

UTAH COMMISSION ON AGING SUNSET AMENDMENTS

2017 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Brian E. Shiozawa

House Sponsor: Stewart E. Barlow

LONG TITLE

General Description:

This bill modifies Title 63I, Chapter 1, Legislative Oversight and Sunset Act, by reauthorizing Title 63M, Chapter 11, Utah Commission on Aging, until July 1, 2027.

Highlighted Provisions:

This bill:

- modifies Title 63I, Chapter 1, Legislative Oversight and Sunset Act, by reauthorizing Title 63M, Chapter 11, Utah Commission on Aging, until July 1, 2027;
- adds a voting member to the commission; and
- reduces the number of mandatory meetings held by the commission.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

63I-1-263, as last amended by Laws of Utah 2016, Chapters 65, 136, 156, 322, and 408

63M-11-201, as renumbered and amended by Laws of Utah 2008, Chapter 382

63M-11-205, as renumbered and amended by Laws of Utah 2008, Chapter 382

Be it enacted by the Legislature of the state of Utah:

Section 1. Section **63I-1-263** is amended to read:

63I-1-263. Repeal dates, Titles 63A to 63M.

(1) Subsection **63A-5-104**(4)(h) is repealed on July 1, 2024.

(2) Section **63A-5-603**, State Facility Energy Efficiency Fund, is repealed July 1, 2023.

(3) Title 63C, Chapter 4a, Constitutional and Federalism Defense Act, is repealed July 1, 2018.

(4) Title 63C, Chapter 4b, Commission for the Stewardship of Public Lands, is repealed November 30, 2019.

(5) Title 63C, Chapter 16, Prison Development Commission Act, is repealed July 1, 2020.

(6) Title 63C, Chapter 17, Point of the Mountain Development Commission Act, is repealed July 1, 2021.

(7) Title 63H, Chapter 4, Heber Valley Historic Railroad Authority, is repealed July 1, 2020.

(8) Title 63H, Chapter 8, Utah Housing Corporation Act, is repealed July 1, 2026.

(9) On July 1, 2025:

(a) in Subsection **17-27a-404**(3)(c)(ii), the language that states "the Resource Development Coordinating Committee," is repealed;

(b) Subsection **23-14-21**(2)(c) is amended to read "(c) provide notification of proposed sites for the transplant of species to local government officials having jurisdiction over areas that may be affected by a transplant.";

(c) in Subsection **23-14-21**(3), the language that states "and the Resource Development Coordinating Committee" is repealed;

(d) in Subsection **23-21-2.3**(1), the language that states "the Resource Development Coordinating Committee created in Section **63J-4-501** and" is repealed;

(e) in Subsection **23-21-2.3**(2), the language that states "the Resource Development Coordinating Committee and" is repealed;

(f) Subsection 63J-4-102(1) is repealed and the remaining subsections are renumbered accordingly;

(g) Subsections 63J-4-401(5)(a) and (c) are repealed;

(h) Subsection 63J-4-401(5)(b) is renumbered to Subsection 63J-4-401(5)(a) and the word "and" is inserted immediately after the semicolon;

(i) Subsection 63J-4-401(5)(d) is renumbered to Subsection 63J-4-401(5)(b);

(j) Sections 63J-4-501, 63J-4-502, 63J-4-503, 63J-4-504, and 63J-4-505 are repealed; and

(k) Subsection 63J-4-603(1)(e)(iv) is repealed and the remaining subsections are renumbered accordingly.

(10) The Crime Victim Reparations and Assistance Board, created in Section 63M-7-504, is repealed July 1, 2017.

(11) Title 63M, Chapter 11, Utah Commission on Aging, is repealed July 1, ~~2017~~ 2027.

(12) Title 63N, Chapter 2, Part 2, Enterprise Zone Act, is repealed July 1, 2018.

(13) (a) Title 63N, Chapter 2, Part 4, Recycling Market Development Zone Act, is repealed January 1, 2021.

(b) Subject to Subsection (13)(c), Sections 59-7-610 and 59-10-1007 regarding tax credits for certain persons in recycling market development zones, are repealed for taxable years beginning on or after January 1, 2021.

(c) A person may not claim a tax credit under Section 59-7-610 or 59-10-1007:

(i) for the purchase price of machinery or equipment described in Section 59-7-610 or 59-10-1007, if the machinery or equipment is purchased on or after January 1, 2021; or

(ii) for an expenditure described in Subsection 59-7-610(1)(b) or 59-10-1007(1)(b), if the expenditure is made on or after January 1, 2021.

(d) Notwithstanding Subsections (13)(b) and (c), a person may carry forward a tax credit in accordance with Section 59-7-610 or 59-10-1007 if:

- (i) the person is entitled to a tax credit under Section 59-7-610 or 59-10-1007; and
- (ii) (A) for the purchase price of machinery or equipment described in Section 59-7-610 or 59-10-1007, the machinery or equipment is purchased on or before December 31, 2020; or
- (B) for an expenditure described in Subsection 59-7-610(1)(b) or 59-10-1007(1)(b), the expenditure is made on or before December 31, 2020.
- (14) Section 63N-2-512 is repealed on July 1, 2021.
- (15) (a) Title 63N, Chapter 2, Part 6, Utah Small Business Jobs Act, is repealed January 1, 2021.
- (b) Section 59-9-107 regarding tax credits against premium taxes is repealed for calendar years beginning on or after January 1, 2021.
- (c) Notwithstanding Subsection (15)(b), an entity may carry forward a tax credit in accordance with Section 59-9-107 if:
- (i) the person is entitled to a tax credit under Section 59-9-107 on or before December 31, 2020; and
- (ii) the qualified equity investment that is the basis of the tax credit is certified under Section 63N-2-603 on or before December 31, 2023.
- (16) Title 63N, Chapter 12, Part 3, Utah Broadband Outreach Center, is repealed July 1, 2018.
- Section 2. Section 63M-11-201 is amended to read:
- 63M-11-201. Composition -- Appointments -- Terms -- Removal.**
- (1) The commission shall be composed of ~~[21]~~ 22 voting members as follows:
- (a) one senator, appointed by the president of the Senate;
- (b) one representative, appointed by the speaker of the House of Representatives;
- (c) the executive director of the Department of Health;
- (d) the executive director of the Department of Human Services;
- (e) the executive director of the Governor's Office of Economic Development;

(f) the executive director of the Department of Workforce Services; and
(g) ~~[15]~~ 16 voting members, appointed by the governor, representing each of the following:

- (i) the Utah Association of Area Agencies on Aging;
- (ii) higher education in Utah;
- (iii) the business community;
- (iv) the Utah Association of Counties;
- (v) the Utah League of Cities and Towns;
- (vi) charitable organizations;
- (vii) the health care provider industry;
- (viii) financial institutions;
- (ix) the legal profession;
- (x) the public safety sector;
- (xi) public transportation;
- (xii) ethnic minorities;
- (xiii) the industry that provides long-term care for the elderly;
- (xiv) organizations or associations that advocate for the aging population; ~~and~~
- (xv) the Alzheimer's Association; and
- ~~[(xv)]~~ (xvi) the general public.

(2) (a) A member appointed under Subsection (1)(g) shall serve a two-year term.

(b) Notwithstanding the term requirements of Subsection (2)(a), the governor may adjust the length of the initial commission members' terms to ensure that the terms are staggered so that approximately 1/2 of the members appointed under Subsection (1)(g) are appointed each year.

(c) When, for any reason, a vacancy occurs in a position appointed by the governor under Subsection (1)(g), the governor shall appoint a person to fill the vacancy for the unexpired term of the commission member being replaced.

(d) Members appointed under Subsection (1)(g) may be removed by the governor for cause.

(e) A member appointed under Subsection (1)(g) shall be removed from the commission and replaced by the governor if the member is absent for three consecutive meetings of the commission without being excused by the chair of the commission.

(3) In appointing the members under Subsection (1)(g), the governor shall:

(a) take into account the geographical makeup of the commission; and

(b) strive to appoint members who are knowledgeable or have an interest in issues relating to the aging population.

Section 3. Section **63M-11-205** is amended to read:

63M-11-205. Appointment of chair -- Meetings.

(1) The governor shall appoint a member of the commission to serve as chair.

(2) (a) Subject to the other provisions of this Subsection (2), the chair is responsible for the call and conduct of meetings.

(b) The chair shall call and hold meetings of the commission at least [~~bimonthly~~] quarterly.

(c) One of the [~~bimonthly~~] quarterly meetings described in Subsection (2)(b) shall be held while the Legislature is convened in its annual session.

(d) One or more additional meetings may be called upon request by a majority of the commission's members.

(3) (a) A majority of the members of the commission constitute a quorum.

(b) The action of a majority of a quorum constitutes the action of the commission.