



State Legislative Highlights

— after 45 day session

The Utah Legislature's 2022 General Session

began on Tuesday, January 18th and ended on Friday, March 4th. This year's session began with COVID infections way up, but unlike last year, there were no COVID health restrictions. All committee meetings were in-person and open to the public, but also live-streamed, giving the public an opportunity to speak on any bill.

In the first week of the session, not wanting the Salt Lake County Health Department's 30-day mask mandate to stand, the Legislature quickly passed a joint-resolution (1st Sub SJR 3) to override the mandate, which Governor Cox had already weakened by claiming masks could not be mandated in state government buildings.

Governor Cox also gave his annual State-of-the-State address, which had an impassioned plea for everyone to work together for the common good of the State and to put aside our differences. He also parroted the House Majority Caucus' "Policy Pillars," which outline their priorities for the session, including water conservation and saving the Great Salt Lake, proposing \$970 million for education innovation, and addressing Utah's housing and infrastructure needs with sustainable growth.

By week three, Rep. Hawkes' proposed alcohol amendments were released under Senator Stevenson's name as **SB176, Alcoholic Beverage Control Act Amendments**, and is the annual omnibus alcohol bill. SB176 covers multiple subjects, including one that directly affects UPMRA members that precludes the sale of certain beer products that DABC had previously, although inadvertently, allowed to be sold based upon content and brewing process. **The majority of malt products will still be able to be sold by off-premise retail licensees,**

but some will not. The bill does provide for a transition period to allow retailers to sell current inventories. SB 176 passed on the last night and awaits the Governor's action. We've been informed that next session a bill will be introduced that would return all malt beverages to Convenience and Grocery stores.

Addressing Legislative Leadership's goal that **2022 is the year of the tax cut, SB59, Tax Amendments** contained all aspects of tax relief to be granted this session. The 4th Substitute, SB 59, (1) deletes the personal property tax and sales and use tax provisions dealing with "supplies" and tangible personal property consumed in the performance of a taxable service, but (2) increases the social security benefits tax credit by raising the threshold for the income-based phase-out, while (3) maintaining a .1% reduction in the income tax rate from 4.95% to 4.85%. The bill passed in week 4, and was quickly signed by Governor Cox.

In an attempt to be more transparent, the Legislature has strengthened its rules about the requirement that a bill needs to have a committee hearing in both the House and Senate before it can be considered for final passage. Consequently, there were committee meetings scheduled for Monday and Tuesday of the last week of the session, with very long agendas.

2nd Sub. HB 60, the "vaccine passport" bill passed the House in week 6, by 51 to 23 votes, rebuffing attempts to amend or defeat it. Four days before the session ended, HB60 had a rowdy Senate committee hearing when bill supporters refused to stop flashing their support stickers in the audience; a violation of committee rules. One protester even left in handcuffs, before the bill was debated and then passed out favorably to the Senate Floor. However, bad press from the incident led Senate leadership to issue a statement vowing to review some of its committee meeting protocols. HB 60 was put on the Senate Board Wednesday afternoon, but was not further considered before time ran out Friday night.

A vaccine bill that did pass: **HB 63 COVID-19 Vaccine Exemptions** provides an employee or prospective employee an exemption to vaccination, if they can provide a "note" from a primary care provider indicating that the employee or prospective employee has had and recovered from COVID-19. The bill's language has exemptions for healthcare facilities and for employers who have contracts



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UTAH Petroleum Marketers & Retailers Association Report

with federal facilities and healthcare facilities that require vaccinations as part of the contract.

Finally, House leadership attempted to pass a resolution seeking a November 2022 Vote on a constitutional amendment to modify the education earmark for income tax, in order to provide the Legislature further flexibility in dealing with increasing income tax revenues. Leadership could not obtain the necessary support from House members or the education community so the resolution was never debated. Legislative leadership will likely bring this issue up again; fearing at some point there will be too little General Fund revenues to fund all the General Fund needs, while the Education Fund is flush with income tax revenues.

Of the 819 bills and resolutions that were introduced this session, 513 bills and resolutions passed and await the Governor's action.

EMA News

At January's EMA Executive Committee meeting, a goal and motto for the 2022 EMA SBC PAC was proposed: **100% participation!**

100% participation means that we need each and every EMA member state, and each and every member of each member state to participate in the SBC PAC FUND.

Help EMA achieve this goal with a contribution of any amount.

Go directly to the EMA website and make a contribution (password is UTAH): <https://www.energymarketersofamerica.org/advocacy/sbc-pac>.



John Hill
UPMRA Executive Director

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Go here to contribute and enter "UTAH" as the password for our state

