



LEGISLATIVE UPDATE



HB3 - APPROPRIATIONS ADJUSTMENTS

Item 393 on lines 3480-3485

The Legislature intends that up to \$16,000,000 of the Transit Transportation Investment Fund be used by the Department of Transportation for the Sharp-Tintic Railroad realignment project in Utah County. This \$16,000,000 may not be used to satisfy the local match requirement for Transit Transportation Investment Fund projects required by statute.



HB 367 TRANSPORTATION UTILITY FEE

- Did NOT pass



HB 11 WATER EFFICIENT LANDSCAPING REQUIREMENTS

- A local entity with local entity property within the Great Salt Lake basin that undertakes new construction or reconstruction on the local entity property on or after May 1, 2024, may not install, maintain, or use overhead spray irrigation in a landscaped area of the local entity property unless the landscaped area is an active recreation area.
- "Active use" means regular use for playing, exercise, recreation, or regular outdoor activities, such as:
 - (i) a sports field;
 - (ii) a social gathering area;
 - (iii) an amphitheater;
 - (iv) a park;
 - (v) the playing area, including roughs, driving ranges, and chipping and putting greens, of a golf course; or
 - (vi) a cemetery.



HB13 INFRASTRUCTURE FINANCING DISTRICTS

- Authorizes the creation of a type of special district for the purpose of financing infrastructure
- Created by a petition signed by 100% of owners of surface property within the area
- Governed by an appointed board of trustees or elected body
- .0004 property tax levee (same as mosquito abatement district, cemetery district, etc.)
- Property tax cannot be used to repay bonds
- Bonds are repaid with an assessment.
- Debt must be repaid prior to issuance of C/O
- District is dissolved within 180 days of debt being repaid
- No eminent domain authority



HB257 SEX-BASED DESIGNATIONS FOR PRIVACY

- Mostly for public education system, but...
- Requires local government to
 - Report allegations of certain criminal offenses to law enforcement
 - Adopt a privacy compliance plan
 - Provide single-occupant facility in new construction; and
 - Consider the feasibility of certain retrofit or remodel projects.
- \$10,000 per day fines
- To preserve the individual privacy and competitive opportunity of females (males), an individual is not entitled to and may not access, use, or benefit from a government entity's athletic facility, program, or event if:
 - (i) the facility, program, or event is designated for females (males); and
 - (ii) the individual is not female (male.)



The distinction must be “substantially related to an important government objective.”

63G-31-203. Sex-based distinctions to protect athletic health and competitive opportunity. A distinction on the basis of sex to provide separate accommodations for the sexes is substantially related to the important government objective of protecting health and competitive opportunity in the availability or quality of an athletic venue, event, or program within the public education system.



63G-31-302. Sex-designated changing rooms in publicly owned facilities open to the general public.

(1) (a) Except as provided in Subsection (1)(b), to preserve the individual privacy of males and females, an individual may only access an operational sex-designated changing room in a government entity's facility that is open to the general public if:

- (i) the individual's sex corresponds with the sex designation of the changing room; or
- (ii) the individual has:

(A) legally amended the individual's birth certificate to correspond with the sex designation of the changing room, which may be supported with a review of any amendment history obtained under Section 26B-8-125; and

(B) undergone a primary sex characteristic surgical procedure as defined in Section 58-67-102 to correspond with the sex designation of the changing room.



SB150 EXERCISE OF RELIGIOUS FREEDOM

(2) Except as provided in Subsection (3):

(a) a government entity may not substantially burden the free exercise of religion of a person, regardless of whether the burden results from a rule of general applicability; and

(b) a person other than a government entity may not seek to apply or enforce government action against another person that substantially burdens the free exercise of religion of the other person, regardless of whether the burden results from a rule of general applicability.

(3) A government entity or government action may substantially burden a person's free exercise of religion only if the government entity, or any other person seeking to enforce government action, demonstrates that the burden on the person's free exercise of religion is:

(a) essential to furthering a compelling governmental interest; and

(b) the least restrictive means of furthering the compelling governmental interest.

Third party enforcement gets attorney's fees and costs



HB460 GOVERNMENT EMPLOYEE CONSCIENCE PROT.

This Bill:

- ▶ defines terms;
- ▶ 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;
- ▶ creates protections for employees who request to be relieved from a certain task; and
- ▶ creates a cause of action for a government employee whose request to be relieved from performing a certain task was denied.



SB268 FIRST HOME INVESTMENT ZONE

- FHIZ
- Municipality MAY create zone to provide affordable (80% of AMI,) owner-occupied housing
- Zone can capture tax increment for up to 25 years
- Between 10-100 acres
- Must allow densities above 30 per acre
- Can count towards moderate income housing plan requirements



HB572 STATE TREASURER INVESTMENT AMENDMENTS

- State Deposits money at 200 basis points below federal funds effective rate
- Developers can borrow money at up to 150 basis points above Fed Funds Rate
- \$300,000,000 of PTIF Transportation Investment Fund dollars used
- Qualified project
 - 60% of units are attainable (\$450,000)
 - Owner occupied for 5 years



HB261 EQUAL OPPORTUNITY INITIATIVES

...a governmental employer may not require, request, solicit, or compel a prohibited submission as a certification or condition before [any employment] action

"Prohibited submission" includes a submission, statement, or document that relates to a policy, program, or initiative regarding:

(A) anti-racism;

(B) bias;

(C) critical race theory;

(D) implicit bias;

(E) intersectionality;

(F) prohibited discriminatory practice, as that term is defined in Section [53B-1-118](#); or

(G) racial privilege.



SB57 UTAH CONSTITUTIONAL SOVEREIGNTY ACT

- ▶ establishes a framework for the Legislature, by concurrent resolution, to prohibit the enforcement of a federal directive within the state by **government officers** if the Legislature determines the federal directive violates the principles of state sovereignty;



HB 36 OPEN AND PUBLIC MEETING ACT AMENDMENTS

Meeting definition is much more specific.

Individuals constituting a quorum of a public body may not act together outside a meeting in a concerted and deliberate way to predetermine an action to be taken by the public body at a meeting on a relevant matter.



HB430 LOCAL GOVT. TRANS. SERVICES AMENDMENTS

- UTA must provide us a report on how many dollars collected and how many dollars spent locally.
- (b) "Public transit innovation grant" includes a grant to provide:
 - (i) pilot bus routes and services in high growth areas;
 - (ii) pilot shuttle connections between fixed guideway stations and job centers, recreation and cultural facilities and attractions, or schools; and
 - (iii) other pilot programs similar to those described in Subsections (5)(b)(i) and (ii) as coordinated between the public transit district and political subdivisions within the public transit district.



MISCELLANEOUS

- HB297 Limits City on Bee Ordinances
- HB251 Can re-employ people 90 days after retirement
- HB107 Must publish recycling data
- SB 91 New public hearing on key employee raises
- SB161 State can force you to sell them a power plant is decommissioned
- HB502 Critical Infrastructure study (Force gravel pits.)
- HB465 Housing Affordability Revisions (Technical changes to MIH)
- SB208 HTRZ Amendments (10 acre minimum)
- HB185 Building Inspector rules changes



MISCELLANEOUS CONT.

- HB290 FAILED, so RCV still available through 2026
- HB154 Removes the requirement for a person operating a bicycle or moped to keep at least one hand on the handlebars