

2024 UMAA LEGISLATIVE REPORT

HOUSE BILLS

HB 10 – Public Fund Amendments – Enrolled - Neil Walter - Tracking
<https://le.utah.gov/~2024/bills/hbillint/HB0010.pdf>

This bill: 1) defines terms; 2) requires the state treasurer to annually report the current balance in the Public Treasurers' Investment Fund for each entity that has transferred money to that fund; and 3) makes technical and conforming changes.

Ryan's thoughts: Requires the Public Treasurer to create a report that is presented to the legislature listing all of us who have a PTIF account. We don't have to do anything but the goal of this is more transparency and will show whoever wants to know what we have in our accounts.

What do mosquito districts do with this bill: Nothing. Bill will be law on May 1, 2024. It's all on the Public Treasurer to create the report.

HB 11, 1st Substitute – Water Efficient Landscaping Requirements – To Governor - Doug Owens - Support
<https://le.utah.gov/~2024/bills/hbillint/HB0011S01.pdf>

This bill: 1) defines terms; 2) restricts the use of lawn or turf by certain governmental entities; and 3) makes technical changes.

Ryan's thoughts: When you landscape your new government office/garage/random construction project you are limited on the amount of grass you can plant. Editor's note, grow all the Mary Jane you want but don't you dare grow grass!

What do mosquito districts do with this bill: Bill will be law on May 1, 2024. When you are landscaping new areas, don't plant grass

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HB 13 – Infrastructure Financing Districts – To Governor - James Dunnigan - Tracking
<https://le.utah.gov/~2024/bills/hbillint/HB0013.pdf>

This bill: 1) authorizes the creation of a type of special district for the purpose of financing infrastructure; 2) provides a process for the creation of an infrastructure financing district; 3) provides for the powers and governance of an infrastructure financing district; 4) authorizes an infrastructure financing district to impose an assessment on property within the district and to issue assessment bonds to finance infrastructure within the district; 5) provides for the district to have bonding authority, with limitations; 6) authorizes the district to levy a property tax; 7) requires a district to provide proof to a county or municipality that an assessment bond has been paid in full on owner-occupied residential property before the county or municipality may issue a certificate of occupancy; 8) provides for the annexation of an area to an infrastructure financing district, the withdrawal of an area from a district, and for dissolution of a district; 9) authorizes sponsors of a petition to create an infrastructure financing district to create a governing document with provisions that govern the district, including providing for board membership and the transition from appointed board positions to elected board positions.

Ryan's thoughts: This is a developer bill wanting to push certain infrastructure housing projects into 17B. Which is our section of the code. The entire point of it being in 17B is for finance. Easiest way to explain is by example. Say a developer wants to build 100 homes on a plot of land but cannot fully fund the infrastructure, i.e. Water lines, sewer lines and the like. So, the developer creates a special district with taxing/bonding authority, the district would look just like one of our districts with a board and everything. However, the only reason for the district creation is to apply for bonds (that the developer, *not* the district, is on the hook for) which the developer pays back by selling the lots/homes. Once the bond is paid off the district dissolves. There is a cap on the bond in that the developer can only get a bond worth 1/3rd of the total project's worth. UASD wants it out of 17B.

What do mosquito districts need to do with this bill: Bill becomes law May 1, 2024. Next year, UASD is planning on pushing this new law out of our section of the code, which again, is 17B. If this is how these developers want to do this, they need to do it without pretending they're us. In other words, we just need to support UASD in their cleanup bill to get developers out.

HB 35 – Metro Township Modifications – To Governor - Jordan Teuscher - Support
<https://le.utah.gov/~2024/bills/hbillint/HB0035.pdf>

This bill: 1) converts metro townships into municipalities; 2) provides for the classification and governance of the converted municipalities; 3) enacts language governing the transition from a metro township to a municipality; and 4) makes conforming changes and repeals obsolete language due to the elimination of metro townships.

Ryan's thoughts: eliminates metro townships and magically makes them official cities. Doesn't affect us at all, because they already have all authority of a municipality anyway.

What do mosquito districts need to do with this bill: Nothing unless you need to let these cities know they can appoint someone to your board. Bill becomes law July 1, 2024

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HB 36 – Open and Public Meetings Act Amendments – To Governor - James Dunnigan - Tracking
<https://le.utah.gov/~2024/bills/hbillint/HB0036.pdf>

This bill: 1) modifies definitions applicable to the Open and Public Meetings Act, including: a) deleting the definition of "convening"; and b) modifying the definitions of "meeting," "public body," and "quorum"; 2) modifies a provision relating to the transmission of electronic messages; 3) repeals language relating to posting notice of an electronic meeting; and 4) repeals obsolete language and makes conforming and technical changes.

Ryan's thoughts: ~~Basically, makes it illegal for your board to even talk to each other outside of being officially in a "public meeting."~~ I'm exaggerating, but not by much. UASD got amendments into the bill that they are comfortable with. The simplest way to describe it is that if members of your board randomly meet somewhere, they can discuss district business so long as the discussion is not a "relevant matter." Which would mean don't discuss any items that the district has yet to take action on. For example, don't discuss whether you plan on voting to approve the district's tax increase.

What do mosquito districts need to do with this bill: You could amend your meeting policy and it may be wise to do so. All you would need is a sentence telling your board to not discuss district business with other board members outside of your board meeting. Bill becomes law May 1, 2024

HB 58 – International Licensing Amendments – To Governor - Cory Maloy – UASD Tracking
<https://le.utah.gov/~2024/bills/hbillint/HB0058.pdf>

This bill: 1) permits the Department of Agriculture to establish the minimum experience required for licensure under the Utah Pesticide Control Act; 2) broadens the Division of Professional Licensing's discretion to accept Page 4 of 27 UASD Legislative Update substantially similar education or experience in satisfaction of standard licensing requirements; and 3) permits the Division of Professional Licensing to issue a temporary license to an applicant seeking.

Ryan's thoughts: I originally thought this had more to do with us than it does. In fact, it has nothing to do with us. I reached out to the UDAF and they responded and I quote: "This proposed rule affects DOPL, mainly. It requires other licensing bodies to do what we've done all along, give reciprocal licenses if one earned a license in another state. It doesn't affect us one bit. I just wanted some clarifying language in the bill, which is why Pesticides is mentioned, specifically." – Henry Nahalewski
I will continue to track it, but I don't think there's anything to get excited about here.

What do mosquito districts need to do with this bill: Nothing. Bill becomes law May 1, 2024

HB 184 – Vehicle Owner Registration Requirements – To Governor – Jordan Teuscher - Tracking
<https://le.utah.gov/~2024/bills/static/HB0184.html>

This bill: 1) encourages an owner or operator to carry the off-highway vehicle registration for the convenience of law enforcement; and 2) provides the option for an individual to display the vehicle registration card through digital means, in Page 12 of 18 UASD Legislative Update addition to the original registration card.

Ryan's thoughts: requires you to still have a registration for your ATV, but you can just have a digital copy of it on your phone rather than the physical copy.

What do mosquito districts need to do with this bill: This bill becomes law on Jan. 1, 2025. So not this summer, but next summer you can have a photo of your ATV registration on your phone. For 2024 you still need the paper.

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HB 252 – State Employee Leave Amendments - dead - Ashlee Matthews - Track
<https://le.utah.gov/~2024/bills/hbillint/HB0252.pdf>

This bill: 1) grants a retiring state employee a retirement benefit for unused sick leave hours accrued on or after January 4, 2014, at the employee's rate of pay at the time of retirement; 2) provides that, under the retirement benefit described above, a state employer shall make a contribution to the employee's 401(k) account or, if applicable, health savings account, up to the maximum contribution limits authorized by federal law; and 3) makes technical and conforming changes.

Ryan's thoughts: Creates another way for a retiring employee to cash out unused sick leave. If the employee opts into this, the employer pays a contribution to the employees 401k or health savings account.

HB 257 – Sex-based Designations for Privacy, Antibullying, and Women's Opportunities -Governor Signed – Calendar - Kera Birkeland – UASD Track
<https://le.utah.gov/~2024/bills/hbillint/HB0257.pdf>

This bill: 1) defines terms; 2) defines certain terms for the entire Utah Code; 3) establishes a legal standard for distinctions on the basis of sex in certain publicly owned and publicly funded circumstances; 4) establishes acceptable and prohibited distinctions on the basis of sex; 5) enacts provisions regarding publicly owned or publicly funded sex designated restroom, shower, or locker room facilities where the general public has an expectation of privacy; 6) requires local education agencies to establish a privacy plan with parents and students in certain cases to address gender identity and fear of bullying; 7) establishes components of the crimes of voyeurism and criminal trespass for certain actions within a covered sex-designated facility; 8) requires government entities to: a) provide a certain number of single occupant restroom and locker room facilities in new construction; and b) study the feasibility of certain retrofit or remodel projects; 9) requires the attorney general to investigate violations of and enforce protections for standards regarding distinctions on the basis of sex; 10) establishes elements of the crime of emergency reporting abuse for making repeated false reports alleging a violation of a sex designation in a publicly owned or publicly funded restroom, shower, or locker room facility where the general public has an expectation of privacy; and 11) makes technical and conforming changes.

Ryan's thoughts: The bill went through multiple revisions and it probably will do more in the future. There are four things to know concerning the bill which is enrolling: 1. It is not required to retro fit your existing bathroom, it is optional. However, you do need to look at the feasibility of remodeling or retrofitting your restroom. 2. All *new* construction *must* include a single-occupant facility. 3. It is required for us to report criminal conduct; I'll call it creepy bathroom behavior, but these are specifically listed in lines 449-453. 4. We must adopt a privacy compliance policy (UASD will create a template)

What do mosquito districts need to do with this bill: It becomes law on May 1, 2024. Just start looking into making a restroom in your building single occupancy. Other than that, wait for UASD to create the policy template which will help us in the reporting requirement when we have to report, "creepy bathroom behavior."

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HB 349 – Personal Identifying Information in Government Records - dead - Judy Weeks Rohner Oppose
<https://le.utah.gov/~2024/bills/hbillint/HB0349.pdf>

This bill: 1) defines personal identifying information; 2) except to the extent expressly provided in this bill, prohibits the disclosure of personal identifying information; 3) requires a governmental entity to provide notice when personal identifying information is, under certain circumstances, disclosed to a health care provider; 4) classifies a record that contains personal identifying information as a private record; 5) makes it a class A misdemeanor to intentionally and unlawfully disclose, or obtain access to, personal identifying information; and 6) makes technical and conforming changes.

Ryan's thoughts: Biggest problem of this bill is the new definition of "personal identification information." It lists everything. You will get fined for giving out the employee's name. Square the contradiction from this bill to HB 479. It's in House Rules and I doubt it's going anywhere.

HB 354 – Truth in Taxation Revisions - dead - Tyler Clancy – UASD Opposes
<https://le.utah.gov/~2024/bills/hbillint/HB0354.pdf>

This bill: 1) defines terms; 2) requires voter approval for taxing entities to impose property tax increases in specified tax years; and 3) makes technical changes.

Ryan's thoughts: Does just what it says. If you want to raise taxes, you have to put it on a ballot for a general/special election vote. And you'll still have to do everything else required under truth in taxation.

HB 404, 1st Substitute – Public Entity Restrictions – To Governor - Candice Pierucci - Tracking
<https://le.utah.gov/~2024/bills/hbillint/HB0404S01.pdf>

This bill: 1) defines terms; 2) prohibits a municipality from Page 24 of 45 UASD Legislative Update entering into a sister city relationship with certain other municipalities; 3) prohibits certain public entities from using the procurement process under certain circumstances to: a) contract with certain foreign entities for certain technology products or services; or b) obtain a product that was made using forced labor; 4) requires certain entities to provide a certification involving certain procurement contracts; 5) includes cross references relating to the new requirements.

Ryan's thoughts: ~~First of all, the bill doesn't apply to us. It only affects State entities.~~ The bill doesn't allow **us** to purchase electronic equipment from China, Russia or Iran. It's focusing mostly on laptops and phones. But the bill states in lines 65-68 that certain government entities cannot procure technology or technology services, networks or systems from a restricted foreign entity.

What do mosquito districts do with this bill: Bill becomes law on May 1, 2024. Good news and bad news. Bad news: It does apply to us. But it shouldn't be too difficult. THIS law has to do with electronics from "restricted foreign entities." Basically, don't buy Chinese laptops. There is a coordinating clause with SB 135 which specifically says that SB 135 is what governs purchasing UAV's.

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HB 454 – Minimum Wage Modifications - dead – Brett Garner - Tracking
<https://le.utah.gov/~2024/bills/hbillint/HB0454.pdf>

This bill: 1) increases the minimum wage; 2) requires the Labor Commission to adjust the minimum wage at certain times; 3) grants the commission administrative rulemaking authority regarding the minimum wage; and 4) prohibits a city, town, and county from establishing a minimum wage that exceeds the minimum wage established in this bill.

Ryan's thoughts: It's back.... Starting in 2026 the minimum wage would now be on a scale. If you are younger than 18, minimum wage (MW) is \$10/hr. If you are 18 – 21, MW is \$13/hr. For employees aged 21-22, MW is \$15/hr. Anyone aged 23 and older, MW is \$19/hr. And beyond this, every January each of these categories get an increase of \$0.25/hr. UASD is tracking, but will change that if it goes anywhere.

HB 460 – Government Employee Conscience Protection Amendments – To Governor – Mickael Peterson
– Track w/concern
<https://le.utah.gov/~2024/bills/hbillint/HB0460.pdf>

This bill: 1) defines terms; 2) requires a governmental entity to grant an employee's request to be relieved from performing a certain task if granting the request would not place an undue hardship on the governmental entity; 3) creates protections for employees who request to be relieved from a certain task; 4) creates a cause of action for a government employee whose request to be relieved from performing a certain task was denied; and 5) authorizes the attorney general in certain circumstances to file suit on behalf of an employee whose request to be relieved from a certain task was denied.

Ryan's thoughts: Allows employees to get out of tasks they don't want to do. It's more nuanced than that obviously, but basically, an employee can claim a religious conflict with any task assigned and then can sue your district if you don't comply with the minimum penalty a \$5,000 fine. The bill has been amended to the point that UASD doesn't oppose it any longer. UASD isn't happy with it, but it's better than it was. First off, the request has to be "reasonable" and can't put an "undue hardship" on the special district. It will require us to create policies (UASD will make a template) on how to handle requests to avoid tasks.

What do mosquito districts do with this bill: Bill becomes law on May 1, 2024. We need to wait for the UASD template. In the meantime, if you have an employee that wants out of something, try to make a determination on whether the employee is being "reasonable" and if it will harm the district.

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HB 479 – State Agency Contact Information Amendments - dead – Thomas Peterson - Oppose
<https://le.utah.gov/~2024/bills/hbillint/HB0479.pdf>

This bill: 1) requires a state agency or political subdivision to post contact information on its website; and 2) for each function or public service provided, requires a state agency or political subdivision to identify an employee to contact.

Ryan's thoughts: A very short bill that requires you to post everything about yourself and your employees on your website. Every employee and their function in the district must be posted along with their name, title, email and direct phone number. So, in one bill, HB 349, It's forbidden to give out any information on employees and then on this one, you have to post everything. Good luck!

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SENATE BILLS

SB 29, 1st Substitute – Truth in Taxation Modifications – To Governor - Chris Wilson - UASD Tracking
<https://le.utah.gov/~2024/bills/sbillint/SB0029S01.pdf>

This bill: 1) modifies the requirements for public hearings held in connection with judgment levies and property tax increases; 2) excludes certain revenue sources from the calculation of a taxing entity's budgeted property tax revenue for the prior year; 3) requires a taxing entity proposing a property tax increase to provide notice of the scope and purpose of the tax increase and the taxing entity's public website; 4) requires a public auditor to resolve any conflicts in public hearing dates for affected taxing entities; 5) allows a county auditor to audit a taxing entity's compliance with the notice and public hearings requirements for a property tax increase; 6) prohibits the State Tax Commission from certifying a property tax rate increase if the taxing entity fails to meet notice and public hearing requirements; 7) modifies the required contents of the property tax valuation notice provided by a county auditor; 8) modifies the requirements for a county auditor in connection with consolidated public hearings; 9) allows the State Tax Commission to make certain revenue adjustments based on errors associated with uniform fees; and 10) makes technical and conforming changes.

Ryan's thoughts: More red tape for truth in taxation. This is another transparency bill. It makes you specify what you need the extra money for. They will now require you to place a short explanation on your Public Notice along with everything else on there as to why you need this increase.

What do mosquito districts do with this bill: Becomes law January 1, 2025. When going through truth in taxation (Next year not this year) you will need to work with the State Tax Commission to put a short explanation for why you need to raise taxes and what you will use the money for on the postcard/notice that goes out to every property owner in your district.

SB 45 – License Plate Revisions – To Governor – Daniel McCay - Track
<https://le.utah.gov/~2024/bills/sbillint/SB0042.pdf>

This bill: amends provisions related to the requirement to issue and display a license plate for the front of a vehicle. Removes the requirement for the Division of Motor Vehicles to issue two license plates in most circumstances; removes the requirement for an owner of a vehicle to display a license plate on the front of a vehicle; prohibits a license plate cover and prohibits a license plate frame that obscures the license plate number or decals; requires \$1 from certain license plate fees to be deposited into the Motor Vehicle Safety Impact Restricted Account; and makes technical changes.

Ryan's thoughts: Gets rid of the need for a front license plate. Now you can put your Christmas wreath on your front bumper all year round!

What do mosquito districts do with this bill: Becomes law January 1, 2025. When you buy new vehicles, you will only be issued one license plate. You only need to put them on the back from now on.

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SB 86 – Local Government Bonds Amendments – To Governor - Lincoln Fillmore – UASD Track
<https://le.utah.gov/~2024/bills/sbillint/SB0086.pdf>

This bill prohibits local government entities from issuing a lease revenue bond unless the purpose of the bond is to pay for a correctional facility, the amount of the bond is within a specified limit, or the bond is approved at an election.

Ryan's thoughts: **There was a second Substitute bill (didn't get adopted) that would've taken out the \$90mil limit. It would've instead created a truth in taxation process to bond. But all that is gone and everything in my following thoughts still holds:** UASD was able to get a major amendment into the bill. If you want to issue a bond, you can. So long as the bond does not exceed \$90,000,000 in a year. If you need more money than that you must have it approved through an election.

What do mosquito districts do with this bill: Becomes law May 1, 2025. Don't bond above \$90 million in one year.

SB 114 – Project Entity Amendments - dead – Scott Sandall - Track
<https://le.utah.gov/~2024/bills/sbillint/SB0114.pdf>

This bill provides that a project entity may only issue municipal bonds with a maturity date prior to December 31, 2045.

Ryan's thoughts: For some reason the legislature has it out for bonds this year. Obviously, this one wants you to pay your bond off ASAP.

SB 124 – Government Records Modifications - dead - Kathleen Riebe – Support
<https://le.utah.gov/~2024/bills/sbillint/SB0124.pdf>

This bill: 1) modifies a provision relating to fees a governmental entity may charge for providing a record; and 2) provides that a governmental entity is not prevented from utilizing a third party to assist in or perform certain activities related to responding to a record request.

Ryan's thoughts: The bill specifies that you can charge for staff time as well as include a third party to help fulfill the request. And you can charge for the district's cost of the 3rd party.

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SB 135 – Advanced Air Mobility and Aeronautics Amendments 2nd Sub – To Governor – Wayne Harper – Track

<https://le.utah.gov/~2024/bills/sbillint/SB0135.pdf>

This bill amends provision related to aeronautics and advanced air mobility systems. 1) defines terms; 2) requires roadable aircraft to be registered as both a motor vehicle and as an aircraft; 3) provides for the distribution of registration fees for roadable aircraft and advanced air mobility systems; 4) amends definitions related to airports of regional significance; 5) provides for the leasing of navigable airspace above highway rights-of-way in certain circumstances; 6) extends certain land use protections to public use vertiports 7) clarifies that flight is generally permitted in airspace over state lands and waters; 8) prohibits government entities from purchasing or operating an unmanned aircraft system manufactured or assembled in certain foreign countries for inspection of certain critical infrastructure; ~~8) prohibits government entities from purchasing or operation an unmanned aircraft system manufactured or assembled in certain foreign countries;~~ and makes technical changes

Ryan's thoughts: We are out of the bill. Senator Harper amended the bill in a really good way that I think other states should take a look at. The bill was amended again. It now allows for inspection of critical infrastructure so long as the UAV is not connected to the internet during inspection/operation. After the inspection operation is complete, any data collected from the inspection must be removed from the UAV before the UAV is connected to the internet. If you would like to read the amended page here is a link: <https://le.utah.gov/~2024/bills/sbillamd/SB0135S03.amdx.pdf>. Overall, I feel the process made a better law. Have fun flying your DJI drones.

~~public entity or contractor working directly for a public entity may not purchase or operate an unmanned aircraft system for the inspection of critical infrastructure if the unmanned aircraft system was manufactured or assembled by a covered foreign entity.”~~ In English, that means that so long as you don't use the drone to inspect the Flaming Gorge Dam or other such infrastructure, you can use it. Thanks to Gary for whining, and thanks to LeGrand, Heather, Police and Fire for a good amendment. For the most part this bill doesn't even concern us until you get to the last page which is why UASD doesn't oppose the bill, they just want to amend it. As in amend the last page of the bill out. The bill mostly deals with flying cars and leasing airspace above highways. The part that does concern us are lines 1332-1340. Simply put, if a public entity has a Chinese or Russian drone, after May 1, 2028 you will no longer be allowed to fly it in Utah. Private people can fly them all they want. But we won't be able to. The good news is that Police and Fire are against this bill and are fighting alongside us to stop it. Harper said he was willing to listen to possible amendments and would be willing to compromise on the bill. Heather and LeGrand are setting up a meeting with him to discuss it and we'll see where it goes in the next few days and weeks

What do mosquito districts do with this bill: Becomes law January 1, 2025. Buy and use all the DJI Drones you want, just don't connect them to the internet while you use them when inspecting critical infrastructure and make sure to take all video/photos off the drone before connecting to the internet. Also, as stated under HB 404 there is a coordinating clause with HB 404 where this (SB 135) is the law for purchasing/using drones.

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SB 232 – Minor Data Protection Amendments – dead - Ronald Winterton - Tracking
<https://le.utah.gov/~2024/bills/sbillint/SB0232.pdf>

This bill: 1) defines terms; 2) creates a standard for how the personal information of a minor is maintained; 3) creates a standard for how the personal information of a minor is destroyed; and 4) makes technical changes.

Ryan's thoughts: If you employ 17-year-olds, you now have a stronger requirement to protect their data. You must create a policy and a procedure to prevent unlawful use or disclosure of a minor's personal information.