

Utah Food Industry Association / Utah Retail Merchants Association

Legislative Tracking / Position Sheet

2010 Utah Legislative Session

March 12, 2010

Bill	Short Title	Sponsor	Summary	Position	Category	Status
HB0097	Amendments Relating to Deceptive Practices Involving Consumers	Poulson, M	Restricts businesses from conducting "going out of business" and similar sales on an ongoing basis	M	Consumer Protection	Passed
HB0066	Prosthetic Limb Health Insurance Parity	Litvack, D.	Insurance mandate - coverage for prosthetic limbs. Requires insurance company to offer the coverage but does not require and employer to offer coverage.	O	Health Care	Passed
HB0025	Health Reform Admin Simplification	Newbold, M.	Streamlines certain administrative processes like coordination of benefits	S	Health Care	Passed
HB0067	Health System Amendments	Wimmer, C.	Prohibits a state agency or department from implementing any provision of the federal health care reform without first reporting to the Legislature	s	Health Care	Passed
HCR008	Concurrent Resolution on Federal Health Care Reform	Clark, D.	This concurrent resolution of the Legislature and Governor urges Congress to refuse to pass any health care legislation that contains certain provisions, urges Congress to pass health care legislation with specific provisions, and urges Congress, should it pass health reform legislation that further restricts states, to grandfather certain state laws, regulations, and practices.	s	Health Care	Passed

HJR011	Joint Resolution Regarding Federal Health Insurance Reform	Morley, M.	This resolution urges the United States Congress to refrain from instituting a new federal review, oversight, or preemption of state health insurance laws, to refrain from creating a federal health insurance exchange or connector, and to refrain from creating a federal health insurance public plan option.	s	Health Care	Passed
HB0294	Health System Reform Amendments	Clark, D.	Comprehensive Health Insurance Bill	S	Health Care	Passed
HB0459	Health Amendments	Clark, D.	Requires an insurer to provide information to consumers regarding health insurance policies; and requires greater choice of benefit plans for employers in the defined contribution market of the health insurance exchange.	S	Health Insurance	Passed
HB0018	Unemployment Insurance Amendments	Mascaro, S.	Makes modifications to the definition of base period for purposes related to qualifying for unemployment insurance benefits; and requires an annual report by the division on the impact of these modifications.	S	Labor	Passed
HB0023	Workplace Drug and Alcohol Testing	Beck, T.	Requires certain confirmation testing to be done by a certified laboratory; addresses grounds for employer action; and addresses presumptions in applying employer protections from liability	s	Labor	Passed
HB0043	Unemployment Compensation Amendments	Mascaro, S.	Provides that Social Security benefits may not be offset against unemployment compensation weekly benefits under the Employment Security Act with respect to an individual whose benefit year begins after July 3, 2010; and provides for the computation of weekly unemployment benefits for those whose benefit year begins after July 3, 2010;	S	Labor	Passed

HB0252	Workplace Accommodation of Breast Feeding	Johnson, C.	Requires employers to reasonably accommodate an employee who is breastfeeding to provide unpaid time for the opportunity to express milk during the work day.	N	Labor	Failed
SB0251	Verification of Employment Eligibility	Buttars, C.	Requires all employers to use the E-Verify system. Criminal and civil penalties are imposed for failure to use the system.	Amend - N	Labor	Passed
HB0201	State Fire Marshall Modifications	Menlove, R.	Prohibits the sale, manufacture, distribution, or possession of novelty lighters for the purpose of selling or distributing the novelty lighters within the state;	N	Operations	Passed
HB0108	Meat Inspection Amendments	Mathis, J.	Modifies definition of meat processing to include any establishment that cuts, grinds, smokes, compound or intermix	M	Operations	Passed
HB0241	Requirements for Check Cashier to Cash a Check	Harper, W.	Requires check cashing entities that are registered with the state (DFI) to verify identity before they cash a check	Amend - M	Operations	Failed
SB0049	Vending Machines in Public Schools	Jones, P.	Adopts statewide standards for beverages and snacks that can be placed in public school vending machines	N	Operations	Failed
HB0299	Amendments Related to Substances Harmful to Pregnancy	Menlove, R.	Requires the posting of an additional sign regarding the dangers of alcohol consumption during pregnancy (only applies to state liquor stores)	Amend - M	Operations	Passed
SB0115	Unemployment Insurance Revisions	Robles, L.	Extends unemployment insurance benefits to part-time employees	O	Operations	Failed
HB0153	Recycling of Electronic Items	Edwards, R.	Establishes a mandatory e-recycling program that will be funded by manufactures	Amend - N	Operations	Failed

SB0167	Alcoholic Beverage Control Act Recodification	Valentine, J.	Alcohol recodification – No substantive changes	M	Operations	Passed
SB0276	Promoting Healthy Lifestyles in Public Schools	Jones, P.	Requires schools to report on compliance with ABA and Healthy Weight Partners guidelines	N	Operations	Failed
HB0038	Scheduling of Controlled Substances	Ray, P.	Creates the Controlled Substances Advisory Committee; Establishes the membership of the committee; and provides guidelines for determining if a substance should be scheduled and in which schedule to place a substance.	S	Pharmacy	Passed
SB0088	Pharmacy Practice Act Amendments	Bramble, C.	Allows physicians to dispense drugs used for cosmetic purposes	Amend - N	Pharmacy	Passed
HB0030	Drug Law Amendments	Beck, T.	Adds Soma as a Schedule IV controlled substance	N	Pharmacy	Passed
HB0104	Unlawful Provision of Identifiable Prescription Information	Biskupski, J.	Makes it a class B misdemeanor to provide, sell, exchange, purchase, obtain, or use identifiable prescription information for a commercial purpose	O	Pharmacy	Failed
SCR002	Reducing Prescription Drug Misuse Resolution	Jones, P.	This resolution urges various groups to take specific steps to improve the effectiveness of education and risk assessment before a prescription is issued; improve the effectiveness of disposal and monitoring of use after a prescription is issued; and increase the availability and use of treatment programs.	s	Pharmacy	Passed
SB0274	Online Pharmacy Amendments	Bramble, C.	Codifies the standards contained in a 2001 consent decree with KwikMed to permit the online facilitation of certain “lifestyle” drugs	N	Pharmacy	Passed

HB0409	Civil Action for Damages Related to Addiction from Illegal Drug Sale	Herrod, C.	Provides that the estate of a person who becomes addicted to an illegal controlled substance may bring a civil action against any person who illegally provided or administered the substance, and against any person who illegally provided the substance to any person in the direct chain of supply of providing the substance to the person who provided the substance to the addicted person	Amend - N	Pharmacy	Passed
SB0230	Pharmaceutical Marketing to Consumers Amendment	Liljenquist, D.	Prohibit the use of coupons in the marketing of prescription drugs	O	Pharmacy	Failed
HB0048	Amendments to the Tourism, Recreation, Cultural, Convention Tax	Frank, C.	Repeals the 1% TRCC tax that is currently imposed on restaurants, hotels and rental cars. Imposes a 0.1% general sales tax increase to offset the impact of the repeal of the TRCC.	O	Tax	Failed
HB0196	Tobacco Tax Revisions	Ray, P.	Raises State excise tax by \$1.00 and ½ cents (to \$1.70 per pack) and indexes thereafter. Index is the U.S. average less the tobacco producing states. Proceeds deposited into the Cigarette Restricted Account (U of U Health Sciences, Huntsman Cancer, Department of Health) with a 1M appropriation going to Gold Medal Schools Program	O – In current form	Tax	Passed
SB0259	Amendments to Tobacco Tax	Christensen, A.	Strips out indexing in HB 196 and imposes and inventory tax		Tax	Passed
SB0040	Cigarette and Tobacco Tax Amendments	Christensen, A.	Raises State excise tax by \$1.30 ½ (to \$2.00 per pack). Proceeds deposited into the state trust fund.	O – In current form	Tax	Failed

SB0027	Sales and Use Tax Definition of Tangible Personal Property	Hillyard, L.	This bill modifies the definition of tangible personal property to include carpeting, regardless of whether the carpeting is attached to real property	Push to TRC	Tax	Failed
SB0151	Collection, Remittance, and Retention of Certain Taxes, Fees, or Charges	Bramble, C.	Repeals the vendor discount. Requires any retailer that collects more than 1000 annually to file monthly	O	Tax	Failed
HB0447	Vendor Discount Amendments	Gowans, J.	This is just a “boxcar”	M	Tax	Failed
HB0071S01	Nicotine Product and Flavored Smokeless Tobacco Restrictions	Ray, P.	Restricts the sale of certain nicotine products (e.g. gum, candy, mints, etc.)	N	Tobacco	Failed
HB0088	Electronic Cigarette Restrictions	Menlove, R.	Requires e-cigarettes to be treated with the same restrictions as traditional tobacco products	M	Tobacco	Passed
HJR010	Joint Resolution Opposing the Establishment of a Federal Commission on State Workers' Compensation Laws	Morley, M.	This joint resolution of the Legislature supports the state-based workers' compensation system and opposes federal efforts that would undermine the system.	S	Workers Compensation	Passed
SB0231	Medical Benefits Under Workers' Compensation	Buttars, C.	Provides that legislative changes in the time limits in seeking medical benefits made in 2007 are to be applied retroactively; addresses what constitutes a medical expense necessary to the industrial accident, including for cases that occur before the prior legislative action	Amend – N	Workers Compensation	Passed

Position Key

S – High Profile Support
O – High Profile Oppose
N – Neutral

s – Low Profile Support
o – Low Profile Oppose
M – Monitor

A - Amend