

**Utah Food Industry Association/Utah Retail Merchants Association
2011 Legislative Session Tracking List
Final**

Bill	Short Title	Sponsor	Summary	Association Position	Category	Pass/Fail
HB 102	Electronic Scrap Recycling	R. Edwards	Imposes duties related to sales, collection, and recycling of covered electronic devices on manufacturers, recyclers, collectors, and retailers;	M	Operations	Fail
HB 116	Guest Worker Program Act	B. Wright	Guest worker immigration bill	LS	Operations	Pass
HB 119	Retail Theft Amendments	P. Ray	Increases penalties for retail theft repeat offenders	HS	Operations	Fail
HB 148	Raw Honey Amendments	S. Sandstrom	This bill requires that honey produced, packed, repacked, distributed, or sold in this state may only be labeled as raw honey if it meets the definition of raw honey described in this bill (heated above 118 degrees F).	M-Amend	Operations	Pass
HB 15	Controlled Substances Database- Licensing Amendments	B. Daw	Requirement that a new licensees for prescribing a controlled substance register with the division to use the Controlled Substance Database within 30 days	HS	Pharmacy	Pass
HB 16	Pharmacy Benefits Manger Act	E. Vickers	Requires a pharmacy benefits manager that provides a service to a health benefit plan to provide an itemized statement	LS	Pharmacy	Pass
HB 170	Tobacco and Nicotine Product Amendments	P. Ray	Ban on flavored nicotine and e-cigs, requirement that clerks be 19	HO	Tobacco	Fail
HB 172	Service Animal Amendments	K. Grover	Definitions for services animals, brings Utah in line with DOJ rules for service animals	HS	Operations	Pass
HB 191	Nonresident Tuition Waiver Amendments	C. Wimmer	Repeal of in-state tuition for undocumented immigrant students that have graduated from Utah high schools	M	Operations	Fail
HB 192	Controlled Substances Advisory Committee Amendments	P. Ray	Adds two members to the Controlled Substances Advisory Committee: one nurse practitioner; and one representative of the public	LS	Pharmacy	Pass

HB 197	Amendments to Municipal and County Powers	J. Anderson	Amends a municipal or county legislative body's power to prohibit or regulate a temporary advertisement sign.	LO	Operations	Fail
HB 198	Tobacco Related Penalty Amendments	P. Ray	Provides that a person who fails to timely file certain reports relating to the taxation of tobacco, or who provides false or misleading information on, or in relation to, a report is guilty of a class B misdemeanor; and is subject to revocation or suspension of a license and a civil penalty imposed by the commission	M	Tobacco	Pass
HB 200	Sale of Synthetic Cannabinoids to Persons Younger than Nineteen	J. Anderson	Spice Bill	N	Operations	Fail
HB 201	Tobacco Licensing Amendments	P. Ray	Amends license revocation provisions to provide that the revocation of a license to sell tobacco is in effect for one year after: the day on which the time for filing an appeal of the revocation ends; or if the revocation is appealed, the day on which the decision to uphold the revocation becomes final;	M	Tobacco	Pass
HB 203	Codification of State Construction And Fire Codes	M. Morley	Omnibus Fire Code/Construction Bill	LS	Operations	Pass
HB 209	Worker's Compensation Premium Assessment	M. Morley	Changes formula and extends timeline for funding Workplace Safety restricted account	M	Workers' Comp	Pass
HB 22	Fire Prevention and Firework Act Amendments	J. Dunnigan	Changes to fireworks allowed to be sold/used in the state	HS	Operations	Pass
HB 224	RADIO FREQUENCY IDENTIFICATION	W. Harper	This bill: provides criminal (3rd degree felony) and civil penalties for requiring, coercing, or compelling a person to undergo the subcutaneous implanting of a radio frequency identification tag.	M - Amend	Operations	Pass
HB 226	Local Government Fee Authority	W. Harper	Repeals ability for local governments to impose fees for fundamental services (e.g. fire, police, etc.)	HS	Tax	Pass
HB 23	Controlled Substance Modifications	G. Froerer	Spice Bill	N	Operations	Pass

HB 232	Drug Paraphernalia Definition Amendments	E. Vickers	This bill: provides that a person may not be charged with possession or distribution of hypodermic syringes as drug paraphernalia if: at the time of sale or distribution the syringes are in a sterile package and are to be used for a legitimate medical purpose, including: injection of prescription medications as prescribed by a practitioner; and the prevention of disease transmission; or the syringe: was previously used but is in a puncture resistant container; or is unused and is in a sterile package	LS	Pharmacy	Pass
HB 242	Controlled Substances Amendments	C. Herrod	Expands the definition of a controlled substance to include kratom, an organic psychoactive substance	M	Pharmacy	Fail
HB 243	Occupations and Professions Amendments	M. Morley	Various DOPL licensing changes, reporting requirement for fraudulent prescription	M-Amend	Operations	Pass
HB 246	Repeal of Phosphorus Limit in Dishwashing Detergent	S. Sandstrom	Repeal of Phosphorus Limit in Dishwashing Detergent	M	Operations	Fail
HB 253	Employment of Unauthorized Aliens	C. Herrod	Provides penalties for failing to verify employee legal status	LO	Operations	Fail
HB 282	Sales and Use Tax and Income Tax Amendments	K. McIff	Reinstates sales tax on food	N	Tax	Fail
HB 293	Underground Storage Tank Act Amendments	K. McIff	This bill: eliminates a requirement that the state risk manager petition the Legislature to increase certain fees if the state risk manager determines that the Petroleum Storage Tank Trust Fund is not actuarially sound; requires the executive secretary of the Solid and Hazardous Waste Control Board to annually: evaluate the solvency of the Petroleum Storage Tank Trust Fund; and report to the Natural Resources, Agriculture, and Environment Interim Committee	LS	Gas	Fail

HB 321	Pharmacy Practice Act Amendments	D. Clark	Clarifies the process as to when a therapeutic substitution may be substituted for a therapeutic prescription drug; requires the purchaser and the prescribing practitioner to authorize the substitution; requires out-of-state mail pharmacies to comply with the process established	LO	Pharmacy	Fail
HB 358	Access to Controlled Substance Database Revisions	S. Eliason	Provides controlled substance database access to employees of the Office of Internal Audit and Program Integrity within the Department of Health who are engaged in their specified duty of ensuring Medicaid program integrity.	M	Pharmacy	Pass
HB 381	Prescription Drug Amendments	P. Ray	Prohibits the state Medicaid program from requiring step therapy for a drug prescribed for the treatment of pain; and permits a requirement for the use of a generic equivalent for a drug prescribed for the treatment of pain.	M	Pharmacy	Fail
HB 397	Controlled Substance Database Modifications	S. Eliason	Requires that the Department of Health conduct audits, using information in the Controlled Substance Database, to ensure that Medicaid billing is done correctly and that Medicaid prescriptions are appropriate for frequency and dosage	M	Pharmacy	Fail
HB 416	Financial Transfers Surcharge	S. Sandstrom	\$5 Fee on \$500, 1% on >\$500 wire/money transfer service targeting illegal aliens	HO	Operations	Fail
HB 426	Education Funding Amendments	D. Pitcher	Soda tax, 1% on all sales including fountain	HO	Tax	Fail
HB 43	Errors and Omissions Coverage for Insurance Producers	J. Bird	This bill: requires errors and omissions coverage during the license term of a resident individual producer; requires related information to be included in an application; authorizes the commissioner to make related rules	M	Operations	Pass

HB 484	Sweepstakes Connected with the Sale of Consumer Products or Services	M. Brown	This bill: enacts the Sweepstakes Regulation Act; requires the operator of a sweepstakes to register with the Division of Consumer Protection; establishes requirements relating to sweepstakes rules and conditions; establishes requirements applicable to a sweepstakes; and establishes civil and criminal penalties for violating provisions applicable to sweepstakes.	M	Operations	Fail
HB 55	Volunteer Search and Rescue Workers' Compensation Claims	K. Powell	Modifies the workers' compensation benefits available to a volunteer search and rescue team member under specified circumstances	LS	Workers' Comp	Pass
HB 61	Home Business Workers' Compensation Amendments	R. Barrus	This bill modifies the Workers' Compensation Act to exempt certain persons employed by a home business from workers' compensation coverage	LO	Operations	Fail
HB497	Utah Illegal Immigration Enforcement Act	S. Sandstrom	Arizona-lite immigration bill	M	Operations	Pass
HB 84	Office of Inspector General of Medicaid Services	D. Clark	Creates Office of Inspector General of Medicaid Services, charged with investigating fraud and performing audits	M	Pharmacy	Fail
HB 85	Alcoholic Beverage Control Act - Sales to Minor	V. Peterson	Prohibits the sale, offer for sale, and furnishing to a minor of a product that is used to make an alcoholic product or cause a liquid to become an alcoholic product	M-Amend	Alcohol	Fail
HB 95	Amendments to Traffic Code Provisions	L. Perry	Provides that secondary enforcement of the safety belt law does not apply to an operator of a vehicle; provides that careless driving includes committing certain traffic violations while being distracted through fatigue or illness;	M	Operations	Fail
HB303	Prepaid Wireless 911 Service Charge	B. Dee	Fee collection on prepaid wireless, 3% vendor allowance	M	Operations	Pass
HCR 5	Patient and Safety-centered Prescription Labels Concurrent Resolution	M. Poulson	Resolution on labeling standards, drug disposal	M	Pharmacy	Pass

SB 69	Sales and Use Tax Exemption for Textbooks for Higher Education	K. Mayne	Sales tax exemption for text books	HS	Tax	Pass
SB 11	Worker Classification Coordinated Enforcement	K. Mayne	Creates Worker Classification Coordinated Enforcement Council to address issue of worker misclassification	LS	Operations	Pass
SB 12	Alcoholic Beverage control Act-Modifications	J. Valentine	Omnibus alcohol bill addressing: the term "container"; clarifies a formula related to the Alcoholic Beverage Enforcement and Treatment Restricted Account; clarifies references to specific licenses or sublicenses; relocates a provision addressing advertising; makes the provision related to a package agency posting a bond more consistent with other bond requirements in the act	M	Alcohol	Pass
SB 128	Regulatory Amendments	C. Bramble	Exempts advanced practice registered nurses and physician assistants from licensure under the Pharmacy Practice Act to dispense a cosmetic drug or injectable weight loss drug to a patient; and exempts optometrists from licensure under the Pharmacy Practice Act to dispense a cosmetic drug to a patient	M	Pharmacy	Pass
SB 137	Medicaid Amendments	A. Christensen	PDL bill, expands PDL for Medicaid psychotropic and immunosuppressant drugs	HS	Pharmacy	Fail
SB 16	State Tax Commission Tax, Fee, or Charge Administration and Collection Amendments	W. Niederhauser	This bill addresses the administration and collection of taxes, fees, or charges the State Tax Commission collects and enforces	M	Tax	Pass
SB 180	Medicaid Reform	D. Liljenquist	Medicaid reform bill, move to managed care model, cap for Medicaid per enrollee growth. Requires a federal waiver to implement.	LS	Pharmacy	Pass
SB 184	Disposal of Electronic Waste	S. Urquhart	Voluntary e-waste recycling	M - Amend	Operations	Pass
SB 19	Department of Workforce Services' Regional Workforce Service Areas Amendments	P. Jones	Replaces regional workforce service areas and councils with economic service areas within the Department of Workforce Services	M	Operations	Pass

SB 202	Pharmaceutical Competitive Pricing	C. Bramble	This bill amends the Medical Assistance Act to establish a competitive bidding process for drug product equivalents.	LO	Pharmacy	Fail
SB 208	Construction Contract Amendment	C. Bramble	This bill makes void and unenforceable a construction contract that: limits the right of a party to collect damages for a performance delay; or requires a party to waive a method of proof of damages; allows parties to a construction contract to waive those provisions; imposes requirements on parties to a construction contract relating to a change in the scope of work under the contract; and requires a court to award attorney fees and costs to a prevailing party in an action under these provisions	HO	Operations	Fail
SB 239	Motor and Special Fuel Tax Amendments	K. Van Tassell	This bill: increases the motor and special fuel tax rate \$.05 and then $\frac{3}{4}$ of cent every other year for 3 cycles; increases the tax rate imposed on compressed natural gas; provides that the motor fuel and special fuel tax rate shall be increased every two years; provides procedures for implementing the motor fuel and special fuel tax rate adjustment; grants the State Tax Commission rulemaking authority to establish rules to implement the motor fuel and special fuel tax rate increase provisions repeals certain tax rate decal posting requirements;	LO	Gas	Fail
SB 248	Controlled Substance Database Amendments	C. Bramble	This bill modifies provisions relating to access to the Controlled Substance Database and requires a physician to review the database before writing a first prescription to a patient for a schedule II or schedule III controlled substance	M	Operations	Pass
SB 270	Modifications to Sales and Use Tax	J.S. Adams	Reinstates sales tax on food	N	Tax	Fail
SB 288	Immigration Reform	C. Bramble	Senate compromise immigration bill, boxcar at this point	M	Operations	Fail

SB 35	Construction Licensees Related Amendments	K. Mayne	Addresses Construction LLC Scam	LS	Operations	Pass
SB 37	Emergency Food Agency Amendments	P. Knudson	This bill modifies the definition of qualified emergency food agency in the State Community Services Act to include a food pantry operated by a municipality located within the state.	LS	Operations	Pass
SB 40	Employment Practices and Protection from Violence	P. Jones	This bill modifies the Utah Labor Code to enact provisions addressing employment practices related to an employee who is the victim of an act of violence- 2 unpaid days off	LO	Operations	Fail
SB 52	Tortious Act Arbitration	S. Urquhart	Allows plaintiff to force arbitration with regard to torts	M-Amend	Operations	Fail
SJR 6	Joint Resolution Urging Congress to Limit the Freeze on Longer Combination Vehicle Use in the Western States	S. Jenkins	Joint Resolution Urging Congress to Limit the Freeze on Longer Combination Vehicle Use in the Western States	HS	Operations	Pass

Categories: Alcohol, Gas, Health Care, Operations, Pharmacy, Tax, Tobacco, and Workers' Comp

Positions: () indicated a recommended position

Monitor= M

Neutral= N

High Profile Support= HS

Low Profile Support= LS

High Profile Oppose=HO

Low Profile Oppose= LO