

2021 UBA LEGISLATIVE TRACKING

Bill	Short Title	Prime Sponsor	Position	Comments	Result
H.B 48	Board of Financial Institutions and Amendments	Dunnigan, James A.	M	This bill: sunsets the Board of Financial Institutions in 2031.	✓
H.B .80	Data Security Amendments	Brooks, Walt	A	This bill: defines terms; creates affirmative defenses to causes of action arising out of a data breach involving personal information, restricted information, or both personal information and restricted information; provides that an entity may not claim an affirmative defense if the entity had notice of a threat or hazard; 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 82	Single-family Housing Modifications	Ward, Raymond P.	M	This bill: modifies and defines terms applicable to municipal and county land use development and management; in any local land use zone permitting accessory dwelling units: requires municipalities and counties to classify certain accessory dwelling units as a permitted land use; and prohibits municipalities and counties from establishing restrictions or requirements for the construction or use of certain accessory dwelling units; provides for statewide amendments to the International Residential Code related to accessory dwelling units; requires the executive director of the Olene Walker Housing Loan Fund to establish a program to provide loan guarantees for certain loans related to accessory dwelling units; prevents a homeowners association from prohibiting the construction or rental of certain accessory dwelling units; and makes technical and conforming changes.	✓
H.B 98	Local Government Building Regulation Amendments	Ray, Paul	M	This bill: allows a building permit applicant to opt out of certain local building inspection and plan review requirements; allows an independent building inspector to issue a certificate of occupancy to a building permit	✓

				applicant in certain circumstances; exempts a construction project involving repairs to a building damaged by a natural disaster from certain State Construction Code and building permit requirements; prohibits a municipality or county from regulating certain building design elements; and makes technical and conforming changes.	
H.B. 217	Regulatory Sandbox Program Amendments	Maloy A. Cory	A	This bill: creates the regulatory relief office within GOED; defines terms; describes the duties of the regulatory relief office; creates the General Regulatory Sandbox Program (sandbox program), which allows the office to waive laws or regulations applicable to a participant under certain circumstances; describes how the sandbox program is to be administered by the regulatory relief office; describes reporting and other requirements of the regulatory relief office and participants in the sandbox program; creates the General Regulatory Sandbox Program Advisory Committee (advisory committee); describes the membership and duties of the advisory committee; and requires the regulatory relief office to create a web page where residents and businesses in the state may provide suggestions regarding modifying or eliminating laws and regulations to reduce the regulatory burden on residents and businesses in the state.	✓
H.B. 218	Reporting Requirements Amendments	King, Brian S.	S	This bill: defines terms; modifies the reporting requirement for the abuse, neglect, and exploitation of a vulnerable adult; provides certain exceptions to the reporting requirement for the abuse, neglect, and exploitation of a vulnerable adult; addresses civil and criminal liability for failure to notify Adult Protective Services or the nearest police officer or law enforcement agency; modifies the reporting requirement for the abuse and neglect of a child; provides certain exceptions to the reporting requirement for the abuse and neglect of a child; addresses civil and criminal liability for failure to notify the Division of Child and Family Services or the nearest police officer or law enforcement agency; repeals a statute	

				with a reporting requirement for abuse, neglect, or exploitation of a vulnerable adult; and makes technical and conforming changes.	
H.B. 263	Utah Clean Energy Fund	Briscoe, Joel K.	S	This bill: lists the fund as an independent entity; enacts the Utah Clean Energy Fund Act, including: stating purposes of the fund; defining terms; creating the fund and the fund's board of directors; providing for an executive director; establishing the duties of the board of directors; and addressing capitalization of the fund; and makes technical changes.	×
H.B. 273	Single-family Housing Amendments	Peterson, Val L.	M	This bill: defines terms; repeals provisions that prohibit municipalities and counties from placing a specified limit on the number of unrelated individuals allowed to occupy a single-family residential unit; requires municipalities and counties to classify certain accessory dwelling units as a permitted land use; prohibits municipalities and counties from establishing restrictions or requirements for the construction or use of certain accessory dwelling units; prohibits a local political subdivision or private entity from imposing a separate or additional impact fee for a single-family dwelling because the single-family dwelling contains an accessory dwelling unit; provides for statewide amendments to the International Residential Code related to accessory dwelling units; and makes technical and conforming changes.	×
H.B. 370	Earned Wages Access Services Act	Dunnigan, James A.	M	This bill: defines terms; enacts provisions related to earned wage access services, including provider registration, provider operational requirements, and provider reporting; requires the Division of Consumer Protection to enforce the Earned Wage Access Services Act, make rules under the Earned Wage Access Services Act, and report to the Business and Labor Interim Committee in relation to earned wage access services; and exempts providers from the provisions of Title 7, Chapter 23, Check Cashing and Deferred Deposit Lending Registration Act.	×

S.B 18	Property Tax Exemption Amendments	Harper, Wayne A.	M	modifies the qualifications for tangible personal property tax to be exempt from property tax; and excludes the revenue generated from the increase in the exemption amount from the certified tax rate calculation.	✗
S.B 25	Corporate Tax Amendments	Bramble, Curtis S.	M	This bill: allows a taxpayer to carry back, for up to three years, a Utah net loss realized during certain taxable years; provides a process for carrying back a Utah net loss; authorizes the State Tax Commission to make rules to administer the Utah net loss carry back; clarifies the calculation of the 80% limitation on carrying forward a Utah net loss; and makes technical and conforming changes.	
S.B 46	Post-employment Restrictions Amendments	Cullimore, Kirk A.	M	This bill: defines terms; modifies the permissible scope of a post-employment restrictive covenant; and makes technical changes.	✗
S.B. 52	Property Tax Deferral Modification	Fillmore, Lincoln	M	This bill: requires a county to grant a property tax deferral to an owner of a single-family residence who is 66 years old or older and whose residence is valued at less than \$500,000 under certain circumstances; provides an inflation adjustment for the value threshold; clarifies the application requirements for a compulsory property tax deferral; and makes technical and conforming changes.	
S.B 85	Disinheritance Following Crimes Against Vulnerable Adults	Weiler, Todd D.	M	This bill: defines terms; statutorily disinherits an individual who commits certain felony offenses against a vulnerable adult, including any: shares in an estate or intestate shares; revocation of revocable dispositions, appointments, nominations, or conferrals; and property owned jointly; addresses third-party interests in the property in question; addresses certain contingencies in the application of the statute; and makes technical and conforming changes.	✓
S.B. 86	Amendments to the Price Controls During Emergencies Act	Fillmore, Lincoln	M	This bill: amends the standard of evidence required to cite a person for a violation of the Price Controls During Emergencies Act; defines "total cost" as all acquisition and distribution costs amends provisions regarding when a price is excessive; requires certain conditions be met before the Division of Consumer Protection may investigate a violation of the Price	✓

				Controls During Emergencies Act; amends the amount the Division of Consumer Protection may fine for a violation of the Price Controls During Emergencies Act; and makes technical and conforming changes.	
S.B. 89	Preconstruction and Construction Liens Amendments	McKell, Michael 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.	✗
S.B. 98	Asset Forfeiture Amendments	Weiler, Todd	M	This bill: clarifies provisions related to the seizure and forfeiture of property and contraband; addresses jurisdiction of a district court over seized property; provides, with certain exceptions, that seized property may not be transferred or shared with a federal agency or an agency of another state; requires that a disclaimer of seized property by an individual be knowing and voluntary; provides that law enforcement agencies have 30 days to process seized cash or negotiable instruments; requires the cash or negotiable instrument be deposited into an interest-bearing account; amends provisions related to the retention of property for court proceedings; reduces the length of time for an agency to present a written request for forfeiture to a prosecutor; allows an agency or prosecuting attorney to release property to an innocent owner; prohibits the forfeiture of property seized upon the sole offense of possession of a controlled substance; permits grants to any agency involved in forfeiture activities regardless of whether the agency contributed to the State Asset Forfeiture Fund; requires certification of asset forfeiture specialists by Peace Officers Standards and Training or Utah Prosecution Council; and makes technical and conforming changes.	✓

S.B 129	Real Property Recording Amendments	Winterton, Ronald M.	M	This bill: provides the requirements for a legal description of real property in a document to be recorded with a county recorder; and makes technical and conforming changes.	✗
S.B 164	Utah Housing Affordability Amendments	Anderegg, Jacob L.	M	This bill: modifies definitions; modifies provisions related to a municipality collecting certain fees; provides that a municipality may grant real property that will be used for affordable housing units; provides that a municipality shall offset costs for a developer, if a developer is required to provide affordable housing units or contribute to a housing fund as a result of a local ordinance; creates an affordable housing pilot program; modifies the potential uses of a community reinvestment agency's housing allocation; describes additional activities that may receive funding from the Olene Walker Housing Loan Fund, including a mediation program and predevelopment grants; modifies the responsibilities of the Automated Geographic Reference Center; and makes technical changes.	✓
S.B 197	Trust Deeds Amendments	Wilson, Chris H.	M	This bill: requires the trustee to send, by certified or registered mail, a cancellation of recorded notice of default under a trust deed to interested parties; and makes technical and conforming changes.	
S.B. 200	Consumer Privacy Act	Cullimore, Kirk A.	M	This bill: defines terms; provides consumers the right to access, correct, and delete certain personal data; gives consumers the right to opt out of the collection and use of personal data for certain purposes; requires certain businesses that control and process personal data of consumers to: safeguard personal data; provide clear information to consumers regarding how the consumer's personal data are used; accept consumer requests to exercise the consumer's rights under this bill; comply with a consumer's request to exercise the consumer's rights under this bill; and maintain data protection assessments; creates a process for a consumer to submit requests and appeal a business's decision regarding the business's processing of the consumer's personal data; allows the Division of Consumer Protection to	

				<p>accept and investigate consumer complaints regarding the processing of personal data; empowers the Office of the Attorney General to: obtain and evaluate a business's data protection assessments; take enforcement action against violators; and impose penalties for violations; 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, and direct a business that sells personal information to stop selling the consumer's personal information; 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 whose brand, trademark, email address, or domain name is used without permission to recover damages related to unauthorized or misleading commercial email; permits the prevailing party to recover attorney fees and costs in an action related to unauthorized or misleading commercial email; and makes technical changes.</p>	
S.B. 206	Tax Rate Amendments	Fillmore, Lincoln	M	<p>This bill: decreases the corporate franchise and income tax rates and the individual income tax rates for the 2021 and 2022 tax years; and makes the tax rate decrease permanent if revenue in the General Fund and Education Fund exceeds a certain amount at the close of fiscal year 2021-22.</p>	
S.B. 208	Employee Medical Procedure Protection Act	Kennedy, Michael S.	M	<p>This bill: defines terms; prohibits an employer from requiring an employee, a prospective employee, or a blood relative of an employee or prospective employee to accept or decline a medical procedure; establishes liability for an employer violation of the Employee Medical Procedure Protection Act; limits an</p>	

				employer's liability for compliance with the Employee Medical Procedure Protection Act; and makes technical and conforming changes.	
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Tracking Key

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