



2019 General Session of the Utah Legislature

Utah Substance Use and Mental Health Advisory Council Summary of Substance Use, Mental Health, and Related Legislation Passed



As of April 18, 2019

Possible Positions on Bills

Priority (for passage)	Support in Concept	No Position	
Support	Oppose	Hold (for further review/amendments, etc.)	
		Beyond the Scope of the USAUV+ Council	

Bill Number & Title	Chief Bill Sponsor Floor Sponsor	Bill Summary and Appropriations <i>Unless otherwise indicated, appropriations are found in S.B. 3 – Appropriations Adjustments and begin in FY 2020.</i>	USAUV+ Position **** Effective Date
HOUSE BILLS			
1st Sub. H.B. 16 – Fraudulent Drug Testing Amendments	Rep. Steve Eliason Sen. Allen Christensen	This bill: defines terms; makes it a criminal offense (infraction) to distribute, possess, or sell an adulterant or synthetic urine; makes it a criminal offense to defraud an alcohol or drug test using an adulterant, bodily fluid of another person, or bodily fluid expelled or withdrawn before collection for the test; exempts from criminal liability a person who distributes, possesses, sells, or uses an adulterant or human or synthetic urine for the sole purpose of education or research; requires the entity that collects specimens for the purpose of testing that becomes aware that an adulterated sample or synthetic urine was submitted for screening report it to the requesting employer and the Department of Public Safety; and provides that the bill does not apply to persons currently under court-ordered supervision or the supervision of the Board of Pardons and Parole.	OPPOSE The bill does not exempt persons in licensed SUD treatment programs that have their own policies regarding this issue. May 14, 2019
2nd Sub. H.B. 17 – Firearm Violence and Suicide Prevention Amendments	Rep. Steve Eliason Sen. Curtis Bramble	This bill: reenacts and modifies previously sunsetted provisions relating to a voluntary firearm safety program and a suicide prevention education course; requires the Division of Substance Abuse and Mental Health (DSAMH), in consultation with the Bureau of Criminal Identification, to implement and manage a firearm safety program and a suicide prevention education course by: producing a firearm safety brochure and firearm safety packet; procuring cable-style gun locks; distributing firearm safety packets; administering a program in which a Utah resident who has filed an application for a concealed firearm permit receives a redeemable coupon toward the purchase of a firearm safe and receives a firearm safety brochure; and creating a suicide prevention education course; modifies the administration of a grant program to provide suicide prevention education opportunities for firearm dealers; requires a federal firearm dealer to provide a cable-style gun lock supplied by the DSAMH to an individual purchasing a certain firearm; requires the Bureau of Criminal Identification, in conjunction with the DSAMH, to: create a firearm safety and suicide prevention web-accessible video; and require an applicant seeking renewal of a concealed firearm permit to view the video before renewal. <i>This bill appropriates: \$10,000 ongoing and \$500,000 one-time to the Division of Substance Abuse and Mental Health. S.B. 3 Appropriation: \$5,000 one-time in FY 2019 and \$20,000 ongoing beginning in FY 2020 to the Department of Public Safety/Bureau of Criminal Identification.</i>	SUPPORT May 14, 2019
H.B. 21 – Offender Supervision Amendments	Rep. Paul Ray Sen. Karen Mayne	This bill: amends provisions relating to the preparation of a presentence investigation report; removes provisions requiring a POST certified Department of Corrections employee to provide investigative services; and provides that a Department of Corrections employee who is trained to prepare a presentence investigation report may prepare a report for the courts, the department, or the Board of Pardons and Parole.	SUPPORT May 14, 2019

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H.B. 36 – Bureau of Criminal Identification Reporting Amendments	Rep. Raymond Ward Sen. Don Ipson	This bill: requires the clerk of the district court to report information on individuals mentally unfit to purchase firearms to the Bureau of Criminal Identification (BCI); requires the BCI to submit information reported by the courts on individuals mentally unfit to purchase firearms to the National Instant Criminal Background Check System; requires the clerk of the district court to report information on individuals subject to a protective order to the BCI; and requires the BCI to submit information reported by the courts on individuals subject to a protective order to the National Crime Information Center.	SUPPORT May 14, 2019
H.B. 40 – Amendments to Criminal Provisions	Rep. Paul Ray Sen. Karen Mayne	This bill: modifies criminal offenses and penalties in the Utah Code; modifies the definition of “health professional” (adds “athletic trainer”) as the term relates to certain sexual offenses; modifies certain criminal offenses and penalties relating to: dealing in material harmful to minors between a young adult and adolescent; obstruction of alcoholic beverage control investigations (changes penalty from a second degree felony to a class A misdemeanor); registration as a sex offender; rendering a dead body unavailable for postmortem investigation; repeated violations of the Minimum Wage Act; and theft; repeals the criminal offenses of adultery and sodomy; and provides immunity from prosecution for the offenses of prostitution and sexual solicitation under certain circumstances.	SUPPORT May 14, 2019
H.B. 62 – Correctional and Peace Officer Amendments	Rep. Paul Ray Sen. Allen Christensen	This bill: increases the penalty for assault committed by a prisoner against an officer, or an employee or volunteer, including a health care provider (from a class A misdemeanor to a third degree felony) when the prisoner propels a substance or object at the officer, employee, or volunteer and causes substantial bodily injury.	SUPPORT May 14, 2019
1st Sub. H.B. 81 – School Counselor Services	Rep. Susan Pulsipher Sen. Lincoln Fillmore	This bill: directs the State Board of Education to adopt rules: regarding certain services provided by school counselors; and prohibiting school counselors from certain activities; and requires the State Board of Education to report to the Education Interim Committee on the board's efforts to address school counseling services.	HOLD May 14, 2019
2nd Sub. H.B. 90 – Occupational Licensing Modifications	Rep. Eric Hutchings Sen. Karen Mayne	This bill: provides for an individual with a criminal conviction to apply to the Division of Occupational and Professional Licensing (DOPL) for a determination of whether the individual’s criminal history would disqualify the individual from receiving a specific occupational or professional license if all other requirements were met; describes the contents of such an application; describes DOPL’s responsibilities in responding to such an application; and modifies the definition of “unprofessional conduct.” <i>S.B. 3 Appropriation: \$21,900 ongoing to the Department of Commerce/DOPL.</i>	SUPPORT May 14, 2019
H.B. 94 – Weapons Restrictions Amendments	Rep. Norman Thurston Sen. Jacob Anderegg	This bill: eliminates the current exception that allows a peace officer to carry a dangerous weapon while intoxicated (BAC of $\geq .05$ or combined influence of alcohol/drugs – violation is a class B misdemeanor); clarifies that carrying a dangerous weapon that is securely encased or not readily available is not prohibited; modifies the law to respect an individual's constitutional right to self-defense; and provides an exception for an individual who carries a dangerous weapon in a private residence with the consent of the owner. Provides exceptions for individuals (a U.S. Marshal, a federal official required to carry a firearm, a peace officer, a law enforcement official, a judge, a common carrier while engaged in the regular and ordinary transport of firearms as merchandise) who are employed by a state or federal agency or political subdivision that has adopted a policy or rule regarding the use of dangerous weapons.	OPPOSE Peace officers should not be allowed to carry a dangerous weapon under any circumstances when legally impaired by alcohol/other drugs. May 14, 2019
1st Sub. H.B. 104 – Private Counselors Amendments	Rep. Christine Watkins Sen. Wayne Harper	This bill: modifies the authority of the Division of Substance Abuse and Mental Health to establish requirements and procedures for certification of a practitioner, provider, or facility that provides mental health treatment to certain individuals; provides that the Division of Substance Abuse and Mental Health may not require additional licensure for a private mental health therapist before the therapist may provide	SUPPORT May 14, 2019

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		mental health and substance use disorder services to individuals who are incarcerated or who are required to participate in treatment by a court or the Board of Pardons and Parole.	
6th Sub. H.B. 120 – Student and School Safety Assessment	Rep. Raymond Ward Sen. Ann Millner	This bill: amends provisions of the International Fire Code related to routine emergency evacuation drills; directs the Department of Public Safety to employ a public safety liaison; directs the State Board of Education (Board) to establish policies and procedures for student resource officers; creates the State Safety and Support Program; requires the Board to develop model policies and procedures for student safety and support; and directs the Division of Substance Abuse and Mental Health to employ a school-based mental health specialist. <i>This bill appropriates: \$480,000 ongoing to the State Board of Education; \$150,000 ongoing to the Department of Public Safety; and \$150,000 ongoing to the Division of Substance Abuse and Mental Health.</i>	SUPPORT (5 th Sub.) May 14, 2019
H.B. 132 – Occupational and Professional Licensing Amendments	Rep. Karen Kwan Sen. David Hinkins	This bill: allows the Division of Occupational and Professional Licensing (DOPL) to offer required examinations in languages in addition to English.	SUPPORT May 14, 2019
H.B. 152 – Voluntary Commitment of a Firearm Amendments	Rep. Cory Maloy Sen. Ann Millner	This bill: defines “cohabitant” as any adult living in the home (“any individual 18 years of age or older residing in the home who: is living as if a spouse of the owner cohabitant; is related by blood or marriage to the owner cohabitant; has one or more children in common with the owner cohabitant; or has an interest in the safety and wellbeing of the owner cohabitant”).	OPPOSE Limits persons who may commit a firearm to law enforcement for safekeeping. May 14, 2019
H.B. 154 – Mental Health Protections for First Responders	Rep. Karen Kwan Sen. Karen Mayne	This bill: defines “first responder” as a law enforcement officer, an emergency medical technician, an advanced emergency medical technician, a paramedic, a firefighter, a dispatcher, or a correctional officer; and establishes a temporary working group to study a first responder’s workers’ compensation claim due to mental stress. <i>S.B. 3 Appropriations: \$3,200 one-time to the Legislature/Senate; and \$3,200 one-time to the Legislature/House of Representatives.</i>	SUPPORT May 14, 2019
H.B. 174 – Psychiatry Medical Residents Amendments	Rep. Steve Eliason Sen. Ralph Okerlund	This bill: defines terms; requires the University of Utah Health Sciences to select additional psychiatry residents (beginning with the 2020-21 academic year, up to 4 more than selected in the 2018-19 academic year); and enacts provisions related to money used for psychiatry residents (any source; no supplanting). <i>S.B. 3 Appropriation: \$800,000 ongoing beginning in FY 2021 to the University of Utah/School of Medicine.</i>	SUPPORT May 14, 2019
H.B. 181 – Tax Credit Amendments	Rep. Brian King Sen. Karen Mayne	This bill: defines terms; modifies provisions related to the Tax Credit for Employment of Persons Who Are Homeless Act; expands the definition of “person who is homeless” to include: “a public or private place not designated for or ordinarily used as a regular sleeping accommodation for an individual, including a car, park, abandoned building, bus station, train station, airport, or camping ground; or a publicly or privately operated shelter designated to provide temporary living arrangements, including a permanent housing, permanent supportive, or transitional facility”.	SUPPORT May 14, 2019
2nd Sub. H.B. 186 – Opioid Prescription Regulation Amendments	Rep. Raymond Ward Sen. Curtis Bramble	This bill: permits the Division of Occupational and Professional Licensing (DOPL) to consult with prescribers and health care systems on best practices with respect to prescribing controlled substances; amends provisions that DOPL must take after it receives a report from a medical examiner relating to an overdose involving a controlled substance; and makes certain records protected under the Government Records Access and Management Act (GRAMA). Provides that DOPL, upon receiving a report from the medical examiner regarding a death caused by poisoning or overdose involving a prescribed controlled substance, shall provide each practitioner identified by the medical examiner with a copy of the report within five business days; provides that DOPL may offer the practitioner an educational visit to review the report, and that a practitioner may decline an educational visit; provides that DOPL may not use, in a licensing	SUPPORT IN CONCEPT May 14, 2019

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		investigation or action, information from an educational visit or a practitioner’s decision to decline an educational visit; and that any record created by DOPL as a result of an educational visit is a protected record for purposes of GRAMA.	
H.B. 191 – Controlled Substance Abuse Amendments	Rep. Steve Eliason Sen. Evan Vickers	This bill: requires a prescriber to discuss the risks of using an opiate with a patient or the patient’s guardian (if patient is under 18 and not an emancipated minor) before issuing an initial opiate prescription (patients who have never been issued a prescription for an opiate and those who are being issued a prescription more than one year following the date on which an opiate was previously prescribed or administered to the patient); and provides exceptions for patients in active treatment for cancer or receiving hospice care; and patients being prescribed medication for treatment of the patient’s substance abuse or opiate dependence. Topics to be discussed are: risks of addiction and overdose associated with opiate drugs; dangers of taking opiates with alcohol, benzodiazepines, and other CNS depressants; reasons why the prescription is necessary; alternative treatments that may be available; and other risks associated with the use of the drugs being prescribed. <i>S.B. 3 Appropriation: \$4,000 one-time to the Department of Commerce/DOPL.</i>	SUPPORT May 14, 2019
1st Sub. H.B. 212 – Expungement Changes	Rep. Stewart Barlow Sen. Jani Iwamoto	This bill: defines terms; prohibits public employer inquiry into an applicant’s expunged criminal history, except in certain circumstances; and permits an applicant to answer a question related to an expunged criminal record as though the action underlying the expunged criminal record never occurred, except in certain circumstances.	SUPPORT May 14, 2019
H.B. 251 – Drug Diversion Reporting Requirements	Rep. Steve Eliason Sen. Curtis Bramble	This bill: defines terms; and makes it a class B misdemeanor if a person knows that a practitioner is involved in drug diversion and knowingly fails to report the diversion to a peace officer or law enforcement agency, unless reporting would violate HIPAA or 42 C.F.R. Part 2. “Diversion” is defined as a practitioner’s transfer of a significant amount of drugs to another for an unlawful purpose. “Practitioner” is defined as an individual: (i) licensed, registered, or otherwise authorized by the appropriate jurisdiction to administer, dispense, distribute, or prescribe a drug in the course of professional practice; or (ii) employed by a person who is licensed, registered, or otherwise authorized by the appropriate jurisdiction to administer, dispense, distribute, or prescribe a drug in the course of professional practice or standard operations. “Significant amount” is defined as an aggregate amount equal to, or more than, 500 morphine milligram equivalents calculated in accordance with guidelines developed by the Centers for Disease Control and Prevention (CDC). “Drug” is defined as a Schedule II or Schedule III controlled substance that is an opiate.	HOLD May 14, 2019
4th Sub. H.B. 324 – Tobacco Age Amendments	Rep. Steve Eliason Sen. Curtis Bramble	This bill: tiers the minimum age for obtaining, possessing, using, providing, or furnishing of tobacco products, paraphernalia, and under certain circumstances, electronic cigarettes from 19 to 20, then to 21 years old; preempts certain local government regulation relating to cigarettes, electronic cigarettes, or tobacco; provides exceptions for military members, their spouses, and dependents; and addresses identification documents.	SUPPORT (2 nd Sub.) July 1, 2020
1st Sub. H.B. 330 – Juvenile Justice Competency Revisions	Rep. Jon Hawkins Sen. Deidre Henderson	This bill: amends definitions and defines terms related to competency evaluations of minors; amends procedures and requirements for an evaluation of a minor for competency; provides instructions to forensic evaluators, courts, and others involved with the prosecution, evaluation, and adjudication of matters related to minors; and amends provisions related to an evaluation to determine likelihood of attaining competency. <i>S.B. 3 Appropriation: \$25,400 ongoing to the Judicial Council/State Court Administrator.</i>	SUPPORT May 14, 2019
1st Sub. H.B. 336 – Nurse Practice Act Amendments	Rep. James Dunnigan Sen. Curtis Bramble	This bill: amends definitions; permits certain licensed nurse practitioners to prescribe a Schedule II controlled substance; and amends certain requirements for advanced practice nurse practitioners to have	SUPPORT May 14, 2019

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		prescriptive authority for controlled substances.	
H.B. 338 – Changes to Tobacco Retail Permit	Rep. Marc Roberts Sen. Jacob Anderegg	This bill: makes amendments regarding the community location grandfathering exception for retail tobacco specialty business by prohibiting the Department of Health or a local health department from denying a permit to a retail tobacco specialty business based upon its proximity to a community or other location if the retail tobacco specialty business obtained a license to operate the retail tobacco specialty business before December 31, 2015.	SUPPORT May 14, 2019
2nd Sub. H.B. 366 – Health Care Amendments	Rep. James Dunnigan Sen. Allen Christensen	This bill: creates and amends definitions; amends provisions relating to the director of the state Medicaid program; renames the Division of Health Care Financing to the Division of Medicaid and Health Financing; requires the Department of Health to coordinate with the Office of the Inspector General for Medicaid Services; changes provisions related to enrollment and renewal processes for the Medicaid program and the Children's Health Insurance Program; deletes provisions related to the Primary Care Network demonstration waiver; amends provisions related to the spouse of an individual residing in a nursing facility and receiving Medicaid services; amends provisions relating to the Medicaid Expansion Fund; modifies contracting provisions for the Department of Health; eliminates certain reporting requirements; amends benefits benchmark requirements for the Utah Children's Health Insurance Program; expands the scope of services that certain state entities can request from the Public Employees' Health Program; amends provisions relating to the licensing and scope of practice of certain mental health professionals ; removes certain repealers; and repeals provisions from the Medical Assistance Act related to: the release of financial information; a strategic plan for health system reform; and certain waiver provisions.	NOT REVIEWED The USAAV+ Behavioral Healthcare Workforce Workgroup discussed the changes related to licensing and scope of practice of certain mental health professionals, but did not have an opportunity to review the final numbered bill and substitutes. May 14, 2019
3rd Sub. H.B. 373 – Student Support Amendments	Rep. Steve Eliason Sen. Ann Millner	This bill: defines terms; changes the name of the School Safety and Crisis Line to the SafeUT Crisis Line; amends provisions related to the SafeUT Crisis Line and the SafeUT and School Safety Commission, including provisions related to the University Neuropsychiatric Institute charging a fee for the use of the SafeUT Crisis Line; repeals a grant program related to the SafeUT Crisis Line; amends provisions related to mobile crisis outreach teams; authorizes the State Board of Education (board) to distribute money to local education agencies (LEAs) for personnel who provide school-based mental health support; requires the board to establish a formula for distribution of money to LEAs; enacts requirements on LEAs to receive money; requires the board to make rules related to money for the personnel; requires the Division of Substance Abuse and Mental Health to coordinate and make recommendations with the board and the Department of Health related to Medicaid reimbursement for school-based health services; and enacts other provisions related to student mental health support. <i>This bill appropriates: \$16,000,000 in FY 2020, and \$26,000,000 ongoing beginning in FY 2021, to the State Board of Education; and \$1,770,000 ongoing to the University of Utah SafeUT Crisis Text and Tip Line.</i> <i>Funding Reduction: \$500,000 ongoing reduction in funding to the Division of Substance Abuse and Mental Health.</i>	SUPPORT IN CONCEPT (2 nd Sub.) May 14, 2019
6th Sub. H.B. 387 – Boards and Commissions Amendments	Rep. John Knotwell Sen. Daniel Hemmert	This bill impacts the USAAV+ Council as follows: remove legislators as members of the USAAV+ Council; adds a sunset date of January 1, 2023 to the USAAV+ Council; and requires each executive branch board or commission to submit an annual report to the governor's office and requires the governor's office to provide a summary report to the Legislature. <i>Annual Report Requirement: Before August 1 of each year, each executive board shall prepare and submit to the Boards and Commissions Administrator in the Governor's Office (administrator) an annual report that includes: (i) the name of the executive board; (ii) a description of the executive board's official function and purpose; (iii) a description of the actual work performed by the executive board since the last report the executive board submitted to the administrator under this Subsection; (iv) a description of actions taken by the executive board since the last report the</i>	SUPPORT (2 nd Sub.) May 14, 2019

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		<p><i>executive board submitted to the administrator under this Subsection; (v) recommendations on whether any statutory, rule, or other changes are needed to make the executive board more effective; and (vi) an indication of whether the executive board should continue to exist.</i></p> <p><i>S.B. 3 Appropriations: \$55,000 ongoing to the Governor’s Office; \$1,000 ongoing to the Governor’s Office of Economic Development; \$205,200 to the Department of Heritage and Arts; \$30,300 one-time to the Department of Environmental Quality; \$22,600 one-time to the Legislature/Senate; \$27,300 one-time to the Legislature/House of Representatives; and \$75,000 one-time to the Legislature/Office of Legislative Research and General Counsel.</i></p> <p><i>Funding Reductions: \$205,200 ongoing reduction in funding to the Governor’s Office/Character Education; \$1,000 ongoing reduction in funding to the Utah Education and Telehealth Network; \$30,300 ongoing reduction in funding beginning in FY 2021 to the Department of Environmental Quality; \$46,100 ongoing reduction in funding beginning in FY 2021 to the Legislature/Senate; \$56,300 ongoing reduction in funding beginning in FY 2021 to the Legislature/House of Representatives; and \$75,000 ongoing reduction in funding beginning in FY 2021 to the Legislature/Office of Legislative Research and General Counsel.</i></p>	
<p>H.B. 392 – Telemedicine Reimbursement Amendments</p>	<p>Rep. Ken Ivory Sen. Kirk Cullimore</p>	<p>This bill: requires the Medicaid program to reimburse for certain telemedicine services at rates set by the Medicaid program; requires the Public Employees’ Benefit and Insurance Program to reimburse for certain telemedicine services at commercially reasonable rates; and amends telemedicine reporting and study requirements.</p> <p><i>S.B. 3 Appropriation: \$1,800 one-time to the Department of Health/Medicaid.</i></p>	<p>SUPPORT IN CONCEPT May 14, 2019</p>
<p>4th Sub. H.B. 393 – Suicide Prevention Amendments</p>	<p>Rep. Steve Eliason Sen. Don Ipson</p>	<p>This bill: defines terms; expands the scope of suicide prevention programs in a school; requires the Division of Occupational and Professional Licensing, in conjunction with the Division of Substance Abuse and Mental Health, to create a suicide prevention web-accessible video; requires certain primary care providers to view the suicide prevention web-accessible video in order to renew a medical license; establishes the Survivors of Suicide Loss Account; establishes the Psychiatric Consultation Program Account; and provides immunity from civil liability for an individual who provides assistance to another individual who has expressed suicide ideation or taken suicidal action.</p> <p><i>This bill appropriates: \$600,000 ongoing to the Division of Substance Abuse and Mental Health; and \$700,000 one-time to the Governor’s Office/Suicide Prevention.</i></p> <p><i>S.B. 3 Appropriation: \$300,000 one-time to the Governor’s Office/Suicide Prevention.</i></p>	<p>SUPPORT (2nd Sub.) May 14, 2019</p>
<p>3rd Sub. H.B. 398 – Substance Use and Healthcare Amendments</p>	<p>Rep. Brad Daw Sen. Todd Weiler</p>	<p>This bill: defines terms; modifies provisions requiring a county jail and the Department of Corrections to report certain information to the Commission on Criminal and Juvenile Justice regarding an inmate’s death; modifies provisions relating to licensing of a practitioner who dispenses certain opiate agonists; and requires the Commission on Criminal and Juvenile Justice to convene a committee to study certain health care and other services provided to inmates in a correctional facility.</p>	<p>SUPPORT May 14, 2019</p>
<p>H.B. 410 – Drug Paraphernalia Penalty Amendments</p>	<p>Rep. Stephanie Pitcher Sen. Todd Weiler</p>	<p>This bill: removes certain enhancements for offenses related to drug paraphernalia when committed in drug-free zones.</p>	<p>SUPPORT May 14, 2019</p>
<p>3rd Sub. H.B. 431 – Expungement Act Amendments</p>	<p>Rep. Eric Hutchings Sen. Daniel Thatcher</p>	<p>This bill: allows for automatic expungement or deletion of charges for which an individual is acquitted, charges that are dismissed with prejudice, and certain convictions; creates processes for automatic expungement and deletion, which include: defining terms; requiring identification of cases that may be eligible for automatic expungement or deletion; requiring a prosecuting agency to be notified before the record of a case is automatically expunged; and providing for the Department of Public Safety to make rules to implement procedures for processing an automatic expungement; and providing for the Judicial Council to make rules to implement procedures to process an automatic expungement or deletion; and modifies the circumstances under which the state may petition a court to open an expunged record.</p>	<p>SUPPORT (2nd Sub.) May 1, 2020</p>

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		<i>S.B. 3 Appropriations: \$200,000 one-time and \$200,000 ongoing to the Judicial Council/State Court Administrator; \$477,600 in FY 2020 and \$384,300 in FY 2021 to the Department of Public Safety/Bureau of Criminal Identification; \$50,000 one-time and \$50,000 ongoing to the Department of Natural Resources/Wildlife Resources Law Enforcement; and \$250,000 one-time and \$3,800 ongoing to the Department of Technology Services.</i>	
1st Sub. H.B. 440 – Commission on Criminal and Juvenile Justice Amendments	Rep. Eric Hutchings Sen. Luz Escamilla	This bill: changes the membership of the Commission on Criminal and Juvenile Justice; and impacts the USAAV+ Council as follows: removes the directors of the Division of Substance Abuse and Mental Health and the Division of Juvenile Justice Services as members of CCJJ and replaces them with the executive director of the Department of Human Services or designee; and permits the chair of the USAAV+ Council or a member of the USAAV+ Council designated by the chair to serve as a voting member of CCJJ.	SUPPORT May 14, 2019
H.B. 449 – Controlled Substances Amendments	Rep. Paul Ray Sen. Allen Christensen	This bill: reschedules Tramadol from Schedule V to Schedule IV; and creates a reporting requirement for certain non-controlled substances (*Effective Date: July 1, 2019).	SUPPORT May 14, 2019*
3rd Sub. H.B. 453 – Alcohol Amendments	Rep. Timothy Hawkes Sen. Jerry Stevenson	In addition to technical amendments needed by the Department of Alcoholic Beverage Control, this bill was substituted in the final two days of the legislative session to allow an off-premise beer retailer to sell, offer for sale, or furnish beer through a drive through window. <i>S.B. 3 Appropriation: \$15,200 one-time and \$42,300 ongoing to the Department of Alcoholic Beverage Control.</i>	NOT REVIEWED May 14, 2019
H.B. 460 – Medicaid Eligibility Amendments	Rep. Carol Spackman Moss Sen. Todd Weiler	Prohibits the Department of Health from terminating eligibility for the state Medicaid program solely because the individual is incarcerated. <i>S.B. 3 Appropriations: \$490,000 one-time to the Department of Health/Medicaid in FY 2019; and \$414,000 one-time to the Department of Workforce Services in FY 2019.</i>	SUPPORT May 14, 2019
H.C.R. 1 – Concurrent Resolution Urging the U.S. DEA to Approve a Pharmaceutical Drop Box Pilot Program	Rep. Brad Daw Sen. Evan Vickers	This concurrent resolution: highlights the impact of the opioid epidemic on the state of Utah; describes previous actions to place law enforcement-controlled pharmaceutical drop boxes in local pharmacies; and urges the United States Drug Enforcement Administration to approve a pilot program for pharmaceutical drop boxes that are controlled by local law enforcement agencies.	SUPPORT IN CONCEPT March 27, 2019
H.C.R. 4 – Concurrent Resolution Supporting Utah’s Every Kid Outdoors Initiative	Rep. Patrice Arent Sen. Lincoln Fillmore	This concurrent resolution: describes the benefits of children spending time outdoors (including mental and behavioral health benefits); expresses support for Utah’s Every Kid Outdoors Initiative; and describes Utah’s Every Kid Outdoors Initiative.	SUPPORT March 27, 2019
SENATE BILLS			
4th Sub. S.B. 34 – Affordable Housing Modifications	Sen. Jacob Anderegg Rep. Val Potter	This bill: defines terms; modifies the requirements of certain municipalities and counties related to the moderate income housing plan element of their general plan; modifies the reporting requirements of certain municipalities and counties related to the moderate income housing plan element of their general plan; modifies provisions related to the use of Transportation Investment Fund money; and modifies provisions related to the Olene Walker Housing Loan Fund Board.	SUPPORT (3 rd Sub.) May 14, 2019
1st Sub. S.B. 38 – Mental Health Amendments	Sen. Lincoln Fillmore Rep. Brad Daw	This bill: requires that a mental health professional provide a patient the opportunity to waive the patient’s privacy rights; requires a designated examiner to consider a proposed patient’s mental health history when evaluating the proposed patient for civil commitment; allows a designated examiner to request a court order to obtain a proposed patient’s mental health history; requires a designated examiner to disclose to an unrepresented proposed patient the fact that the designated examiner may, by court order, obtain the proposed patient’s mental health history; and limits the circumstances under which a court may terminate a civil commitment.	SUPPORT May 14, 2019
S.B. 39 – Assisted Outpatient Treatment for Mental Illness	Sen. Lincoln Fillmore Rep. Steve Eliason	This bill: creates a process for the provision of assisted outpatient treatment for an individual with mental illness; defines “assisted outpatient treatment” as “involuntary outpatient mental health treatment	SUPPORT May 14, 2019

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		ordered under Section 62A-15-630.5"; describes the services provided to an individual receiving assisted outpatient treatment; describes the process whereby an individual is court ordered to receive assisted outpatient treatment; and requires a designated examiner to consider assisted outpatient treatment when evaluating a proposed patient for civil commitment. <i>S.B. 3 Appropriations: \$12,000 one-time in FY 2019 and \$33,200 ongoing to the Judicial Council/State Court Administrator beginning in FY 2020; and \$120,500 ongoing to the Department of Health/Medicaid.</i>	
2nd Sub. S.B. 43 – Criminal Provisions Modifications	Sen. Karen Mayne Rep. Paul Ray	This bill: expands the Clandestine Drug Lab Act (originally created to address methamphetamine) to include concentrated tetrahydrocannabinols and counterfeit opioids; adds possession of a pill press machine or similar device, closed loop extraction system, extraction tube, or rotary evaporator as an indication of the defendant's intent to engage in a clandestine laboratory operation; modifies criminal offenses and penalties relating to electronic communications harassment and return of a marriage license to a county clerk; and repeals the offense of fornication.	SUPPORT IN CONCEPT May 14, 2019
1st Sub. S.B. 58 – Kratom Consumer Protection Act	Sen. Curtis Bramble Rep. Brad Daw	This bill: creates the "Kratom Consumer Protection Act"; defines terms; requires a person that prepares, distributes, sells, or offers to sell a kratom product to follow certain labeling requirements; prohibits a person from preparing, distributing, selling, or offering for sale certain kratom products; establishes penalties for violating the Kratom Consumer Protection Act (class C misdemeanor); requires registration with the Department of Agriculture and Food of any kratom product offered for sale in this state; requires the Department of Agriculture and Food to set a fee and create standards for registering a kratom product; creates a civil cause of action; and requires the Department of Agriculture and Food to make rules to administer and enforce the Kratom Consumer Protection Act. <i>S.B. 3 Appropriation: \$172,000 ongoing to the Department of Agriculture and Food.</i>	SUPPORT May 14, 2019
1st Sub. S.B. 68 – Driver License and Implied Consent Modifications	Sen. Karen Mayne Rep. Norman Thurston	This bill: amends provisions related to procedures involving law enforcement when an individual suspected of driving under the influence refuses to submit to a chemical test; amends provisions related to a temporary driver license and the notice given regarding a temporary driver license and related hearings involving an individual who refuses to submit to a chemical test; and extends the time from 30 days to 45 days in which a driver license sanction may be applied.	SUPPORT May 14, 2019
1st Sub. S.B. 85 – Secure Transport Designation Amendments	Sen. Evan Vickers Rep. Susan Pulsipher	This bill: adds a designation category for nonemergency secure behavioral health transport providers and vehicles; prohibits the state Medicaid program from reimbursing a nonemergency secured behavioral health transport provider; and defines "nonemergency secured behavioral health transport" as "an entity that: provides nonemergency secure transportation services for an individual who is not required to be transported by an ambulance and requires behavioral health observation during transport between any of the following facilities: a licensed acute care hospital, an emergency patient receiving facility, a licensed mental health facility and the office of a licensed health care provider; and is required to be designated under Section 26-8a-303". <i>S.B. 3 Appropriation: \$3,400 ongoing to the Department of Human Services/Division of Substance Abuse and Mental Health/State Hospital.</i>	SUPPORT May 14, 2019
S.B. 92 – Third Judicial District Judge Amendments	Sen. Todd Weiler Rep. Lowry Snow	This bill adds two judges to the Third District Court (increases from 29 to 31). <i>S.B. 3 Appropriation: \$905,000 ongoing to the Judicial Council/State Court Administrator.</i>	SUPPORT May 14, 2019
1st Sub. S.B. 95 – Autism Amendments	Sen. Curtis Bramble Rep. Tim Quinn	This bill: requires certain health benefit plans to provide coverage for behavioral health treatment for individuals with an autism spectrum disorder; prohibits certain health benefit plans from limiting hours of treatment for autism spectrum disorder; and removes a provision that allows the commissioner to waive the requirement that a health benefit plan cover the diagnosis and treatment of autism spectrum disorder.	SUPPORT May 14, 2019

Bill Number & Title	Chief Bill Sponsor Floor Sponsor	Bill Summary and Appropriations <i>Unless otherwise indicated, appropriations are found in S.B. 3 – Appropriations Adjustments and begin in FY 2020.</i>	USAAV+ Position **** Effective Date
		<i>S.B. 3 Appropriations: \$1,306,600 ongoing to the Department of Administrative Services beginning in FY 2021.</i>	
4 th Sub. S.B. 96 – Medicaid Expansion Adjustments	Sen. Allen Christensen Rep. James Dunnigan	<p>This bill: This bill: makes changes to eligibility for and administration of the state Medicaid program; directs the Department of Health to continue to seek approval from the federal government to implement a Medicaid expansion; directs the Department of Health to seek approval from the federal government to expand eligibility for the Medicaid program to individuals whose income is below 100% of the federal poverty level in a manner that: incorporates a per capita cap on federal reimbursement; limits presumptive eligibility; imposes a lock-out period for individuals who violate certain program requirements; gives enrollees continuous eligibility for a period of up to 12 months; allows Medicaid funds to be used for housing supports for certain enrollees; and permits the state to limit enrollment; if the federal government does not approve an expansion in the manner requested by the department, directs the department to expand eligibility for the Medicaid program to individuals whose income is below 138% of the federal poverty level, with certain cost controls; if the department expands eligibility for the Medicaid program to individuals whose income is below 138% of the federal poverty level and the cost of the expansion exceeds the amounts appropriated: permits the Department of Health to seek additional waivers to control costs of the Medicaid expansion; permits the Department of Health to reduce certain optional Medicaid services; and directs a cut of up to 10% of certain agency appropriations sufficient to cover the costs of the expansion; amends provisions related to various hospital assessments; and amends provisions related to the state sales tax.</p> <p><i>This bill appropriates in fiscal year 2019:</i> to Department of Health - Medicaid Services, as a one-time appropriation: from the General Fund, One-time, (\$14,900,000); to Department of Health - Medicaid Expansion Fund, as a one-time appropriation: from the General Fund, one-time, \$38,200,000; and from the General Fund Restricted - Medicaid Restricted Account, one-time, \$1,200,000.</p> <p><i>This bill appropriates in fiscal year 2020:</i> to Department of Health - Children's Health Insurance Program, as a one-time appropriation: from the General Fund, one-time, (\$18,663,900); to Department of Health - Medicaid Services, as a one-time appropriation: from the General Fund Restricted - Medicaid Restricted Account, one-time, \$16,800,000; and to Department of Health - Medicaid Expansion Fund, as an ongoing appropriation: from the General Fund, \$15,000,000.</p>	<p>OPPOSE</p> <p>USAAV+ supports full Medicaid expansion via Proposition 3</p> <p>February 11, 2019</p>
2 nd Sub. S.B. 98 – Community Reinvestment Agency Amendments	Sen. Wayne Harper Rep. Stephen Handy	<p>This bill: limits an agency's reporting requirements to only the reports required by law; prohibits a taxing entity from reducing the amount of project area funds under an interlocal agreement by a certain amount; removes the requirement for an agency to provide a housing allocation if the county and agency agree and the community reinvestment project area plan: provides solely for nonresidential project area development; and provides for a percentage of the jobs created within the project area to have a certain annual gross wage.</p>	<p>SUPPORT</p> <p>May 14, 2019</p>
4 th Sub. S.B. 103 – Victim Targeting Penalty Enhancements	Sen. Daniel Thatcher Rep. Lee Perry	<p>This bill: defines terms; provides an enhanced penalty for a criminal offense committed against a victim who is selected because of certain personal attributes; and provides that this bill does not affect an individual's constitutional rights, including an individual's constitutional right of free speech. Defines "personal attribute" as: age; ancestry; disability; ethnicity; familial status; gender identity; homelessness; marital status; matriculation; national origin; political expression; race; religion; sex; sexual orientation; service in the U.S. Armed Forces; status as an emergency responder; or status as a law enforcement officer, correctional officer, special function officer, or any other peace officer.</p> <p><i>S.B. 3 Appropriations: \$600 one-time to the Board of Pardons and Parole in FY 2020, and \$1,300 ongoing beginning in 2021; and \$900 ongoing to the Judicial Council/State Court Administrator.</i></p>	<p>SUPPORT</p> <p>May 14, 2019</p>
S.B. 105 – Hemp and Cannabinoid Act Amendments	Sen. Evan Vickers Rep. Brad Daw	<p>This bill: defines terms; repeals provisions related to an agricultural pilot program; amends provisions related to cannabidiol products to address cannabinoid products; requires the Department of Agriculture</p>	<p>SUPPORT</p> <p>May 14, 2019</p>

Bill Number & Title	Chief Bill Sponsor Floor Sponsor	Bill Summary and Appropriations <i>Unless otherwise indicated, appropriations are found in S.B. 3 – Appropriations Adjustments and begin in FY 2020.</i>	USAAV+ Position **** Effective Date
		and Food ("department") to establish requirements for a license to cultivate, process, or market industrial hemp; amends the information a person seeking to cultivate industrial hemp is required to provide to the department; amends a licensing prohibition related to criminal history; repeals a requirement that the department seek a federal waiver from certain federal law; and repeals a provision allowing the department to seize and destroy any cannabidiol product offered for sale that is not registered with the department.	
1st Sub. S.B. 106 – Mental Health Services in Schools	Sen. Lincoln Fillmore Rep. Susan Pulsipher	This bill: requires the Department of Health to develop a proposal and submit a state plan amendment to allow the state Medicaid program to be billed for certain mental health services provided in a public school; prohibits certain health benefit plans offered on or after January 1, 2020, from denying a claim for mental health services solely because they are provided by a public school employee or in a public school; and prohibits a local education agency from billing for certain health care services. <i>S.B. 3 Appropriation: \$36,400 ongoing to the Department of Health/Medicaid.</i>	SUPPORT IN CONCEPT May 14, 2019
S.B. 131 – Ignition Interlock Amendments	Sen. Wayne Harper Rep. Eric Hutchings	This bill: amends provisions related to ignition interlock devices for an individual whose offense for driving under the influence did not involve alcohol; and provides a process for an individual to petition the Driver License Division for removal of an ignition interlock restriction if the individual's offense was based solely on substances other than alcohol.	SUPPORT May 14, 2019
2nd Sub. S.B. 132 – Beer Amendments	Sen. Jerry Stevenson Rep. John Knotwell	This bill: This bill: modifies the permissible percentage of alcohol in beer and heavy beer as follows: for beer: a maximum of 4% <u>5%</u> of alcohol by volume or 3.2% <u>4%</u> by weight (*Effective Date: November 1, 2019); for heavy beer: more than 4% <u>5%</u> alcohol by volume or 4% by weight (*Effective Date: November 1, 2019); creates the Beer Availability Workgroup, staffed by the Department of Alcoholic Beverage Control, to study issues related beer availability, alcohol content, and retail practices; requires the Beer Availability Workgroup to provide two annual reports to the Legislative Management Committee and the Business and Labor Interim Committee; and increases the rate of the tax imposed on beer from \$12.80 to <u>\$13.10</u> per 31-gallon barrel (*Effective Date: November 1, 2019) and directs the resulting revenue to the Alcoholic Beverage Enforcement and Treatment Restricted Account. <i>S.B. 3 Appropriation: \$5,100 one-time in FY 2019, and \$15,200 one-time and \$57,500 ongoing to the Department of Alcoholic Beverage Control.</i>	SUPPORT (1 st Sub.) May 14, 2019*
2nd Sub. S.B. 139 – Motor Assisted Transportation Amendments	Sen. Kirk Cullimore Rep. Adam Robertson	This bill: addresses definitions, including the definition of a low-speed vehicle; prohibits certain activities with regard to an alcohol product and a motor assisted scooter (specifically, a person may not drink an alcoholic beverage while operating a motor assisted scooter and may not keep, carry, possess, transport, or allow another to keep, carry, possess or transport in the passenger compartment on a motor assisted scooter when it is on any highway or waters of the state, any container that contains an alcoholic beverage if the container has been opened, its seal broken, or the contents of the container partially consumed); clarifies that a motor assisted scooter is a vulnerable user of a highway; provides that a motor assisted scooter is subject to provisions for a bicycle, and not a moped or a motor-driven cycle; addresses operation of a motor assisted scooter; exempts motor assisted scooters with respect to certain equipment required on vehicles; addresses scooter-share programs; and addresses local ordinances regulating motor assisted scooters.	SUPPORT May 14, 2019
6th Sub. S.B. 161 – Medical Cannabis Act Amendments	Sen. Luz Escamilla Rep. Brad Daw	This bill: amends a provision regarding the transportation of cannabis and cannabis products to certain facilities; provides for testing of cannabis at additional stages of production; delays a provision during the decriminalization period that requires labeling with a barcode on a blister pack containing unprocessed cannabis flower; amends the request for proposal requirements for a third-party electronic verification	SUPPORT March 26, 2019

Bill Number & Title	Chief Bill Sponsor Floor Sponsor	Bill Summary and Appropriations <i>Unless otherwise indicated, appropriations are found in S.B. 3 – Appropriations Adjustments and begin in FY 2020.</i>	USAAV+ Position **** Effective Date
		system to ensure that the provider does not have an ownership interest in a cannabis production establishment or a medical cannabis pharmacy; subjects appointees to the compassionate use board to Senate confirmation; provides an exception allowing certain medical professionals to recommend medical cannabis before qualified medical provider registration is available; clarifies an exception to an employment protection regarding a public employee's lawful use of medical cannabis in the context of certain positions related to federal requirements; requires a state or political subdivision employer to provide a written notice to an employee or prospective employee whose assignments or duties under the state's medical cannabis programs may violate federal law; provides that a public employee who signs a notice regarding assignments or duties that may violate federal law may not subsequently rely on state whistleblower protections to refuse to carry out an assignment or duty that may violate federal law; requires the Department of Human Resource Management to create and publish a form notice for public employees regarding the employees' involvement in the state's medical cannabis programs; prohibits a court in a custody determination from: considering a parent's lawful possession or use of medical cannabis any differently than the lawful possession or use of an opioid or opiate; discriminating against a parent based on the parent's status in relation to the state's medical cannabis programs; allows a certain insurer to issue workers' compensation insurance coverage for an employer that is a cannabis production establishment or a medical cannabis pharmacy; allows a certain workers' compensation insurer to issue coverage to a cannabis production establishment or a medical cannabis pharmacy; amends the decriminalization provision to include protections for parents and legal guardians of certain minor patients; and clarifies quantity limits for possession during the decriminalization period.	
3rd Sub. S.B. 203 – Physician Assistant Amendments	Sen. Curtis Bramble Rep. James Dunnigan	This bill: amends provisions relating to practice as a physician assistant.	HOLD May 14, 2019
S.C.R. 1 – Concurrent Resolution on the Payment for Treatment in an Institution for Mental Illness	Sen. Lincoln Fillmore Rep. Brad Daw	This concurrent resolution: urges Congress to extend Medicaid coverage beyond 15 days for services provided in certain settings (Institutions for Mental Disease/IMDs – inpatient residential facilities having more than 16 beds) to adults with serious mental illness.	SUPPORT March 25, 2019
S.C.R. 7 – Concurrent Resolution Urging Legal Medical Cannabis Banking	Sen. Jacob Anderegg Rep. Melissa Ballard	This concurrent resolution: acknowledges that, despite the enactment of the Utah Medical Cannabis Act, cannabis plant extracts remain classified as Schedule I controlled substances under federal law; recognizes that the illegality of cannabis under federal law restricts the medical cannabis industry's legal access to financial institutions' banking services; warns of the dangers associated with businesses that operate entirely in cash; and urges the President and Congress to remove the barriers that prohibit the medical cannabis industry from legally accessing banking services.	SUPPORT March 21, 2019
2nd Sub. S.J.R. 8 – Joint Resolution Amending Rules of Evidence – Victim Selection	Sen. Daniel Thatcher Rep. Lee Perry	This joint resolution: provides that a defendant's expressions or associations are not admissible as evidence of the defendant's selection of a victim for purposes of a victim targeting penalty enhancement, except when the evidence: specifically relates to the criminal offense charged; or is introduced for impeachment.	SUPPORT March 12, 2019

ADDITIONAL APPROPRIATIONS

Parents Empowered Underage Drinking Prevention Media and Education Campaign – to the Department of Alcoholic Beverage Control for FY 2020: **\$2,722,100** (H.B. 4)

Alcoholic Beverage and Substance Abuse Enforcement and Treatment Restricted Account (Beer Tax Funds) – to the Utah State Tax Commission for FY 2020: **\$5,856,100** to be distributed via formula to eligible municipalities and counties (H.B. 4)