

1 **UTAH COMMISSION ON AGING AMENDMENTS**

2 2021 GENERAL SESSION

3 STATE OF UTAH

4 **Chief Sponsor: Jani Iwamoto**

5 House Sponsor: Stewart E. Barlow

7 **LONG TITLE**

8 **Committee Note:**

9 The Health and Human Services Interim Committee recommended this bill.

10 Legislative Vote: 15 voting for 0 voting against 2 absent

11 **General Description:**

12 This bill modifies provisions relating to the Utah Commission on Aging.

13 **Highlighted Provisions:**

14 This bill:

- 15 ▶ removes the sunset date for the Utah Commission on Aging;
- 16 ▶ modifies the duties and membership of the Utah Commission on Aging; and
- 17 ▶ makes technical and conforming changes.

18 **Money Appropriated in this Bill:**

19 None

20 **Other Special Clauses:**

21 None

22 **Utah Code Sections Affected:**

23 AMENDS:

24 **63I-1-263**, as last amended by Laws of Utah 2020, Chapters 82, 152, 154, 199, 230,
25 303, 322, 336, 354, 360, 375, 405 and last amended by Coordination Clause, Laws
26 of Utah 2020, Chapter 360

27 **63M-11-201**, as last amended by Laws of Utah 2019, Chapter 246



28 **63M-11-203**, as renumbered and amended by Laws of Utah 2008, Chapter 382

29

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

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

32 **63I-1-263. Repeal dates, Titles 63A to 63N.**

33 (1) In relation to the Utah Transparency Advisory Board, on January 1, 2025:

34 (a) Subsection **63A-1-201**(1) is repealed;

35 (b) Subsection **63A-1-202**(2)(c), the language "using criteria established by the board"
36 is repealed;

37 (c) Section **63A-1-203** is repealed;

38 (d) Subsections **63A-1-204**(1) and (2), the language "After consultation with the board,
39 and" is repealed; and

40 (e) Subsection **63A-1-204**(1)(b), the language "using the standards provided in
41 Subsection **63A-1-203**(3)(c)" is repealed.

42 (2) Subsection **63A-5b-405**(5), relating to prioritizing and allocating capital
43 improvement funding, is repealed July 1, 2024.

44 (3) Section **63A-5b-1003**, State Facility Energy Efficiency Fund, is repealed July 1,
45 2023.

46 (4) Sections **63A-9-301** and **63A-9-302**, related to the Motor Vehicle Review
47 Committee, are repealed July 1, 2023.

48 (5) Title 63C, Chapter 4a, Constitutional and Federalism Defense Act, is repealed July
49 1, 2028.

50 (6) Title 63C, Chapter 6, Utah Seismic Safety Commission, is repealed January 1,
51 2025.

52 (7) Title 63C, Chapter 12, Snake Valley Aquifer Advisory Council, is repealed July 1,
53 2024.

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

56 (9) Title 63C, Chapter 18, Behavioral Health Crisis Response Commission, is repealed
57 July 1, 2023.

58 (10) Title 63C, Chapter 21, Outdoor Adventure Commission, is repealed July 1, 2025.

- 59 (11) Title 63F, Chapter 2, Data Security Management Council, is repealed July 1,
60 2025.
- 61 (12) Section 63G-6a-805, which creates the Purchasing from Persons with Disabilities
62 Advisory Board, is repealed July 1, 2026.
- 63 (13) Title 63G, Chapter 21, Agreements to Provide State Services, is repealed July 1,
64 2025.
- 65 (14) Title 63H, Chapter 4, Heber Valley Historic Railroad Authority, is repealed July 1,
66 2024.
- 67 (15) Title 63H, Chapter 8, Utah Housing Corporation Act, is repealed July 1, 2026.
- 68 (16) Subsection 63J-1-602.1~~(14)~~(13), Nurse Home Visiting Restricted Account is
69 repealed July 1, 2026.
- 70 (17) (a) Subsection 63J-1-602.1~~(58)~~(56), relating to the Utah Statewide Radio System
71 Restricted Account, is repealed July 1, 2022.
- 72 (b) When repealing Subsection 63J-1-602.1~~(58)~~(56), the Office of Legislative
73 Research and General Counsel shall, in addition to the office's authority under Subsection
74 36-12-12(3), make necessary changes to subsection numbering and cross references.
- 75 (18) Subsection 63J-1-602.2~~(4)~~(5), referring to dedicated credits to the Utah Marriage
76 Commission, is repealed July 1, 2023.
- 77 (19) Subsection 63J-1-602.2~~(5)~~(6), referring to the Trip Reduction Program, is
78 repealed July 1, 2022.
- 79 (20) Subsection 63J-1-602.2(25), related to the Utah Seismic Safety Commission, is
80 repealed January 1, 2025.
- 81 (21) Title 63J, Chapter 4, Part 5, Resource Development Coordinating Committee, is
82 repealed July 1, 2027.
- 83 (22) Subsection 63J-4-608(3), which creates the Federal Land Application Advisory
84 Committee, is repealed on July 1, 2021.
- 85 (23) In relation to the Utah Substance Use and Mental Health Advisory Council, on
86 January 1, 2023:
- 87 (a) Sections 63M-7-301, 63M-7-302, 63M-7-303, 63M-7-304, and 63M-7-306 are
88 repealed;
- 89 (b) Section 63M-7-305, the language that states "council" is replaced with

90 "commission";

91 (c) Subsection 63M-7-305(1) is repealed and replaced with:

92 "(1) "Commission" means the Commission on Criminal and Juvenile Justice."; and

93 (d) Subsection 63M-7-305(2) is repealed and replaced with:

94 "(2) The commission shall:

95 (a) provide ongoing oversight of the implementation, functions, and evaluation of the
96 Drug-Related Offenses Reform Act; and

97 (b) coordinate the implementation of Section 77-18-1.1 and related provisions in
98 Subsections 77-18-1(5)(b)(iii) and (iv).".

99 (24) The Crime Victim Reparations and Assistance Board, created in Section
100 63M-7-504, is repealed July 1, 2027.

101 (25) Title 63M, Chapter 7, Part 6, Utah Council on Victims of Crime, is repealed July
102 1, 2022.

103 [~~26~~] Title 63M, Chapter 11, Utah Commission on Aging, is repealed July 1, 2021.]

104 [~~27~~] (26) Subsection 63N-1-301(4)(c), related to the Talent Ready Utah Board, is
105 repealed January 1, 2023.

106 [~~28~~] (27) Title 63N, Chapter 1, Part 5, Governor's Economic Development
107 Coordinating Council, is repealed July 1, 2024.

108 [~~29~~] (28) Title 63N, Chapter 2, Part 2, Enterprise Zone Act, is repealed July 1, 2028.

109 [~~30~~] (29) Section 63N-2-512 is repealed July 1, 2021.

110 [~~31~~] (30) (a) Title 63N, Chapter 2, Part 6, Utah Small Business Jobs Act, is repealed
111 January 1, 2021.

112 (b) Section 59-9-107 regarding tax credits against premium taxes is repealed for
113 calendar years beginning on or after January 1, 2021.

114 (c) Notwithstanding Subsection [~~31~~] (30)(b), an entity may carry forward a tax credit
115 in accordance with Section 59-9-107 if:

116 (i) the person is entitled to a tax credit under Section 59-9-107 on or before December
117 31, 2020; and

118 (ii) the qualified equity investment that is the basis of the tax credit is certified under
119 Section 63N-2-603 on or before December 31, 2023.

120 [~~32~~] (31) Subsections 63N-3-109(2)(e) and 63N-3-109(2)(f)(i) are repealed July 1,

121 2023.

122 ~~[(33)]~~ (32) Title 63N, Chapter 4, Part 4, Rural Employment Expansion Program, is
123 repealed July 1, 2023.

124 ~~[(34)]~~ (33) Title 63N, Chapter 7, Part 1, Board of Tourism Development, is repealed
125 July 1, 2025.

126 ~~[(35)]~~ (34) Title 63N, Chapter 9, Part 2, Outdoor Recreational Infrastructure Grant
127 Program, is repealed January 1, 2023.

128 ~~[(36)]~~ (35) Title 63N, Chapter 12, Part 5, Talent Ready Utah Center, is repealed
129 January 1, 2023.

130 Section 2. Section **63M-11-201** is amended to read:

131 **63M-11-201. Composition -- Appointments -- Terms -- Removal.**

132 (1) The commission shall be composed of ~~[20 voting members as follows]~~ the
133 following voting members:

134 (a) the executive director of the Department of Health or the executive director's
135 designee;

136 (b) the executive director of the Department of Human Services or the executive
137 director's designee;

138 (c) the executive director of the Governor's Office of Economic Development or the
139 executive director's designee;

140 (d) the executive director of the Department of Workforce Services or the executive
141 director's designee; and

142 (e) ~~[16 voting]~~ 20 members, appointed by the governor~~[, representing each of the~~
143 following] in accordance with Subsection (3), including:

144 ~~[(i) the Utah Association of Area Agencies on Aging;]~~

145 ~~[(ii) higher education in Utah;]~~

146 ~~[(iii) the business community;]~~

147 ~~[(iv) the Utah Association of Counties;]~~

148 ~~[(v) the Utah League of Cities and Towns;]~~

149 ~~[(vi) charitable organizations;]~~

150 ~~[(vii) the health care provider industry;]~~

151 ~~[(viii) financial institutions;]~~

152 ~~[(ix) the legal profession;]~~
153 ~~[(x) the public safety sector;]~~
154 ~~[(xi) public transportation;]~~
155 ~~[(xii) ethnic minorities;]~~
156 ~~[(xiii) the industry that provides long-term care for the elderly;]~~
157 ~~[(xiv) organizations or associations that advocate for the aging population;]~~
158 ~~[(xv) the Alzheimer's Association; and]~~
159 ~~[(xvi) the general public.]~~
160 (i) three members that represent the Utah Association of Areas on Aging, the
161 Alzheimer's Association, or another organization or association that advocates for the aging
162 population;
163 (ii) two members that represent an organization or association that advocates for local
164 government; and
165 (iii) two members that represent the general public.
166 (2) (a) A member appointed under Subsection (1)(e) shall serve a two-year term.
167 (b) Notwithstanding the term requirements ~~[of]~~ described in Subsection (2)(a), the
168 governor may adjust the length of the initial commission members' terms to ensure that the
169 terms are staggered so that approximately ~~[1/2]~~ one-half of the members appointed under
170 Subsection (1)(e) are appointed each year.
171 (c) When, for any reason, a vacancy occurs in a position appointed by the governor
172 under Subsection (1)(e), the governor shall appoint a person to fill the vacancy for the
173 unexpired term of the commission member being replaced.
174 (d) ~~[Members]~~ A member appointed under Subsection (1)(e) may be removed by the
175 governor for cause.
176 (e) A member appointed under Subsection (1)(e) shall be removed from the
177 commission and replaced by the governor if the member is absent for three consecutive
178 meetings of the commission without being excused by the chair of the commission.
179 (3) In appointing the members under Subsection (1)(e), the governor shall:
180 (a) ensure each of the following areas are represented:
181 (i) higher education in Utah;
182 (ii) the business community;

- 183 (iii) charitable organizations;
 184 (iv) the health care provider industry;
 185 (v) the industry that provides telehealth services;
 186 (vi) the industry that provides data analysis services;
 187 (vii) the industry that provides information technology support services;
 188 (viii) financial institutions;
 189 (ix) the legal profession;
 190 (x) the public safety sector;
 191 (xi) public transportation;
 192 (xii) ethnic minorities; and
 193 (xiii) the industry that provides long-term care for the elderly;
 194 ~~[(a)]~~ (b) take into account the geographical makeup of the commission; and
 195 ~~[(b)]~~ (c) strive to appoint members who:
 196 (i) are knowledgeable or have an interest in issues relating to the aging population[-];
 197 (ii) provide a balanced representation of urban and rural communities in the state; and
 198 (iii) represent the diversity of the population in the state.

199 Section 3. Section **63M-11-203** is amended to read:

200 **63M-11-203. Duties and powers of commission.**

- 201 (1) The commission shall:
 202 (a) fulfill the commission's purposes ~~[as listed]~~ described in Section **63M-11-102**;
 203 (b) facilitate the communication and coordination of public and private entities that
 204 provide services to the aging population;
 205 (c) study, evaluate, and report on the status and effectiveness of policies, procedures,
 206 and programs that provide services to the aging population;
 207 (d) study and evaluate the policies, procedures, and programs implemented by other
 208 states that address the needs of the aging population;
 209 (e) facilitate and conduct the research and study of issues related to aging, including
 210 emerging public health issues with a significant impact on the aging population;
 211 (f) provide a forum for public comment on issues related to aging;
 212 (g) provide public information on the aging population and the services available to the
 213 aging population;

214 (h) facilitate the provision of services to the aging population from the public and
215 private sectors; and

216 (i) encourage state and local governments to analyze, plan, and prepare for the impacts
217 of the aging population on services and operations.

218 (2) To accomplish ~~[its]~~ the commission's duties, the commission may:

219 (a) request and receive from any state or local governmental agency or institution,
220 summary information relating to the aging population, including:

221 (i) reports;

222 (ii) audits;

223 (iii) projections; and

224 (iv) statistics;

225 (b) apply for and accept grants or donations for uses consistent with the duties of the
226 commission from public or private sources; and

227 (c) appoint special committees to advise and assist the commission.

228 (3) All funds received under Subsection (2)(b) shall be:

229 (a) accounted for and expended in compliance with the requirements of federal and
230 state law; and

231 (b) continuously available to the commission to carry out the commission's duties.

232 (4) (a) ~~[Members]~~ A member of a special committee described in Subsection (2)(c):

233 (i) shall be appointed by the commission;

234 (ii) may be:

235 (A) ~~[members]~~ a member of the commission; or

236 (B) ~~[individuals]~~ an individual from the private or public sector; and

237 (iii) notwithstanding Section ~~63M-11-206~~, shall not receive any reimbursement or pay
238 for any work done in relation to the special committee.

239 (b) A special committee described in Subsection (2)(c) shall report to the commission
240 on the progress of the special committee.

241 (5) This chapter does not diminish the planning authority conferred on state, regional,
242 and local governments by existing law.