

Senator Ann Millner proposes the following substitute bill:

ECONOMIC DEVELOPMENT AMENDMENTS

2019 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Ann Millner

House Sponsor: Val L. Peterson

LONG TITLE

General Description:

This bill modifies provisions related to economic development.

Highlighted Provisions:

This bill:

- ▶ moves the STEM Action Center from the Governor's Office of Economic Development to the Department of Heritage and Arts;
- ▶ moves the Pete Suazo Utah Athletic Commission from the Governor's Office of Economic Development to the Department of Public Safety;
- ▶ requires the Governor's Office of Economic Development to develop a written strategic plan;
- ▶ creates the Utah Works Program within the Talent Ready Utah Center and describes the duties associated with the program; and
- ▶ makes technical changes.

Money Appropriated in this Bill:

This bill appropriates in fiscal year 2020:

- ▶ to the Governor's Office of Economic Development -- Talent Ready Utah Center -- Utah Works Program, as a one-time appropriation:
 - from the General Fund, \$4,000,000; and



26 ▶ to the Governor's Office of Economic Development -- Talent Ready Utah Center --
27 Utah Works Program, as an ongoing appropriation:
28 • from the General Fund, \$1,000,000.

29 **Other Special Clauses:**

30 This bill provides a special effective date.

31 This bill provides a coordination clause.

32 **Utah Code Sections Affected:**

33 AMENDS:

34 **63J-1-602.1**, as last amended by Laws of Utah 2018, Chapters 114, 347, 430 and
35 repealed and reenacted by Laws of Utah 2018, Chapter 469

36 **63N-1-301**, as last amended by Laws of Utah 2018, Chapter 423

37 ENACTS:

38 **63N-12-505**, Utah Code Annotated 1953

39 RENUMBERS AND AMENDS:

40 **9-20-101**, (Renumbered from 63N-12-201, as enacted by Laws of Utah 2015, Chapter
41 283)

42 **9-20-102**, (Renumbered from 63N-12-202, as last amended by Laws of Utah 2018,
43 Chapters 415 and 423)

44 **9-20-103**, (Renumbered from 63N-12-203, as last amended by Laws of Utah 2017,
45 Chapter 382)

46 **9-20-104**, (Renumbered from 63N-12-204, as last amended by Laws of Utah 2017,
47 Chapter 353)

48 **9-20-105**, (Renumbered from 63N-12-204.5, as enacted by Laws of Utah 2017, Chapter
49 353)

50 **9-20-106**, (Renumbered from 63N-12-205, as last amended by Laws of Utah 2016,
51 Chapter 139)

52 **9-20-107**, (Renumbered from 63N-12-206, as renumbered and amended by Laws of
53 Utah 2015, Chapter 283)

54 **9-20-108**, (Renumbered from 63N-12-207, as renumbered and amended by Laws of
55 Utah 2015, Chapter 283)

56 **9-20-109**, (Renumbered from 63N-12-208, as last amended by Laws of Utah 2015,

57 Chapter 292 and renumbered and amended by Laws of Utah 2015, Chapter 283)
58 **9-20-110**, (Renumbered from 63N-12-209, as last amended by Laws of Utah 2016,
59 Chapter 139)
60 **9-20-111**, (Renumbered from 63N-12-210, as last amended by Laws of Utah 2017,
61 Chapter 353)
62 **9-20-112**, (Renumbered from 63N-12-211, as renumbered and amended by Laws of
63 Utah 2015, Chapter 283)
64 **9-20-113**, (Renumbered from 63N-12-212, as last amended by Laws of Utah 2017,
65 Chapter 382)
66 **9-20-114**, (Renumbered from 63N-12-213, as last amended by Laws of Utah 2018,
67 Chapter 415)
68 **9-20-115**, (Renumbered from 63N-12-214, as enacted by Laws of Utah 2017, Chapter
69 219)
70 **53-19-101**, (Renumbered from 63N-10-101, as renumbered and amended by Laws of
71 Utah 2015, Chapter 283)
72 **53-19-102**, (Renumbered from 63N-10-102, as renumbered and amended by Laws of
73 Utah 2015, Chapter 283)
74 **53-19-201**, (Renumbered from 63N-10-201, as last amended by Laws of Utah 2018,
75 Chapter 466)
76 **53-19-202**, (Renumbered from 63N-10-202, as renumbered and amended by Laws of
77 Utah 2015, Chapter 283)
78 **53-19-203**, (Renumbered from 63N-10-203, as renumbered and amended by Laws of
79 Utah 2015, Chapter 283)
80 **53-19-204**, (Renumbered from 63N-10-204, as renumbered and amended by Laws of
81 Utah 2015, Chapter 283)
82 **53-19-205**, (Renumbered from 63N-10-205, as renumbered and amended by Laws of
83 Utah 2015, Chapter 283)
84 **53-19-301**, (Renumbered from 63N-10-301, as renumbered and amended by Laws of
85 Utah 2015, Chapter 283)
86 **53-19-302**, (Renumbered from 63N-10-302, as renumbered and amended by Laws of
87 Utah 2015, Chapter 283)

- 88 **53-19-303**, (Renumbered from 63N-10-303, as renumbered and amended by Laws of
89 Utah 2015, Chapter 283)
- 90 **53-19-304**, (Renumbered from 63N-10-304, as renumbered and amended by Laws of
91 Utah 2015, Chapter 283)
- 92 **53-19-305**, (Renumbered from 63N-10-305, as renumbered and amended by Laws of
93 Utah 2015, Chapter 283)
- 94 **53-19-306**, (Renumbered from 63N-10-306, as renumbered and amended by Laws of
95 Utah 2015, Chapter 283)
- 96 **53-19-307**, (Renumbered from 63N-10-307, as renumbered and amended by Laws of
97 Utah 2015, Chapter 283)
- 98 **53-19-308**, (Renumbered from 63N-10-308, as renumbered and amended by Laws of
99 Utah 2015, Chapter 283)
- 100 **53-19-309**, (Renumbered from 63N-10-309, as renumbered and amended by Laws of
101 Utah 2015, Chapter 283)
- 102 **53-19-310**, (Renumbered from 63N-10-310, as renumbered and amended by Laws of
103 Utah 2015, Chapter 283)
- 104 **53-19-311**, (Renumbered from 63N-10-311, as renumbered and amended by Laws of
105 Utah 2015, Chapter 283)
- 106 **53-19-312**, (Renumbered from 63N-10-312, as renumbered and amended by Laws of
107 Utah 2015, Chapter 283)
- 108 **53-19-313**, (Renumbered from 63N-10-313, as renumbered and amended by Laws of
109 Utah 2015, Chapter 283)
- 110 **53-19-314**, (Renumbered from 63N-10-314, as renumbered and amended by Laws of
111 Utah 2015, Chapter 283)
- 112 **53-19-315**, (Renumbered from 63N-10-315, as renumbered and amended by Laws of
113 Utah 2015, Chapter 283)
- 114 **53-19-316**, (Renumbered from 63N-10-316, as renumbered and amended by Laws of
115 Utah 2015, Chapter 283)
- 116 **53-19-317**, (Renumbered from 63N-10-317, as renumbered and amended by Laws of
117 Utah 2015, Chapter 283)
- 118 **53-19-318**, (Renumbered from 63N-10-318, as renumbered and amended by Laws of

119 Utah 2015, Chapter 283)

120 **Utah Code Sections Affected by Coordination Clause:**

121 **63N-1-301**, as last amended by Laws of Utah 2018, Chapter 423



123 *Be it enacted by the Legislature of the state of Utah:*

124 Section 1. Section **9-20-101**, which is renumbered from Section 63N-12-201 is
125 renumbered and amended to read:

126 **CHAPTER 20. STEM ACTION CENTER**

127 **Part 1. STEM Action Center**

128 ~~[63N-12-201].~~ **9-20-101. Title.**

129 This [part] chapter is known as the "STEM Action Center."

130 Section 2. Section **9-20-102**, which is renumbered from Section 63N-12-202 is
131 renumbered and amended to read:

132 ~~[63N-12-202].~~ **9-20-102. Definitions.**

133 As used in this [part] chapter:

134 ~~[(1)] "Board" means the STEM Action Center Board created in Section **63N-12-203** .]~~

135 ~~[(2)]~~ (1) "Computing partnerships" means a set of skills, knowledge, and aptitudes
136 used in computer science, information technology, or computer engineering courses and career
137 options.

138 ~~[(3)]~~ (2) "Director" means the director appointed by the STEM board to oversee the
139 administration of the STEM Action Center.

140 ~~[(4)]~~ (3) "Educator" means the same as that term is defined in Section **53E-6-102**.

141 ~~[(5)]~~ (4) "Foundation" means a foundation established as described in Subsections
142 ~~[63N-12-204(3) and (4)]~~ **9-20-104**(3) and (4).

143 ~~[(6)]~~ (5) "Fund" means the STEM Action Center Foundation Fund created in Section
144 ~~[63N-12-204.5]~~ **9-20-105**.

145 ~~[(7)]~~ (6) "Grant program" means the Computing Partnerships Grants program created
146 in this part.

147 ~~[(8)]~~ (7) "High quality professional development" means professional development that
148 meets high quality standards developed by the State Board of Education.

149 ~~[(9)]~~ (8) "Institution of higher education" means an institution listed in Section

150 [53B-1-102.](#)

151 ~~[(10)]~~ (9) "K-16" means kindergarten through grade 12 and post-secondary education
152 programs.

153 ~~[(11)] "Office" means the Governor's Office of Economic Development.]~~

154 ~~[(12)]~~ (10) "Provider" means a provider selected on behalf of the STEM board by the
155 staff of the board and the staff of the ~~[State Board of Education]~~ STEM board:

156 (a) through a request for proposals process; or

157 (b) through a direct award or sole source procurement process for a pilot described in

158 Section ~~[63N-12-206]~~ [9-20-107.](#)

159 ~~[(13)]~~ (11) "Review committee" means the committee established under Section

160 ~~[63N-12-214]~~ [9-20-115.](#)

161 ~~[(14)]~~ (12) "Stacked credentials" means credentials that:

162 (a) an individual can build upon to access an advanced job or higher wage;

163 (b) are part of a career pathway system;

164 (c) provide a pathway culminating in the equivalent of an associate's or bachelor's
165 degree;

166 (d) facilitate multiple exit and entry points; and

167 (e) recognize sub-goals or momentum points.

168 ~~[(15)]~~ (13) "STEM" means science, technology, engineering, and mathematics.

169 ~~[(16)]~~ (14) "STEM Action Center" means the center described in Section ~~[63N-12-205]~~

170 [9-20-106.](#)

171 (15) "STEM board" means the STEM Action Center Board created in Section

172 [9-20-103.](#)

173 ~~[(17)]~~ (16) "Talent Ready Utah" means the Talent Ready Utah Center created in

174 Section [63N-12-502.](#)

175 Section 3. Section **9-20-103**, which is renumbered from Section 63N-12-203 is
176 renumbered and amended to read:

177 ~~[63N-12-203].~~ **9-20-103. STEM Action Center Board creation --**

178 **Membership.**

179 (1) There is created the STEM Action Center Board ~~[within the office]~~, composed of
180 the following members:

- 181 (a) six private sector members who represent business, appointed by the governor;
- 182 (b) the state superintendent of public instruction or the state ~~[superintendent of public~~
183 ~~instruction's]~~ superintendent's designee;
- 184 (c) the commissioner of higher education or the ~~[commissioner of higher education's]~~
185 ~~commissioner's~~ designee;
- 186 (d) one member appointed by the governor;
- 187 (e) a member of the State Board of Education, chosen by the chair of the State Board of
188 Education;
- 189 (f) the executive director of ~~[the office or the executive director's designee]~~ the
190 Governor's Office of Economic Development or the executive director's designee;
- 191 (g) the Utah System of Technical Colleges commissioner of technical education or the
192 ~~[Utah System of Technical Colleges commissioner of technical education's]~~ commissioner's
193 designee;
- 194 (h) the executive director of the Department of Workforce Services or the executive
195 ~~[director of the Department of Workforce Services']~~ director's designee; and
- 196 (i) one member who has a degree in engineering and experience working in a
197 government military installation, appointed by the governor.
- 198 (2) (a) The private sector members appointed by the governor in Subsection (1)(a) shall
199 represent a business or trade association whose primary focus is science, technology, or
200 engineering.
- 201 (b) Except as required by Subsection (2)(c), members appointed by the governor shall
202 be appointed to four-year terms.
- 203 (c) The length of terms of the members shall be staggered so that approximately half of
204 the committee is appointed every two years.
- 205 (d) The members may not serve more than two full consecutive terms except where the
206 governor determines that an additional term is in the best interest of the state.
- 207 (e) When a vacancy occurs in the membership for any reason, the replacement shall be
208 appointed for the unexpired term.
- 209 (3) Attendance of a simple majority of the members constitutes a quorum for the
210 transaction of official committee business.
- 211 (4) Formal action by the ~~[committee]~~ STEM board requires a majority vote of a

212 quorum.

213 (5) A member may not receive compensation or benefits for the member's service, but
214 may receive per diem and travel expenses in accordance with:

215 (a) Section 63A-3-106;

216 (b) Section 63A-3-107; and

217 (c) rules made by the Division of Finance under Sections 63A-3-106 and 63A-3-107.

218 (6) The governor shall select the chair of the [~~board~~] STEM board to serve a two-year
219 term.

220 (7) The [~~executive director of the office or the executive director's designee~~] member
221 of the State Board of Education chosen by the chair of the State Board of Education shall serve
222 as the vice chair of the STEM board.

223 Section 4. Section 9-20-104, which is renumbered from Section 63N-12-204 is
224 renumbered and amended to read:

225 ~~[63N-12-204].~~ **9-20-104. STEM Action Center Board -- Duties.**

226 (1) The STEM board shall:

227 (a) establish a STEM Action Center to:

228 (i) coordinate STEM activities in the state among the following stakeholders:

229 (A) the [~~State Board of Education~~] state board;

230 (B) school districts and charter schools;

231 (C) the State Board of Regents;

232 (D) institutions of higher education;

233 (E) parents of home-schooled students;

234 (F) other state agencies; and

235 (G) business and industry representatives;

236 (ii) align public education STEM activities with higher education STEM activities; and

237 (iii) create and coordinate best practices among public education and higher education;

238 (b) with the consent of the Senate, appoint a director to oversee the administration of
239 the STEM Action Center;

240 (c) select a physical location for the STEM Action Center;

241 (d) strategically engage industry and business entities to cooperate with the STEM

242 board:

- 243 (i) to support high quality professional development and provide other assistance for
244 educators and students; and
- 245 (ii) to provide private funding and support for the STEM Action Center;
- 246 (e) give direction to the STEM Action Center and the providers selected through a
247 request for proposals process pursuant to this part; and
- 248 (f) work to meet the following expectations:
- 249 (i) that at least 50 educators are implementing best practice learning tools in
250 classrooms;
- 251 (ii) performance change in student achievement in each classroom participating in a
252 STEM Action Center project; and
- 253 (iii) that students from at least 50 schools in the state participate in the STEM
254 competitions, fairs, and camps described in Subsection [~~63N-12-205(2)(d)~~] [9-20-106\(2\)\(d\)](#).
- 255 (2) The STEM board may:
- 256 (a) enter into contracts for the purposes of this part;
- 257 (b) apply for, receive, and disburse funds, contributions, or grants from any source for
258 the purposes set forth in this part;
- 259 (c) employ, compensate, and prescribe the duties and powers of individuals necessary
260 to execute the duties and powers of the STEM board;
- 261 (d) prescribe the duties and powers of the STEM Action Center providers; and
- 262 (e) in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act,
263 make rules to administer this part.
- 264 (3) The STEM board may establish a foundation to assist in:
- 265 (a) the development and implementation of the programs authorized under this part to
266 promote STEM education; and
- 267 (b) implementation of other STEM education objectives described in this part.
- 268 (4) A foundation established by the STEM board under Subsection (3):
- 269 (a) may solicit and receive contributions from a private organization for STEM
270 education objectives described in this part;
- 271 (b) shall comply with the requirements described in Section [~~63N-12-204.5~~] [9-20-105](#);
- 272 (c) does not have power or authority to incur contractual obligations or liabilities that
273 constitute a claim against public funds;

274 (d) may not exercise executive or administrative authority over the programs or other
275 activities described in this part, except to the extent specifically authorized by the STEM board;

276 (e) shall provide the STEM board with information detailing transactions and balances
277 associated with the foundation; and

278 (f) may not:

279 (i) engage in lobbying activities;

280 (ii) attempt to influence legislation; or

281 (iii) participate in any campaign activity for or against:

282 (A) a political candidate; or

283 (B) an initiative, referendum, proposed constitutional amendment, bond, or any other
284 ballot proposition submitted to the voters.

285 Section 5. Section **9-20-105**, which is renumbered from Section 63N-12-204.5 is
286 renumbered and amended to read:

287 ~~[63N-12-204.5]~~. **9-20-105. STEM Action Center Foundation Fund.**

288 (1) There is created an expendable special revenue fund known as the "STEM Action
289 Center Foundation Fund."

290 (2) The director shall administer the fund under the direction of the STEM board.

291 (3) Money may be deposited into the fund from a variety of sources, including
292 transfers, grants, private foundations, individual donors, gifts, bequests, legislative
293 appropriations, and money made available from any other source.

294 (4) Money collected by a foundation described in Subsections [~~63N-12-204(3)~~]
295 9-20-104(3) and (4) shall be deposited into the fund.

296 (5) Any portion of the fund may be treated as an endowment fund such that the
297 principal of that portion of the fund is held in perpetuity on behalf of the STEM Action Center.

298 (6) The state treasurer shall invest the money in the fund according to the procedures
299 and requirements of Title 51, Chapter 7, State Money Management Act, except that all interest
300 or other earnings derived from those investments shall be deposited into the fund.

301 (7) The director, under the direction of the STEM board, may expend money from the
302 fund for the purposes described in this part.

303 Section 6. Section **9-20-106**, which is renumbered from Section 63N-12-205 is
304 renumbered and amended to read:

- 305 ~~[63N-12-205]~~. 9-20-106. STEM Action Center.
- 306 (1) ~~[As funding allows, the board]~~ The STEM board shall:
- 307 (a) establish a STEM Action Center;
- 308 (b) ensure that the STEM Action Center:
- 309 (i) is accessible ~~[by]~~ to the public; and
- 310 (ii) includes the components described in Subsection (2);
- 311 (c) work cooperatively with the State Board of Education to:
- 312 (i) further STEM education; and
- 313 (ii) ensure best practices are implemented as described in Sections ~~[63N-12-206 and~~
- 314 ~~63N-12-207]~~ 9-20-107 and 9-20-108;
- 315 (d) engage private entities to provide financial support or employee time for STEM
- 316 activities in schools in addition to what is currently provided by private entities; and
- 317 (e) work cooperatively with stakeholders to support and promote activities that align
- 318 STEM education and training activities with the employment needs of business and industry in
- 319 the state.
- 320 (2) As funding allows, the director of the STEM Action Center shall:
- 321 (a) support high quality professional development for educators regarding STEM
- 322 education;
- 323 (b) ensure that the STEM Action Center acts as a research and development center for
- 324 STEM education through a request for proposals process described in Section ~~[63N-12-206]~~
- 325 9-20-107;
- 326 (c) review and acquire STEM education related materials and products for:
- 327 (i) high quality professional development;
- 328 (ii) assessment, data collection, analysis, and reporting; and
- 329 (iii) public school instruction;
- 330 (d) facilitate participation in interscholastic STEM related competitions, fairs, camps,
- 331 and STEM education activities;
- 332 (e) engage private industry in the development and maintenance of the STEM Action
- 333 Center and STEM Action Center projects;
- 334 (f) use resources to bring the latest STEM education learning tools into public
- 335 education classrooms;

- 336 (g) identify at least 10 best practice innovations used in Utah that have resulted in a
- 337 measurable improvement in student performance or outcomes in STEM areas;
- 338 (h) identify best practices being used outside the state and, as appropriate, develop and
- 339 implement selected practices through a pilot program;
- 340 (i) identify:
- 341 (i) learning tools for kindergarten through grade 6 identified as best practices; and
- 342 (ii) learning tools for grades 7 through 12 identified as best practices;
- 343 (j) collect data on Utah best practices, including best practices from public education,
- 344 higher education, the Utah Education and Telehealth Network, and other STEM related
- 345 entities;
- 346 (k) keep track of the following items related to best practices described in Subsection
- 347 (2)(j):
- 348 (i) how the best practices data are being used; and
- 349 (ii) how many individuals are using the data, including the demographics of the users,
- 350 if available;
- 351 (l) as appropriate, join and participate in a national STEM network;
- 352 (m) work cooperatively with the State Board of Education to designate schools as
- 353 STEM schools, where the schools have agreed to adopt a plan of STEM implementation in
- 354 alignment with criteria set by the State Board of Education and the board;
- 355 (n) support best methods of high quality professional development for STEM
- 356 education in kindergarten through grade 12, including methods of high quality professional
- 357 development that reduce cost and increase effectiveness, to help educators learn how to most
- 358 effectively implement best practice learning tools in classrooms;
- 359 (o) recognize achievement in the STEM competitions, fairs, and camps described in
- 360 Subsection (2)(d);
- 361 (p) send student results from STEM competitions, fairs, and camps described in
- 362 Subsection (2)(d) to media and ask the media to report on them;
- 363 (q) develop and distribute STEM information to parents of students in the state;
- 364 (r) support targeted high quality professional development for improved instruction in
- 365 STEM education, including:
- 366 (i) improved instructional materials that are dynamic and engaging for students;

- 367 (ii) use of applied instruction; and
368 (iii) introduction of other research-based methods that support student achievement in
369 STEM areas; and
370 (s) ensure that an online college readiness assessment tool be accessible by:
371 (i) public education students; and
372 (ii) higher education students.
- 373 (3) The STEM board may prescribe other duties for the STEM Action Center in
374 addition to the responsibilities described in this section.
- 375 (4) (a) The director shall work with an independent evaluator to track and compare the
376 student performance of students participating in a STEM Action Center program to all other
377 similarly situated students in the state, if appropriate, in the following activities:
378 (i) public education high school graduation rates;
379 (ii) the number of students taking a remedial mathematics course at an institution of
380 higher education described in Section [53B-2-101](#);
381 (iii) the number of students who graduate from a Utah public school and begin a
382 postsecondary education program; and
383 (iv) the number of students, as compared to all similarly situated students, who are
384 performing at grade level in STEM classes.
- 385 (b) The State Board of Education and the State Board of Regents shall provide
386 information to the STEM board to assist the STEM board in complying with the requirements
387 of Subsection (4)(a) if allowed under federal law.
- 388 Section 7. Section **9-20-107**, which is renumbered from Section 63N-12-206 is
389 renumbered and amended to read:
- 390 ~~[63N-12-206]~~. **9-20-107. Acquisition of STEM education related**
391 **instructional technology program -- Research and development of education related**
392 **instructional technology through a pilot program.**
- 393 (1) For purposes of this section:
394 (a) "Pilot" means a pilot of the program.
395 (b) "Program" means the STEM education related instructional technology program
396 created in Subsection (2).
- 397 (2) (a) There is created the STEM education related instructional technology program

398 to provide public schools the STEM education related instructional technology described in
399 Subsection (3).

400 (b) On behalf of the STEM board, the staff of the STEM board and the staff of the
401 State Board of Education shall collaborate and may select one or more providers, through a
402 request for proposals process, to provide STEM education related instructional technology to
403 school districts and charter schools.

404 (c) On behalf of the STEM board, the staff of the STEM board and the staff of the
405 State Board of Education shall consider and may accept an offer from a provider in response to
406 the request for proposals described in Subsection (2)(b) even if the provider did not participate
407 in a pilot described in Subsection (5).

408 (3) The STEM education related instructional technology shall:

409 (a) support mathematics instruction for students in:

410 (i) kindergarten through grade 6; or

411 (ii) grades 7 and 8; or

412 (b) support mathematics instruction for secondary students to prepare the secondary
413 students for college mathematics courses.

414 (4) In selecting a provider for STEM education related instructional technology to
415 support mathematics instruction for the students described in Subsection (3)(a), the STEM
416 board shall consider the following criteria:

417 (a) the technology contains individualized instructional support for skills and
418 understanding of the core standards in mathematics;

419 (b) the technology is self-adapting to respond to the needs and progress of the learner;
420 and

421 (c) the technology provides opportunities for frequent, quick, and informal assessments
422 and includes an embedded progress monitoring tool and mechanisms for regular feedback to
423 students and teachers.

424 (5) Before issuing a request for proposals described in Subsection (2), on behalf of the
425 STEM board, the staff of the STEM board and the staff of the State Board of Education shall
426 collaborate and may:

427 (a) conduct a pilot of the program to test and select providers for the program;

428 (b) select at least two providers through a direct award or sole source procurement

429 process for the purpose of conducting the pilot; and

430 (c) select schools to participate in the pilot.

431 (6) (a) A contract with a provider for STEM education related instructional technology
432 may include professional development for full deployment of the STEM education related
433 instructional technology.

434 (b) No more than 10% of the money appropriated for the program may be used to
435 provide professional development related to STEM education related instructional technology
436 in addition to the professional development described in Subsection (6)(a).

437 Section 8. Section **9-20-108**, which is renumbered from Section 63N-12-207 is
438 renumbered and amended to read:

439 ~~[63N-12-207]~~. **9-20-108. Distribution of STEM education instructional**
440 **technology to schools.**

441 (1) Subject to legislative appropriations, on behalf of the STEM board, the staff of the
442 STEM board and the staff of the State Board of Education shall collaborate and shall:

443 (a) distribute STEM education related instructional technology described in Section
444 ~~[63N-12-206]~~ 9-20-107 to school districts and charter schools; and

445 (b) provide related professional development to the school districts and charter schools
446 that receive STEM education related instructional technology.

447 (2) A school district or charter school may apply to the STEM board, through a
448 competitive process, to receive STEM education related instructional technology from the
449 STEM board.

450 (3) A school district or charter school that receives STEM education related
451 instructional technology as described in this section shall provide the school district's or charter
452 school's own computer hardware.

453 Section 9. Section **9-20-109**, which is renumbered from Section 63N-12-208 is
454 renumbered and amended to read:

455 ~~[63N-12-208]~~. **9-20-109. Report to Legislature and the state board.**

456 (1) The STEM board shall report the progress of the STEM Action Center, including
457 the information described in Subsection (2), to the following groups once each year:

458 (a) the Education Interim Committee;

459 (b) the Public Education Appropriations Subcommittee;

460 (c) the State Board of Education; and

461 (d) the ~~[office]~~ department for inclusion in the ~~[office's]~~ department's annual written
462 report described in Section ~~[63N-1-301]~~ 9-1-209.

463 (2) The report described in Subsection (1) shall include information that demonstrates
464 the effectiveness of the program, including:

465 (a) the number of educators receiving high quality professional development;

466 (b) the number of students receiving services from the STEM Action Center;

467 (c) a list of the providers selected pursuant to this part;

468 (d) a report on the STEM Action Center's fulfilment of its duties described in Section
469 ~~[63N-12-205]~~ 9-20-106; and

470 (e) student performance of students participating in a STEM Action Center program as
471 collected in Subsection ~~[63N-12-205]~~ 9-20-106(4).

472 Section 10. Section **9-20-110**, which is renumbered from Section 63N-12-209 is
473 renumbered and amended to read:

474 ~~[63N-12-209]~~. **9-20-110. STEM education endorsements and incentive**
475 **program.**

476 (1) The State Board of Education shall collaborate with the STEM board and the
477 STEM Action Center to:

478 (a) develop STEM education endorsements; and

479 (b) create and implement financial incentives for:

480 (i) an educator to earn an elementary or secondary STEM education endorsement
481 described in Subsection (1)(a); and

482 (ii) a school district or a charter school to have STEM endorsed educators on staff.

483 (2) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the
484 State Board of Education shall make rules establishing the uses of STEM education
485 endorsements described in Subsection (1), including that:

486 (a) an incentive for an educator to take a course leading to a STEM education
487 endorsement may only be given for a course that carries higher-education credit; and

488 (b) a school district or a charter school may consider a STEM education endorsement
489 as part of an educator's salary schedule.

490 Section 11. Section **9-20-111**, which is renumbered from Section 63N-12-210 is

491 renumbered and amended to read:

492 ~~[63N-12-210]~~. 9-20-111. **Acquisition of STEM education high quality**
493 **professional development.**

494 (1) The STEM Action Center may, through a request for proposals process, select
495 technology providers for the purpose of providing a STEM education high quality professional
496 development application.

497 (2) The high quality professional development application described in Subsection (1)
498 shall:

499 (a) allow the State Board of Education, a school district, or a school to define the
500 application's input and track results of the high quality professional development;

501 (b) allow educators to access automatic tools, resources, and strategies, including
502 instructional materials with integrated STEM content;

503 (c) allow educators to work in online learning communities, including giving and
504 receiving feedback via uploaded video;

505 (d) track and report data on the usage of the components of the application's system
506 and the relationship to improvement in classroom instruction;

507 (e) include video examples of highly effective STEM education teaching that:

508 (i) cover a cross section of grade levels and subjects;

509 (ii) under the direction of the State Board of Education, include videos of highly
510 effective Utah STEM educators; and

511 (iii) contain tools to help educators implement what they have learned; and

512 (f) allow for additional STEM education video content to be added.

513 (3) In addition to the high quality professional development application described in
514 Subsections (1) and (2), the STEM Action Center may create STEM education hybrid or
515 blended high quality professional development that allows for face-to-face applied learning.

516 Section 12. Section 9-20-112, which is renumbered from Section 63N-12-211 is
517 renumbered and amended to read:

518 ~~[63N-12-211]~~. 9-20-112. **STEM education middle school applied science**
519 **initiative.**

520 (1) The STEM Action Center shall develop an applied science initiative for students in
521 grades 7 and 8 that includes:

- 522 (a) a STEM applied science curriculum with instructional materials;
- 523 (b) STEM hybrid or blended high quality professional development that allows for
- 524 face-to-face applied learning; and
- 525 (c) hands-on tools for STEM applied science learning.

526 (2) The STEM Action Center may, through a request for proposals process, select a

527 consultant to assist in developing the initiative described in Subsection (1).

528 Section 13. Section **9-20-113**, which is renumbered from Section 63N-12-212 is

529 renumbered and amended to read:

530 ~~[63N-12-212]~~. **9-20-113. High school STEM education initiative.**

531 (1) Subject to legislative appropriations, after consulting with State Board of Education

532 staff, the STEM Action Center shall award grants to school districts and charter schools to fund

533 STEM related certification for high school students.

534 (2) (a) A school district or charter school may apply for a grant from the STEM Action

535 Center, through a competitive process, to fund the school district's or charter school's STEM

536 related certification training program.

537 (b) A school district's or charter school's STEM related certification training program

538 shall:

539 (i) prepare high school students to be job ready for available STEM related positions of

540 employment; and

541 (ii) when a student completes the program, result in the student gaining an

542 industry-recognized employer STEM related certification.

543 (3) A school district or charter school may partner with one or more of the following to

544 provide a STEM related certification program:

545 (a) a technical college described in Section [53B-2a-105](#);

546 (b) Salt Lake Community College;

547 (c) Snow College;

548 (d) Utah State University Eastern; or

549 (e) a private sector employer.

550 Section 14. Section **9-20-114**, which is renumbered from Section 63N-12-213 is

551 renumbered and amended to read:

552 ~~[63N-12-213]~~. **9-20-114. Computer science initiative for public schools.**

553 (1) As used in this section:

554 (a) "Computational thinking" means the set of problem-solving skills and techniques
555 that software engineers use to write programs that underlie computer applications, including
556 decomposition, pattern recognition, pattern generalization, and algorithm design.

557 (b) "Computer coding" means the process of writing script for a computer program or
558 mobile device.

559 (c) "Educator" means the same as that term is defined in Section [53E-6-102](#).

560 (d) "Endorsement" means a stipulation, authorized by the State Board of Education and
561 appended to a license, that specifies the areas of practice to which the license applies.

562 (e) (i) "Institution of higher education" means the same as that term is defined in
563 Section [53B-3-102](#).

564 (ii) "Institution of higher education" includes a technical college described in Section
565 [53B-2a-105](#).

566 (f) "Employer" means a private employer, public employer, industry association, union,
567 or the military.

568 (g) "License" means the same as that term is defined in Section [53E-6-102](#).

569 (2) Subject to legislative appropriations, on behalf of the STEM board, the staff of the
570 STEM board and the staff of the State Board of Education shall collaborate to develop and
571 implement a computer science initiative for public schools by:

572 (a) creating an online repository that:

573 (i) is available for school districts and charter schools to use as a resource; and

574 (ii) includes high quality computer science instructional resources that are designed to
575 teach students in all grade levels:

576 (A) computational thinking skills; and

577 (B) computer coding skills;

578 (b) providing for professional development on teaching computer science by:

579 (i) including resources for educators related to teaching computational thinking and
580 computer coding in the STEM education high quality professional development application
581 described in Section [~~63N-12-210~~] [9-20-111](#); and

582 (ii) providing statewide or regional professional development institutes; and

583 (c) awarding grants to a school district or charter school, on a competitive basis, that

584 may be used to provide incentives for an educator to earn a computer science endorsement.

585 (3) A school district or charter school may enter into an agreement with one or more of
586 the following entities to jointly apply for a grant under Subsection (2)(c):

- 587 (a) a school district;
- 588 (b) a charter school;
- 589 (c) an employer;
- 590 (d) an institution of higher education; or
- 591 (e) a non-profit organization.

592 (4) To apply for a grant described in Subsection (2)(c), a school district or charter
593 school shall submit a plan to the State Board of Education for the use of the grant, including a
594 statement of purpose that describes the methods the school district or charter school proposes
595 to use to incentivize an educator to earn a computer science endorsement.

596 (5) The ~~[board and the]~~ State Board of Education and the STEM board shall encourage
597 schools to independently pursue computer science and coding initiatives, subject to local
598 school board or charter school governing board approval, based on the unique needs of the
599 school's students.

600 (6) The STEM board shall include information on the status of the computer science
601 initiative in the annual report described in Section ~~[63N-12-208]~~ 9-20-109.

602 Section 15. Section **9-20-115**, which is renumbered from Section 63N-12-214 is
603 renumbered and amended to read:

604 ~~[63N-12-214]~~. **9-20-115. Computing Partnerships Grants program.**

605 (1) There is created the Computing Partnerships Grants program consisting of the
606 grants created in this part to provide for the design and implementation of a comprehensive
607 K-16 computing partnerships program, based upon the following common elements:

- 608 (a) outreach and student engagement;
- 609 (b) courses and content;
- 610 (c) instruction and instructional support;
- 611 (d) work-based learning opportunities;
- 612 (e) student retention;
- 613 (f) industry engagement;
- 614 (g) stacked credentials that allow for multiple exit and entry points;

615 (h) competency-based learning strategies; and

616 (i) secondary and post-secondary collaborations.

617 (2) The grant program shall incentivize public schools and school districts to work
618 with the STEM Action Center, staff of the State Board of Education, Talent Ready Utah,
619 industry representatives, and secondary partners on the design and implementation of
620 comprehensive K-16 computing partnerships through:

621 (a) leveraging existing resources for content, professional learning, and instruction,
622 including existing career and technical education funds, programs, and initiatives;

623 (b) allowing for the support of professional learning for pre- and in-service educators;

624 (c) supporting activities that promote and enhance access, diversity, and equity;

625 (d) supporting collaborations and partnerships between K-12, institutions of higher
626 education, cultural and community partners, and industry representatives;

627 (e) identifying the appropriate credentials that align with industry needs and providing
628 the credentials in a stacked credentials pathway;

629 (f) implementing a collaborative network that enables sharing and identification of best
630 practices; and

631 (g) providing infrastructure assistance that allows for the support of new courses and
632 the expansion of capacity for existing courses.

633 (3) The grant program shall include the following:

634 (a) rigorous and relevant metrics that are shared by all grant participants; and

635 (b) an evaluation by the STEM Action Center of the grant program that identifies best
636 practices.

637 (4) The STEM Action Center, in consultation with the State Board of Education, shall:

638 (a) in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act,
639 adopt rules:

640 (i) for the administration of the grant program and awarding of grants; and

641 (ii) that define outcome-based measures appropriate to the type of grant awarded under
642 this part;

643 (b) establish a grant application process;

644 (c) in accordance with Subsection (5), establish a review committee to make
645 recommendations for:

- 646 (i) metrics to analyze the quality of a grant application;
- 647 (ii) approval of a grant application; and
- 648 (iii) criteria to establish a requirement for an applicant to demonstrate financial need;
- 649 and
- 650 (d) with input from the review committee, adopt metrics to analyze the quality of a
- 651 grant application.

652 (5) (a) The review committee shall consist of K-16 educators, staff of the State Board
 653 of Education, representatives of Talent Ready Utah, post-secondary partners, and industry
 654 representatives.

655 (b) The review committee shall:

- 656 (i) review a grant application submitted;
- 657 (ii) make recommendations to a grant applicant to modify the grant application, if
- 658 necessary; and
- 659 (iii) make recommendations regarding the final disposition of an application.

660 (6) The STEM Action Center shall report annually on the grant program to the State
 661 Board of Education and any findings and recommendations on the grant program shall be
 662 included in the STEM Action Center annual report to the Education Interim Committee.

663 Section 16. Section **53-19-101**, which is renumbered from Section 63N-10-101 is
 664 renumbered and amended to read:

665 **CHAPTER 19. PETE SUAZO UTAH ATHLETIC COMMISSION ACT**

666 ~~[63N-10-101]~~. **53-19-101. Title.**

667 This chapter is known as the "Pete Suazo Utah Athletic Commission Act."

668 Section 17. Section **53-19-102**, which is renumbered from Section 63N-10-102 is
 669 renumbered and amended to read:

670 ~~[63N-10-102]~~. **53-19-102. Definitions.**

671 As used in this chapter:

- 672 (1) "Bodily injury" has the same meaning as defined in Section [76-1-601](#).
- 673 (2) "Boxing" means the sport of attack and defense using the fist, which is covered by
- 674 an approved boxing glove.
- 675 (3) (a) "Club fighting" means any contest of unarmed combat, whether admission is
- 676 charged or not, where:

- 677 (i) the rules of the contest are not approved by the commission;
- 678 (ii) a licensed physician or osteopath approved by the commission is not in attendance;
- 679 (iii) a correct HIV negative test regarding each contestant has not been provided to the
680 commission;
- 681 (iv) the contest is not conducted in accordance with commission rules; or
- 682 (v) the contestants are not matched by the weight standards established in accordance
683 with Section [~~63N-10-316~~] [53-19-316](#).
- 684 (b) "Club fighting" does not include sparring if:
- 685 (i) it is conducted for training purposes;
- 686 (ii) no tickets are sold to spectators;
- 687 (iii) no concessions are available for spectators;
- 688 (iv) protective clothing, including protective headgear, a mouthguard, and a protective
689 cup, is worn; and
- 690 (v) for boxing, 16 ounce boxing gloves are worn.
- 691 (4) "Commission" means the Pete Suazo Utah Athletic Commission created by this
692 chapter.
- 693 (5) "Contest" means a live match, performance, or exhibition involving two or more
694 persons engaged in unarmed combat.
- 695 (6) "Contestant" means an individual who participates in a contest.
- 696 (7) "Designated commission member" means a member of the commission designated
697 to:
- 698 (a) attend and supervise a particular contest; and
- 699 (b) act on the behalf of the commission at a contest venue.
- 700 (8) "Director" means the director appointed by the commission.
- 701 (9) "Elimination unarmed combat contest" means a contest where:
- 702 (a) a number of contestants participate in a tournament;
- 703 (b) the duration is not more than 48 hours; and
- 704 (c) the loser of each contest is eliminated from further competition.
- 705 (10) "Exhibition" means an engagement in which the participants show or display their
706 skills without necessarily striving to win.
- 707 (11) "Judge" means an individual qualified by training or experience to:

- 708 (a) rate the performance of contestants;
- 709 (b) score a contest; and
- 710 (c) determine with other judges whether there is a winner of the contest or whether the
- 711 contestants performed equally, resulting in a draw.

712 (12) "Licensee" means an individual licensed by the commission to act as a:

- 713 (a) contestant;
- 714 (b) judge;
- 715 (c) manager;
- 716 (d) promoter;
- 717 (e) referee;
- 718 (f) second; or
- 719 (g) other official established by the commission by rule.

720 (13) "Manager" means an individual who represents a contestant for the purpose of:

- 721 (a) obtaining a contest for a contestant;
- 722 (b) negotiating terms and conditions of the contract under which the contestant will
- 723 engage in a contest; or
- 724 (c) arranging for a second for the contestant at a contest.

725 (14) "Promoter" means a person who engages in producing or staging contests and

726 promotions.

727 (15) "Promotion" means a single contest or a combination of contests that:

- 728 (a) occur during the same time and at the same location; and
- 729 (b) is produced or staged by a promoter.

730 (16) "Purse" means any money, prize, remuneration, or any other valuable

731 consideration a contestant receives or may receive for participation in a contest.

732 (17) "Referee" means an individual qualified by training or experience to act as the

733 official attending a contest at the point of contact between contestants for the purpose of:

- 734 (a) enforcing the rules relating to the contest;
- 735 (b) stopping the contest in the event the health, safety, and welfare of a contestant or
- 736 any other person in attendance at the contest is in jeopardy; and
- 737 (c) acting as a judge if so designated by the commission.

738 (18) "Round" means one of a number of individual time periods that, taken together,

739 constitute a contest during which contestants are engaged in a form of unarmed combat.

740 (19) "Second" means an individual who attends a contestant at the site of the contest
741 before, during, and after the contest in accordance with contest rules.

742 (20) "Serious bodily injury" has the same meaning as defined in Section 76-1-601.

743 (21) "Total gross receipts" means the amount of the face value of all tickets sold to a
744 particular contest plus any sums received as consideration for holding the contest at a particular
745 location.

746 (22) "Ultimate fighting" means a live contest, whether or not an admission fee is
747 charged, in which:

748 (a) contest rules permit contestants to use a combination of boxing, kicking, wrestling,
749 hitting, punching, or other combative contact techniques;

750 (b) contest rules incorporate a formalized system of combative techniques against
751 which a contestant's performance is judged to determine the prevailing contestant;

752 (c) contest rules divide nonchampionship contests into three equal and specified rounds
753 of no more than five minutes per round with a rest period of one minute between each round;

754 (d) contest rules divide championship contests into five equal and specified rounds of
755 no more than five minutes per round with a rest period of one minute between each round; and

756 (e) contest rules prohibit contestants from:

757 (i) using anything that is not part of the human body, except for boxing gloves, to
758 intentionally inflict serious bodily injury upon an opponent through direct contact or the
759 expulsion of a projectile;

760 (ii) striking a person who demonstrates an inability to protect himself from the
761 advances of an opponent;

762 (iii) biting; or

763 (iv) direct, intentional, and forceful strikes to the eyes, groin area, Adam's apple area of
764 the neck, and the rear area of the head and neck.

765 (23) (a) "Unarmed combat" means boxing or any other form of competition in which a
766 blow is usually struck which may reasonably be expected to inflict bodily injury.

767 (b) "Unarmed combat" does not include a competition or exhibition between
768 participants in which the participants engage in simulated combat for entertainment purposes.

769 (24) "Unlawful conduct" means organizing, promoting, or participating in a contest

770 which involves contestants that are not licensed under this chapter.

771 (25) "Unprofessional conduct" means:

772 (a) entering into a contract for a contest in bad faith;

773 (b) participating in any sham or fake contest;

774 (c) participating in a contest pursuant to a collusive understanding or agreement in
775 which the contestant competes in or terminates the contest in a manner that is not based upon
776 honest competition or the honest exhibition of the skill of the contestant;

777 (d) engaging in an act or conduct that is detrimental to a contest, including any foul or
778 unsportsmanlike conduct in connection with a contest;

779 (e) failing to comply with any limitation, restriction, or condition placed on a license;

780 (f) striking of a downed opponent by a contestant while the contestant remains on the
781 contestant's feet, unless the designated commission member or director has exempted the
782 contest and each contestant from the prohibition on striking a downed opponent before the start
783 of the contest;

784 (g) after entering the ring or contest area, penetrating an area within four feet of an
785 opponent by a contestant, manager, or second before the commencement of the contest; or

786 (h) as further defined by rules made by the commission under Title 63G, Chapter 3,
787 Utah Administrative Rulemaking Act.

788 (26) "White-collar contest" means a contest conducted at a training facility where no
789 alcohol is served in which:

790 (a) for boxing:

791 (i) neither contestant is or has been a licensed contestant in any state or an amateur
792 registered with USA Boxing, Inc.;

793 (ii) no cash prize, or other prize valued at greater than \$35, is awarded;

794 (iii) protective clothing, including protective headgear, a mouthguard, a protective cup,
795 and for a female contestant a chestguard, is worn;

796 (iv) 16 ounce boxing gloves are worn;

797 (v) the contest is no longer than three rounds of no longer than three minutes each;

798 (vi) no winner or loser is declared or recorded; and

799 (vii) the contestants do not compete in a cage; and

800 (b) for ultimate fighting:

801 (i) neither contestant is or has been a licensed contestant in any state or an amateur
802 registered with USA Boxing, Inc.;

803 (ii) no cash prize, or other prize valued at greater than \$35, is awarded;

804 (iii) protective clothing, including a protective mouthguard and a protective cup, is
805 worn;

806 (iv) downward elbow strikes are not allowed;

807 (v) a contestant is not allowed to stand and strike a downed opponent;

808 (vi) a closed-hand blow to the head is not allowed while either contestant is on the
809 ground;

810 (vii) the contest is no longer than three rounds of no longer than three minutes each;

811 and

812 (viii) no winner or loser is declared or recorded.

813 Section 18. Section **53-19-201**, which is renumbered from Section 63N-10-201 is
814 renumbered and amended to read:

815 ~~[63N-10-201]~~. **53-19-201. Commission -- Creation -- Appointments --**
816 **Terms -- Expenses -- Quorum.**

817 (1) There is created within the [office] department the Pete Suazo Utah Athletic
818 Commission consisting of five members.

819 (2) (a) The governor shall appoint three commission members.

820 (b) The president of the Senate and the speaker of the House of Representatives shall
821 each appoint one commission member.

822 (c) The commission members may not be licensees under this chapter.

823 (3) (a) Except as required by Subsection (3)(b), as terms of current members expire, the
824 governor, president, or speaker, respectively, shall appoint each new member or reappointed
825 member to a four-year term.

826 (b) The governor shall, at the time of appointment or reappointment, adjust the length
827 of the governor's appointees' terms to ensure that the terms of members are staggered so that
828 approximately half of the commission is appointed every two years.

829 (c) When a vacancy occurs in the membership for any reason, the replacement shall be
830 appointed for the unexpired term.

831 (d) A commission member may be removed for any reason and replaced in accordance

832 with this section by:

- 833 (i) the governor, for a commission member appointed by the governor;
- 834 (ii) the president of the Senate, for a commission member appointed by the president of
835 the Senate; or
- 836 (iii) the speaker of the House of Representatives, for a commission member appointed
837 by the speaker of the House of Representatives.
- 838 (4) (a) A majority of the commission members constitutes a quorum.
- 839 (b) A majority of a quorum is sufficient authority for the commission to act.
- 840 (5) A member may not receive compensation or benefits for the member's service, but
841 may receive per diem and travel expenses in accordance with:
- 842 (a) Section [63A-3-106](#);
- 843 (b) Section [63A-3-107](#); and
- 844 (c) rules made by the Division of Finance under Sections [63A-3-106](#) and [63A-3-107](#).
- 845 (6) The commission shall annually designate one of its members to serve as chair for a
846 one-year period.

847 Section 19. Section **53-19-202**, which is renumbered from Section 63N-10-202 is
848 renumbered and amended to read:

849 ~~**[63N-10-202].**~~ **53-19-202. Commission powers and duties.**

- 850 (1) The commission shall:
 - 851 (a) purchase and use a seal;
 - 852 (b) adopt rules for the administration of this chapter in accordance with Title 63G,
853 Chapter 3, Utah Administrative Rulemaking Act;
 - 854 (c) prepare all forms of contracts between sponsors, licensees, promoters, and
855 contestants; and
 - 856 (d) hold hearings relating to matters under its jurisdiction, including violations of this
857 chapter or rules made under this chapter.
- 858 (2) The commission may subpoena witnesses, take evidence, and require the
859 production of books, papers, documents, records, contracts, recordings, tapes, correspondence,
860 or other information relevant to an investigation if the commission or ~~[its]~~ the commission's
861 designee considers it necessary.

862 Section 20. Section **53-19-203**, which is renumbered from Section 63N-10-203 is

863 renumbered and amended to read:

864 ~~[63N-10-203].~~ **53-19-203. Commission director.**

865 (1) The commission shall employ a director, who may not be a member of the
866 commission, to conduct the commission's business.

867 (2) The director serves at the pleasure of the commission.

868 Section 21. Section **53-19-204**, which is renumbered from Section 63N-10-204 is
869 renumbered and amended to read:

870 ~~[63N-10-204].~~ **53-19-204. Inspectors.**

871 (1) The commission may appoint one or more official representatives to be designated
872 as inspectors, who shall serve at the pleasure of the commission.

873 (2) Each inspector must receive from the commission a card authorizing that inspector
874 to act as an inspector for the commission.

875 (3) An inspector may not promote or sponsor any contest.

876 (4) Each inspector may receive a fee approved by the commission for the performance
877 of duties under this chapter.

878 Section 22. Section **53-19-205**, which is renumbered from Section 63N-10-205 is
879 renumbered and amended to read:

880 ~~[63N-10-205].~~ **53-19-205. Affiliation with other commissions.**

881 The commission may affiliate with any other state, tribal, or national boxing
882 commission or athletic authority.

883 Section 23. Section **53-19-301**, which is renumbered from Section 63N-10-301 is
884 renumbered and amended to read:

885 ~~[63N-10-301].~~ **53-19-301. Licensing.**

886 (1) A license is required for a person to act as or to represent that the person is:

887 (a) a promoter;

888 (b) a manager;

889 (c) a contestant;

890 (d) a second;

891 (e) a referee;

892 (f) a judge; or

893 (g) another official established by the commission by rule.

894 (2) The commission shall issue to a person who qualifies under this chapter a license in
895 the classifications of:

896 (a) promoter;

897 (b) manager;

898 (c) contestant;

899 (d) second;

900 (e) referee;

901 (f) judge; or

902 (g) another official who meets the requirements established by rule under Subsection
903 (1)(g).

904 (3) All money collected under this section and Sections [~~63N-10-304, 63N-10-307,~~
905 ~~63N-10-310, and 63N-10-313~~] 53-19-304, 53-19-307, 53-19-310, and 53-19-313 shall be
906 retained as dedicated credits to pay for commission expenses.

907 (4) Each applicant for licensure as a promoter shall:

908 (a) submit an application in a form prescribed by the commission;

909 (b) pay the fee determined by the commission under Section 63J-1-504;

910 (c) provide to the commission evidence of financial responsibility, which shall include
911 financial statements and other information that the commission may reasonably require to
912 determine that the applicant or licensee is able to competently perform as and meet the
913 obligations of a promoter in this state;

914 (d) make assurances that the applicant:

915 (i) is not engaging in illegal gambling with respect to sporting events or gambling with
916 respect to the promotions the applicant is promoting;

917 (ii) has not been found in a criminal or civil proceeding to have engaged in or
918 attempted to engage in any fraud or misrepresentation in connection with a contest or any other
919 sporting event; and

920 (iii) has not been found in a criminal or civil proceeding to have violated or attempted
921 to violate any law with respect to a contest in any jurisdiction or any law, rule, or order relating
922 to the regulation of contests in this state or any other jurisdiction;

923 (e) acknowledge in writing to the commission receipt, understanding, and intent to
924 comply with this chapter and the rules made under this chapter; and

925 (f) if requested by the commission or the director, meet with the commission or the
926 director to examine the applicant's qualifications for licensure.

927 (5) Each applicant for licensure as a contestant shall:

928 (a) be [~~not less than~~] at least 18 years of age at the time the application is submitted to
929 the commission;

930 (b) submit an application in a form prescribed by the commission;

931 (c) pay the fee established by the commission under Section 63J-1-504;

932 (d) provide a certificate of physical examination, dated not more than 60 days [~~prior to~~]
933 before the date of application for licensure, in a form provided by the commission, completed
934 by a licensed physician and surgeon certifying that the applicant is free from any physical or
935 mental condition that indicates the applicant should not engage in activity as a contestant;

936 (e) make assurances that the applicant:

937 (i) is not engaging in illegal gambling with respect to sporting events or gambling with
938 respect to a contest in which the applicant will participate;

939 (ii) has not been found in a criminal or civil proceeding to have engaged in or
940 attempted to have engaged in any fraud or misrepresentation in connection with a contest or
941 any other sporting event; and

942 (iii) has not been found in a criminal or civil proceeding to have violated or attempted
943 to violate any law with respect to contests in any jurisdiction or any law, rule, or order relating
944 to the regulation of contests in this state or any other jurisdiction;

945 (f) acknowledge in writing to the commission receipt, understanding, and intent to
946 comply with this chapter and the rules made under this chapter; and

947 (g) if requested by the commission or the director, meet with the commission or the
948 director to examine the applicant's qualifications for licensure.

949 (6) Each applicant for licensure as a manager or second shall:

950 (a) submit an application in a form prescribed by the commission;

951 (b) pay a fee determined by the commission under Section 63J-1-504;

952 (c) make assurances that the applicant:

953 (i) is not engaging in illegal gambling with respect to sporting events or gambling with
954 respect to a contest in which the applicant is participating;

955 (ii) has not been found in a criminal or civil proceeding to have engaged in or

956 attempted to have engaged in any fraud or misrepresentation in connection with a contest or
957 any other sporting event; and

958 (iii) has not been found in a criminal or civil proceeding to have violated or attempted
959 to violate any law with respect to a contest in any jurisdiction or any law, rule, or order relating
960 to the regulation of contests in this state or any other jurisdiction;

961 (d) acknowledge in writing to the commission receipt, understanding, and intent to
962 comply with this chapter and the rules made under this chapter; and

963 (e) if requested by the commission or director, meet with the commission or the
964 director to examine the applicant's qualifications for licensure.

965 (7) Each applicant for licensure as a referee or judge shall:

966 (a) submit an application in a form prescribed by the commission;

967 (b) pay a fee determined by the commission under Section [63J-1-504](#);

968 (c) make assurances that the applicant:

969 (i) is not engaging in illegal gambling with respect to sporting events or gambling with
970 respect to a contest in which the applicant is participating;

971 (ii) has not been found in a criminal or civil proceeding to have engaged in or
972 attempted to have engaged in any fraud or misrepresentation in connection with a contest or
973 any other sporting event; and

974 (iii) has not been found in a criminal or civil proceeding to have violated or attempted
975 to violate any law with respect to contests in any jurisdiction or any law, rule, or order relating
976 to the regulation of contests in this state or any other jurisdiction;

977 (d) acknowledge in writing to the commission receipt, understanding, and intent to
978 comply with this chapter and the rules made under this chapter;

979 (e) provide evidence satisfactory to the commission that the applicant is qualified by
980 training and experience to competently act as a referee or judge in a contest; and

981 (f) if requested by the commission or the director, meet with the commission or the
982 director to examine the applicant's qualifications for licensure.

983 (8) The commission may make rules concerning the requirements for a license under
984 this chapter, that deny a license to an applicant for the violation of a crime that, in the
985 commission's determination, would have a material affect on the integrity of a contest held
986 under this chapter.

987 (9) (a) A licensee serves at the pleasure, and under the direction, of the commission
988 while participating in any way at a contest.

989 (b) A licensee's license may be suspended, or a fine imposed, if the licensee does not
990 follow the commission's direction at an event or contest.

991 Section 24. Section **53-19-302**, which is renumbered from Section 63N-10-302 is
992 renumbered and amended to read:

993 ~~[63N-10-302]~~. **53-19-302. Term of license -- Expiration -- Renewal.**

994 (1) The commission shall issue each license under this chapter in accordance with a
995 renewal cycle established by rule.

996 (2) At the time of renewal, the licensee shall show satisfactory evidence of compliance
997 with renewal requirements established by rule by the commission.

998 (3) Each license automatically expires on the expiration date shown on the license
999 unless the licensee renews it in accordance with the rules established by the commission.

1000 Section 25. Section **53-19-303**, which is renumbered from Section 63N-10-303 is
1001 renumbered and amended to read:

1002 ~~[63N-10-303]~~. **53-19-303. Grounds for denial of license -- Disciplinary**
1003 **proceedings -- Reinstatement.**

1004 (1) The commission shall refuse to issue a license to an applicant and shall refuse to
1005 renew or shall revoke, suspend, restrict, place on probation, or otherwise act upon the license of
1006 a licensee who does not meet the qualifications for licensure under this chapter.

1007 (2) The commission may refuse to issue a license to an applicant and may refuse to
1008 renew or may revoke, suspend, restrict, place on probation, issue a public or private reprimand
1009 to, or otherwise act upon the license of any licensee if:

1010 (a) the applicant or licensee has engaged in unlawful or unprofessional conduct, as
1011 defined by statute or rule under this chapter;

1012 (b) the applicant or licensee has been determined to be mentally incompetent for any
1013 reason by a court of competent jurisdiction; or

1014 (c) the applicant or licensee is unable to practice the occupation or profession with
1015 reasonable skill and safety because of illness, drunkenness, excessive use of drugs, narcotics,
1016 chemicals, or any other type of material, or as a result of any other mental or physical
1017 condition, when the licensee's condition demonstrates a threat or potential threat to the public

1018 health, safety, or welfare, as determined by a ringside physician or the commission.

1019 (3) Any licensee whose license under this chapter has been suspended, revoked, or
1020 restricted may apply for reinstatement of the license at reasonable intervals and upon
1021 compliance with any conditions imposed upon the licensee by statute, rule, or terms of the
1022 license suspension, revocation, or restriction.

1023 (4) The commission may issue cease and desist orders:

1024 (a) to a licensee or applicant who may be disciplined under Subsection (1) or (2); and

1025 (b) to any person who otherwise violates this chapter or any rules adopted under this
1026 chapter.

1027 (5) (a) The commission may impose an administrative fine for acts of unprofessional or
1028 unlawful conduct under this chapter.

1029 (b) An administrative fine under this Subsection (5) may not [~~exceed~~] be more than
1030 \$2,500 for each separate act of unprofessional or unlawful conduct.

1031 (c) The commission shall comply with Title 63G, Chapter 4, Administrative
1032 Procedures Act, in any action to impose an administrative fine under this chapter.

1033 (d) The imposition of a fine under this Subsection (5) does not affect any other action
1034 the commission or department may take concerning a license issued under this chapter.

1035 (6) (a) The commission may not take disciplinary action against any person for
1036 unlawful or unprofessional conduct under this chapter, unless the commission initiates an
1037 adjudicative proceeding regarding the conduct within four years after the conduct is reported to
1038 the commission, except under Subsection (6)(b).

1039 (b) The commission may not take disciplinary action against any person for unlawful
1040 or unprofessional conduct more than 10 years after the occurrence of the conduct, unless the
1041 proceeding is in response to a civil or criminal judgment or settlement and the proceeding is
1042 initiated within one year following the judgment or settlement.

1043 (7) (a) Notwithstanding Title 63G, Chapter 4, Administrative Procedures Act, the
1044 following may immediately suspend the license of a licensee at such time and for such period
1045 that the following believes is necessary to protect the health, safety, and welfare of the licensee,
1046 another licensee, or the public:

1047 (i) the commission;

1048 (ii) a designated commission member; or

1049 (iii) if a designated commission member is not present, the director.

1050 (b) The commission shall establish by rule appropriate procedures to invoke the
1051 suspension and to provide a suspended licensee a right to a hearing before the commission with
1052 respect to the suspension within a reasonable time after the suspension.

1053 Section 26. Section **53-19-304**, which is renumbered from Section 63N-10-304 is
1054 renumbered and amended to read:

1055 ~~[63N-10-304]~~. **53-19-304. Additional fees for license of promoter --**
1056 **Dedicated credits -- Promotion of contests -- Annual exemption of showcase event.**

1057 (1) In addition to the payment of any other fees and money due under this chapter,
1058 every promoter shall pay a license fee determined by the commission and established in rule.

1059 (2) License fees collected under this Subsection (2) from professional boxing contests
1060 or exhibitions shall be retained by the commission as a dedicated credit to be used by the
1061 commission to award grants to organizations that promote amateur boxing in the state and
1062 cover commission expenses.

1063 (3) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the
1064 commission shall adopt rules:

1065 (a) governing the manner in which applications for grants under Subsection (2) may be
1066 submitted to the commission; and

1067 (b) establishing standards for awarding grants under Subsection (2) to organizations
1068 which promote amateur boxing in the state.

1069 (4) (a) For the purpose of creating a greater interest in contests in the state, the
1070 commission may exempt from the payment of license fees under this section one contest or
1071 exhibition in each calendar year, intended as a showcase event.

1072 (b) The commission shall select the contest or exhibition to be exempted based on
1073 factors which include:

1074 (i) attraction of the optimum number of spectators;

1075 (ii) costs of promoting and producing the contest or exhibition;

1076 (iii) ticket pricing;

1077 (iv) committed promotions and advertising of the contest or exhibition;

1078 (v) rankings and quality of the contestants; and

1079 (vi) committed television and other media coverage of the contest or exhibition.

1080 Section 27. Section **53-19-305**, which is renumbered from Section 63N-10-305 is
1081 renumbered and amended to read:

1082 ~~[63N-10-305]~~. **53-19-305. Jurisdiction of commission.**

1083 (1) (a) The commission has the sole authority concerning direction, management,
1084 control, and jurisdiction over all contests or exhibitions of unarmed combat to be conducted,
1085 held, or given within this state.

1086 (b) A contest or exhibition may not be conducted, held, or given within this state
1087 except in accordance with this chapter.

1088 (2) Any contest involving a form of unarmed self-defense must be conducted pursuant
1089 to rules for that form which are approved by the commission before the contest is conducted,
1090 held, or given.

1091 (3) (a) An area not less than six feet from the perimeter of the ring shall be reserved for
1092 the use of:

- 1093 (i) the designated commission member;
- 1094 (ii) other commission members in attendance;
- 1095 (iii) the director;
- 1096 (iv) commission employees;
- 1097 (v) officials;
- 1098 (vi) licensees participating or assisting in the contest; and
- 1099 (vii) others granted credentials by the commission.

1100 (b) The promoter shall provide security at the direction of the commission or
1101 designated commission member to secure the area described in Subsection (3)(a).

1102 (4) The area described in Subsection (3), the area in the dressing rooms, and other
1103 areas considered necessary by the designated commission member for the safety and welfare of
1104 a licensee and the public shall be reserved for the use of:

- 1105 (a) the designated commission member;
- 1106 (b) other commission members in attendance;
- 1107 (c) the director;
- 1108 (d) commission employees;
- 1109 (e) officials;
- 1110 (f) licensees participating or assisting in the contest; and

1111 (g) others granted credentials by the commission.

1112 (5) The promoter shall provide security at the direction of the commission or
1113 designated commission member to secure the areas described in Subsections (3) and (4).

1114 (6) (a) The designated commission member may direct the removal from the contest
1115 venue and premises, of any individual whose actions:

1116 (i) are disruptive to the safe conduct of the contest; or

1117 (ii) pose a danger to the safety and welfare of the licensees, the commission, or the
1118 public, as determined by the designated commission member.

1119 (b) The promoter shall provide security at the direction of the commission or
1120 designated commission member to effectuate a removal under Subsection (6)(a).

1121 Section 28. Section **53-19-306**, which is renumbered from Section 63N-10-306 is
1122 renumbered and amended to read:

1123 ~~[63N-10-306]~~. **53-19-306. Club fighting prohibited.**

1124 (1) Club fighting is prohibited.

1125 (2) Any person who publicizes, promotes, conducts, or engages in a club fighting
1126 match is:

1127 (a) guilty of a class A misdemeanor as provided in Section [76-9-705](#); and

1128 (b) subject to license revocation under this chapter.

1129 Section 29. Section **53-19-307**, which is renumbered from Section 63N-10-307 is
1130 renumbered and amended to read:

1131 ~~[63N-10-307]~~. **53-19-307. Approval to hold contest or promotion -- Bond**
1132 **required.**

1133 (1) An application to hold a contest or multiple contests as part of a single promotion
1134 shall be made by a licensed promoter to the commission on forms provided by the commission.

1135 (2) The application shall be accompanied by a contest fee determined by the
1136 commission under Section [63J-1-505](#).

1137 (3) (a) The commission may approve or deny approval to hold a contest or promotion
1138 permitted under this chapter.

1139 (b) Provisional approval under Subsection (3)(a) shall be granted upon a determination
1140 by the commission that:

1141 (i) the promoter of the contest or promotion is properly licensed;

1142 (ii) a bond meeting the requirements of Subsection (6) has been posted by the promoter
1143 of the contest or promotion; and

1144 (iii) the contest or promotion will be held in accordance with this chapter and rules
1145 made under this chapter.

1146 (4) (a) Final approval to hold a contest or promotion may not be granted unless the
1147 commission receives, not less than seven days before the day of the contest with 10 or more
1148 rounds:

1149 (i) proof of a negative HIV test performed not more than 180 days before the day of the
1150 contest for each contestant;

1151 (ii) a copy of each contestant's federal identification card;

1152 (iii) a copy of a signed contract between each contestant and the promoter for the
1153 contest;

1154 (iv) a statement specifying the maximum number of rounds of the contest;

1155 (v) a statement specifying the site, date, and time of weigh-in; and

1156 (vi) the name of the physician selected from among a list of registered and
1157 commission-approved ringside physicians who shall act as ringside physician for the contest.

1158 (b) Notwithstanding Subsection (4)(a), the commission may approve a contest or
1159 promotion if the requirements under Subsection (4)(a) are not met because of unforeseen
1160 circumstances beyond the promoter's control.

1161 (5) Final approval for a contest under 10 rounds in duration may be granted as
1162 determined by the commission after receiving the materials identified in Subsection (4) at a
1163 time determined by the commission.

1164 (6) An applicant shall post a surety bond or cashier's check with the commission in the
1165 greater of \$10,000 or the amount of the purse, providing for forfeiture and disbursement of the
1166 proceeds if the applicant fails to comply with:

1167 (a) the requirements of this chapter; or

1168 (b) rules made under this chapter relating to the promotion or conduct of the contest or
1169 promotion.

1170 Section 30. Section **53-19-308**, which is renumbered from Section 63N-10-308 is
1171 renumbered and amended to read:

1172 ~~[63N-10-308]~~. **53-19-308. Rules for the conduct of contests.**

1173 (1) The commission shall adopt rules in accordance with Title 63G, Chapter 3, Utah
1174 Administrative Rulemaking Act, for the conduct of contests in the state.

1175 (2) The rules shall include:

1176 (a) authority for:

1177 (i) stopping contests; and

1178 (ii) impounding purses with respect to contests when there is a question with respect to
1179 the contest, contestants, or any other licensee associated with the contest; and

1180 (b) reasonable and necessary provisions to ensure that all obligations of a promoter
1181 with respect to any promotion or contest are paid in accordance with agreements made by the
1182 promoter.

1183 (3) (a) The commission may, in its discretion, exempt a contest and each contestant
1184 from the definition of unprofessional conduct found in Subsection [~~63N-10-102(25)(f)~~]

1185 53-19-102(25)(f) after:

1186 (i) a promoter requests the exemption; and

1187 (ii) the commission considers relevant factors, including:

1188 (A) the experience of the contestants;

1189 (B) the win and loss records of each contestant;

1190 (C) each contestant's level of training; and

1191 (D) any other evidence relevant to the contestants' professionalism and the ability to
1192 safely conduct the contest.

1193 (b) The commission's hearing of a request for an exemption under this Subsection (3)
1194 is an informal adjudicative proceeding under Section 63G-4-202.

1195 (c) The commission's decision to grant or deny a request for an exemption under this
1196 Subsection (3) is not subject to agency review under Section 63G-4-301.

1197 Section 31. Section **53-19-309**, which is renumbered from Section 63N-10-309 is
1198 renumbered and amended to read:

1199 ~~[63N-10-309]~~. **53-19-309. Medical examinations and drug tests.**

1200 (1) The commission shall adopt rules in accordance with Title 63G, Chapter 3, Utah
1201 Administrative Rulemaking Act, for medical examinations and drug testing of contestants,
1202 including provisions under which contestants shall:

1203 (a) produce evidence based upon competent laboratory examination that they are HIV

1204 negative as a condition of participating as a contestant in any contest;

1205 (b) be subject to random drug testing before or after participation in a contest, and
1206 sanctions, including barring participation in a contest or withholding a percentage of any purse,
1207 that shall be placed against a contestant testing positive for alcohol or any other drug that in the
1208 opinion of the commission is inconsistent with the safe and competent participation of that
1209 contestant in a contest;

1210 (c) be subject to a medical examination by the ringside physician not more than 30
1211 hours before the contest to identify any physical ailment or communicable disease that, in the
1212 opinion of the commission or designated commission member, are inconsistent with the safe
1213 and competent participation of that contestant in the contest; and

1214 (d) be subject to medical testing for communicable diseases as considered necessary by
1215 the commission to protect the health, safety, and welfare of the licensees and the public.

1216 (2) (a) Medical information concerning a contestant shall be provided by the contestant
1217 or medical professional or laboratory.

1218 (b) A promoter or manager may not provide to or receive from the commission medical
1219 information concerning a contestant.

1220 Section 32. Section **53-19-310**, which is renumbered from Section 63N-10-310 is
1221 renumbered and amended to read:

1222 ~~[63N-10-310]~~. **53-19-310. Contests.**

1223 (1) Except as provided in Section [~~63N-10-317~~] [53-19-317](#), a licensee may not
1224 participate in an unarmed combat contest within a predetermined time after another unarmed
1225 combat contest, as prescribed in rules made by the commission.

1226 (2) During the period of time beginning 60 minutes before the beginning of a contest,
1227 the promoter shall demonstrate the promoter's compliance with the commission's security
1228 requirements to all commission members present at the contest.

1229 (3) The commission shall establish fees in accordance with Section [63J-1-504](#) to be
1230 paid by a promoter for the conduct of each contest or event composed of multiple contests
1231 conducted under this chapter.

1232 Section 33. Section **53-19-311**, which is renumbered from Section 63N-10-311 is
1233 renumbered and amended to read:

1234 ~~[63N-10-311]~~. **53-19-311. Ringside physician.**

1235 (1) The commission shall maintain a list of ringside physicians who hold a Doctor of
1236 Medicine (MD) degree and are registered with the commission as approved to act as a ringside
1237 physician and meet the requirements of Subsection (2).

1238 (2) (a) The commission shall appoint a registered ringside physician to perform the
1239 duties of a ringside physician at each contest held under this chapter.

1240 (b) The promoter of a contest shall pay a fee determined by the commission by rule to
1241 the commission for a ringside physician.

1242 (3) An applicant for registration as a ringside physician shall:

1243 (a) submit an application for registration;

1244 (b) provide the commission with evidence of the applicant's licensure to practice
1245 medicine in the state; and

1246 (c) satisfy minimum qualifications established by the department by rule.

1247 (4) A ringside physician at attendance at a contest:

1248 (a) may stop the contest at any point if the ringside physician determines that a
1249 contestant's physical condition renders the contestant unable to safely continue the contest; and

1250 (b) works under the direction of the commission.

1251 Section 34. Section **53-19-312**, which is renumbered from Section 63N-10-312 is
1252 renumbered and amended to read:

1253 ~~[63N-10-312]~~. **53-19-312. Contracts.**

1254 Before a contest is held, a copy of the signed contract or agreement between the
1255 promoter of the contest and each contestant shall be filed with the commission. Approval of
1256 the contract's terms and conditions shall be obtained from the commission as a condition
1257 precedent to the contest.

1258 Section 35. Section **53-19-313**, which is renumbered from Section 63N-10-313 is
1259 renumbered and amended to read:

1260 ~~[63N-10-313]~~. **53-19-313. Withholding of purse.**

1261 (1) The commission, the director, or any other agent authorized by the commission
1262 may order a promoter to withhold any part of a purse or other money belonging or payable to
1263 any contestant, manager, or second if, in the judgment of the commission, director, or other
1264 agent:

1265 (a) the contestant is not competing honestly or to the best of the contestant's skill and

1266 ability or the contestant otherwise violates any rules adopted by the commission or any of the
1267 provisions of this chapter; or

1268 (b) the manager or second violates any rules adopted by the commission or any of the
1269 provisions of this chapter.

1270 (2) This section does not apply to any contestant in a wrestling exhibition who appears
1271 not to be competing honestly or to the best of the contestant's skill and ability.

1272 (3) Upon the withholding of any part of a purse or other money pursuant to this section,
1273 the commission shall immediately schedule a hearing on the matter, provide adequate notice to
1274 all interested parties, and dispose of the matter as promptly as possible.

1275 (4) If it is determined that a contestant, manager, or second is not entitled to any part of
1276 that person's share of the purse or other money, the promoter shall pay the money over to the
1277 commission.

1278 Section 36. Section **53-19-314**, which is renumbered from Section 63N-10-314 is
1279 renumbered and amended to read:

1280 ~~[63N-10-314]~~. **53-19-314. Penalty for unlawful conduct.**

1281 A person who engages in any act of unlawful conduct, as defined in Section
1282 ~~[63N-10-102]~~ 53-19-102, is guilty of a class A misdemeanor.

1283 Section 37. Section **53-19-315**, which is renumbered from Section 63N-10-315 is
1284 renumbered and amended to read:

1285 ~~[63N-10-315]~~. **53-19-315. Exemptions.**

1286 This chapter does not apply to:

1287 (1) any amateur contest or exhibition of unarmed combat conducted by or participated
1288 in exclusively by:

1289 (a) a school accredited by the Utah Board of Education;

1290 (b) a college or university accredited by the United States Department of Education; or

1291 (c) any association or organization of a school, college, or university described in

1292 Subsections (1)(a) and (b), when each participant in the contests or exhibitions is a bona fide
1293 student in the school, college, or university;

1294 (2) any contest or exhibition of unarmed combat conducted in accordance with the
1295 standards and regulations of USA Boxing, Inc.; or

1296 (3) a white-collar contest.

1297 Section 38. Section **53-19-316**, which is renumbered from Section 63N-10-316 is
 1298 renumbered and amended to read:

1299 ~~[63N-10-316]~~. **53-19-316. Contest weights and classes -- Matching**
 1300 **contestants.**

1301 (1) The commission shall make rules in accordance with Title 63G, Chapter 3, Utah
 1302 Administrative Rulemaking Act, establishing boxing contest weights and classes consistent
 1303 with those adopted by the Association of Boxing Commissions.

1304 (2) The commission shall make rules in accordance with Title 63G, Chapter 3, Utah
 1305 Administrative Rulemaking Act, establishing contest weights and classes for unarmed combat
 1306 that is not boxing.

1307 (3) (a) As to any unarmed combat contest, a contestant may not fight another contestant
 1308 who is outside of the contestant's weight classification.

1309 (b) Notwithstanding Subsection (3)(a), the commission may permit a contestant to
 1310 fight another contestant who is outside of the contestant's weight classification.

1311 (4) Except as provided in Subsection (3)(b), as to any unarmed combat contest:

1312 (a) a contestant who has contracted to participate in a given weight class may not be
 1313 permitted to compete if the contestant is not within that weight class at the weigh-in; and

1314 (b) a contestant may have two hours to attempt to gain or lose not more than three
 1315 pounds in order to be reweighed.

1316 (5) (a) As to any unarmed combat contest, the commission may not allow a contest in
 1317 which the contestants are not fairly matched.

1318 (b) Factors in determining if contestants are fairly matched include:

1319 (i) the win-loss record of the contestants;

1320 (ii) the weight differential between the contestants;

1321 (iii) the caliber of opponents for each contestant;

1322 (iv) each contestant's number of fights; and

1323 (v) previous suspensions or disciplinary actions of the contestants.

1324 Section 39. Section **53-19-317**, which is renumbered from Section 63N-10-317 is
 1325 renumbered and amended to read:

1326 ~~[63N-10-317]~~. **53-19-317. Elimination contests -- Conduct of contests --**
 1327 **Applicability of provisions -- Limitations on license -- Duration of contests -- Equipment**

1328 -- **Limitations on contests.**

1329 (1) An elimination unarmed combat contest shall be conducted under the supervision
1330 and authority of the commission.

1331 (2) Except as otherwise provided in this section and except as otherwise provided by
1332 specific statute, the provisions of this chapter pertaining to boxing apply to an elimination
1333 unarmed combat contest.

1334 (3) (a) All contests in an elimination unarmed combat contest shall be no more than
1335 three rounds in duration.

1336 (b) A round of unarmed combat in an elimination unarmed combat contest shall:

1337 (i) be no more than one minute in duration; or

1338 (ii) be up to three minutes in duration if there is only a single round.

1339 (c) A period of rest following a round shall be no more than one minute in duration.

1340 (4) A contestant:

1341 (a) shall wear gloves approved by the commission; and

1342 (b) shall wear headgear approved by the commission, the designated commission
1343 member, or the director if a designated commission member is not present.

1344 (5) A contestant may participate in more than one contest, but may not participate in
1345 more than a total of seven rounds in the entire tournament.

1346 Section 40. Section **53-19-318**, which is renumbered from Section 63N-10-318 is
1347 renumbered and amended to read:

1348 ~~**[63N-10-318].**~~ **53-19-318. Commission rulemaking.**

1349 The commission may make rules in accordance with Title 63G, Chapter 3, Utah
1350 Administrative Rulemaking Act, governing the conduct of a contest held under this chapter to
1351 protect the health and safety of licensees and members of the public.

1352 Section 41. Section **63J-1-602.1** is amended to read:

1353 **63J-1-602.1. List of nonlapsing appropriations from accounts and funds.**

1354 Appropriations made from the following accounts or funds are nonlapsing:

1355 (1) The Utah Intracurricular Student Organization Support for Agricultural Education
1356 and Leadership Restricted Account created in Section 4-42-102.

1357 (2) The Native American Repatriation Restricted Account created in Section 9-9-407.

1358 (3) The Martin Luther King, Jr. Civil Rights Support Restricted Account created in

- 1359 Section [9-18-102](#).
- 1360 (4) The National Professional Men's Soccer Team Support of Building Communities
1361 Restricted Account created in Section [9-19-102](#).
- 1362 (5) Funds collected for directing and administering the C-PACE district created in
1363 Section [11-42a-302](#).
- 1364 (6) Award money under the State Asset Forfeiture Grant Program, as provided under
1365 Section [24-4-117](#).
- 1366 (7) Funds collected from the program fund for local health department expenses
1367 incurred in responding to a local health emergency under Section [26-1-38](#).
- 1368 (8) Funds collected from the emergency medical services grant program, as provided in
1369 Section [26-8a-207](#).
- 1370 (9) The Prostate Cancer Support Restricted Account created in Section [26-21a-303](#).
- 1371 (10) The Children with Cancer Support Restricted Account created in Section
1372 [26-21a-304](#).
- 1373 (11) State funds for matching federal funds in the Children's Health Insurance Program
1374 as provided in Section [26-40-108](#).
- 1375 (12) The Children with Heart Disease Support Restricted Account created in Section
1376 [26-58-102](#).
- 1377 (13) The Nurse Home Visiting Restricted Account created in Section [26-62-601](#).
- 1378 (14) The Technology Development Restricted Account created in Section [31A-3-104](#).
- 1379 (15) The Criminal Background Check Restricted Account created in Section
1380 [31A-3-105](#).
- 1381 (16) The Captive Insurance Restricted Account created in Section [31A-3-304](#), except
1382 to the extent that Section [31A-3-304](#) makes the money received under that section free revenue.
- 1383 (17) The Title Licensee Enforcement Restricted Account created in Section
1384 [31A-23a-415](#).
- 1385 (18) The Health Insurance Actuarial Review Restricted Account created in Section
1386 [31A-30-115](#).
- 1387 (19) The Insurance Fraud Investigation Restricted Account created in Section
1388 [31A-31-108](#).
- 1389 (20) The Underage Drinking Prevention Media and Education Campaign Restricted

- 1390 Account created in Section [32B-2-306](#).
- 1391 (21) The School Readiness Restricted Account created in Section [35A-3-210](#).
- 1392 (22) The Youth Development Organization Restricted Account created in Section
1393 [35A-8-1903](#).
- 1394 (23) The Youth Character Organization Restricted Account created in Section
1395 [35A-8-2003](#).
- 1396 (24) Money received by the Utah State Office of Rehabilitation for the sale of certain
1397 products or services, as provided in Section [35A-13-202](#).
- 1398 (25) The Oil and Gas Conservation Account created in Section [40-6-14.5](#).
- 1399 (26) The Electronic Payment Fee Restricted Account created by Section [41-1a-121](#) to
1400 the Motor Vehicle Division.
- 1401 (27) The Motor Vehicle Enforcement Division Temporary Permit Restricted Account
1402 created by Section [41-3-110](#) to the State Tax Commission.
- 1403 (28) The Utah Law Enforcement Memorial Support Restricted Account created in
1404 Section [53-1-120](#).
- 1405 (29) The State Disaster Recovery Restricted Account to the Division of Emergency
1406 Management, as provided in Section [53-2a-603](#).
- 1407 (30) The Department of Public Safety Restricted Account to the Department of Public
1408 Safety, as provided in Section [53-3-106](#).
- 1409 (31) The Utah Highway Patrol Aero Bureau Restricted Account created in Section
1410 [53-8-303](#).
- 1411 (32) The DNA Specimen Restricted Account created in Section [53-10-407](#).
- 1412 (33) The Canine Body Armor Restricted Account created in Section [53-16-201](#).
- 1413 (34) A certain portion of money collected for administrative costs under the School
1414 Institutional Trust Lands Management Act, as provided under Section [53C-3-202](#).
- 1415 (35) The Public Utility Regulatory Restricted Account created in Section [54-5-1.5](#),
1416 subject to Subsection [54-5-1.5\(4\)\(d\)](#).
- 1417 (36) Certain fines collected by the Division of Occupational and Professional Licensing
1418 for violation of unlawful or unprofessional conduct that are used for education and enforcement
1419 purposes, as provided in Section [58-17b-505](#).
- 1420 (37) Certain fines collected by the Division of Occupational and Professional Licensing

1421 for use in education and enforcement of the Security Personnel Licensing Act, as provided in
1422 Section 58-63-103.

1423 (38) The Relative Value Study Restricted Account created in Section 59-9-105.

1424 (39) The Cigarette Tax Restricted Account created in Section 59-14-204.

1425 (40) Funds paid to the Division of Real Estate for the cost of a criminal background
1426 check for a mortgage loan license, as provided in Section 61-2c-202.

1427 (41) Funds paid to the Division of Real Estate for the cost of a criminal background
1428 check for principal broker, associate broker, and sales agent licenses, as provided in Section
1429 61-2f-204.

1430 (42) Certain funds donated to the Department of Human Services, as provided in
1431 Section 62A-1-111.

1432 (43) The National Professional Men's Basketball Team Support of Women and
1433 Children Issues Restricted Account created in Section 62A-1-202.

1434 (44) Certain funds donated to the Division of Child and Family Services, as provided
1435 in Section 62A-4a-110.

1436 (45) The Choose Life Adoption Support Restricted Account created in Section
1437 62A-4a-608.

1438 (46) Funds collected by the Office of Administrative Rules for publishing, as provided
1439 in Section 63G-3-402.

1440 (47) The Immigration Act Restricted Account created in Section 63G-12-103.

1441 (48) Money received by the military installation development authority, as provided in
1442 Section 63H-1-504.

1443 (49) The Computer Aided Dispatch Restricted Account created in Section 63H-7a-303.

1444 (50) The Unified Statewide 911 Emergency Service Account created in Section
1445 63H-7a-304.

1446 (51) The Utah Statewide Radio System Restricted Account created in Section
1447 63H-7a-403.

1448 (52) The Employability to Careers Program Restricted Account created in Section
1449 63J-4-703.

1450 (53) The Motion Picture Incentive Account created in Section 63N-8-103.

1451 (54) Certain money payable for expenses of the Pete Suazo Utah Athletic Commission,

1452 as provided under Section [~~63N-10-301~~] [53-19-301](#).

1453 (55) Funds collected by the housing of state probationary inmates or state parole
1454 inmates, as provided in Subsection [64-13e-104](#)(2).

1455 (56) Certain forestry and fire control funds utilized by the Division of Forestry, Fire,
1456 and State Lands, as provided in Section [65A-8-103](#).

1457 (57) Certain funds received by the Office of the State Engineer for well drilling fines or
1458 bonds, as provided in Section [73-3-25](#).

1459 (58) The Water Resources Conservation and Development Fund, as provided in
1460 Section [73-23-2](#).

1461 (59) Funds donated or paid to a juvenile court by private sources, as provided in
1462 Subsection [78A-6-203](#)(1)(c).

1463 (60) Fees for certificate of admission created under Section [78A-9-102](#).

1464 (61) Funds collected for adoption document access as provided in Sections [78B-6-141](#),
1465 [78B-6-144](#), and [78B-6-144.5](#).

1466 (62) Revenue for golf user fees at the Wasatch Mountain State Park, Palisades State
1467 Park, Jordan River State Park, and Green River State Park, as provided under Section
1468 [79-4-403](#).

1469 (63) Certain funds received by the Division of Parks and Recreation from the sale or
1470 disposal of buffalo, as provided under Section [79-4-1001](#).

1471 (64) Funds collected for indigent defense as provided in Title 77, Chapter 32, Part 8,
1472 Utah Indigent Defense Commission.

1473 Section 42. Section **63N-1-301** is amended to read:

1474 **63N-1-301. Annual report -- Content -- Format.**

1475 (1) The office shall prepare and submit to the governor and the Legislature, by October
1476 1 of each year, an annual written report of the operations, activities, programs, and services of
1477 the office, including the divisions, sections, boards, commissions, councils, and committees
1478 established under this title, for the preceding fiscal year.

1479 (2) For each operation, activity, program, or service provided by the office, the annual
1480 report shall include:

1481 (a) a description of the operation, activity, program, or service;

1482 (b) data and metrics:

1483 (i) selected and used by the office to measure progress, performance, effectiveness, and
1484 scope of the operation, activity, program, or service, including summary data; and

1485 (ii) that are consistent and comparable for each state operation, activity, program, or
1486 service that primarily involves employment training or placement as determined by the
1487 executive directors of the office, the Department of Workforce Services, and the Governor's
1488 Office of Management and Budget;

1489 (c) budget data, including the amount and source of funding, expenses, and allocation
1490 of full-time employees for the operation, activity, program, or service;

1491 (d) historical data from previous years for comparison with data reported under
1492 Subsections (2)(b) and (c);

1493 (e) goals, challenges, and achievements related to the operation, activity, program, or
1494 service;

1495 (f) relevant federal and state statutory references and requirements;

1496 (g) contact information of officials knowledgeable and responsible for each operation,
1497 activity, program, or service; and

1498 (h) other information determined by the office that:

1499 (i) may be needed, useful, or of historical significance; or

1500 (ii) promotes accountability and transparency for each operation, activity, program, or
1501 service with the public and elected officials.

1502 (3) The annual report shall be designed to provide clear, accurate, and accessible
1503 information to the public, the governor, and the Legislature.

1504 (4) The office shall:

1505 (a) submit the annual report in accordance with Section [68-3-14](#);

1506 (b) make the annual report, and previous annual reports, accessible to the public by
1507 placing a link to the reports on the office's website; and

1508 (c) provide the data and metrics described in Subsection (2)(b) to the Talent Ready
1509 Utah Board created in Section [63N-12-503](#).

1510 (5) (a) On or before October 1, 2019, the office shall:

1511 (i) in consultation with the organizations described in Subsection (5)(c), coordinate the
1512 development of a written strategic plan that contains a coordinated economic development
1513 strategy for the state; and

1514 (ii) provide the strategic plan to the president of the Senate, the speaker of the House of
1515 Representatives, and the Economic Development and Workforce Services Interim Committee.

1516 (b) The strategic plan shall:

1517 (i) establish a statewide economic development strategy that consists of a limited set of
1518 clear, concise and defined principles and goals;

1519 (ii) recommend targeted economic development policies that will further the
1520 implementation of the economic development strategy described in this section;

1521 (iii) identify each of the relevant state-level economic development agencies, including
1522 the agencies described in Subsection (5)(c);

1523 (iv) outline the functional role in furthering the state's economic development strategy
1524 for each relevant state-level economic development agency;

1525 (v) establish specific principles and make specific recommendations to decrease
1526 competition and increase communication and cooperation among state-level economic
1527 development agencies, providers and administrators of economic development programs in the
1528 state, nonprofit entities that participate in economic development in the state, and local
1529 governments;

1530 (vi) recommend a fundamental realignment of economic development programs in the
1531 state to ensure each program's purpose is congruent with the mission of the organization within
1532 which the program is located;

1533 (vii) address rural economic development by:

1534 (A) establishing goals and principles to ensure the state's economic development
1535 strategy works for both urban and rural areas of the state; and

1536 (B) providing recommendations on how existing rural economic development
1537 programs should be restructured or realigned;

1538 (viii) assess the effectiveness of the state's economic development incentives and make
1539 recommendations regarding:

1540 (A) how incentive policies could be improved; and

1541 (B) how incentives could be better coordinated among state-level economic
1542 development agencies and local governments;

1543 (ix) make recommendations regarding how to align the state's economic development
1544 strategy and policies in order to take advantage of the strengths and address the weaknesses of

1545 the state's current and projected urban and rural workforce;

1546 (x) make recommendations regarding how to monitor and assess whether certain
1547 economic development policies further the statewide economic development strategy described
1548 in this section, including recommendations on performance metrics to measure results; and

1549 (xi) align the strategic plan with each element of the statewide economic development
1550 strategy.

1551 (c) The office shall coordinate the development of the strategic plan by working in
1552 coordination with and obtaining information from other state agencies, including:

1553 (i) the Department of Workforce Services;

1554 (ii) the Office of Energy Development;

1555 (iii) the State Board of Education;

1556 (iv) the State Board of Regents; and

1557 (v) the Utah System of Technical Colleges Board of Trustees.

1558 (d) If contacted by the office, other state agencies, including those described in
1559 Subsection (5)(c), shall, in accordance with state and federal law, share information and
1560 cooperate with the office in coordinating the development of the strategic plan.

1561 Section 43. Section **63N-12-505** is enacted to read:

1562 **63N-12-505. Utah Works.**

1563 (1) There is created within the center the Utah Works Program.

1564 (2) The program, under the direction of the center and the talent ready board, shall
1565 develop workforce solutions that meet the needs of businesses that are creating jobs and
1566 economic growth in the state by:

1567 (a) partnering with the office, the Department of Workforce Services, the Utah System
1568 of Higher Education, and the Utah System of Technical Colleges;

1569 (b) identifying businesses that have significant hiring demands in the state;

1570 (c) coordinating with the Department of Workforce Services to create effective
1571 recruitment initiatives to attract student and workforce participants and business participants to
1572 the program;

1573 (d) coordinating with the Utah System of Higher Education and the Utah System of
1574 Technical Colleges to develop educational and training resources to provide student
1575 participants in the program qualifications to be hired by business participants in the program;

1576 and

1577 (e) coordinating with the Board of Education and local education agencies when
1578 appropriate to develop educational and training resources to provide student participants in the
1579 program qualifications to be hired by business participants in the program.

1580 (3) The office, in consultation with the talent ready board, may, in accordance with
1581 Title 63G, Chapter 3, Utah Administrative Rulemaking Act, and in accordance with the
1582 provisions of this section, make rules regarding the development and administration of the
1583 Utah Works Program.

1584 (4) The center shall report the following metrics to the office for inclusion in the
1585 office's annual report described in Section [63N-1-301](#):

1586 (a) the number of participants in the program;

1587 (b) the number of participants who have completed training offered by the program;

1588 and

1589 (c) the number of participants who have been hired by a business participating in the
1590 program.

1591 **Section 44. Appropriation.**

1592 The following sums of money are appropriated for the fiscal year beginning July 1,
1593 2019, and ending June 30, 2020. These are additions to amounts previously appropriated for
1594 fiscal year 2020. Under the terms and conditions of Title 63J, Chapter 1, Budgetary Procedures
1595 Act, the Legislature appropriates the following sums of money from the funds or accounts
1596 indicated for the use and support of the government of the state of Utah.

1597 ITEM 1

1598 To Governor's Office of Economic Development -- Talent Ready Utah Center

1599 From General Fund, One-time \$4,000,000

1600 From General Fund \$1,000,000

1601 Schedule of Programs:

1602 Utah Works Program \$5,000,000

1603 **Section 45. Effective date.**

1604 This bill takes effect on July 1, 2019.

1605 **Section 46. Coordinating S.B. 172 with H.B. 297 -- Substantive amendments.**

1606 If this S.B. 172 and H.B. 297, Long Term Planning Subcommittee, both pass and

1607 become law, it is the intent of the Legislature that Subsection [63N-1-301\(5\)\(a\)\(ii\)](#) of this bill be
1608 amended to read:

1609 "(ii) provide the strategic plan to the Long Term Planning Subcommittee of the
1610 Legislative Management Committee and the Economic Development and Workforce Services
1611 Interim Committee."