

# 2016 UBA LEGISLATIVE TRACKING

Bill	Short Title	Prime Sponsor	Position	Comments	Result
H.B. 17	Assessment Area Foreclosure Amendments	Webb, R. C.		This bill modifies the methods by which a local entity may enforce an assessment lien; and makes technical and conforming changes.	✓
H.B. 74	Uniform Power of Attorney Act	Snow, V. L.		This bill defines terms; creates a framework to create a durable power of attorney; sets requirements for execution and termination; specifies the duties of an agent once the agent accepts appointment; provides for judicial review; describes the different types of grants of authority; and suggests a standardized form for powers of attorney.	✓
H.B. 88	Noncompetition Agreement Amendments	Greene, B.		This bill enacts the Noncompetition Agreement Act, including: defining terms; outlining scope of the act; addressing noncompetition agreements and existing employees; restricting time of bringing an action to enforce a noncompetition agreement; and providing for remedies.	✗
H.B. 91	Interest Rate Amendments	Powell, K.		This bill establishes a legal interest rate based on the federal postjudgment interest rate for a contract or other chose of action prior to judgment; and makes technical changes.	✗
H.B. 106	Securities Amendments	Cunningham, R.		This bill amends an exemption from licensing as an investment adviser in the state; grants rulemaking authority to impose continuing education requirements for investment adviser representatives; expands the sanctions that may be imposed by the Securities Commission; clarifies that the division commences agency action; provides that it is an unlawful act for a person to make a false or misleading statement during an examination or investigation; modifies provisions applicable to registration by coordination; repeals the cap on fines for violations that may be imposed by a court; allows the aggregation of amounts of property, money, or other things unlawfully obtained through a series of acts or continuing course of business; imposes a 10 year statute of limitation for administrative actions; for a series of acts or continuing course of business, provides that the statute of limitations begins to run after the last act in the series of acts or course of business; codifies factors that the commission or a court may consider when determining the	✓

				amount of a fine; and makes technical changes.	
H.B. 111	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. 130	Electric Vehicle Infrastructure Amendments	Arent, P.		This bill defines terms; authorizes an interlocal entity to issue a bond for electric vehicle charging infrastructure; requires that an assessment area for electric vehicle charging infrastructure be a voluntary assessment area; authorizes a county to provide electric vehicle charging infrastructure; authorizes a local district to provide electric vehicle charging infrastructure; authorizes a special service district to provide electric vehicle charging infrastructure; authorizes a military installation development authority to provide electric vehicle charging infrastructure; and makes technical changes.	✓
H.B. 163	Title Insurance Amendments	Webb, R. C.		This bill addresses closing or settlement protection; addresses the liability of title insurers under certain circumstances; and makes technical changes.	✓
H.B. 177	Mortgage Lending Amendments	Stanard, J.		This bill defines terms; addresses exemptions from filing notification of the Mortgage Lending and Servicing Act; and makes technical changes.	✓
H.B. 225	Cybercrime Amendments	Lifferth, D.		This bill defines critical infrastructure regarding computer crimes and creates the offense of interfering electronically or by computer with critical infrastructure; defines a denial of service and provides a penalty for causing a denial of service; provides that reporting a false emergency situation involving violence or harm, and also reporting that the nonexistent emergency is at a specified location, is a criminal offense; modifies an element of computer crimes to include a person who acts with authorization, but then commits a crime; modifies the reporting procedure for computer crime offenses; and modifies the offense of electronic communication harassment to include distribution of personal identifying information.	✗

H.B. 241	Computer Abuse and Data Recovery Act	Chavez-Houck, R.	S	This bill provides civil penalties for an individual who, without authorization from a protected computer's owner: obtains information from the protected computer; causes the transmission of a program, code, or command to the protected computer; or traffics in a technological access barrier that could be used to access the protected computer; defines terms; and provides that the prevailing party in a civil action under this act is entitled to attorney fees.	✓
H.B. 251	Post-Employment Restrictions Amendments	Schultz, M.		This bill enacts the Post-Employment Restrictions Act, including: defining terms; prohibiting certain post-employment restrictions; outlining enforcement of post-employment restrictions; and addressing remedies.	✓
H.B. 255	Condominium Ownership Act Amendments	Schultz, M.	S	This bill defines terms; and provides that an unconstructed unit is allocated the unconstructed unit's share of undivided interest in common areas and facilities; and voting rights.	✓
H.B. 273	Condominium Association Amendments	Powell, K.		This bill allows an association of unit owners to enact a rule, for a unit that a unit owner leases for a term of less than three months, that limits the number of individuals that may use the common areas and facilities as the rental unit tenant's guest or as the unit owner's guest.	✓
H.B. 387	Utah Revised Business Corporate Act Amendments	Cunningham, R.		This bill amends the provision addressing general standards of conduct for directors and officers; enacts provisions related to business combinations; and makes technical changes.	✗
H.B. 396	Money Management Act Amendments	Hutchings, E.		This bill specifies the term to final maturity for certain deposits or investments that are invested by a public agency insurance mutual; authorizes the state treasurer, county, city, and town treasurers, the clerk or treasurer of each school district, and other public treasurers to procure crime or theft insurance; modifies political party requirements for members of the State Money Management Council; provides that the State Money Management Council may authorize an exception to certain maturity dates in certain circumstances; and makes technical and conforming changes.	✗

H.B. 429	Specie Legal Tender Amendments	Cox, F.		This bill provides definitions; authorizes a public treasurer to invest public funds in specie legal tender; grants the State Money Management Council rulemaking authority to make rules governing quality criteria for a commercial specie repository; and makes technical and conforming changes.	✗
S.B. 11	Cancellation of Auto Insurance Coverage	Harper, W.		This bill prohibits continued automatic charges after an insured person cancels a policy; prohibits reinstatement of a cancelled policy without the consent of the insured; and provides a penalty for insurers who violate this section.	✓
S.B. 22	Foreclosure of Residential Rental Property	Harper, W.		This bill under certain circumstances, allows a preexisting tenant to continue to occupy, for a limited amount of time, a residential rental property after a forced sale at public auction; repeals a sunset provision; and eliminates a sunset repeal date.	✓
S.B. 23	Water Law - Protected Purchaser Amendments	Dayton, M.		This bill modifies the definition of a protected purchaser; and makes technical changes.	✓
S.B. 31	Tax Commission Levy Process	Harper, W.		This bill defines terms and modifies definitions; enacts the Depository Institution Data Match System and Levy Act; provides procedures and requirements for the depository institution data match system and levy process, including: requiring the State Tax Commission to develop and operate the database in coordination with depository institutions requiring the State Tax Commission to enter into agreements with depository institutions; requiring a depository institution to provide the State Tax Commission with certain information; establishing a levy process for collecting a liability from a delinquent taxpayer using the depository institution data match system; addressing duties of a depository institution and the State Tax Commission in relation to the depository institution data match system and levy process; addressing a reimbursement the State Tax Commission pays to a depository institution; addressing an amount levied or released in error; addressing the confidentiality and disclosure of information; addressing limits on a depository institution's liability; and granting rulemaking authority to the State Tax Commission; and makes technical and conforming changes.	✓

S.B. 55	Financial Institutions Amendments	Bramble, C.	S	This bill modifies the definition provisions; addresses persons or institutions subject to the jurisdiction of the department; clarifies extent of regulation of technology service providers; authorizes the commission to share information from certain examination reports with a depository institution receiving services from a technology service provider; and makes technical changes.	✓
S.B. 133	Small Employer Retirement Plan	Weiler, T.		This bill addresses permissible diversion of wages; creates nonrefundable tax credits for employer participation in the program; permits depositing tax refunds into the program; enacts the Utah Voluntary Employee Retirement Accounts Program, including: defining terms; requiring liberal construction and compliance with federal and state law; directing the state treasurer to create the program; providing for the administration of the program, including authorizing contracts with one or more providers of services; addressing education about the program; requiring certain information to be provided; addressing confidentiality of information; providing for participation by small nongovernmental employers or employees of nongovernmental employers; requiring annual notification related to participation; and requiring reports to participating employees and participating employers; and makes technical changes.	✗
S.B. 182	Sales and Use Tax Revisions	Harper, W.		This bill defines terms; addresses the circumstances under which a person may be required to collect and remit sales and use taxes to the State Tax Commission; provides for expedited judicial review; makes technical and conforming changes; and contains a severability clause.	✗
S.B. 185	Labor Remedy Amendments	Iwamoto, J.		This bill amends a definition; provides that a person who is subject to discrimination in matters of compensation may receive a remedy in an additional amount equal to the back pay amount already available; and requires the Division of Antidiscrimination and Labor to report to the Business and Labor Interim Committee annually regarding discrimination in matters of compensation.	✓
S.B. 198	Amendments Related to Deferred Deposit Lending	Dabakis, J.		This bill amends venue requirements for civil actions brought by deferred deposit lenders; and makes technical and conforming amendments.	✗

S.B. 201	Transportation Network Company Amendments	Bramble, C.		This bill repeals a requirement that a transportation network company or transportation network driver maintain comprehensive and collision coverage for a vehicle used by a transportation network driver to provide transportation network services; creates the Transportation Network Vehicle Recovery Fund; requires a transportation network company to pay into the fund: an initial assessment; and a payment per each prearranged ride; allows a person who holds a lien on a vehicle that a transportation network driver uses to provide transportation network services to make a claim to the Division of Consumer Protection for payment from the fund for physical damage to the vehicle; and provides criteria under which the Division of Consumer Protection may grant a claim.	✓
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**Tracking Key**

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