

# 2023 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 2023

### It's All Taxpayer Dollars

Watch the Legislature long enough, and you will undoubtedly hear the costs to Utah taxpayers will be minimal or zero.

One important fact is left off while the cost to the state will be minimal, these bills rely upon federal dollars.

These bills generally involve Medicaid funding.

This year was no exception. This year, bills that made these promises included H.B. 252, S.B. 19, S.B. 133, and S.B. 192.

These bills require millions of dollars from a federal government over \$30 trillion in debt and weaken Utah's sovereignty.

In addition to increasing the federal deficit, lawmakers passed several bills (H.B. 477, S.B. 240, and S.B. 288), increasing government spending and exceeding the government's proper role.

We are grateful to lawmakers for passing broad-based tax reductions. Still, when the government extends beyond its proper role and raises spending by millions of dollars, it demonstrates that the Legislature could have cut taxes by much more than it did.

Other good bills passed protected the right to life, and second amendment rights, protected children and strengthened parental rights.

Overall a better session of the Legislature but one that spent too much money.

### Lyman and Petersen Receive Top Scores. Kennedy Tops Senate.

**House Summary:** Phil Lyman (R-SJ) and Mike Petersen (R-CA) received top scores of all legislators on this year's GrassRoot report. Rounding out the top 10% were Mark Strong (R-SL), Brady Brammer (R-UT), Ryan Wilcox (R-WB), Kera Birkeland (R-MG), Trevor Lee (R-DA), and Rex Shipp (R-IR).

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

**Governor:** Governor Cox received a 63%

**Averages:** The House received an average score of 60% compared to the lifetime score of 45%. The Senate averaged a 48% which is below the lifetime average of 50%.

### 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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The tally of bills from each House is listed by Yeas, Nays, and those Absent or Not Voting. 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. Text of all bills can be found at <http://le.utah.gov>.

A) **H.B. 54 (S. Eliason, D. McCay)** Reduces taxes by an estimated \$962 million over the next three fiscal years by reducing individual and corporate income tax rates from 4.85% to 4.65%. Broad-based income tax reduction is essential to appropriately limiting the size and reach of government. **GrassRoots approves of a YES vote. Passed the House (50-11-14), Senate (22-6-1), and was signed by the Governor.**

B) **H.B. 107 (K. Lisonbee, J. Johnson)** Waives the fee for a school employee to obtain a concealed weapons permit in certain circumstances. While we prefer a permit not to be required, this bill reduces government fees and **makes it easier for individuals to exercise their God-given rights. GrassRoots approves of YES vote. Passed the House (57-12-6), Senate (22-6-1), and was signed by the Governor.**

C) **H.B. 131 (W. Brooks, M. Kennedy)** Protects an individual's right to control their bodies by **prohibiting places of public accommodation, governmental entities, and employers from discriminating against individuals** based on vaccination status. **GrassRoots approves of a YES vote. Passed the House (60-13-2), Senate (21-5-3) and was signed by the Governor.**

D) **H.B. 219 (K. Lisonbee, E. Vickers)** Makes Utah a "Sanctuary State" for the second amendment by declaring that the state and its political subdivisions will not enforce federal regulations that purport to restrict or ban certain firearms, ammunition, or firearms accessories. **GrassRoots approves of a YES vote. Passed the House (60-13-2), Senate (20-6-3) and was signed by the Governor.**

E) **H.B. 229 (M. Ballard)** Creates an unfunded mandate on local education agencies by requiring LEAs to provide employees paid parental and postpartum recovery leave. **These decisions should be made by local school boards, which have to bear the burden of the increased costs. GrassRoots approves of a NO vote. Failed in the House (30-39-6).**

F) **H.B. 239 (R. Ward)** The bill requires certain hospital systems to collectively select a method that allows a health care provider to access patient information for the patient the health care provider is treating. **Bill is unwarranted government interference in the marketplace and appears to invade patients' privacy without their permission and without Probable Cause. GrassRoots approves of a NO vote. Failed in the House (28-41-6).**

G) **H.B. 252 (J. Dailey-Provost, C. Bramble)** Increases government spending by \$1.4 million over the next two fiscal years by requiring ] Utah's Department of Health and Human Services to apply for a Medicaid waiver or state plan amendment to provide wraparound services to qualified individuals with a disability. **These types of services are best performed through private charity and are not the proper role of government. GrassRoots approves of a NO vote. Failed in the House (36-36-3).**

H) **H.B. 281 (C. Acton, M. McKell)** Protects citizens and upholds the principle of Equal Treatment Under The Law by **prohibiting the government from using, supporting, or otherwise participating in a social credit scoring system.** Countries such as China use a social credit system to infringe God-given rights. **GrassRoots approves of a YES vote. Passed the House (60-14-1), Senate (18-5-6) and was signed into law by the Governor.**

I) **H.B. 294 (N. Abbot, K. Grover)** Requires certain state and local government entities to disclose certain budget and population growth information. Transparency in government spending empowers taxpayers and improves government spending. In an era of sometimes-relentless growth of government, taxpayers and their representatives should be better informed about any proposed spending growth. **GrassRoots approves of a YES vote. Passed the House (49-26-0) but did not come up for a floor vote in the Senate.**

J) **H.B. 311 (J. Tuescher, K. Cullimore)** ] Grants the Division of Consumer Protection the power to audit the records of social media companies, thus enabling searches without a Probable Cause requirement. Specifies that monies from certain fines and civil penalties will be sent to the Consumer Protection Education and Training Fund, thus reducing legislative control and likely influencing law enforcement priorities. In certain suits against a social media company, the bill creates a "rebuttable presumption" that harm was caused as a consequence of using or having an account on the social media company's social media platform, **thus eroding our traditional presumption of innocence. GrassRoots approves of a NO vote. Passed the House (71-0-4), Senate (25-2-2) and was signed by the Governor.**

K) **H.B. 393 (J. Teuscher, K. Cullimore)** Allows a political party to avoid a primary election if a candidate receives 70% of the vote in the party's nominating convention. While GrassRoots favors the total repeal of S.B. 54 (2014), which attacked freedom of association and political parties' ability to self-govern, this is an improvement. **GrassRoots approves of a YES vote. Passed the House (43-26-6) but did not come up for a vote in the Senate.**

L) **H.B. 425 (K. Ivory, D Owens)** Requires a qualified utility to inform the Office of the Attorney General when a proposed federal regulation would result in the early retirement of an electrical generation facility. Authorizes the Attorney General to take action to defend the state's interests **(including reliable energy supply) and sovereignty against over-reaching federal regulations and usurped powers. GrassRoots approves of YES vote. Passed the House (57-15-3), Senate (19-7-3) and was signed into law by the Governor.**

M) **H.B. 427 (T. Jimenez, M. Kennedy)** Ensures that all instructional materials and classroom instruction are consistent with the principles of inalienable rights, equal opportunity, and individual merit. **GrassRoots approves of a YES vote. Passed the House (53-18-4), Senate (18-6-5) and was signed into law by the Governor.**

N) **H.B. 465 (D. Welston, K. Grover)** Protects parental rights by requiring local education agencies that provide school libraries to provide an online platform that allows a parent to view information regarding materials the parent's child borrows from the school

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library. **GrassRoots approves of a YES vote. Passed the House (62-10-3), Senate (19-6-4) and was signed into law by the Governor.**

**O) H.B. 467 (K. Lisonbee, D. McCay)** Protects the right to life by prohibiting the licensing of abortion clinics after May 2, 2023, unless the clinic meets specific standards. It also prohibits all abortions in the state after 18 months. **GrassRoots approves of a YES vote. Passed the House (56-14-5), Senate (22-6-1) and was signed into law by the Governor.**

**P) H.B. 477 (R. Spendlove, K. Cullimore)** Increases state spending by over \$60 million yearly by implementing full-day kindergarten should the local education agency choose to implement it. **Trusting parents to look after the needs of their children, along with additional tax cuts, would be preferable to this growth of government. GrassRoots approves of a NO vote. Passed the House (51-14-10), Senate (24-3-2) and was signed into law by the Governor.**

**Q) S.B. 16 (M. Kennedy, K. Hall)** Protects children's rights by prohibiting the performing sex characteristic surgical procedures on a minor to effectuate a sex change. Also, enables an individual to bring medical malpractice action related to specific medical treatments and procedures received as a minor. **GrassRoots approves of a YES vote. Passed the House (58-14-2), Senate (20-8-1) and was signed into law by the Governor.**

**R) S.B. 19 (E. Vickers, S. Eliason)** Increases government spending by \$42.5 million in Fiscal Year 2025 by requiring the Department of Health and Human Services to request authorization to provide dental services to Medicaid-eligible adults for dental services. **While this money primarily comes from the federal government, these are still taxpayer dollars, and an improper use of government force. Passed the House (51-15-9), Senate (19-0-10) and was signed into law by the Governor. GrassRoots approves of a NO vote.**

**S) S.B. 55 (L. Fillmore, M. Ballard)** Empowers parents by requiring Local Education Agencies to establish an open process involving educators and parents of students to review and recommend instructional materials for board approval. Requires the material to be posted online for public review. **GrassRoots approves of a YES vote. Passed the House (56-14-5), Senate (21-0-8) and was signed into law by the Governor.**

**T) S.B. 100 (T. Weiler, S. Gricuis)** Requires each school and each local governing board to ensure a parent's right to access the education record of the parent's child. **Parents are responsible for raising their children, so they should have access to their child's educational records. GrassRoots approves of a YES vote. Passed the House (59-6-10), Senate (22-6-1) and was signed into law by the Governor.**

**U) S.B. 105 (J. Stevenson, B. Garner)** Creates a program to use cameras to catch speeders, , **thus expanding our Surveillance State.**

Also allocates the revenues from certain fines collected to the prosecuting government entity and to the Zero Fatalities initiative in the Department of Transportation, thus creating conflicts of interest and potentially distorting law enforcement priorities. **GrassRoots approves of a NO vote. Passed the Senate (15-13-1) but did not come up for a vote in the House.**

**V) S.B. 133 (W. Harper, C. Acton)** Another Medicaid expansion. Directs state Medicaid program to pursue extended postpartum coverage for certain women and expanded eligibility for certain family planning services. Increases government spending by \$6.5 million in 2024 and \$11 million in 2025. **[GrassRoots approves of NO vote. Passed the House (43-29-3), Senate (24-0-5) and was signed into law by the Governor.**

**W) S.B. 152 (M. McKell, J. Teuscher)** Requires a social media company to verify the age of a Utah resident seeking to open or maintain a social media account, **raising privacy concerns.** Directs the Division of Consumer Protection to impose administrative fines and that those fines be deposited into the Consumer Protection Education and Training Fund (rather than the General Fund), potentially **distorting law enforcement priorities and violating the proper Separation of Legislative, Executive, and Judicial Powers GrassRoots approves of a NO vote. Passed the House (60-11-4), Senate (22-4-3), and was signed by the Governor.**

**X) S.B. 192 (L. Escamilla, R. Lesser)** Another Medicaid expansion. Seeks to have the Medicaid program cover doula services. **GrassRoots approves of a NO vote. Passed the Senate (25-0-4) but failed in the House (18-51-6).**

**Y) S.B. 195 (N. Blouin)** Enlarges the government by creating the Medical Debt Relief Restricted Account and requiring the Department of Workforce Services to contract with medical debt relief entities to acquire and relieve medical debt. **This is an improper use of government force. GrassRoots recommends a NO vote. Failed in the Senate (9-13-7).**

**Z) S.B. 240 (S. Adams, S. Whyte)** Creates the First-Time Homebuyer Assistance Program and allocates \$50 million. Using taxpayer dollars to pay for private homes is the government stepping outside of its proper role and will negatively impact home prices in the state. **Instead of allowing the free market to determine the cost of housing, the prices of homes will be artificially inflated. GrassRoots approves of a NO vote. Passed the House (60-8-7), Senate (28-1-0) and was signed by the Governor.**

**AA) S.B. 288 (D. Ipson, R. Spendlove)** Creates the Utility Bill Assistance Program. Appropriates \$24 million. Government is not charity. **Programs such as this cost taxpayer dollars and drive up utility costs. GrassRoots approves of a NO vote. Passed the House (50-24-1), Senate (27-0-2), and was signed by the Governor.**

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Utah State Senate  
2023 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

Bills	Dist	County(ies)	2023 Score	Lifetime Score	HB 54	HB 107	HB 131	HB 219	HB 281	HB 311	HB 425	HB 427	HB 465	HB 467	HB 477	SB 16	SB 19	SB 55	SB100	SB 105	SB 133	SB 152	SB 192	SB 195	SB 240	SB 288
					Y	Y	Y	Y	Y	N	Y	Y	Y	Y	N	Y	N	Y	Y	N	N	N	N	N	N	N
<b>GrassRoots Recommended Votes</b>					Y	Y	Y	Y	Y	N	Y	Y	Y	Y	N	Y	N	Y	Y	N	N	N	N	N	N	N
<b>Rep-Party</b>																										
Stuart Adams-R	7	Davis	55%	48%	Y	Y	Y	Y	a	y	Y	Y	Y	Y	y	Y	y	Y	Y	y	y	y	y	a	y	y
Jake Anderegg-R	22	Salt Lake, Utah	62%	58%	Y	Y	Y	Y	Y	y	Y	Y	Y	Y	N	Y	y	a	Y	N	y	y	y	y	y	y
Nate Blouin-D	13	Salt Lake	9%	9%	n	n	n	n	n	N	n	n	n	n	n	y	n	y	Y	n	y	y	y	y	y	y
Curtis Bramble-R	24	Utah/Wasatch	65%	53%	Y	Y	Y	Y	Y	y	Y	Y	a	Y	y	Y	y	Y	a	N	y	y	a	a	y	a
Gregg Buxton-R	4	Davis/Weber	62%	37%	Y	Y	Y	Y	Y	y	Y	Y	Y	Y	y	Y	a	Y	Y	y	y	y	y	N	y	y
Kirk Cullimore-R	19	Salt Lake	60%	48%	Y	Y	Y	Y	Y	y	Y	Y	a	Y	y	Y	a	Y	Y	y	y	y	y	N	y	y
Luz Escamilla-D	10	Salt Lake	5%	19%	n	n	n	n	n	y	n	n	n	n	y	n	a	a	n	y	y	y	y	N	y	y
Lincoln Filmore-R	17	Salt Lake	70%	57%	Y	Y	Y	Y	Y	y	Y	Y	Y	Y	y	Y	a	Y	Y	N	a	y	y	N	y	y
Keith Grover-R	23	Utah	67%	63%	Y	Y	Y	Y	Y	y	Y	Y	Y	Y	y	Y	a	Y	Y	N	y	y	y	N	y	y
Wayne Harper-R	16	Salt Lake	64%	60%	Y	Y	Y	Y	Y	y	Y	Y	Y	Y	y	Y	y	Y	Y	N	y	y	y	N	y	y
David Hinkins-R	27	*	57%	53%	Y	Y	Y	Y	Y	y	Y	a	Y	Y	y	n	y	Y	Y	N	y	N	y	y	y	y
Don Ipson-R	29	Washington	69%	45%	Y	Y	Y	Y	a	y	Y	Y	Y	Y	y	Y	a	a	Y	y	a	a	a	N	y	y
John Johnson-R	3	*	71%	73%	Y	Y	Y	Y	Y	a	Y	Y	Y	Y	y	Y	y	Y	Y	N	y	N	y	N	y	y
Mike Kennedy-R	21	Utah	73%	70%	Y	Y	Y	Y	Y	y	Y	Y	Y	Y	Y	N	Y	y	Y	Y	N	y	N	y	N	y
Karen Kwan-D	12	Salt Lake	5%	5%	n	n	n	n	n	y	n	n	n	n	y	n	a	Y	n	y	y	y	y	y	y	y
Dan McCay-R	18	Salt Lake, Utah	65%	75%	Y	Y	Y	a	a	y	a	a	Y	Y	N	Y	y	a	Y	N	y	y	y	N	N	y
Mike McKell-R	25	Utah	61%	57%	Y	Y	a	Y	Y	y	Y	Y	Y	Y	a	Y	y	Y	Y	y	y	y	a	a	y	y
Ann Miller-R	5	*	58%	36%	Y	Y	Y	a	Y	y	Y	Y	Y	Y	y	Y	y	Y	Y	y	a	y	y	a	y	y
Derrin Owens-R	27	*	64%	48%	Y	Y	Y	Y	Y	y	Y	Y	Y	Y	y	Y	y	Y	Y	N	y	y	y	N	y	y
Stephanie Pitcher-D	14	Salt Lake	10%	10%	n	n	n	n	n	y	n	n	a	n	y	n	y	Y	n	N	y	y	y	y	y	y
Jen Plumb-D	9	Salt Lake	0%	0%	n	n	n	n	a	y	n	a	n	n	y	n	y	a	n	y	y	y	y	y	y	y
Kathleen Riebe-D	15	Salt Lake	14%	18%	n	n	a	n	n	N	n	n	n	n	y	n	y	Y	n	y	y	N	y	y	y	y
Scott Sandall-R	1	*	62%	46%	Y	Y	Y	Y	Y	y	Y	Y	Y	Y	y	Y	y	Y	Y	N	y	y	y	a	y	y
Jerry Stevenson-R	6	Davis	63%	44%	Y	Y	Y	Y	a	y	Y	Y	Y	Y	y	Y	y	a	Y	y	a	a	a	a	y	y
Daniel Thatcher-R	11	SL/Tooele	25%	42%	a	a	a	a	a	a	a	a	a	a	a	y	a	Y	a	a	a	a	y	a	y	a
Evan Vickers-R	28	*	40%	47%	Y	Y	Y	Y	Y	y	a	n	n	Y	Y	Y	a	Y	y	y	y	y	y	y	y	y
Todd Weiler-R	8	Davis/Salt Lake	45%	38%	Y	Y	Y	Y	Y	y	n	a	Y	Y	y	n	a	Y	Y	y	y	y	y	y	y	y
Chris Wilson-R	2	Cache/Rich	67%	54%	Y	Y	Y	Y	Y	y	Y	Y	Y	Y	y	Y	a	Y	Y	N	y	y	y	N	y	y
Ronald Winterton-R	20	*	62%	46%	Y	Y	Y	Y	Y	y	Y	Y	Y	Y	y	Y	a	Y	Y	y	y	y	y	N	y	y
<b>GrassRoots Recommended Votes</b>					Y	Y	Y	Y	Y	N	Y	Y	Y	Y	N	Y	N	Y	Y	N	N	N	N	N	N	N

- \*Senate District 1 includes Box Elder, Cache, Tooele
- \*Senate District 3 includes Morgan, Summit, Weber
- \*Senate District 5 includes Davis, Morgan, Weber
- \*Senate District 20 includes Daggett, Duchesne, Summit, Uintah, Wasatch
- \*Senate District 26 includes Carbon, Grand, Emery, San Juan, Utah, Wasatch
- \*Senate District 27 includes Beaver, Garfield, Juab, Kane, Millard, Piute, Sanpete, Sevier, Utah, Wayne
- \*Senate District 28 includes Beaver, Iron, Washington Counties

Governor	2023	Lifetime Scores	HB 54	HB 107	HB 131	HB 219	HB 281	HB 311	HB 425	HB 427	HB 465	HB 467	HB 477	SB 16	SB 19	SB 55	SB 100	SB 133	SB 152	SB 240	SB 288
<b>GrassRoots Recommended Votes</b>			Y	Y	Y	Y	Y	N	Y	Y	Y	Y	N	Y	N	Y	Y	N	N	N	N
Spencer Cox-R	63%	47%	Y	Y	Y	Y	Y	y	Y	Y	Y	Y	y	Y	y	Y	Y	y	y	y	y

## Some Recurring Themes in the 2023 General Session of the Utah State Legislature

By: Steve Stromness

In this annual report, we have described a couple of dozen bills on which we are taking a position and "grading" our elected officials. But some mention of recurring themes (including some bills that we do not include in our "scoring") maybe in order.

### Medicaid Expansion

"Let's get all the Federal \$ we can!!" That is an understandable sentiment. Who wants to avoid getting more "free money"?

But Medicaid is a massive contributor to our \$30+ trillion national debt and not even mentioned as an enumerated power of the national government in the United States Constitution (see especially Article I, Section 8, and the Tenth Amendment). Should we grab all we can "while the grabbing's good"? Or should we be true leaders in opposing the growth of unwarranted government spending and force?

In this report, we have opposed (and scored elected officials on) proposed Medicaid expansions embodied in HB252, SB19, SB133, and SB192. We are pleased that a couple of these bills were defeated, and all received some opposition. Additional proposals to expand Medicaid, which we opposed during the session, but never came to a House or Senate floor vote, include: HB79, "Family Planning Services Revisions"; HB84, "Postpartum Medicaid Coverage Amendments"; HB85Substitute, "Pregnancy Medicaid Coverage Amendments"; and HB287, "Medicaid Coverage Amendments". Sadly, the following Medicaid expansion bills all passed the Senate unanimously (though with some absences), and the House overwhelmingly, and were all signed by Governor Cox: HB315Substitute, "Recreational Therapy Medicaid Coverage Amendments"; SB106Substitute, "Caregiver Compensation Amendments"; SB204, "Autism Coverage Amendments"; and SB269, "Chronic Conditions Support Amendments".

## Counteracting Infringements on Parental Control and Undermining of Traditional American Values in the Government School System

We have already covered and scored votes on HB427, HB465, and SB100, each of which we believe is consistent with principles of Parental Control and Traditional American Values. Also worthy of mention is HB348, "Participation Waiver Amendments", which specifies that "In accordance with Utah Constitution, Article I, Section 4, a student may refrain from participation in any aspect of school that violates a religious belief or right of conscience of the student.

A student's parent may waive the student's participation in any aspect of school that violates the student or the student's parent's religious belief or right of conscience." HB348 passed the Legislature and was signed by Governor Cox.

We are glad that many in the Legislature are being attentive to some of the problems in the school system, and considering responses that might be appropriate.

### Pushing back against ESG, Political Correctness and Energy Policy Insanity

We have already covered and scored votes on HB281 and HB425. Also worthy of mention are the following bills, all of which passed House and Senate decisively, and were signed by Governor Cox: HB389, "Electrical Power Delivery Quality Amendments"; HCR9, "Concurrent Resolution Concerning the Shutdown of Utah's Power by the Federal Government"; SB96, "Fiduciary Duty Modifications"; SB97, "Public Contract Requirements"; SCR9, "Concurrent Resolution Opposing Efforts to Weaken the Economy or Restrict Energy Supply".

We are glad that many in the Legislature are being attentive to the damages done to our freedom, to Equal Treatment Under The Law, and to our prosperity and security by various "politically correct" movements and policies, and are trying to take appropriate protective measures.