

# 2015 UBA LEGISLATIVE TRACKING

Bill	Short Title	Prime Sponsor	Position	Comments	Result
H.B. 25	Water Law - Application Revisions	Snow, V.		This bill defines terms; authorizes a person who is proposing a change application to request a meeting with the state engineer, or the state engineer's designee, to discuss potential issues with the change; authorizes the state engineer, upon receiving a change application, to determine whether a proposed change would result in quantity impairment of another water right; describes the burden of proof on a person who applies for a change application; and makes technical changes.	✓
H.B. 26	Amendments to Driver License Records	Hutchings, E.		This bill provides definitions; authorizes the Driver License Division to disclose portions of a driving record to: an employer or a designee of an employer, for purposes of monitoring the driving record and status of current employees who drive as a responsibility of the employees' employment, if the requester demonstrates that the requester has obtained the written consent of the individual to whom the information pertains; and requires that the authorized disclosure of a driving record be limited to the driving record of a current employee of the employer; amends provisions regarding the content of and requirements for disclosing a commercial driver license motor vehicle record; and makes technical corrections.	✓
H.B. 43	Water Rights - Change Application Amendments	McCliff, K.		This bill amends definitions; modifies the procedure for filing a change application; requires parties to mediate issues arising from a change application before administrative review or litigation; provides an option for court resolution of legal issues not within the purview of the state engineer; allows recovery of attorney fees under certain circumstances; and makes technical changes.	✓
H.B. 46	Mechanics Lien Revisions	McKell, M.		This bill provides that a party to a claim for an excessive notice of preconstruction lien or an excessive notice of construction lien may submit that claim to binding arbitration; creates procedures to initiate, conduct, and appeal an arbitration proceeding to resolve a claim for an excessive notice of preconstruction lien or an excessive notice	✓

				of construction lien; establishes an expedited procedure to nullify a preconstruction lien or a construction lien that is invalid because the lien claimant did not file a notice of preconstruction service or a preliminary service; and makes technical and conforming changes.	
H.B. 58	Change Application Modifications	Grover, K.		This bill defines terms; requires that a person who applies for a permanent or temporary change to a water right meet certain qualifications, including being: a holder of an approved but unperfected application to appropriate water; the record owner of a perfected water right; a person who has written authorization from a person described above to file a change application on that person's behalf; or a shareholder in a water company who files in accordance with Section 73-3-3.5; and makes technical changes.	✓
H.B. 138	Joint Credit Obligations Amendments	Powell, K.	O	This bill modifies a provision related to divorced or separated co-obligors and credit reporting.	✗
H.B. 160	Drive-through Service Usage Amendments	Anderson, J.	S	This bill defines terms; and prohibits a municipality or county from requiring a business with a drive-through service: to accommodate in the drive-through service a person who is not in a motorized vehicle; and to maintain the same business hours in the business lobby as the drive-through service.	✓
H.B. 190	Assessment Area Act Modifications	Webb, R.		This bill defines terms; amends provisions related to an action to contest an assessment; allows a local entity to divide an assessment area into classifications; prohibits an assessment area that is coextensive or substantially coterminous with the boundaries of a local entity; amends notice requirements for designation of an assessment area; amends provisions related to a protest filed against the designation of an assessment area; amends provisions related to a public hearing on a proposed assessment area; amends provisions related to a public meeting held to designate an assessment area; enacts language requiring notice for a subsequent purchaser; amends provisions related to an assessment levy; amends provisions related to a board of equalization; amends provisions related to an assessment for economic promotion activities; prohibits a local entity from levying an assessment	✓

				unless certain criteria are met; requires a local entity to pay for any increase in an improvement size or capacity for service to properties outside of an assessment area with funds other than those levied by the assessment; authorizes a local entity to proportionally assess benefitted properties for an unassessed benefitted government property; and makes technical corrections.	
H.B. 298	Exemptions Act Amendments	Ivory, K.		This bill defines terms; describes firearms and ammunition that are exempted from bankruptcy proceedings for the purposes of collecting an unsecured debt; and makes technical changes.	✓
H.B. 299	Attorneys Lien Amendments	Hawkes, T.		This bill clarifies that an attorney may have an attorney's lien on intangible property; modifies the requirements for a notice of lien for an attorney's lien; addresses the methods by which an attorney may enforce an attorney's lien; and makes technical and conforming changes.	✓
H.B. 309	Living Wage	Miller, J.		This bill provides the minimum wage for a private or public employee within the state; addresses the circumstances under which the minimum wage shall increase; and makes technical and conforming changes.	✗
H.B. 314	Money Management Act Amendments	Cunningham, R.		This bill modifies provisions relating to authorized deposits or investments of public funds; provides for a transition of investments that were previously authorized; and repeals provisions relating to the State School Fund report.	✓
H.B. 318	Domestic Asset Protection Trust Amendments	Tanner, E.		This bill defines terms; creates a new type of asset protection trust; requires the asset protection trust to be registered with the Division of Corporations; allows the trust to be revocable or irrevocable; allows trusts created under the current asset protection trust statute to register and back-date the assets; and makes technical and conforming amendments.	✗
H.B. 426	Joint Tenancy Amendments	McKell, M.		This bill addresses when a joint tenancy is presumed; clarifies that a joint tenancy may not be established between a person and limited liability company; and makes technical amendments.	✗

H.C.R. 6	Concurrent Resolution on Payment Options for State Services	Roberts, M.		This resolution: encourages the expanded use of bitcoin in the state; proposes the creation of the Council on Payment Options for State Services to study whether and how the state could accept bitcoin as a valid form of payment; proposes that certain persons be a part of the council; encourages the council to study certain issues; and encourages the council to share its findings.	✗
S.B. 15	Water Law - Forfeiture Exemptions	Dayton, M.		This bill clarifies that abandonment and forfeiture of water provisions do not apply to a water right for nonuse during the period of time in which the water right is subject to an approved change application where the applicant is diligently pursuing certification; and makes technical corrections.	✓
S.B. 24	Department of Financial Institutions Amendments	Bramble, C.		This bill provides for fees payable to the commissioner by money transmitters; defines "nationwide database" and requires certain persons under the jurisdiction of the Department of Financial Institutions to register with the nationwide database; grants rulemaking authority related to the transition of persons registering with the nationwide database; enacts the Money Transmitter Act, including: defining terms; granting rulemaking authority; requiring licensure; providing exemptions; establishing license qualifications; creating the licensure process; requiring a surety bond; providing for the renewal of a license; requiring reporting of certain events; addressing authorized agent contracts and conduct; authorizing examinations; addressing confidentiality of information; authorizing termination or suspension of authorized agent activity; addressing licensee liability; imposing criminal and civil penalties; and permitting consent and emergency orders; and makes technical and conforming amendments.	✓
S.B. 35	Water Rights Amendments	Dayton, M.		This bill defines terms; requires that a person who applies for a permanent or temporary change to a water right meet certain qualifications, including being: a holder of an approved but unperfected application to appropriate water; the record owner of a perfected water right; a person who has written authorization from a person described above to file a change application on that person's behalf; or a shareholder in a water company who files in accordance with	✗

				Section 73-3-3.5; and makes technical changes.	
S.B. 40	Water Law - Application Withdrawal	Dayton, M.		This bill requires an individual who wishes to withdraw an unperfected application to send written notice to the state engineer; requires the state engineer, upon receipt of the notice of withdrawal, to update state engineer records; states that an individual who withdraws an unperfected application is not entitled to a refund of fees; and makes technical changes.	✓
S.B. 54	Credit Monitoring for Minors	Osmond, A.	S	This bill defines terms; upon request and in accordance with the provisions of this bill, requires a credit reporting agency to place a security freeze for: an individual who is less than 16 years of age; an incapacitated adult; or a protected person; provides a procedure by which an individual or an individual's representative may remove a security freeze; allows, under certain circumstances, a credit reporting agency to charge a reasonable fee for the placement or removal of a security freeze; provides that the attorney general may enforce the provisions of this bill; and makes technical and conforming changes.	✓
S.B. 74	Unincorporated Business Entities Related Amendments	Hillyard, L.		This bill addresses permitted names related to a limited liability company; requires filings to be typewritten or computer generated; modifies language related to entities converting to a different type of entity; addresses location of notice of series that is filed with the division; and makes technical and conforming amendments.	✓
S.B. 93	Uniform Commercial Code Filing Amendments	Hillyard, L.		This bill addresses the effectiveness of a filed record; provides for the termination of a wrongfully filed financing statement and possible reinstatement; modifies the provision of what constitutes a filing and the effectiveness of a filing; creates a crime for certain filings filed with intent to harass or defraud; and makes technical and conforming amendments.	✓
S.B. 120	Regulation of Reverse Mortgages	Harper, W.		This bill enacts the Utah Reverse Mortgage Act; defines terms; provides requirements for a reverse mortgage in the state; addresses the treatment of loan proceeds, priority, foreclosure, and lender default in the context of a reverse mortgage; and addresses the enforcement of the provisions of this bill.	✓

S.B. 180	Arbitration Amendments	Urquhart, S.		This bill amends provisions regarding rescinding an election to arbitrate third party bodily injury claims; amends provisions regarding when a plaintiff or defendant is responsible for the nonmoving party's costs in a trial de novo following an arbitration of third party bodily injury claims; and provides that if a party requests a trial de novo following an arbitration, the arbitration award issued, at the election of the nonmoving party, shall be admissible in the trial de novo.	✓
S.B. 193	Local Government Amendments	Henderson, D.		This bill requires a county treasurer to include certain information on a property tax notice, which notice includes: an assessment levied by a local entity; or a past due fee, administrative cost, or interest charged by a local district; amends provisions authorizing a lien for an assessment; prohibits a local district from compounding interest more frequently than annually; authorizes a local entity or local district to charge for administrative costs for collection of a respective past due assessment or fee; authorizes a local district to impose or increase a fee only to offset the local district's demonstrable costs; amends provisions authorizing a lien for a local district fee; by amending local district provisions, also amends provisions that govern a special service district; and makes technical and conforming amendments.	✓
S.B. 205	Assessment Area Revisions	Bramble, C.		This bill authorizes a local entity to transfer title to property in satisfaction of debt if certain requirements are met.	✓
S.B. 267	Sales and Use Tax Exemption Amendments	Adams, J.		This bill repeals a provision related to the economic life of machinery, equipment, or normal operating repair or replacement parts for purposes of a sales and use tax exemption related to certain business activities; amends the sales and use tax exemption to include certain materials; and makes technical and conforming changes.	✗
S.B. 292	Achieving a Better Life Experience Program and Tax Credits	Weiler, T.		This bill enacts the Achieving a Better Life Experience Program Act; requires the Department of Workforce Services to conduct a study related to the program; enacts nonrefundable tax credits for contributions to accounts created under the program; and provides a repeal date for the study.	✓

S.B. 294	Transportation Network Company Amendments	Adams, J.		This bill requires a transportation network company to register with the division of consumer protection; exempts a vehicle used to provide transportation network services from certain requirements; provides operation and eligibility requirements for a transportation network company and a transportation network driver; and provides insurance requirements for a transportation network company and a transportation network driver.	✓
S.B. 296	Antidiscrimination and Religious Freedom Amendments	Urquhart, S.		This bill modifies definition provisions related to employment and housing discrimination, including defining "employer," "gender identity," and "sexual orientation"; includes sexual orientation and gender identity as prohibited bases for discrimination in employment; provides that the remedies in the Utah Antidiscrimination Act and the Utah Fair Housing Act preempt local government remedies; provides that protections for employment and housing do not create a special or protected class for other purposes; modifies powers of the Division of Antidiscrimination and Labor; addresses the Utah Antidiscrimination Act's application to: employee dress and grooming standards; sex-specific facilities; and freedom of expressive association and the free exercise of religion; addresses employee free speech in the workplace; prohibits an employer from taking certain actions in response to certain employee speech outside the workplace; modifies exemptions to the Utah Fair Housing Act; includes sexual orientation and gender identity as prohibited bases for discrimination in housing; includes nonseverability clauses; and makes technical and conforming amendments.	✓

**Tracking Key**

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