIZ must include eighty percent AMI and eighty percent median home price housing and fifty-one percent of the developable area must be residential uses. Entities that apply must submit a proposal to the Governor’s Office of Economic Opportunity (GOEO).

SB208, *Housing and Transit Reinvestment Zone Amendments* (W. Harper) enhanced

	HB572	SB168	SB268
Applicant	Homebuilder (through a financial institution lender)	Municipality	Municipalities (may pass through to an agency such as a CRA)
Tool	Loan through Transportation Investment Fund	Tax increment financing	Tax increment financing
“Affordable” definition	\$450,000 or less	80% of AMI and 80% of county median home price	75% of county median home price for housing of that type

FIGURE 2: Comparison of three affordable housing bills, HB572, SB168, SB268





FIGURE 3: From Left to Right, Commissioners Almquist and Iverson (Washington County), Commissioner Adams (San Juan County), and Commissioner Winfield (Grand County)

Celebrating 100 Years of Utah Film

During Film Day on the Hill this year, Commissioner Bruce Adams, the Grand County Film Commission, and Washington County Commissioners were honored for their work supporting film in their local communities. Congratulations, Commissioners!

and clarified housing affordability requirements for HTRZs, and modified technical, tax, and economic policy elements of HTRZs.

Local entities across the state are working to address the affordable housing crisis and efforts to help first-time homebuyers. These innovative solutions will provide additional tools to the entities on the front lines.

ECONOMIC DEVELOPMENT

Rural film incentives

County leaders worked hard to get HB78, *Motion Picture Incentives Amendments* (J. Stenquist) across the finish line this session. The program, which is an important economic development tool for rural Utah, was set to sunset this year. HB78 repealed the sunset date and authorized GOEO

to issue tax credit certificates for rural productions each fiscal year, based on what funds are appropriated during the prior legislative session. The bill also requires that the program be reviewed by the Economic Development and Workforce Services Interim Committee every two years.

Rural Development Act Amendments

SB162, *Rural Development Act Amendments* (D. Hinkins) authorized GOEO to award grants and loans to rural healthcare districts, and removed guidance for interest rates, instead allowing GOEO to set rates in consultation with the state treasurer for each loan.

We are grateful to legislative partners who consistently support economic development policies that benefit rural communities.



Criminal Justice and Public Safety

ISSUES

County leaders are the front lines of local criminal justice and public safety efforts. This year, bills improved processes to help counties be better service providers and keep communities safe.

School safety efforts this year centered clear governance structures. County sheriffs will play a key role as we think about school safety moving forward, and will help to organize response and prevention.

UAC worked on changes to improve the Volunteer EMS Insurance program and spread the word to more volunteers and families.

Key Legislation

HB84, *School Safety Amendments* (R. Wilcox)

HB217, *Volunteer Emergency Medical Service Personnel Insurance Program Amendments* (D. Johnson)

HB251, *Postretirement Reemployment Restrictions Amendments* (M. Gwynn)

HB501, *Medicaid Modifications* (J. Dunnigan)

SB48, *County Correctional Facility Reimbursement Amendments* (D. Owens)

UAC Priority Policy SCHOOL SECURITY

Legislative leaders have passed many bills to address school safety in recent years. Last year, bills focused on data collection, emergency drills, resources for bullying, absenteeism, and mental health, and created the State Security Chief position to improve accountability. This office had counterparts in county sheriff offices to coordinate preparation, design, training, communication, and response for first responders and education professionals in each local education agency (LEA).

This year, HB84, *School Safety Amendments* (R. Wilcox) made important changes that will not only prevent tragedies but outline clear accountability and preparedness plans to aid emergency response. The biggest change is the requirement for each school to have a school security professional. In some cases, these individuals will be known as school guardians—volunteers who are provided with regular training. These individuals are



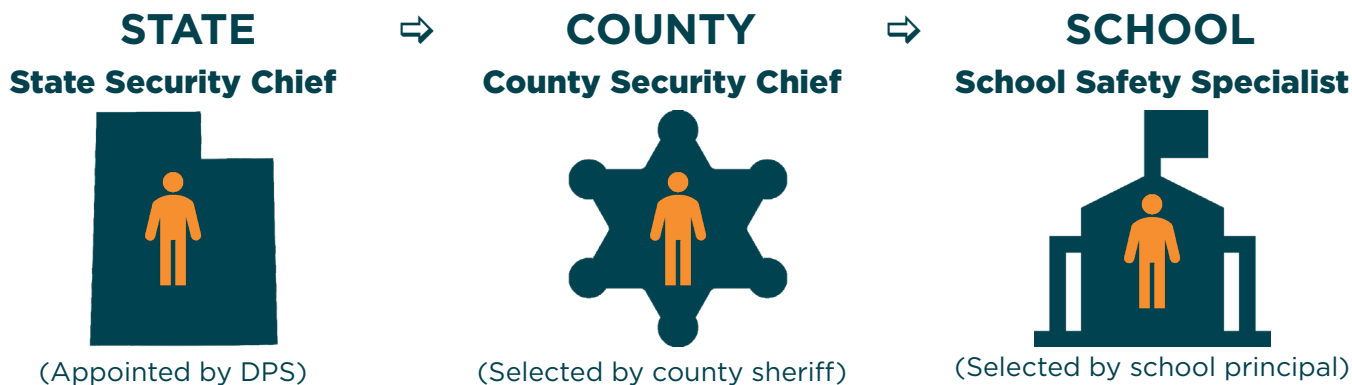


FIGURE 4: State, county, and school security roles

not law enforcement but will have the authority to act to abate an active threat if an emergency were to arise. Schools that contract with local law enforcement agencies to have school resource officers may continue to do so.

Under the new framework, each sheriff will designate a county security chief. This person's responsibility is to collaborate with the school safety and security specialists in each school, and local law enforcement as applicable, to maintain effective communication regarding the safety of each school. These teams will work together to conduct school safety needs assessments, and recommend improvements to buildings, policies, procedures, rules, and regulations.

County security chiefs also coordinate training for school security personnel, including training for the school guardian program, and approve school security personnel and guardians.

HB84 and HB86, *Public Safety Data Amendments* (R. Wilcox) also seek to improve the utility of data collected and shared by LEAs. Reporting from the SafeUT app and other emergency calls to the state's intelligence databases is established, and schools will be required to share certain information about bullying and other abusive conduct with parents upon request. Disciplinary action taken by LEAs will be included with other juvenile justice

database information to assist criminal justice agencies.

Funding is provided through HB84 for LEAs to request funds from a grant program to fulfill recommended safety improvements. Grant requests will be ranked by the School Security Task Force. LEAs will be responsible for costs associated with required school security personnel. The bill did not include funding for county security chief positions. All schools (charter, private, and public) will be subject to these requirements. Effective dates for various portions of the bill vary, and some date requirements will be determined through rule by the Department of Public Safety (DPS).

CORRECTIONS

Jail reimbursement

County leaders have been working with the legislature to improve jail reimbursement procedures for many sessions. This year, SB48 authorizes counties to receive reimbursement for eligible bed days at a rate of fifty-percent of the state daily incarceration rate. Eligible bed days are defined to include a condition of probation day, parole hold day, parole sanction day, and probation sanction day. Our legislative partners have worked hard to listen to county concerns regarding this process over the years, and this legislation is an important improvement for counties that house inmates on behalf of the state.

SCHOOL SECURITY “WHO’S WHO”

	Function	Appointed by	Funding
County security chief	School safety needs assessments, effective communications, trainings, guardian program implementation	County sheriff	County
SafeUT and School Safety Commission	Coordinates statewide efforts related to SafeUT Crisis Line, promotes awareness, and ensures appropriate reporting to relevant databases.	Representatives from Attorney General, USBE, USHE, DHHS, house, senate, Huntsman Mental Health Institute, law enforcement, youth treatment, and members of the public	State
School guardian	Volunteer (or volunteering school employee) who completes regular training and may have a concealed weapon in a school. Not law enforcement, but has limited authority in case of an active threat.	School principal. Designation may be revoked at any time by principal, county sheriff, or state security chief.	LEA
School resource officer	A law enforcement officer who contracts with an LEA, or whose law enforcement agency contracts with an LEA to provide law enforcement services to the LEA.	Law enforcement agency. Required to meet training requirements developed by state security chief, and contract requirements are enhanced.	LEA and local law enforcement
School safety specialist	School employee designated to oversee school safety and security practices, and ensure adherence.	School principal. May not be the principal, and may only be the specialist at one campus.	County
State security chief	Building standards, school safety personnel requirements, and requirements for training, protocols, reporting, and incident responses	Commissioner of DPS, with the governor’s approval	State
School Security Task Force	Review updates, consult with Education Advisory Board (additional representatives from various LEAs and stakeholders), develop legislation recommendations as necessary, rank and recommend safety grants to LEAs	Two house members, two senate members, State Security Chief, Chiefs of Police Association (from urban county), Sheriffs Association (from rural county), and representatives from State Board of Education, Division of Juvenile Justice Youth Services, superintendents, school safety and security director, resource officers, and SafeUT.	State

FIGURE 5: School security roles and entities, function, appointment process, and funding



Inmate Medicaid eligibility

Currently, incarcerated individuals are only eligible for Medicaid for up to 30 days prior to release as a result of their incarceration. HB501, *Medicaid Modifications* (J. Dunnigan) directs state leaders to apply for a Medicaid waiver to extend Medicaid coverage to eligible inmates for up to 90 days prior to the day the inmate is to be released from a from a correctional facility.

This new waiver will provide cost savings to counties that are otherwise liable for the cost of providing medical care to the incarcerated individuals in their care. In circumstances where an eligible individual is incarcerated for less than 90 days, their medical care is covered by Medicaid for the entirety of their incarceration.

Savings to local governments are required by the Centers for Medicare and Medicaid Services (CMS) to be used following a reinvestment plan. The Department of Health and Human Services (DHHS) will make rules guiding this plan for each participating county.

UAC Priority Policy **VOLUNTEER EMS INSURANCE**

Program enhancements

The Volunteer EMS Insurance Program provides coverage to otherwise uninsured first responders. Among enrollees and local agencies who utilize the service, the program has been extremely popular. Some counties have reported difficulty in spreading the word. As of March 2024, 43 volunteers are receiving coverage.

Rep. Dan Johnson ran HB217, *Volunteer Emergency Medical Service Personnel Insurance Program Amendments* at UAC's request to make adjustments to the program such as inclusion of dental, long-term disability, and life insurance, eligibility for small communities in counties of the

2nd class, and clarification of eligibility with regards to access to other insurance. The bill also allows UAC to make promotional materials to enhance the recruitment and retention potential of the program and increase utility for local agencies.

POSTRETIREMENT REEMPLOYMENT

Retirement allowance

Tackling another long-time issue, HB251, *Postretirement Reemployment Restrictions Amendments* (M. Gwynn) creates an alternative way for a retiree within URS to return to employment.

After a 90 day waiting period, a retiree may return to employment, and while reemployed, will receive a retirement allowance that is fifteen to twenty percent less than their entitled allowance based on their type of benefit. During the period of reemployment, the retiree will not receive an annual COLA. When the retiree retires again, they will receive their entire allowance and will not receive repayment for the lower percentage or any COLA increases missed while employed.

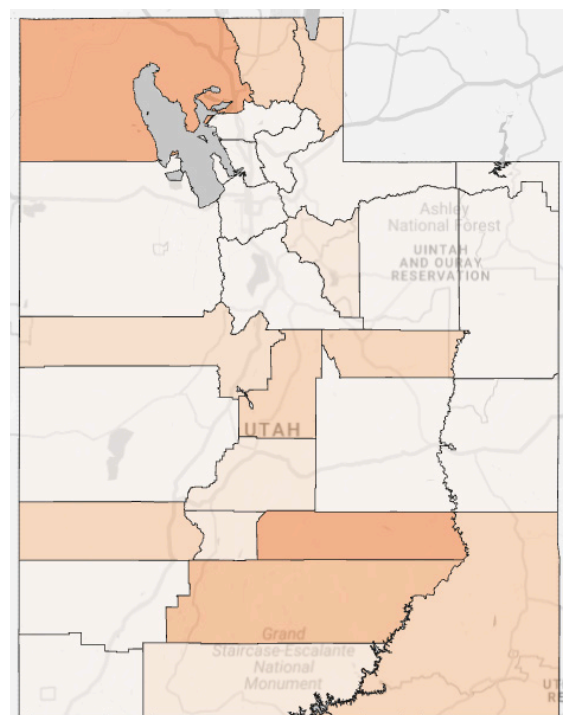
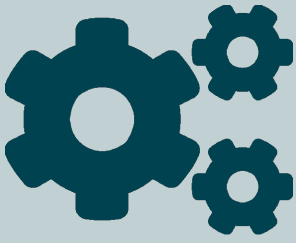


FIGURE 6: *Volunteer EMS Insurance participants by county (1 volunteer 7+ volunteers)*



Government Operations

ISSUES

As political subdivisions of the state, county officials follow state statute. UAC and its members work throughout the session to provide a unified voice for counties as they pass legislation which impacts county responsibilities.

This year, bills impacting open and public meetings, data privacy, state sovereignty, elections, state grant processes, titles and recording, construction, postretirement reemployment, and even water usage will adjust how Utah counties do business.

Key Legislation

HB11, *Water Efficient Landscaping Requirements* (D. Owens)

HB25, *Electronic Notarization Amendments* (C. Musselman)

HB36, *Open and Public Meetings Act Amendments* (J. Dunnigan)

HB37, *Joint Tenancy Presumption Amendments* (C. Musselman)

HB335, *State Grant Process Amendments* (V. Peterson)

HB491, *Data Privacy Amendments* (J. Moss)

HB515, *Election Administration Modifications* (K. Peterson)

HB516, *State Land Purchase Amendments* (C. Pierucci)

SB131, *Information Technology Act Amendments* (W. Harper)

SB165, *Title Recording Notice Requirements Amendments* (W. Harper)

SB185, *Residential Building Inspection Amendments* (E. Vickers)



OPEN AND PUBLIC MEETINGS ACT

Convening a meeting

HB36, *Open and Public Meeting Amendments* (J. Dunnigan) sought to clarify the Open and Public Meetings Act in response to a legislative audit of a county commission. The legislative sponsor worked to hear county concerns regarding three-member commissions and made many helpful revisions to the bill based on UAC feedback.

The bill seeks to clarify statute by defining a meeting, and defining what it means to convene a meeting. The bill defines a meeting as a gathering:

1. of a public body or specified body;
2. with a quorum present; and
3. that is convened:
 - a. by an individual:
 - i. with authority to convene the public body or specified body; and
 - ii. following the process provided by law for convening the public body or specified body; and
 - b. for the express purpose of acting as a public body or specified body to:
 - i. receive public comment about a relevant matter;
 - ii. deliberate about a relevant matter; or
 - iii. take action upon a relevant matter.

As with any matter, county officials should consult their county attorney for additional clarification on this important piece of legislation.

ELECTIONS

Artificial intelligence

Too frequently, policy trails new technology. In response to artificial intelligence technology, and looking forward to the 2024 election, Sen. Harper and Rep. Defay worked to proactively address the use of AI in Utah elections.

SB131, *Information Technology Act Amendments* (W. Harper) requires communication meant to influence voting that includes synthetic media to include a disclosure that says “Contains content generated by AI,” or a similar description based on whether the content includes video, audio, or visual material.

The bill also outlines penalties for violations including civil fines, and the potential for use of artificial intelligence to be considered as an aggravating factor in sentencing.

In case of a tie

HB515, *Election Administration Modifications* (K. Peterson) clarifies procedures to be used in case of a tie. The new statute requires automatic recounts, what to do if selecting a winner based on a lot is required, and sets out timelines. County clerks regularly work with legislators to improve election statutes and Utah’s electoral process.

STATE GRANT PROCESS

Receiving funding from state grants

Changes made to state grant processes through HB335, *State Grant Process Amendments* (V. Peterson) may impact how local government entities receive funds from the state. In future sessions, local entities should ensure that specific needs and requests are outlined in legislative intent language.

DATA PRIVACY

New processes

New legislation passed this session will change how counties think about and process personal identifying information. The Government Operations Policy Steering Committee and county IT directors worked to generate recommended amendments to this bill during the session which will improve implementation. The sponsor not only considered these requests but ensured that the bill contained resources

for the state to generate support for counties and other local governments as they implement. UAC was also successful in pushing back the implementation date of this bill to give counties an additional year to plan, and two additional years to execute recommendations.

interest in and inherent expectation of privacy regarding the personal data that the individual provides to a governmental entity and that a governmental entity shall act in a manner respecting personal data that is consistent with that interest and expectation.

HB491, *Data Privacy Amendments* (J. Moss) establishes that the policy of the state is that an individual has a fundamental

Each governmental entity will be required to implement and maintain a privacy program that includes policies, practices,



FIGURE 7: State data policy roles and functions



and procedures for the processing of personal data. Each entity will need to provide information and disclosures to residents before collecting information and have a system in place to provide a personal data notice to individuals who request it.

Some language in the bill may look familiar, including information about what is required in case of a data breach. This bill represents an effort to standardize and consolidate statutes from different sections of code into a cohesive guide for personal data use by government entities.

WATER USAGE

Water efficient landscaping

As part of efforts to reduce water usage in the Great Salt Lake basin, the Government Operations Policy Steering Committee voted to support HB11, *Water Usage Amendments* (D. Owens). This bill establishes that new local government entity, LEA, or highway authority construction within the Great Salt Lake basin may not incorporate spray irrigation unless the landscaping is for active recreation.

COUNTY FUNCTIONS

Restricted entities

State leaders stepped into the national security space this year. HB516, *State Land Purchase Amendments* (C. Pierucci) instructs DPS to create a list of restricted public entities that may not own land in the state. When an entity on the list attempts to purchase land in Utah, county recorders will be required to report the intended purchase to DPS and include information about the transfer on a publicly available list. After receiving the report, DPS is authorized to investigate, and the Division of Facilities Management is authorized to sell an interest in land that a restricted foreign entity fails to divest from timely.

Other impacts

SB165, *Title Notice Reporting Requirements* (W. Harper) requires that counties provide a system for property owners to elect to receive notification when the county recorder records a deed or mortgage on the owner's property. County treasurers will be required to provide instructions in the tax notice describing how an owner can elect to receive the electronic notice.

Rep. Musselman ran two UAC supported bills to improve county processes. HB25, *Electronic Notarization Amendments* (C. Musselman) allows electronic notarization of documents allowed to be recorded electronically in a county recorder's office. HB 37, *Joint Tenancy Presumption Amendments* (C. Musselman) clarifies that unless otherwise stated, ownership granted to two or more persons is presumed to be a joint tenancy with rights of survivorship.

Sen. Buxton and county recorders secured \$500,000 ongoing to replace and restore survey monuments, which can be moved or damaged due to construction, wildfire, and other causes.

BUILDING INSPECTIONS

Options for builders

Responding to concerns expressed by builders, Sen. Vickers passed SB185, *Residential Building Inspection Amendments*, to create an option for a builder to hire a third-party inspection firm.

After a fee for inspection of a construction project is collected, an entity has three business days to provide an inspection. If the entity is unable to fulfill the request, the applicant may engage a third-party firm from a list of licensed inspectors from private firms or adjacent cities or counties maintained by the local entity. In counties of the first, second, third, or fourth class, the list must contain at least three inspectors. In counties of the fifth or sixth classes, the list must contain at least one inspector.



Natural Resources and Public Lands

ISSUES

State leaders made generational changes to water and energy policy during the 2024 session. Some changes codified existing practices, and others centralize information, systems, and decision making to enable statewide planning. Other bills addressed mining, land use, and constitutional sovereignty.

Natural Resources and Public Lands Policy Steering Committee members carefully vetted these bills to ensure positive impact for Utahns, and worked to amend bills that could have been detrimental.

Key Legislation

HB48, *Utah Energy Act Amendments* (C. Jack)

HB453, *Great Salt Lake Revisions* (C. Snider)

HB191, *Electrical Energy Amendments* (C. Jack)

HB502, *Critical Infrastructure and Mining* (C. Snider)

HB241, *Clean Energy Amendments* (C. Albrecht)

SB57, *Constitutional Sovereignty* (S. Sandall)

HB280, *Water Related Changes* (C. Snider)

SB67, *Public Thoroughfare Amendments* (S. Sandall)

HB353, *Mining Operations Amendments* (C. Snider)

SB172, *Protection Areas Revisions* (C. Bramble)

HB363, *Livestock Grazing Amendments* (C. Snider)

SB211, *Generational Water Infrastructure Amendments* (S. Adams)

HB374, *State Energy Policy Amendments* (C. Albrecht)



ENERGY

Statewide energy policy

In response to a legislative audit that found Utah lacked a cohesive statewide strategic plan for energy, legislative leaders passed several bills focused on securing Utah's energy future and clarifying Utah's statewide energy policy.

HB374, *State Energy Policy Amendments* (C. Albrecht) rewrote state energy policy to state that "Utah will develop its energy resources and plan its energy future with a focus on human well-being and quality of life, recognizing that reliable access to energy is vital for human health, adaptation, economic growth, and prosperity."

The new state energy policy prioritizes adequate, reliable, dispatchable, affordable, sustainable, secure, and clean energy (in order of priority). The plan outlines support of innovative, market-driven solutions, and excellent infrastructure to match.

HB48, *Utah Energy Act Amendments* (C. Jack) modifies the Office of Energy Development statute within the Department of Natural Resources (DNR) to require the adoption of a master plan with data-driven modeling and strategies for advocating on behalf of state interests at the federal level.

HB191, *Electrical Energy Amendments* (C. Jack) and HB241, *Clean Energy Amendments* (C. Albrecht) clarify additional portions of the energy statute, including a change from the term "renewable" to "clean," and direction for the Public Safety Commission to act according to state energy policy, and amends the process for retiring electric generating units early.

WATER

Generational water investments

Continuing a years-long process, state leaders passed additional bills to centralize water policy decisions and enable statewide water planning. SB211, *Generational Water Infrastructure Amendments* (S. Adams) created the Water District Water Development Council, based on an interlocal cooperation agreement, codifying a process similar to Prepare60, an effort from the four largest water districts to secure Utah's water future. Also included in the bill is an appropriation for the governor to appoint the Utah Water Agent—an individual who will be able to negotiate on behalf of the state during Colorado River negotiations.

HB280, *Water Related Changes* (C. Snider) modifies requirements for the Division of Water Resources to maintain a state water plan, including a study of financing water projects. This plan will be a cooperative effort between, at a minimum:

- The Governor's Office of Planning and Budget
- Department of Agriculture and Food
- Department of Natural Resources
 - Division of Water Rights
 - Utah Geological Survey
 - Division of Wildlife Resources
 - Division of Forestry, Fire, and State Lands
 - Public Lands Policy Coordinating Office
- Department of Environmental Quality
 - Division of Drinking Water
 - Division of Water Quality
- Office of the Great Salt Lake Commissioner
- Colorado River Authority of Utah
- Water Conservancy Districts
- Local Watershed Councils

HB453, *Great Salt Lake Revisions* (C. Snider) offers incentives for mineral extraction industries on the Great Salt Lake to use less water.



FIGURE 8: *State Treasurer Marlo Oaks shows off his UAC 100th Anniversary socks as host of UAC's Natural Resources and Public Lands Legislative Advocacy Boot Camp*

Learning about legislative advocacy

During County Day on the Hill this year, offices around the Capitol hosted UAC members for Legislative Advocacy Boot Camps. These events taught members about UAC's priority policies and gave Utah's policy experts a chance to share their best advice for navigating Capitol Hill.

Thank you to Treasurer Marlo Oaks, Attorney General Sean Reyes' team, the Office of the Legislative Fiscal Analyst, Sophia DiCaro in the Governor's Office of Planning and Budget, and Auditor John Dougall for hosting our members, and thank you to dozens of cabinet members and legislators who joined to share their expertise with our team!



PUBLIC LANDS

Critical minerals and mining

Two bills, SB172, *Protection Areas Revisions* (C. Bramble) and HB502, *Critical Infrastructure and Mining* (C. Snider) aimed to extend vested mining rights currently reserved to bedrock mines to other types of extraction such as gravel pits (called “critical infrastructure materials protection area”). Under these rights, any activity deemed “normal,” such as noise, dust, etc would be allowed. Operators would gain the ability to annex property in immediate proximity to active operation areas.

Based on the proximity of these operations to some communities, and concerns regarding local authority and eminent domain, Natural Resources and Public Lands Policy Steering Committee members recommended UAC opposition to these versions of the bills. SB172 did not receive a committee hearing or floor debate, and HB502 was drastically amended before passage.

Protecting county roads

With UAC opposed to an initial draft of SB67, *Public Thoroughfare Amendments* (S. Sandall) UAC members and the bill sponsor worked to draft a bill that addressed desired policy objectives while maintaining important authorizations under R.S. 2477, and other state, county, and local access needs. The compromise reached in this bill outlines that if public use of a thoroughfare across private land has been discontinued for more than 50 years, the thoroughfare does not need to be formally abandoned and ownership is vested with the adjoining owner or owners.

Constitutional sovereignty

SB57, *Constitutional Sovereignty* (S. Sandall) provides a process for the legislature to pass a concurrent resolution prohibiting enforcement of a federal directive by state officers if the legislature determines the directive violates principles of state sovereignty found in the tenth amendment, or the state’s rights to provide for the health, safety, welfare, and prosperity of the state’s inhabitants.



Social and Human Services

ISSUES

As the state seeks to address complicated issues like homelessness and mental health treatment, counties lead the way in providing services that meet the needs of residents, and lift communities.

Counties were key voices in conversations about addressing homelessness and court-ordered treatment during the legislative session this year. Work completed by Criminal Justice Coordinating Councils has paved the way for data-driven decision making to take place, keeping healthy communities as the forefront of policy choices.

Key Legislation

HB298, *Homelessness Services Amendments* (T. Clancy)

HB299, *Court-ordered Treatment Modifications* (R. Clancy)

SB27, *Behavioral Health System Amendments* (E. Vickers)

UAC Priority Policy HOMELESSNESS

Governance

The Utah Homelessness Council has been a large board comprised of members of the public, state leadership, and city mayors. While the council has done excellent work, the group has been large and lacked input from counties—the political subdivision that is often at the forefront of homelessness policy through both behavioral health and public safety efforts.

HB298, *Homelessness Services Amendments* (T. Clancy) repeals the council and implements the Utah Homeless Services Board, a ten-member board inclusive of an elected official appointed by UAC as well as a county behavioral health employee appointed by UAC.

The new statute outlines the data requirements and goals that the board should move towards, with the intent of seeking a functional zero level of homelessness in each of fifteen subcategories. UAC and its members are excited to continue



working on these important issues, and thrilled that counties have gained meaningful seats at important tables as conversations, including about how to fund these services, continue.

BEHAVIORAL HEALTH

Medicaid contribution adjustment

County leaders successfully advocated for funding for behavioral health Medicaid contribution adjustment to respond to a change in the federal formula. While some Medicaid contributions are determined through a consensus process at the state level, behavioral health is not included. If the state does not fund these adjustments each year, local mental health authorities (LMHAs) contribute more for state-mandated services than the required twenty-percent. Thank you to Rep. Dunnigan for your support!

Court-ordered treatment

At the start of the session, HB299, *Court-Ordered Treatment Modifications* (T. Clancy) required the state to sell the Utah State Hospital property in Utah, intending for the state to convert to a dispersed model with multiple facilities throughout the state. The Social and Human Services Policy Steering Committee vetted the bill and had staffing and funding concerns related to the plan. The bill language was substituted, and the version that passed requires the Utah Substance Use and Mental Health Advisory Council to study issues related to civil commitment to improve policy surrounding this important issue. The bill allows patients to be involuntarily committed to LMHAs for up to 72 hours, an increase from the prior 24. LMHAs will need to notify police or mental health officers when individuals committed involuntarily are released.

The bill also requires LMHAs to provide discharge instructions to all released patients including information about the patient's commitment, treatments, medications, tests, and additional resources.

Governance

SB27, *Behavioral Health System Amendments* (E. Vickers) creates the Utah Behavioral Health Commission within DHHS. This commission consolidates various subcommittees and behavioral health duties and will become the central authority for coordinating behavioral health initiatives between state and local governments, health systems, and other interests to ensure that Utah's behavioral health systems are comprehensive, aligned, effective, and efficient.

As part of this reorganization, membership in other related committees and commissions was adjusted. Additionally, state general funds for behavioral health crisis care were consolidated into the Statewide Behavioral Health Crisis Response Account. This account supports programs like the statewide mental health crisis line (988), mobile crisis outreach teams, receiving centers, stabilization services, crisis intervention training and certification, and more.



Revenue and Taxation

ISSUES

UAC began the legislative session with big goals to address centrally assessed property, recreation management, and commercial property disclosures. Legislative partners and bill sponsors carried heavy lifts and made great progress towards these important priority policies.

Legislators addressed a variety of amendments to property tax assessment, including new guidance for county assessors.

Towards the end of the legislative session, two new professional sports stadiums became a key debate. UAC members opposed a proposal that would have generated a statewide TRT tax to fund a new MLB stadium. Versions of these bills that passed and were signed did not include this proposal.

Key Legislation

HB66, *Property Tax Relief Amendments* (P. Lyman)

HB236, *Sales and Use Tax Amendments* (J. Stenquist)

HB288, *Rollback Tax Amendments* (J. Kyle)

HB423, *Residential Valuation Appeal Procedures Amendments* (N. Thurston)

HB562, *Utah Fairpark Area Amendments* (R. Wilcox)

SB30, *Property Transaction Amendments* (D. McCay)

SB38, *Property Tax Appeals Modifications* (D. McCay)

SB132, *Property Tax Appeals Amendments* (D. Owens)

SB182, *Property Tax Assessment Amendments* (W. Harper)

SB272, *Capital City Reinvestment Zone Amendments* (D. McCay)



CENTRALLY ASSESSED PROPERTY

Challenges faced

Centrally assessed property appeals have a profound impact on the financial stability of taxing entities. High proportions of centrally assessed property, lengthy appeals, budget restrictions, and policy concerns led UAC members to meet with legislators during the interim to outline modifications that could lessen negative impacts on both taxing entities and taxpayers.

Sen. McCay, Sen. Bramble, and Sen. Owens listened to member concerns and worked with UAC throughout the session to achieve remarkable progress in improving centrally assessed property procedures.

Better tools for counties

SB132, *Property Tax Appeals Amendments* (D. Owens) addressed a variety of proposals. Current statute restricts the ability of a taxing entity to budget for property tax refunds in case of an appeal. The tool that does allow funds to be saved requires a vote of the people, often barring use of the funds due to the short time in which funds must be repaid. SB132 allows tax stability and trust funds to be used without voter approval and extends the time in which an entity must repay a taxpayer from 60 days to 120 days.

Another tool used by taxing entities is judgment levies. SB132 allows levies to be issued over multiple years.

Fair solutions for taxpayers and taxing entities

New growth for centrally assessed properties is currently calculated using a benchmark from a single year. This arbitrary standard has skewed new growth calculations for some counties. In response to this challenge, SB132 uses a three-year average to calculate new growth.

Some counties reported that the entire burden of appeals was left to county governments when taxpayers occasionally absolved other taxing entities. SB38, *Property Tax Appeals Modifications* (D. McCay) requires any expenses incurred by a county during an appeals process to be apportioned proportionately among each taxing entity located within the county.

PROPERTY TAX ASSESSMENT

Technical requirements

SB182, *Property Tax Assessment Amendments* (W. Harper) sought to establish remedies for taxpayers who experience significant increases in their valuation that are not due to changes in the property. UAC members worked with the sponsor to improve technical aspects of the bill during the legislative session.

The bill requires a county's mass appraisal system to maintain a minimum of five classifications of property and clarifies that those classifications are public information. The bill directs county assessors in a county of the third through sixth classes to seek assistance from other county assessors or a contracted appraiser to comply with mass appraisal system requirements, and exempts counties from the statewide system only if the county uses another computer-based system approved by the Multicounty Appraisal Trust trustee and the Tax Commission to be interoperable with the state system.

If a property owner experiences a valuation increase of one-hundred fifty percent or more for the prior year without a physical, zoning, or legal change, the county assessor must conduct a review of the property to determine if an adjustment should be made. County assessors must report the number of properties that required a review, the number of properties whose values were reduced as a result of



FIGURE 9: Sen. Owens and Sen. McCay meet with county leaders in Fillmore, UT in September 2023 to discuss centrally assessed property

the review, and additional information for cases in which the county assessor does not reduce the value to the Tax Commission. Any assessor that must report qualifying increases for two or more consecutive years is subject to a report to the Revenue and Taxation Interim Committee regarding the number of properties with qualifying increases and the reasons for the increases.

Additionally, SB182 requires the Tax Commission to provide education and training for county assessors that covers statutory obligations and mass appraisal techniques. Assessors must complete this training within 12 months of taking office. County assessors who do not comply with this or other provisions will be subject to corrective action.

For taxpayers with qualifying increases, the bill creates an option for the taxpayer to defer the tax increase for up to five years.

The Revenue and Taxation Policy Steering Committee supported HB423, *Residential*

Valuation Appeal Procedure Amendments (N. Thurston) which requires a county board of equalization or hearing officer to only consider evidence submitted by each party. The bill also establishes that there is no presumption of correctness for any evidence submitted in an appeal, including the original valuation. A sales price may also be presumed not-correct if evidence is presented that there was not an arms-length transaction, or that market or property changes have occurred since the contract was signed.

Changes to property taxes

Some bills this year addressed property tax changes. The Revenue and Taxation Policy Steering Committee voted to support HB66, *Property Tax Relief Amendments* (P. Lyman) which modifies the definition of income to clarify that public assistance should not be counted towards income totals, and allows for rulemaking that could extend the application deadline for circuit breaker tax relief. The committee also voted to support HB288, *Rollback Tax Amendments*,



which excludes land acquired by certain governmental entities from the rollback tax and requires entities exempted from the rollback tax to make a one-time in-lieu fee payment if they want to sell the land to a private entity within five years.

UAC Priority Policy

COMMERCIAL PROPERTY DISCLOSURES

Addressing vital data needs

County assessors are highly trained professionals who need appropriate tools to do their jobs and maintain fairness for all taxpayers. SB30, *Property Transaction Amendments* (D. McCay) would have mandated disclosure of commercial property sale prices and protected such disclosures from GRAMA.

This proposal would have led to increased fairness and privacy and illustrated free market principles. High residential property taxes hurt homeowners, and good data leads to better valuations. This bill passed the Senate Revenue and Taxation Committee and 2nd Reading vote in the Senate, but was ultimately not heard again before the session ended. We thank Sen. McCay for his work and look forward to continuing conversations about this important priority.

PROFESSIONAL SPORTS VENUES

Major League Baseball

Utah loves baseball! This session, state and county leaders expressed excitement about the potential to bring an MLB team to Utah.

HB572, *Utah Fairpark Areas Investment and Restoration District* (R. Wilcox) created the Utah Fairpark Area Investment and Restoration District, defines the boundary of the district, and allows the

district to levy a variety of taxes within the boundaries of the district. The bill defines the terms for constructing and leasing a stadium if a qualifying MLB team contract is secured, and provides that the state will retain ownership of any stadium built within the district. Statewide, the car rental tax will be increased. The Revenue and Taxation Policy Steering Committee and UAC Legislative Committee voted to oppose an early version of this bill that also included an increase to the statewide TRT tax. That provision was struck from the final version of the bill.

NHL

SB272, *Capital City Revitalization Zone* (D. McCay) creates a revitalization zone in downtown Salt Lake City to create or renovate a facility to be used by an NHL team.

Unlike the baseball bill, this proposal provides an option for a local sales tax to be levied only within Salt Lake City, with the approval of the municipal government.

Each of these sports-driven projects will revitalize their respective areas and drive private investment in Utah's capital city.

UAC Priority Policy

RECREATION MANAGEMENT

Funds for recreation and tourism communities

HB236, *Sales and Use Tax Amendments* (J. Stenquist) authorized the local option rural hospitals tax to be used for recreation and visitor management activities such as search and rescue services and avalanche forecasting.

More work remains to be done to address the challenges rural areas face in managing the outsized impact of visitors on small communities. We look forward to having more conversations with UAC members and our legislative partners in pursuit of a solution to this important problem.

Policy Steering Committees

Participation from members in policy steering committees and the legislative process is key to our success as an organization. Thank you to the chairs and vice chairs of our Policy Steering Committees who served so diligently, as well as the dozens of members of each committee who worked hard to vet bills and make recommendations that improved county outcomes.

COMMUNITY DEVELOPMENT

CHAIR: Amelia Powers Gardner, Commissioner, Utah County

VICE-CHAIR: Jon Lee, Commissioner, Rich County



CRIMINAL JUSTICE AND PUBLIC SAFETY

CHAIR: Kelly Sparks, Sheriff, Davis County

VICE-CHAIR: Casey Hopes, Commissioner, Carbon County



GOVERNMENT OPERATIONS

CHAIR: Jack Lytle, Commissioner, Daggett County

VICE-CHAIR: Jerry Houghton, Recorder and Surveyor, Tooele County



NATURAL RESOURCES AND PUBLIC LANDS

CHAIR: Gregory Miles, Commissioner, Duchesne County

VICE-CHAIR: Bruce Adams, Commissioner, San Juan County



SOCIAL AND HUMAN SERVICES

CHAIR: Arlyn Bradshaw, Councilman, Salt Lake County

VICE-CHAIR: Barbara Tidwell, Councilwoman, Cache County



REVENUE AND TAXATION

CHAIR: John Ulibarri, Assessor, Weber County

VICE-CHAIR: Chris Harding, Auditor, Salt Lake County



UAC Executive Committee

UAC executive committee members spend long hours during the session working with staff to meet with legislative leaders and representatives from the governor's office and state agencies to tell county stories and advance UAC priorities. Thank you to each of our dedicated leaders!

PRESIDENT: Curtis Koch, Auditor, Davis County

VICE PRESIDENT: Nathan Curtis, Sheriff, Sevier County

SECOND VICE PRESIDENT: Adam Snow, Commissioner, Washington County

PAST-PRESIDENT: Shelley Brennan, Recorder, Duchesne County

SECRETARY: Marki Rowley, Clerk, Millard County



UAC Legislative Staff

UAC's legislative team is always available to answer questions about the legislative session or UAC's policy process.

CHIEF EXECUTIVE OFFICER: Brandy Grace

DIRECTOR OF LEGISLATIVE AFFAIRS: Adam Kolowich

LEGISLATIVE POLICY ANALYST: Katie Miner

LEGISLATIVE POLICY ANALYST: Zeke Lee

LEGISLATIVE POLICY ANALYST: Katherine Rhodes



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