

2021 Legislative Session Report

Senator Luz Escamilla

We have concluded the 2021 Legislative Session, arguably one of the most historic general sessions we have ever had in the state of Utah. In the midst of the COVID-19 pandemic, we were able to successfully pass a \$23.5 billion budget that prioritized public education, economic development, infrastructure, and more. There was a total of 1,216 bills requested; of those, 767 were numbered and 502 passed that may become law. These bills will now head to Governor Spencer Cox's desk for his signature or veto.

I would like to thank all of you for your help, support, and patience during this legislative session. I am proud to be representing you in Senate District 1. Together, we were able to pass critical legislation that will help us move forward. Below you will find the pieces of legislation that I worked on this session as chief sponsor:

S.B. 19 Expanded Infertility Treatment Coverage Pilot Program Amendments:
Extends the program for PEHP members by three years and provides coverage to individuals seeking infertility treatment.

S.B. 41 Mental Health Access Amendments:
Expands telehealth services in order to address the gaps in access to mental health in Utah. Requires insurance companies to cover telehealth service for certain mental health conditions, if specific requirements are met.

S.B. 117 Human Smuggling Amendments:
Increases the penalty for human smuggling from a third-degree felony to a second-degree felony and aggravated human smuggling from a second-degree felony to a first-degree felony.

S.B. 141 Task Force on Food Security:
Creates the task force on food security to develop a blueprint to combat food insecurity in the state of Utah.

S.B. 158 Children's Health Coverage Amendments (Did Not Pass):
Creates a comprehensive outreach program to address social determinants of health to increase insurance enrollment of eligible children and covers all children under 200% of the federal poverty level.

S.B. 170 Consumer Protection for Cannabis Patients:
Expands the ability for providers to recommend medical cannabis to up to 15 patients. And make other consumer protection changes.

SCR 3 Concurrent Resolution Encouraging the Evaluation of Interstate Passenger Rail Opportunity (Did Not Pass):
Encourages the evaluation of interstate passenger rail opportunities and the expansion of Utah's rail infrastructure.

Floor Sponsored Bills

I was the Senate floor sponsor for 17 bills and cosponsored S.B. 195, *Emergency Response Amendments*. Of the 17 floor sponsored bills, 14 passed both chambers of the Legislature and are now on their way for signature from the Governor. I am proud to have sponsored so many great bills that addressed access to healthcare, criminal justice reform, and the economy.

H.B. 30 Tax Modifications:

Yearly cleanup bill requested by the State Tax Commission. Makes technical changes and modifications to existing Utah tax code to address necessary issues.

H.B. 37 Child Protection Unit

Amendments:

Cleanup bill requested by DCFS and DHS. Repeals the Child Protection Unit Pilot Program as the agencies have created a better internal process for members of the child protection team to operate.

H.B. 62 Post Certification Unit

Amendments:

Consensus bill created with the law enforcement community which adds two categories for when POST can start an investigation into a law enforcement officer. This provides additional tools for law enforcement agencies to be more proactive in reducing unethical behavior.

H.B. 64 Factual Innocence Payments

Amendments:

Allows a petitioner to elect to receive a lump sum payment when they are determined to be factually innocent of committing a crime. This is opposed to current statute which provides the payment in installments.

H.B. 95 Prison Rape Elimination Act Compliance:

Creates policies and data collection on sexual assault and rape in jails, putting Utah in compliance with the Prison Rape Elimination Act passed federally in 2003.

H.B. 102 Contraception for Inmates:

Requires a jail to continue providing a prisoner who has been prescribed contraceptives access to their medication when incarcerated. This bill was substituted to include a sunset date of June 30, 2022.

H.B. 110 Health Care Payment

Amendments:

Provides that a government healthcare provider cannot garnish overdue payment from a debtor's tax refund if that individual has made a payment plan arrangement and is current on their payments.

H.B. 118 Children's Hearing Aid

Program Amendments:

Informs parents whose children have benefitted from the Hearing Aid program of the cost of the service they received and provides a way for families to donate back to the program, if they so choose.

H.B. 129 Office on Domestic and Sexual Violence (Did Not Pass): didn't pass

Creates the Office on Domestic and Sexual Violence and the Domestic Violence Offender Advisory Board within the State Commission on Criminal Juvenile Justice.

H.B. 146 Overdose Harm Reduction Working Group:

Creates a working group led by the Utah Substance Abuse Advisory Council to study harm reduction-oriented strategies to reduce overdose injuries and deaths in the state.

H.B. 155 Civil Commitment**Amendments:**

Works to improve the lives of those suffering from mental illness through increasing utilization of Assisted Outpatient Treatment, rather than solely using civil commitment.

H.B. 162 Peace Officer Training**Amendments:**

Requires a minimum of 16 hours of training for peace officers in de-escalation, crisis intervention and mental health, and arrest control.

H.B. 167 HIV Testing Amendments:

Adds language allowing an individual who has requested their alleged perpetrator of sexual assault be tested for HIV to have the blood specimens sent to labs other than the Department of Health. Helps rural areas.

H.B. 168 Sale of Sexual Assault Test Kits Prohibited (Did Not Pass):

Prohibits over the counter or do-it-yourself sexual assault kits, as evidence from these kits frequently is inadmissible in court.

H.B. 212 Homeless Youth Protection**Amendments:**

Makes language clarifications in Utah code relating to Homeless Youth Protection Amendments.

H.C.R 19 Concurrent Resolution**Recognizing Farmers Feeding Utah:**

Recognizes and thanks Farmers Feeding Utah for their work to help provide food for those who needed it during the height of the pandemic.

H.J.R 15 Joint Resolution on Military**Sexual Trauma:**

Designates November 2021 as Military Sexual Assault Survivor Month.

S.B. 195 Emergency Response**Amendments:**

Alters the balance of emergency powers between the Executive and Legislative Branches during prolonged states of emergency. This compromise bill drafted with the Governor's Office will allow for greater public and legislative input when the state experiences an extended state of emergency.

Budget Highlights

Highlights

- The \$23.5 billion budget for fiscal year 2022 includes \$10 billion in spending from the General and Education funds and nearly \$7 billion from Federal funds
- \$475 million for Public Education
- Base budget funding for a 6% increase in per student funding
- A more than 9% increase for higher education
- Nearly \$100 million in tax cuts
- \$121 million for public school teacher stipends
- \$127 million ongoing for public education economic stabilization
- \$200 million in new cash-funded building and land purchases
- \$1.1 billion for roads and transit
- \$36.5 million for two new state parks- a third of that with investment earnings and not taxes
- \$110 million to renovate existing state parks and creating new trails, bike lanes, and pedestrian pathways
- \$56 million for wildlife suppression
- 3% raises for state and higher education employees
- Targeted increases for front-line workers in social service agencies, public safety and corrections
- Fully funded growth and inflation in Medicaid and at the same time fixed a \$56 million structural imbalance in Medicaid expansion
- \$26 million in new ongoing funding to enhance mental health services
- \$50 million in tax proceeds to secure a total of \$730 million in combined public-private funding for housing and homelessness
- \$250 million to address the pandemic, including economic development assistance, rural broadband expansion, testing, and vaccine distribution

As the Senate Minority Whip, I took on the responsibility to help negotiate the budget. The Senate Minority caucus was able to help obtain funding for several priorities.

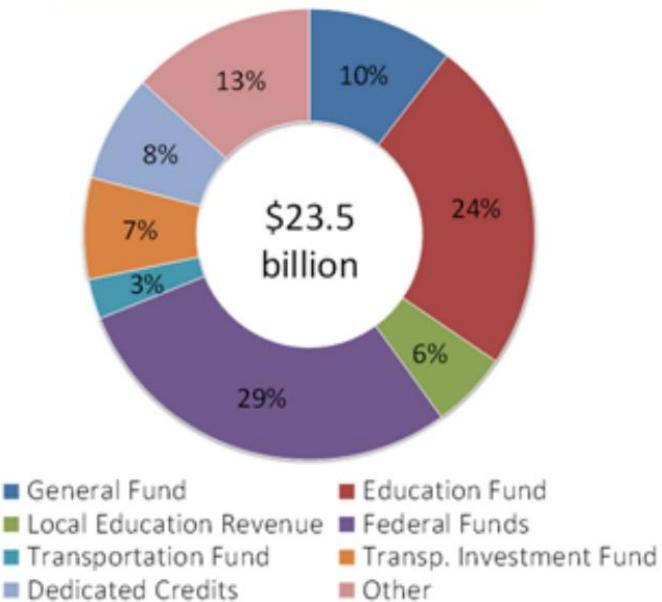
Appropriations to Note (One-Time Funding)

• Utah Outdoor Association Economic Development Initiative	\$118,800
• The Art Castle	\$412,500
• Utah Sports Hall of Fame	\$37,500
• University of Utah Reading Clinic	\$118,800
• Food Hub	\$112,500
• Hogle Zoo	\$150,000
• Health Equity Data	\$150,000

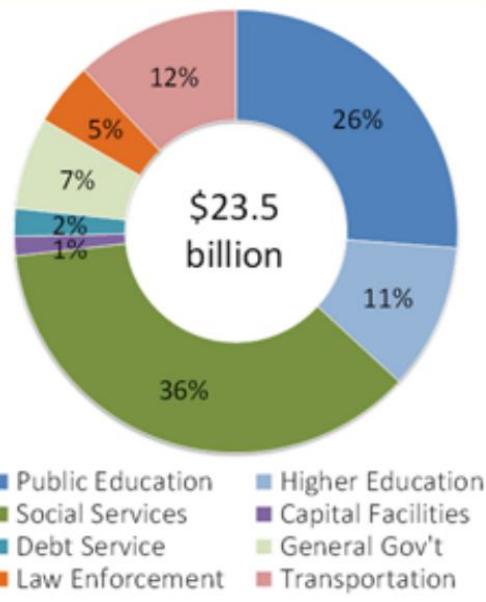
BUDGET OF THE STATE OF UTAH

Total (All Funds) - FY 2022: \$23,452,423,800
 State Funds (GF/EF/USF) - FY 2022: \$9,814,933,600

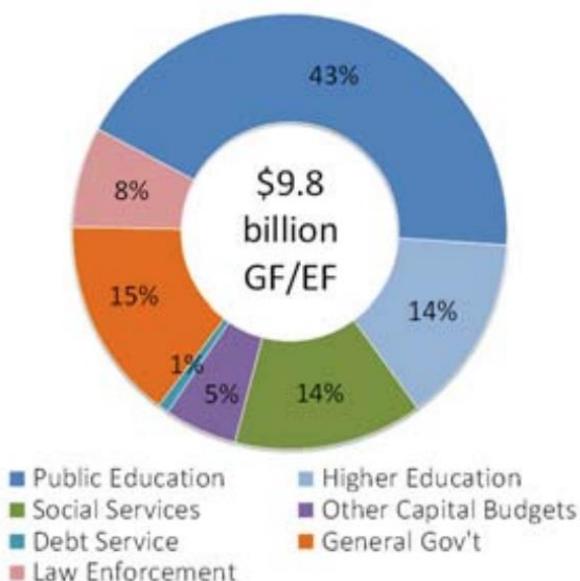
Where It Comes From: All Funds



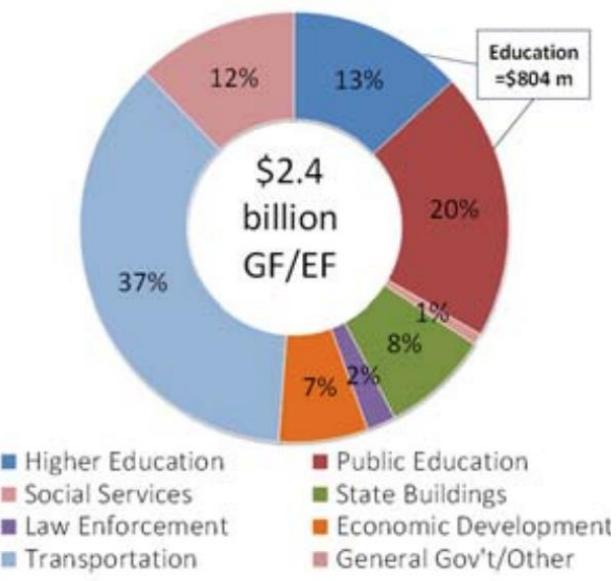
Where It Goes: All Funds



Where it Goes: State Funds Only



Where It Goes: New State Funds



Final Data Reported in the Annual Budget of the State of Utah in May 2021

S.B. 158 Children's Health Coverage Amendments

One of my priority bills for this legislative session was S.B. 158, *Children's Health Coverage Amendments*. Utah currently ranks as the 46th lowest state in the nation for insured children. In 2019, there were an estimated 82,000 children living without health insurance in the state of Utah. Children of color, specifically Latino/x children were disproportionately impacted. Research shows that when children have uninterrupted access to health care, they perform better in school, are more likely to participate in the workforce as adults, and are less likely to have high-cost chronic conditions that go untreated. Social determinants of health play a critical role in ensuring that our children live a long and healthy life. Making sure all Utah kids have health insurance pays off in the long run.

S.B. 158 offers a broad solution to the lack of coverage children in Utah face by significantly expanding CHIP and Medicaid, while also establishing a Children's Coverage Outreach Pilot Program, which implements a comprehensive outreach effort to engage more families and help kids become enrolled. Ultimately, this bill accomplishes the following:

1. Creates a comprehensive outreach program to address social determinants of health to increase insurance enrollment of eligible children
2. Insures all children under 200% of the federal poverty level by removing barriers such as immigration status and creates a 12-month eligibility policy under UDOH for enrollees.

While this bill received majority support in the Senate, the Legislature ultimately decided not to fund S.B. 158. Nonetheless, we are committed to bringing this bill back in the next general session and continue to work with legislators, stakeholders, and other members of the community to ensure this bill passes and gets funded. This is truly an important piece of legislation as it seeks to remove many of the barriers that children face when it comes to having accessible, adequate, and equitable healthcare. No child should be without access to healthcare, especially in the middle of a pandemic. No parent should have to choose which of their children can go for a doctor's visit. Healthcare is a human right, and I will not stop until we can ensure every child in the state of Utah is covered.

Contact Me

Senator Luz Escamilla

E: lescamilla@le.utah.gov

P: 801-550-6434

T: @SenatorLuz

F: Senator Luz Escamilla

