

Legislative Policy Committee

February 24, 2025





ULCT Bill Tracker



LPC Sign-in

AGENDA:

1. Rev and Tax
2. General Govt
3. GRAMA & Privacy
4. Homelessness
5. Public Safety
6. Transportation
7. Gravel
8. Elections
9. Judiciary
10. Billboards
11. Short Term Rentals
12. Housing
13. Ratify Bill Tracker
14. Adjourn

REMINDERS:

Housing Plan survey: Mar 19
Federal priorities: coming soon

UPCOMING MEETINGS:

- **LPC - Mar 3**
- **Session Wrap Up - Mar 13**
- **Spring Training - Mar 19**
- **Spring Training - Mar 26**

RE
SPECT

OUT
COMES

COOL
LAB
ORATION

ULCT key messages:

1. Partnership, not preemption

*Housing: affordable home ownership,
sustainable infrastructure, quality of life*

2. The state doesn't have a surplus and neither do cities

Revenue & Taxes

DRAFT LEGISLATION

HB 511 Property Tax Revenue
Increase Amendments
(T. Auxier)



Staff Recommendation:
Oppose

- Seeks to impose a non-binding opinion question requirement for local governments to increase property taxes.

City imposed tax vs. fee:

Do you know the difference? Do your legislators know the difference?

| | <i>Tax</i> | <i>Fee</i> |
|----------------------------|---|---|
| <i>Who authorizes it?</i> | State | City |
| <i>Who administers it?</i> | State Tax Commission | City |
| <i>What is it for?</i> | Revenue for general government | service fee: specific charge in return for specific benefit regulatory fee: specific charge which defrays the gov't cost of regulation |
| <i>Who pays?</i> | Some property owners, but not all (e.g. property tax & exempt property, sales tax & various bases) | All users pay for service <i>“to be a legit fee for service, amount charged must bear a reasonable relationship to the services provided, benefits received, or need created”</i> |

DRAFT LEGISLATION

HB 454 Local Gov't Fees
Modifications (K. Peterson)



Staff Recommendation:
Support

Key differences between HB 454 & HB 367 (2024)

1) Transportation Utility Fee (TUF)

- a) cannot impose it solely based on property ownership
- b) in study methodology, shall at least have categories of:
 - i) residential
 - ii) commercial
 - iii) houses of worship

2) Public safety fee

- a) if you are a city of 3rd, 4th, 5th class or town & contract w/a political sub and you have one by Jan. 1, 2025, then repealed as of July 1, 2026 & have to re-authorize it every 3 years
 - i) does not apply to volunteer public safety fees

DRAFT LEGISLATION

SB 310 Transportation Utility
Fee Amend (B. Brammer)



Staff Recommendation:
**Oppose as drafted due
to lines 107-108**

Key differences between HB 454 & SB 310

1) Transportation Utility Fee (TUF)

- a) lines 107-108: may not charge a religious organization with nonprofit status
- b) SB 310 is unclear about the study req'ts
- c) narrower definition of transportation uses

2) SB 310 is silent on public safety & broadband fees

Note: definition of reasonableness and the processes for notice, hearing, & renewal are the same in both bills

DRAFT LEGISLATION

HB 456 Transient Room Tax
Amendments (B. Bridger)



Staff Recommendation:
Position Pending

- 1) State TRT increase (in flux)
 - a) *increase from .32 to 1.32*
 - i) *.32 = outdoor rec (status quo)*
 - ii) *50% for state general fund*
 - iii) *25% for rural search and rescue grants*
 - iv) *25% to counties for tourism impacts (\$7ish mill)*
- 2) County TRT flexibility
 - a) no changes to promotion v. non-promotion %
 - b) more ability to mitigate tourism with non-promotion \$
- 3) Municipal participation
 - a) Counties may contract w/cities
 - b) a few “high impact” cities get seats on county tourism advisory boards

ULCT: clarify TAB

General Govt

DRAFT LEGISLATION

HB 533 County Formation
Amendments (J. Teuscher)



Staff Recommendation:
Neutral

- Creates a petition process for creating a new county within a county with a population >1 million (Salt Lake County).
- The total population of the municipalities splitting off must be greater than 330,000.
- The process cannot split up existing municipalities.
- Requires feasibility studies and vote.

DRAFT LEGISLATION

SB 298 Mowing Ordinance
Amendments (D. McCay)



Staff Recommendation:
Position Pending

Prohibits a municipality from enacting an ordinance which restricts golf course maintenance between the hours of 5 a.m. and 10 p.m.

DRAFT LEGISLATION

HB 542 Economic
Development Amendments
(J. Hawkins)



Staff Recommendation:
Neutral

- 1) Ends the Unified Economic Opportunity Commission (UEOC)
 - a) Note: the Commission on Housing Affordability (CHA) will continue

- 2) GOEO responsible for econ. dev. strategy, including:
 - a) consistency with state water policy
 - b) population growth
 - c) rural needs

- 3) Technical changes to the Utah Broadband Center

DRAFT LEGISLATION

HB 504 Financial and
Conflict of Interest
Disclosures by Candidates
Amendments
(L. Shepherd)

Staff Recommendation:

- 1) Requires candidates for municipal office to file a conflict of interest disclosure form when declaring candidacy
 - a) Not required if the candidate is an incumbent and already filed the form earlier that year
 - i) The incumbent verifies that information is current
 - b) Conflict of interest forms to be displayed online
- 2) Requires candidates looking to fill a midterm vacancy to file a conflict of interest disclosures form 3 days before the meeting to interview candidates
- 3) Also applies to county, local school board, special districts, legislative, and statewide offices.

GRAMA & Privacy

DRAFT LEGISLATION

SB 277 Sub 1 Government
Records Management
Amendments
(M. McKell)



Staff Recommendation:
Support

Utah lawmakers look to dissolve, replace State Records Committee. Here's why that matters

- Replaces SRC with Director (ALJ)
 - Governor selects Director to 4 year term
 - In consultation with the executive director; and
 - With the advice and consent of the Senate
 - Utah attorney knowledgeable in records laws
- **Key Points:**
 - Quicker timeline; no backlog; no gaming system
 - Accurate, legally based opinions
 - Ethical obligations
 - Who appoints doesn't change - Governor
 - Due process and organized, fair appeals
 - Nothing else changes, other than who decides the case; transparency or access do not change

DRAFT LEGISLATION

HB 444 Data Privacy
Amendments (J. Moss)



Staff Recommendation:
Oppose as drafted

Data Privacy Amendments

Duties:

- Designate a “Chief Administrative Officer”
- Initiate privacy program by July 1, 2025
- Training:
 - Train employees within 30 days of employment
 - Annually
- Reporting:
 - By September 1, 2025, privacy policies and practices; level of compliance; etc.
- Contractors:
 - Contract after May 1, 2024 should have privacy training and include privacy provisions as part of the bill
- Noticing:
 - Website and other notices

Homelessness

DRAFT LEGISLATION

HB 505 Homeless Services
Revisions (S. Eliason)

1 of 4 slides



Staff Recommendation:
Support *with anticipated
changes*

This bill includes provisions that came at the request of different municipalities (shelter cities and otherwise) over the past year.

Shelter Mitigation Fund Changes:

- Streamlines reporting: Annual report included in spring request for funding
 - Presenting to the USHB 1 time a year rather than 2 times a year
- Removes consideration of alternative funding sources
- Remove language around “demonstrated improvement” for camping and pedestrian safety (panhandling)

DRAFT LEGISLATION

HB 505 Homeless Services
Revisions (S. Eliason)

2 of 4 slides



Staff Recommendation:
Support *with anticipated
changes*

County Winter Response Plans

- Requires counties to use objective data and blind reviews to evaluate sites
- Requires OHS to notify task force only about non-compliance
- Removes UAC seat from task forces (should be ULCT seat)

DRAFT LEGISLATION

HB 505 Homeless Services
Revisions (S. Eliason)

3 of 4 slides



Staff Recommendation:
Support *with anticipated
changes*

Code Blue Adjustments

- Changes that stakeholders MAY coordinate street outreach (as opposed to shall)
 - *Needs Code Red alignment with SB 182*

Public Safety

SLC Public Safety Plan

The Plan

In December 2024, Salt Lake City was invited by Gov. Spencer Cox, Senate President Stuart Adams, and Speaker of the House Mike Schultz to quickly produce a plan that addresses legitimate public safety concerns and makes clear recommendations to improve the system that has, for decades, prevented Utah and our capital city from successfully resolving the humanitarian crisis of homelessness on our streets.

The plan outlines 27 actions Salt Lake City will take and 23 recommendations for external partners.

[Read the Public Safety Plan](#)

[Read the Appendix](#)

City Actions and Recommendations

These actions and recommendations by Salt Lake City and external partners were created to directly address key issues and lead to real impact.

Launch Community Impact Division

Status: Complete

[▶ More Info](#)

Deploy Violent Criminal Apprehension Team

Status: Complete

[▶ More Info](#)

SLCPD to reaffirm and reinforce priorities

Status: In progress

[▶ More Info](#)

DRAFT LEGISLATION

HB 465 Law Enforcement
Agency Amend. (C. Snider)



Staff Recommendation:
Oppose as drafted

- 1) Compels city of 1st class who receives homeless mitigation \$ to do agreement w/DPS to:**
 - i) “increase public safety”
 - ii) “ensure proper function of city police dept w/generally accepted standards”
- 2) If city does not do the agreement, then:**
 - i) state withholds gas tax \$
 - ii) state withholds homeless mitigation \$
- 3) DPS creates rapid response team to respond to “public safety event” in *any* city of the 1st class if DPS determines city did not act in timely way**
 - i) public safety event:
 - (1) illegal camping
 - (2) large-scale illegal drug distribution
 - ii) DPS shall “notify” city before acting
 - iii) Silent on other operational details

DRAFT LEGISLATION

HB 465 Law Enforcement
Agency Amend. (C. Snider)



Staff Recommendation:
Oppose as drafted

Working on alternative:

- 1) Codify a contract req't with DPS in partnership**
- 2) Eliminate withholding of funds**
- 3) DPS rapid response team as tool w/details**
 - i) chain of command
 - ii) liability
 - iii) operations

Transportation

DRAFT LEGISLATION

SB 195 Sub. 3 Transportation
Amendments (W. Harper)



Staff Recommendation:
**Oppose as drafted, due to
new language, working on
alternative**

Omnibus transportation bill (the below sections are ok)

Canal road connections

- *Requires municipalities to:*
 - *inventory* each location where a city road dead ends to due a canal,
 - *create* a plan to connect each dead end to other highways and submit plan to MPO by Jan 1, 2027
 - *implement* the plan no later than Dec. 31, 2029
- The municipality is not required to connect a class C road if the city and MPO determine that connection would be impracticable due to *topography or unique circumstances*.
- Penalty: if the municipality does not make substantial progress to construct connections per the implementation plan, the bill requires UDOT to withhold B&C road funds.
 - All construction projects are not required to be complete by the deadline

Station area plans

Requires municipalities to report on SAP implementation to their relevant MPO every five years.

DRAFT LEGISLATION

SB 195 Sub. 3 Transportation
Amendments (W. Harper)



Staff Recommendation:
**Oppose as drafted, due to
new language, working on
alternative**

Omnibus transportation bill

3rd Substitute addition on Senate floor

1) moratorium on SLC doing a “highway reduction strategy” which includes:

- lane reduction
- lane narrowing
- traffic control measures
- decreasing speed limits
- utilizing speed bumps
- or other strategy

2) Requires UDOT to conduct a “mobility and environmental impact analysis” study on highway reduction strategies in SLC, going back to 2015 and through 2035

Gravel

DRAFT LEGISLATION

HB 355 Critical Infrastructure
Materials Amendments
(C. Snider)



Staff Recommendation:

New Substitute Language Expected

- Right to progress, extend, enlarge, grow, or expand the vested critical infrastructure materials use to any contiguous land or mineral estate that the critical infrastructure materials operator owns or controls before _____ (May 7? January 1)
- "Contiguous land" means surface or subsurface land that shares a common boundary and is not separated by a designated highway.
- Without having ceased operations for 24 months

DRAFT LEGISLATION

HB 355 Critical Infrastructure
Materials Amendments
(C. Snider)



Staff Recommendation:

- Operator gives notice to municipality before expansion
 - If municipality makes a finding of endangerment to health, safety, welfare they may impose mitigation standards
 - Municipality holds public hearing (~~30~~ **90 days**) to discuss mitigation
 - Cannot prohibit expansion if operator agrees to mitigation standards

Elections

DRAFT LEGISLATION

HB 300 Amendments to
Election Law (J. Burton)



Staff Recommendation:
Oppose as Drafted

Substitute Language Expected

Ballots will be mailed to voters, but ballots must be returned in person with voter ID

- Voters using a drop box must also show ID
- Drop box would only be available during certain hours

Judiciary

DRAFT LEGISLATION

HB 451 - Judicial Retention
Amendments (J. Kyle)



Staff recommendation:
Neutral

The bill would increase the threshold for a justice court judge retention election from 50%+1 to 67%

DRAFT LEGISLATION

HB 512 - Judicial Retention
Changes (K. Lisonbee)



Staff recommendation:
Position Pending

- 1) Creates a **Joint Legislative Comm. on Judicial Performance (JLCJP)**
 - a) adds to current Judicial Perform. Evaluation Comm.
 - b) 5 Reps, 4 Senators
 - i) max of 4 and 3 from same party
- 2) **Duties**
 - a) obtains perf. evals, discipline records
 - b) may investigate any issue that public raises
 - c) do a news release to request comments
 - d) hold hearings about a judge's performance
- 3) **Election**
 - a) JLCJP puts statement on ballot to recommend for or against retention
 - b) statement in voter info packet
- 4) Applies to justice court judges

DRAFT LEGISLATION

SB 154 S1 - Legislative Audit Amendments

SJR 4 - Amending Court
Rules on Attorney
Confidentiality
(B. Brammer)



Staff recommendation:
Oppose as Drafted

***Legislative Audit Amendments*:**

- Provides process for challenging gov. entity's claim of attorney client privilege, attorney-work product privilege
- **Key Points Against:**
 - OLAG selects the arbitrator
 - Arbitrator must rule favorably toward access for OLAG
 - Municipalities must reimburse OLAG for the costs of the arbitrator even if most of the claims of privilege are won by the municipality
 - No prohibition of OLAG disclosing the privileged information
 - SJR 4 coordinating clause removes privilege completely

DRAFT LEGISLATION

SB 154 S1 - Legislative Audit
Amendments

SJR 4 S1 - Amending Court
Rules on Attorney
Confidentiality
(B. Brammer)



Staff recommendation:
Oppose as Drafted

***Amending Court Rules on Attorney Confidentiality*:**

- Sub 1 has one remaining paragraph that still overrides the process in SB154.

DRAFT LEGISLATION

HB 364 - Governmental
Immunity Amendments
(K. Christofferson)



Staff recommendation:
Position Pending

Governmental Immunity Amendments:

- Provides governmental immunity to law firms or attorneys hired by a municipality to perform legal work related to a governmental function
- Outside council no longer defined as “employee”
- Immunity only for items where they are performing legal work and governmental function
-

Billboards

DRAFT LEGISLATION

HB 198 Highway Expansion
Impact on Signage
(V. Peterson)



Staff Recommendation:
**Oppose original; sub1
TBD**

Problem to solve: I-15 reconstruction in south Davis Co/northern SL Co will affect BBs

HB 198: owner may relocate BB anywhere along same road because of reconstruction, not just within 1 mile (freeway) or ½ mile (highway) of existing BB or get compensated

Concerns:

- 1) removing radius shifts the compensation burden from UDOT to city
- 2) could allow BB to go anywhere on I-15 in state, impact on local zoning authority

Other points:

- 1) No net increase in BBs
- 2) No by-right upgrades

DRAFT LEGISLATION

HB 198 Highway Expansion
Impact on Signage
(V. Peterson)



Staff Recommendation:
Oppose original, sub1
TBD

No BB within 500 feet of:

- a) another BB
- b) interchange
- c) school
- d) park/playground
- e) cemetery
- f) scenic area
- g) note: some exceptions exist

BB may not be in residential areas; may only be in industrial and commercial zones

If a BB owner cannot find a suitable re-location, then gov't compensates the BB owner

ULCT priorities in negotiations:

- 1) focus on freeways, not state roads
- 2) don't change obstruction standard
- 3) relocation in same city

DRAFT LEGISLATION

HB 198 Highway Expansion
Impact on Signage
(V. Peterson)



Staff Recommendation:
Oppose original; sub1 TBD

1st substitute:

- 1) Freeway: 4 miles each direction due to reconstruction (up from 1) or obstruction (up from 500 ft)
- 2) State road: 1 mile (up from .5) each direction due to reconstruction on state road
- 3) status quo (ambiguous statute) about relocation within same city

DRAFT LEGISLATION

HB 198 Highway Expansion
Impact on Signage
(V. Peterson)



Staff Recommendation:
sub2 neutral

2nd substitute:

- 1) Freeway: unlimited miles each direction due to reconstruction (up from 1) or obstruction (up from 500 ft) **but in same city**
- 2) State road: 1 mile (up from .5) each direction due to reconstruction on state road **but in same city**

Short-term Rentals

DRAFT LEGISLATION

HB 256 Municipal and County
Zoning Amendments
(N. Walter)



Staff Recommendation:
Support

Anticipated 2nd substitute:

- 1) Clarifies Knotwell Language.
- 2) States municipalities cannot regulate STR listing sites, but formalizes a process for requesting listing removals that violate local regs.
- 3) Allows listing to be used as evidence for enforcing tax collection.

Note: ULCT will create a form to track & aggregate listing site requests.

Housing and Land Use

Utah Housing Strategic Plan

INPUT: MARCH 19

<https://gopb.utah.gov/planning-collaborative-efforts/>



Since last LPC...

HB 37 (Dunnigan, political subs)

passed House

HB 360 (Whyte, CHA)

House floor today

Legacy city language! Grants to convert rentals to owner-occupied, affordable units

HB 368 (Whyte, LUTF)

House floor today

SB 181 (Fillmore, CHA)

passed Senate 2nd read

SB 280 (Vickers, retail incentives)

passed Senate 2nd read

HB 320 (Shepherd, code enforcement)

passed House comm



Utah House eyes a softer approach to get cities to allow more housing density

DRAFT LEGISLATION

HCR 14: Supporting
Streamlining Utah Housing
Policies (S. Whyte)



Staff Recommendation:
Support

- 1) Consolidate housing policies and programs during the 2025 interim
 - a) DWS, GOEO, etc.
- 2) Implement recommendations from the 2023 housing audit
- 3) Legislature and Governor will involve stakeholders in consolidating state programs

DRAFT LEGISLATION

SB 262 Housing Affordability
Modifications (Fillmore)



*Staff Recommendation:
Oppose as drafted because
of gen'l plans; sub coming*

Requires **general plans** to be adopted “by ordinance”

- some in the PRC have pushed for “binding general plans” forever

Similar **density overlay** as what was in the first version of HB 37 (deleted in HB 37 1st sub)

Technical clarifications to qualifying mortgage loan, subordinate mortgage loan, and first-time home buyer program



ULCT Bill Tracker

