

# 2020 UBA LEGISLATIVE TRACKING

Bill	Short Title	Prime Sponsor	Position	Comments	Result
H.B 10	Boards and Commissions Amendments	Roberts, Marc K.	M	This bill repeals, places sunset provisions on, and amends provisions related to certain boards and commissions.	✓
H.B. 37	Insurance Amendments	Dunnigan, James A.	M	This bill: defines terms; amends provisions related to certain contractors and subcontractors and health benefit plans; amends the scope and applicability of the Insurance Code; removes the requirement that the Insurance Department employ a chief examiner; permits a signature of the insurance commissioner to be in a format that affixes an exact copy of the signature; prohibits more than two members of the Title and Escrow Commission to be employees of an entity operating under an affiliated business arrangement; amends requirements for doing business in relation to service contract providers and warrantors; amends provisions regarding required disclosures for a service contract or a vehicle protection product warranty; permits the insurance commissioner to exempt a health maintenance organization from certain deposit requirements without a hearing; amends the date before which a health insurer shall submit a written report regarding coverage for opioids; amends provisions regarding credit allowed a domestic ceding insurer against reserves for reinsurance, including: establishing eligibility for credit; requiring the insurance commissioner to create and publish a list of reciprocal jurisdictions; requiring the insurance commissioner to create and publish a list of qualified assuming insurers; requiring rulemaking; establishing conditions for suspension of an assuming insurer's eligibility; and addressing the reduction or elimination of credit; amends requirements for the loss and loss adjustment expense factors included in rates filed in relation to workers' compensation; amends certain filing	✓

				<p>requirements to reflect current practice; amends the forms that the insurance commissioner may prohibit; amends limitations of actions for an accident and health insurance policy; enacts provisions regarding the Restatement of the Law of Liability Insurance; outlines requirements for a notice of assignment related to a debt; amends requirements related to the shared common purposes of association groups; amends provisions regarding dependent coverage for accident and health insurance; enacts the Limited Long-Term Care Insurance Act, which: defines terms; establishes disclosure and performance standards for limited long-term care insurance; establishes parameters of a limited long-term care insurance policy offering a nonforfeiture benefit; and requires the insurance commissioner to make rules; amends provisions regarding the licensing of administrators; amends jurisdictional provisions under the Insurance Receivership Act; and permits a captive insurance company to provide reinsurance by another insurer with prior approval of the commissioner; and makes technical and conforming changes.</p>	
H.B. 60	Corporate Income Tax Credit Amendments	Barlow, Stewart E.	M	<p>This bill: provides that a corporate contributor to an Achieving a Better Life Experience Program account may claim the income tax credit for the 2020 taxable year only; and schedules the repeal of the corporate Achieving a Better Life Experience Program income tax credit.</p>	✓
H.B. 69	Sick Leave Amendments	Arent, Patrice M.	M	<p>This bill: defines terms; requires certain employers to allow an employee to use accrued sick leave to care for an immediate family member under certain conditions; prohibits an employer from taking adverse action against an employee for using sick leave in accordance with this bill; allows an employee to file a written complaint with the Division of Antidiscrimination and Labor for an alleged violation of this bill; grants the division enforcement and rulemaking authority to implement the provisions of this bill; and provides that this bill does not extend the maximum period of leave</p>	

				available to an employee under specified federal law.	
H.B. 76	ABLE Account Alliance Office	Dailey-Provost, Jennifer	M	This bill: modifies provisions of the ABLE program, which has the effect of requiring the Department of Workforce Services to administer a state ABLE program or partner with another state to provide access to that state's ABLE program; and makes technical changes.	
H.B. 113	Consumer Sales Practices Amendments	Stoddard, Andrew	M	This bill: defines terms; prohibits a person from using the name of a financial institution in a targeted solicitation without the express written consent of the financial institution; establishes certain requirements and standards regarding the use of targeted solicitations; and provides that a person who offers a targeted solicitation in violation of this bill commits a deceptive act or practice under the Utah Consumer Sales Practices Act, administered and enforced by the Division of Consumer Protection.	✓
H.B. 140	Employment Selection Procedures Acts Amendments	Wheatley, Mark A.		This bill: defines terms; prohibits an employer from seeking information regarding an applicant's 16 employment history from certain persons; gives the Labor Commission's Division of Antidiscrimination and Labor enforcement power; permits an aggrieved individual to file a request for agency action; permits either party to appeal an order made under the Employment Selection Procedures Act; provides for the Labor Commission to obtain representation on any appeal or to enforce any judgment of an order made under the Employment Selection Procedures Act; and makes technical and conforming changes.	
H.B. 158	Data Privacy Amendments	Roberts, Marc K.	M	This bill: defines terms; creates affirmative defenses to causes of action arising out a data breach involving personal information, restricted information, or both personal information and restricted information; establishes the requirements for asserting an affirmative defense; provides that the creation of an affirmative defense does not create a cause of action for failure to comply with the requirements for asserting the	

				affirmative defense; and provides a severability clause.	
H.B. 162	Securities Amendments	McKell, Michael K.	M	This bill: amends definitions; prohibits a person from holding oneself out as or representing that the person is an investment adviser or an investment adviser representative unless the person is licensed, exempt from licensing, or a federal covered adviser; amends determining factors for fines imposed under the Utah Uniform Securities Act; and makes technical and conforming changes.	✓
H.B. 165	Telephone and Facsimile Solicitation Act Amendments	McKell, Michael K.	M	This bill: permits a court in a private action under the Telephone and Facsimile Solicitation Act to award a person treble the amount of the person's pecuniary loss under certain circumstances; and makes technical and conforming changes.	✓
H.B. 200	Addition to Income Revisions	Spendlove, Robert M.		This bill: amends an addition to income provision to provide the circumstances under which a corporation may not deduct a royalty or other expense paid to an entity related by common ownership for the use of an intangible asset	✓
H.B. 207	Insulin Access Amendment	Thurston, Norman K.	M	This bill: creates an incentive for health benefit plans to reduce the required copayments for insulin; directs the Public Employees' Benefit and Insurance Program to purchase insulin at discounted prices and to create a program that allows Utahns to purchase the discounted insulin; increases the number of days for which an insulin prescription can be refilled; and authorizes a pharmacist to refill an expired insulin prescription.	✗
H.B. 284	Notification Amendments	Shurtliff, Lawanna	O	This bill: modifies the method by which an owner of a self-service storage facility sends notice to an occupant before enforcing a lien against the occupant's property by requiring the owner to deliver the notice: by certified mail and by email; or in person, with a signed document that acknowledges receipt; requires certain notices under the Revised Uniform Unclaimed Property Act be delivered: by certified mail and by email; or in person, with a signed document that	✗

				acknowledges receipt; and makes technical and conforming changes.	
H.B. 312	Maintenance Funding Practices Act	Dunnigan, James A.	M	This bill: defines terms; requires a maintenance funding provider to register with the Division of Consumer Protection; establishes operating requirements for a maintenance funding provider; establishes reporting requirements for a maintenance funding provider and the division; establishes requirements for maintenance funding agreements; requires a maintenance funding provider to make certain disclosures; grants rulemaking authority to the Division of Consumer Protection; requires the Division of Consumer Protection to administer and enforce the Maintenance Funding Practices Act; and addresses enforceability of a maintenance funding agreement.	✓
H.B. 319	Consumer Lending Amendments	Daw, Brad M.	M	This bill: amends registration requirements for deferred deposit lenders; amends reporting requirements for deferred deposit lenders; amends operational requirements for deferred deposit lenders; amends reporting requirements for the Commissioner of Financial Institutions regarding deferred deposit lenders; amends provisions relating to bail bonds; amends provisions related to damages to party aggrieved; and makes technical and conforming charges	✓
H.B. 383	Electronic Information and Data Privacy Amendments	Hall, Craig	M	This bill: requires, with certain exceptions, law enforcement agencies to obtain a warrant for electronic data or information transmitted through an electronic communication service; provides that law enforcement agencies are not required to obtain a warrant or subpoena to obtain or use data from the National Center for Missing and Exploited Children; requires law enforcement agencies to notify an owner within 90 days of a search warrant for an electronic device or electronic information or data; requires law enforcement agencies to notify an owner of an electronic device or electronic information or data that is the subject of a search warrant within three days after an investigation is concluded; repeals language related to an extension for a	✗

				delayed notification; allows law enforcement agencies to delay notification of a search warrant to an owner of an electronic device or electronic information or data, which is the subject of the search warrant, if the purpose of the delayed notification is to apprehend a fugitive of justice; allows a law enforcement agency to obtain, use, copy, or disclose, without a subpoena, certain information about subscribers and customers; and makes technical and conforming changes.	
H.B 407	Regulatory Sandbox Amendments	Roberts, Marc K.	M	This bill: modifies the requirements for an application to participate in the Regulatory Sandbox Program; and makes technical changes	✓
H.B 412	Credit Reporting Notification Amendments	Maloy, A. Cory	S	This bill: allows a creditor to notify the affected individual by electronic mail when the creditor submits a negative credit report to a credit reporting agency; and makes technical changes.	✓
H.B 422	Preconstruction and Construction Liens Amendments	Roberts, Marc K.	M	This bill: defines terms; removes the requirement that an owner file a notice of intent to obtain final completion; amends provisions regarding a notice of intent to finance and enacts provisions regarding a notice of intent to finance construction or advance construction funds; enacts provisions related to a notice of progress and a notice of final lien; amends provisions regarding a failure to provide notice; and makes technical and conforming changes.	✗
H.B. 459	Financial Exploitation Prevention Act	Andersen, Kyle R.	M	This bill: defines terms; requires a covered financial institution: to take certain actions before executing certain transactions; to display certain information regarding financial exploitation; and to require each employee complete initial and ongoing training regarding financial exploitation; permits a covered financial institution to delay certain transactions under certain circumstances; permits a covered financial institution to notify a law enforcement agency or Adult Protective Services under certain circumstances; establishes penalties; grants immunity to a covered financial institution, except under certain circumstances; and requires the Office of the Attorney General to provide certain information regarding financial	✓

				exploitation on the attorney general's website.	
S.B. 12	Veterans Preference in Private Employment	Weiler, Todd	M	This bill: allows private employers to extend veterans preference to spouses of veterans.	✓
S.B. 39	Affordable Housing Amendments	Anderegg, Jacob L.	S	This bill: modifies the allowable uses for a community reinvestment agency's housing allocation; modifies the requirements for distributing money from the Olene Walker Housing Loan Fund; authorizes the Housing and Community Development Division (the division) to partner with one or more housing authorities or other entities to provide rental assistance; authorizes the division to partner with the State Board of Education and one or more housing authorities or other entities to identify and to provide rental assistance to families with children who are homeless or are at risk of homelessness; allows low-income housing tax credits to be assigned to another tax payer; modifies the distribution of excess money in the Unclaimed Property Trust Fund; and makes technical changes.	✓
S.B. 45	Uniform Fiduciary Income and Principle Act Amendments	Hillyard, Lyle W.	M	This bill: modifies definitions; clarifies language of the Uniform Fiduciary Income and Principal Act; resolves a conflict between the Uniform Fiduciary Income and Principal Act and the Uniform Directed Trust Act regarding the terms of a trust; modifies dates to reflect the effective date of the Uniform Fiduciary Income and Principal Act; and makes technical and conforming changes.	✓
S.B. 132	Uniform Foreign-country Money Judgment Recognition Act	Hillyard, Lyle W.	M	This bill: creates definitions regarding a foreign country and a foreign-country judgement; requires that for a foreign-country judgement to be covered by the Uniform Foreign-Country Money Judgements Recognition Act (the ACT), the judgement must grant or deny the recovery of the sum of money and be final, conclusive, and enforceable under the law of the foreign country where the judgement was rendered; excludes certain foreign-country judgements from coverage of the ACT; provides the grounds for which	✓

				a court may deny recognition of a foreign-country judgement; provides the procedure for seeking to enforce a foreign-country judgement; provides the effect on the parties of a court recognizing a foreign-country money judgement; allows for the stay of proceedings regarding a foreign-money judgement in certain circumstances; provides a statute of limitations on enforcement of a foreign-country money judgement.	
S.B. 180	Foreclosure Sunset Dates Amendments	Harper, Wayne A.	M	This bill: removes references to repealed provisions related to the effect of a residential foreclosure on a tenant; and reinstates references to the federal law that governs certain aspects of a foreclosure of residential property occupied by a tenant.	✓
S.B. 214	Gambling Machine and Sweepstakes Amendments	Mayne, Karen	M	This bill: defines terms; modifies the crime of gambling; increases criminal penalties for an individual convicted of a gambling offense; prohibits placing a fringe gaming machine into operation; authorizes a municipality and county to seize gambling debts, proceeds, or a fringe gaming device under certain circumstances; provides a cause of action for a person who suffers economic loss as a result of a fringe gaming device, video gaming device, or gambling device or record; and makes technical and conforming changes.	✓
S.B. 220	Confession of Judgment Amendments	Cullimore, Kirk A.	M	This bill: allows parties to enter into a confession of judgment before a default except in employment contracts and certain consumer credit contracts; and provides that the default event for a confession of judgment is the default giving rise to the underlying action.	✓
S.B. 249	Consumer Privacy Act	Cullimore, Kirk A.	M	This bill: defines terms; creates a right for a consumer to know what personal information a business collects, how the business uses the personal information, and whether the business sells the personal information; allows a consumer to require a business to delete personal information with exceptions; allows a consumer to direct a business that sells personal information to stop selling the consumer's personal information; creates a cause of action for the Office of the Attorney General or the consumer to recover damages, attorney fees, and	✗



				<p>costs from a business if the business fails to disclose personal information collected or sold, to delete personal information upon the consumer's request, or to stop selling a consumer's personal information upon request; prohibits an advertiser or a person initiating an email from sending unauthorized or misleading commercial email from this state or to an email address within this state; creates a cause of action for the Office of the Attorney General, the electronic mail service provider, the recipient of the unsolicited commercial email, and any person that has the person's name, brand, trademark, email address, or domain name used without permission to recover damages related to unauthorized or misleading commercial email; and permits the prevailing party to recover attorney fees and costs in an action related to unauthorized or misleading commercial email.</p>	
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**Tracking Key**

✓ = Passed    ✗ = Failed    A = Amend    M = Monitoring    N = Neutral    O = Oppose    S = Support