

# 2021 Legislative Report

## GrassRoots

*Committed to Promoting the Principles of Limited Government, Constitution, Representative Government, Participatory Republic, Free Market Economy, Family, and Separation of Powers*

UtahGrassRoots.org

Annual Report on Utah's Legislature

April 2021

### A Step Forward

A step forward.

While a small step forward, the 2021 Utah Legislative session was an improvement over previous sessions, but we continue to see a trend that should be concerning for those who believe in deliberative government. We continue to see a trend of passing too many bills during the 45-day session.

During the session over 503 bills were passed. This means that during the session an average of 11 bills were passed per day. This does not include bills that passed one body but not both nor those that were defeated.

The high volume of bills makes it hard to have a deliberative body. At the beginning of each session, GrassRoots issues a prompt which asks lawmakers if they have read the bill. The sheer volume of bills would lead us to believe that many legislators are voting on bills they have not read.

One of the first bills passed during the session was HB 60 which allows an individual to conceal carry without a permit, while the Constitution is clear that the "right to keep and bear arms shall not be infringed," state government has been putting limits on this God-given right.

The passed bills which protected a student's first amendment rights and their right to privacy.

On the downside, the Utah government's budget has increased spending by 64.7% since 2015-16. This year's budget increased spending by \$2.3 billion over the previous year.

### Christensen and Petersen Receive Perfect Scores. Kennedy Tops Senate.

**House Summary:** Steve Christensen (R-SL) and Mike Petersen (R-CA) received perfect scores on this year's report. Finishing over 90% were Adam Robertson (R-UT), Mark Strong (R-UT), Walt Brooks (R-WA), Travis Seegmiller (R-WA) and Ryan Wilcox (R-WB).

**Senate Summary:** Mike Kennedy (R-UT) received the top score in the Senate. Rounding out the top 10% were Dan McKay (R-SL), Lincoln Filmore (R-SL) and John Johnson (R-WB).

**Governor:** Governor Cox received a 61%

**Averages:** The House received an average score of 46% compared to the lifetime score of 44%. The Senate averaged a 52% which is above the Senators average of 46%.

### What is GrassRoots?

GrassRoots has been issuing an annual legislative report card since 1992. The Constitutions of the nation and state are the guides that GrassRoots uses in picking issues for its legislative report card. Bills are picked without regard to any individual. GrassRoots has no paid staff.

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## GrassRoots

Bills are listed by number with house bills listed first. The sponsor(s) of the bill is in parentheses with the primary sponsor listed first. The tally on bills from each house is listed by Yeas, Nays and those Absent or Not Voting. Text of all bills can be found at <http://le.utah.gov>.

**A) H.B. 60 (W. Brooks, D. Hinkins)** Strengthens second-amendment rights by allowing an individual who is 21 years old or older to lawfully conceal carry a firearm without a permit. The second amendment states, "The right to keep and bear arms shall not be infringed." Citizens should not have to ask the government for permission to exercise a constitutionally protected right. **GrassRoots approves of a YES vote. Passed the House (51-20-4), Senate (23-6-0) and was signed into law by the Governor.**

**B) H.B. 81 (M. Winder, L. Fillmore)** Adds mental or behavior health as a valid excuse for a school absence. Parents are ultimately responsible for raising their children and should not be accountable to school administrators. GrassRoots prefers parents should not have to provide an excuse, but this bill is a step in the right direction. **GrassRoots approves of a YES vote. Passed the House (60-5-10), Senate (29-0-0) and was signed into law by the Governor.**

**C) H.B. 116 (A. Robertson, L. Fillmore)** Protects parental rights by prohibiting an LEA from requiring documentation from a medical professional for a school absence. **Grassroots approves of a YES vote. Passed the House (48-22-5), Senate (27-2-0) and was signed into law by the Governor.**

**D) H.B. 132 (M. Ballard)** Increases government regulation by requiring a cosmetology facility to post an informational notice concerning where individuals may obtain information about rules governing the cosmetology facility. Facilities could be fined up to \$500 for failing to comply. **GrassRoots approves of a NO vote. Failed in the House (32-36-7).**

**E) H.B. 154 (K. Birkeland, D. Kitchen)** Creates more governmental accountability by setting a timeline for investigations into an officer's use of force. Government answers to the people. By setting a deadline and consequences if the deadlines are not met, it ensures that government answers to its citizens. **GrassRoots approves of a YES vote. Passed the House (72-0-3) but failed in the Senate (13-15-1).**

**F) H.B. 159 (J. Tuescher, T. Weiler)** Protects freedom of speech for college students by prohibiting an institution of higher education from sanctioning or disciplining certain acts of speech that do not constitute discriminatory harassment. **GrassRoots approves of a YES vote. Passed the House (60-11-4), Senate (26-0-3) and was signed into law by the Governor.**

**G) H.B. 192 (R. Ward, C. Bramble)** Expands government by expanding Medicaid coverage for fertility preservation. Enactment of this bill increases Medicaid funding to the state by over \$1.3 million in fiscal year 2024. Currently our federal government is almost \$30 trillion in debt. Bill is also another step on the way to socialized medicine. **GrassRoots approves of a**

**NO vote. Passed the House (58-12-5), Senate (26-2-1) and was signed into law by the Governor.**

**H) H.B. 227 (K. Lisonbee, D. Hinkins)** Strengthens the right of self-defense for police officers by defining the justifiable use or threatened use of force. It also establishes procedures for determining the applicability of the defense. **GrassRoots approves of a YES vote. Passed the House (56-17-2), Senate (22-5-2) and was signed into law by the Governor.**

**I) H.B. 233 (M. Strong, M. Kennedy)** Protects the rights of students by prohibiting the Utah Board of Higher Education from requiring proof of vaccinations unless certain vaccination exemptions are available. **GrassRoots approves of a YES vote. Passed the House (48-22-5), Senate (21-7-1) and was signed into law by the Governor.**

**J) H.B. 262 (D. Welton, M. McKell)** Creates the Children's Health Care Coverage Program. Enactment of this bill increases federal funds to the state by \$574,300 each year, while also providing for an additional \$172,500 of spending from Utah's General Fund. The primary purpose of this legislation is to promote health insurance coverage for children. This is not the proper role of government. **GrassRoots approves of a NO vote. Passed the House (63-8-4), Senate (24-4-1) and was signed into law by the Governor.**

**K) H.B. 283 (M. Wheatley, J. Anderegg)** Enlarges government by creating the unelected Community and Police Relations Commission. Instead of creating another board, government should utilize the legislative branch which is comprised of elected representatives and is meant to be a check on the executive branch. **GrassRoots approves of a NO vote. Passed the House (39-29-7) but did not come up for a vote in the Senate.**

**L) H.B. 302 (K. Birkeland, C. Bramble)** Protects the rights and sometimes even safety of female high school athletes by not allowing males to compete in female sports. **GrassRoots approves of a YES vote. Passed the House (50-23-2) but did not come up for a vote in the Senate.**

**M) H.B. 308 (R. Spendlove, D McCay)** Conserves the rights of citizens by prohibiting a governmental entity from requiring that an individual receive a vaccine for Covid-19. In a free society, citizens can choose the health care that best fits their beliefs. **GrassRoots approves of a YES vote. Passed the House (66-2-7), Senate (26-0-3) and was signed into law by the Governor.**

**N) H.B. 415 (P. Lyman, D. Hinkins)** One of the great dangers to our country is the growing number of executive orders signed by the President of the United States. These orders regularly violate the principle of separation of powers by putting too much power into the hands of the executive branch. Bill strengthens tenth amendment rights by requiring the Constitutional Defense Council to review the orders and authorizes the attorney general or governor to seek to have the executive order declared unconstitutional. **Grassroots approves of a YES vote. Passed the House (55-17-3), Senate (18-6-5) and was signed into law by the Governor.**

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**O) H.C.R. 8 (K. Lisonbee, J. Johnson)** Protects the family by reaffirming that parents are primarily responsible for the education of their children. **GrassRoots approves of a YES vote. Passed the House (53-14-8), Senate (21-5-3) and was signed into law by the Governor.**

**P) S.B. 12 (J. Anderegg, B. Brammer)** Reauthorizes all state agency administrative rules. Bill raises Constitutional concerns as the Utah State Constitution, Article VII Section 5 states, “The executive power of the state shall be vested in the Governor who shall see the laws are faithfully executed.” Does the legislature need to reauthorize executive rules? Also, to the extent that any administrative rules are legislative in their nature, this would seem contrary to Article V, Section 1 of our state constitution, which says: “The powers of the government of the State of Utah shall be divided into three distinct departments, the Legislative, the Executive, and the Judicial; and no person charged with the exercise of powers properly belonging to one of these departments, shall exercise any functions appertaining to either of the others, except in the cases herein expressly directed or permitted.” While some argue the legislature must reauthorize the rules, it is alarming the legislature reauthorized all administrative rules in one bill with no changes as the bill simply states, “All rules of Utah state agencies are reauthorized.” It is contrary to the principle of limited government that every rule of every state agency is satisfactory and does not need to be changed. Hence a vote for this bill states a legislator agrees with current roles of our growing state government. **GrassRoots approves of a NO vote. Passed the House (69-0-6), Senate (28-0-1) and was signed into law by the Governor.**

**Q) S.B. 63 (W. Harper, J. Daily-Provost)** Increases government spending by \$8.7 million (\$5.75 from federal government) to implement a program to reimburse a spouse who provides extraordinary personal care services to a waiver enrollee. **GrassRoots approves of a NO vote. Passed the House (58-11-6), Senate (28-0-1) and was signed into law by the Governor.**

**R) S.B. 65 (W. Harper, S. Handy)** Authorizes an agency to enter an interlocal agreement to use property tax revenue for agency-wide project development and requires a certain amount of property tax revenue for affordable housing. None of these are the proper role of government. **GrassRoots approves of a NO vote. Passed the House (52-18-5), Senate (22-5-2) and was signed into law by the Governor.**

**S) S.B. 87 (C. Bramble, C. Pierucci)** Creates an exemption from licensure under the cosmetology act for an individual who only dries, styles arrange, dresses, curls, hot irons shampoos or conditions hair. One would ask why government must license individuals who cut and style hair in the first place, but while GrassRoots feels this bill could go further it is a good start. **GrassRoots approves of a YES vote. Passed the House (50-22-3), Senate (21-8-0) and was signed into law by the Governor.**

**T) S.B. 157 (D. Thatcher, M. Wheatley)** Requires the Department of Public Safety to develop and administer a program to assist municipalities and counties to establish citizen advisory

boards. While GrassRoots supports citizens having a voice in government, we are concerned with how these advisory boards would be chosen and what powers they would have. An unelected board only has accountability to those who appoint it. The best solution is making elected city and county councils and county commissioners the advisory board, as they are elected by the citizens and are ultimately accountable directly to them. **GrassRoots approves of a NO vote. Passed the Senate (21-6-2) but did not come up for a vote in the House.**

**U) S.B. 158 (L. Escamilla, F. Gibson)** Increases government spending by \$5.4 million in 2022 and \$9.4 million in 2023 to create the Children’s Coverage Outreach Pilot Program with the aim of increasing health insurance coverage for children. Program aims to put more children on government assistance. Healthcare is not the proper role of government. If individuals want to provide health care to individuals who cannot afford it, this should be done privately and not relying upon the federal government which is almost \$30 trillion in debt. **GrassRoots approves of a NO vote. Passed the Senate (20-5-4) but did not come up for a vote in the House.**

**V) S.B. 167 (R. Winterton, M. Kohler)** Increases inequality under the law by giving special tax breaks totaling \$1.6 million to the movie industry. **GrassRoots approves of a NO vote. Passed the House (46-21-8), Senate (19-9-1) and became law without the Governor’s signature. (For scoring GrassRoots is considering this bill as if the governor signed the bill as his not signing bill was the equivalent of signing the bill).**

**W) S.B. 194 (D. Owens, S. Lund)** Expands government and increases spending by \$355,000 per year to create the “Utah Main Street Program”. **GrassRoots approves of a NO vote. Passed the House (45-23-7), Senate (23-3-3) and was signed into law by the Governor.**

**X) S.B. 204 (K. Cullimore, R. Spendlove)** One of the impediments to business is the permitting process. Bill requires a local entity or state agency to decide on a permit application within a specified time but allows exceptions. The permit is approved if the entity fails to act and provides an appeal process if a permit is denied. **GrassRoots approves of a YES vote. Passed the Senate (19-9-1) but did not come up for a vote in the House.**

**Y) S.B. 207 (K. Riebe, A. Stoddard)** Increases government involvement in commerce by prohibiting a business that provides a certain cleanup service from charging “a vulnerable consumer an unconscionable price” for its service. In the circumstances to be addressed by the bill, it would be more appropriate for government to punish actual fraud than to risk unwarranted meddling in pricing decisions freely made by service providers and consumers. **GrassRoots approves of a NO vote. Passed the Senate (26-3-0) but failed in the House (25-44-6).**

**Z) S.B. 219 (D. McCay, C. Pierucci)** Decriminalizes certain truancy violations until 2022. Parents should make determinations for their children attending school. Bill is a good beginning but let us hope it becomes permanent. **GrassRoots**

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**approves of a YES vote. Passed the House (52-18-5), Senate (24-0-5) and was signed into law by the Governor.**

**AA) S.B. 242 (J. Johnson, R. Wilcox)** Empowers parents, students, and teachers by enacting a one-time refundable tax credit that an individual may claim for a dependent education expenses resulting from disenrollment in public education and enrollment in private education or home school. Tax credits allow parents and students to choose the best education for their children. Tax credits also empower teachers as it creates more of a market for their services by providing more choices.

**GrassRoots approves of a YES vote. Failed in the Senate (12-14-3**

**BB) S.J.R. 15 (D. Hinkins, P. Lyman)** Recognizes the importance of the separation of powers by requesting that the Utah Attorney General review executive orders of the President of the United States and evaluate whether an executive order exceeds the President's power and violates the Constitution. Also requests the Utah Attorney General to initiate litigation if an executive order exceeds the President's power and unlawfully infringes on the rights and powers of the state of Utah.

**GrassRoots approves of a YES vote. Passed the House (57-14-4) and Senate (24-3-2).**

# Liberty Quotes

*Freedom is not a gift bestowed upon us by other men, but a right that belongs to us by the laws of God and Nature. Benjamin Franklin*

*It will be found an unjust and unwise jealousy to deprive a man of his natural liberty upon the supposition he may abuse it. George Washington*

*Liberty is not collective, it is personal. All liberty is individual liberty. Calvin Coolidge*

*You will never know how much it has cost my generation to preserve your freedom. I hope you will make a good use of it. John Adams*

*Those who would give up essential liberty, to purchase a little temporary safety, deserve neither liberty nor safety. Benjamin Franklin*

*Most bad government has grown out of too much government. Thomas Jefferson*

*"THESE are the times that try men's souls. The summer soldier and the sunshine patriot will, in this crisis, shrink from the service of their country; but he that stands by it now, deserves the love and thanks of man and woman. Tyranny, like hell, is not easily conquered; yet we have this consolation with us, that the harder the conflict, the more glorious the triumph. What we obtain too cheap, we esteem too lightly: it is dearness only that gives everything its value. Heaven knows how to put a proper price upon its goods; and it would be strange indeed if so celestial an article as FREEDOM should not be highly rated" Thomas Paine*

Utah State Senate 2021 Voting Summary		Y or y="yes", N or n="no"; a=absent or not voting; Y or N=good vote; y or n=bad vote																														
Rep-Party	Dist	County(ies)	2021 Scores	Lifetime Scores	HB 60	HB 81	HB 116	HB 154	HB 159	HB 192	HB 262	HB 233	HB 308	HB 415	HCR 8	SB 12	SB 63	SB 65	SB 87	SB 157	SB 158	SB 167	SB 194	SB 204	SB 207	SB 219	SB 242	SJR 15				
<b>GrassRoots Recommended Votes</b>					Y	Y	Y	Y	N	N	Y	Y	Y	Y	Y	N	N	N	Y	N	N	N	N	Y	N	Y	Y	Y	Y			
Stuart Adams-R	22	Davis	55%	47%	Y	Y	Y	n	Y	a	y	Y	Y	Y	Y	y	y	y	Y	a	y	y	y	Y	y	a	Y	Y				
Jake Anderegg	13	Utah Salt Lake	60%	59%	Y	Y	Y	Y	Y	y	y	a	a	Y	a	y	y	a	Y	y	a	N	a	Y	y	Y	Y	Y				
Curtis Bramble-R	16	Utah/Wasatch	55%	52%	Y	Y	Y	n	Y	y	y	Y	Y	a	Y	y	y	y	Y	y	a	y	y	Y	y	Y	Y	Y				
Gregg Buxton	20	Davis/Weber	54%	32%	Y	Y	Y	n	Y	y	y	Y	Y	Y	Y	y	y	y	Y	y	y	y	y	Y	y	Y	Y	Y				
Kirk Cullimore	9	Salt Lake	59%	48%	Y	Y	Y	Y	Y	y	a	Y	Y	a	a	y	y	y	Y	N	y	y	y	Y	y	Y	Y	Y				
Gene Davis-D	3	Salt Lake	26%	22%	n	Y	Y	Y	Y	y	n	a	n	n	y	y	y	y	Y	y	y	y	y	n	Y	n	a	Y				
Luz Escamilla-D	1	Salt Lake	26%	22%	n	Y	n	Y	Y	y	y	n	a	n	n	y	y	N	Y	y	y	y	y	n	y	Y	n	a				
Lincoln Filmore-R	10	Salt Lake	75%	56%	Y	Y	Y	Y	n	y	y	Y	Y	Y	Y	y	y	N	Y	y	N	N	N	Y	N	Y	Y	Y				
Keith Grover-R	15	Utah	58%	64%	Y	Y	Y	n	Y	y	y	Y	Y	Y	Y	y	y	Y	y	N	Y	N	Y	Y	Y	Y	Y	Y				
Wayne Harper-R	6	Salt Lake	61%	60%	Y	Y	Y	n	Y	y	y	Y	Y	Y	Y	y	y	Y	N	N	N	N	y	n	y	a	Y	Y				
David Hinkins-R	27	*	50%	54%	Y	Y	Y	n	Y	y	y	Y	Y	Y	Y	y	y	Y	y	y	y	y	y	Y	y	Y	n	Y				
Don Ipson-R	29	Washington	50%	43%	Y	Y	Y	n	Y	y	y	Y	Y	Y	Y	y	y	Y	y	n	y	a	y	y	Y	Y	a	Y				
Jani Iwamoto-D	4	Salt Lake	25%	21%	n	Y	n	Y	Y	y	n	Y	n	n	y	y	N	n	y	y	y	y	y	n	y	Y	n	n				
John Johnson-R	19	*	75%	75%	Y	Y	Y	n	Y	N	N	Y	Y	Y	Y	y	y	Y	y	N	Y	N	Y	Y	N	Y	Y	Y				
Mike Kennedy-R	14	Utah	79%	70%	Y	Y	Y	Y	Y	N	N	Y	Y	Y	Y	y	y	Y	y	N	N	N	N	Y	y	Y	Y	Y				
Derek Kitchen-D	2	Salt Lake	25%	17%	n	Y	Y	Y	n	y	y	n	Y	n	n	y	y	N	n	y	y	y	y	n	y	Y	n	n				
Karen Mayne-D	5	Salt Lake	35%	28%	n	Y	Y	Y	Y	y	y	Y	Y	n	a	y	y	N	n	y	y	y	y	n	y	Y	n	n				
Dan McKay-R	11	Salt Lake, Utah	78%	76%	Y	Y	Y	Y	Y	y	N	Y	Y	a	Y	y	y	Y	y	N	N	N	N	Y	N	Y	Y	Y				
Mike McKell-R	7	Salt Lake	55%	61%	Y	Y	Y	n	Y	y	y	Y	Y	Y	Y	y	y	Y	y	y	y	a	Y	y	a	Y	Y	Y				
Ann Millner-R	18	Weber/Davis/Mo	52%	34%	Y	Y	Y	Y	Y	y	y	Y	Y	Y	Y	y	y	Y	a	y	y	y	n	y	Y	n	Y	Y				
Derrin Owens-R	24	*	57%	46%	Y	Y	Y	n	Y	y	y	Y	Y	Y	Y	y	y	Y	N	y	a	y	Y	y	Y	n	Y	Y				
Kathleen Riebe-D	8	Salt Lake	26%	20%	n	Y	Y	n	Y	y	y	n	Y	n	a	y	y	n	y	y	y	a	n	y	Y	n	Y	Y				
Scott Sandall-R	17	*	54%	46%	Y	Y	Y	n	Y	y	y	Y	Y	Y	Y	y	y	n	N	y	N	y	Y	y	Y	n	Y	Y				
Jerry Stevenson-R	21	Davis	53%	43%	Y	Y	Y	a	Y	y	y	Y	Y	a	Y	y	y	a	Y	N	a	y	y	n	y	a	a	Y				
Daniel Thatcher-R	12	SL/Tooele	47%	43%	Y	Y	Y	n	n	y	y	Y	Y	a	Y	a	a	Y	Y	y	y	y	y	Y	y	a	a	Y				
Evan Vickers-R	28	*	54%	48%	Y	Y	Y	Y	Y	y	y	Y	Y	Y	Y	y	y	Y	y	y	y	y	y	Y	y	Y	n	Y				
Todd Weiler-R	23	Davis/Salt Lake	43%	37%	Y	Y	Y	Y	Y	y	n	Y	Y	Y	Y	y	y	n	Y	y	y	y	a	y	Y	n	Y	Y				
Chris Wilson-R	25	Cache	58%	58%	Y	Y	Y	n	Y	y	y	Y	Y	Y	Y	y	y	Y	N	y	N	y	Y	y	Y	n	Y	Y				
Ronald Winterton-R	26	Salt Lake	50%	40%	Y	Y	Y	n	Y	y	N	Y	Y	Y	Y	y	y	n	y	y	y	y	Y	y	Y	n	Y	Y				
<b>GrassRoots Recommended Votes</b>					Y	Y	Y	Y	Y	N	Y	Y	Y	Y	Y	N	N	N	Y	N	N	N	N	Y	Y	Y	Y	Y				
					HB 60	HB 81	HB 116	HB 154	HB 159	HB 192	HB 262	HB 233	HB 308	HB 415	HCR 8	SB 12	SB 63	SB 65	SB 87	SB 157	SB 158	SB 167	SB 194	SB 204	SB 207	SB 219	SB 242	SJR 15				
<b>Good Vote</b>																																
<b>Top 10%</b>																																
<b>Bottom 10%</b>																																
*Senate District 17 includes Box Elder, Tooele, Cache Counties																																
*Senate District 18 includes Davis, Morgan, Weber Counties																																
*Senate District 19 includes Morgan, Weber, Summit Counties																																
*Senate District 24 includes Beaver, Garfield, Juab, Kane, Millard, Piute, Sanpete, Sevier, Utah, Wayne Counties																																
*Senate District 26 includes Daggett, Duchesne, Summit, Uintah, Wasatch Counties																																
*Senate District 27 includes Carbon, Emery, Grand, San Juan, Utah, Wasatch Counties																																
*Senate District 28 includes Beaver, Iron, Washington Counties																																
					2021 Scores	Lifetime Scores	HB 60	HB 81	HB 116	HB 159	HB 192	HB 227	HB 233	HB 262	HB 308	HB 415	HCR 8	SB 12	SB 63	SB 65	SB 87	SB 167	SB 194	SB 219	2021 Scores	Lifetime Scores						
<b>Governor</b>																																
<b>GrassRoots Recommended Votes</b>					Y	Y	Y	Y	N	Y	Y	N	Y	Y	Y	N	N	N	Y	N	N	N	Y									
Spencer Cox-UT					61%	53%	Y	Y	Y	Y	y	Y	Y	y	Y	Y	Y	y	y	y	Y	y*	y	Y	61%	53%						
*While Governor Cox did not sign SB 167. His failure to veto allowed the bill to become law. For scoring purposes GrassRoots is considering this the same as a Yes vote.																																
Governor Cox's lifetime score includes his time in the Utah House																																

**Help Spread the Message of Limited Government:**

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