

**Representative Christopher N. Herrod** proposes the following substitute bill:

**AUTHORITY TO ESTABLISH REFUGEE**

**SERVICES FUND**

2008 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Christopher N. Herrod**

Senate Sponsor: Gregory S. Bell

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**LONG TITLE**

**General Description:**

This bill creates a restricted special revenue fund, known as the Refugee Services Fund for purposes related to the supplying of services to refugees located in the state.

**Highlighted Provisions:**

This bill:

- ▶ creates a restricted special revenue fund, known as the Refugee Services Fund, identifies a revenue stream for the fund, and provides that fund monies shall be used to train refugee organizations to develop their capacity to operate effectively and to provide grants to organizations to provide refugee services;
- ▶ provides for administration of the Refugee Services Fund by the director of the Employment Development Division of the Department of Workforce Services;
- ▶ provides the purposes for which monies in the Refugee Services Fund may be used;
- ▶ provides for monitoring of the Refugee Services Fund and an accounting of how monies in the fund are spent; and
- ▶ provides for an annual report.

**Monies Appropriated in this Bill:**

None



26 **Other Special Clauses:**

27 This bill provides an immediate effective date.

28 **Utah Code Sections Affected:**

29 ENACTS:

30 **35A-3-116**, Utah Code Annotated 1953



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

32 Section 1. Section **35A-3-116** is enacted to read:

33 **35A-3-116. Restricted special revenue fund -- Use of monies -- Committee and**  
34 **director duties -- Restrictions.**

35 (1) There is created a restricted special revenue fund known as the "Refugee Services  
36 Fund," hereafter referred to in this section as "the fund."

37 (2) The director or the director's designee, hereafter referred to in this section as the  
38 director, shall administer the fund with input from the Department of Community and Culture,  
39 including any advisory committees within the Department of Community and Culture that deal  
40 with refugee services issues.

41 (3) (a) Money shall be deposited into the fund from numerous sources, including  
42 federal grants, private foundations, and individual donors.

43 (b) The director shall encourage a refugee who receives services from activities funded  
44 under Subsection (8) to become a donor to the fund once the refugee's financial situation  
45 improves to the point where the refugee is capable of making a donation.

46 (4) The director may not expend monies in the fund that are not restricted to a specific  
47 use under federal law or by donors without input from the Department of Community and  
48 Culture, either directly or through an advisory committee identified in Subsection (2).

49 (5) The state treasurer shall invest the monies in the fund under Title 51, Chapter 7,  
50 State Money Management Act, except that all interest or other earnings derived from the fund  
51 monies shall be deposited in the General Fund.

52 (6) The monies in the fund may not be used by the director for administrative expenses.

53 (7) If the Department of Community and Culture establishes a refugee services  
54 advisory committee referred to in Subsection (2), that committee may:

55 (a) advise the director on refugee services needs in the state and on relevant operational  
56 issues.

- 57 aspects of any grant or revenue collection program established under this part;  
58 (b) recommend specific refugee projects to the director;  
59 (c) recommend policies and procedures for administering the fund;  
60 (d) make recommendations on grants made from the fund for any of the refugee  
61 services activities authorized under this section;  
62 (e) advise the director on the criteria by which grants shall be made from the fund;  
63 (f) recommend the order in which approved projects would be funded;  
64 (g) make recommendations regarding the distribution of money from the fund in  
65 accordance with the procedures, conditions, and restrictions placed upon monies in the fund by  
66 donors; and  
67 (h) have joint responsibility to solicit public and private funding for the fund.  
68 (8) The director may use fund monies to:  
69 (a) train an existing refugee organization to develop its capacity to operate  
70 professionally and effectively and to become an independent, viable organization; or  
71 (b) provide grants to an existing refugee organization and other entities identified in  
72 Subsection (9) to assist them:  
73 (i) with case management;  
74 (ii) in meeting emergency housing needs for refugees;  
75 (iii) in providing English language services;  
76 (iv) in providing interpretive services;  
77 (v) in finding and maintaining employment for refugees;  
78 (vi) in collaborating with the state's public education system to improve the  
79 involvement of refugee parents in assimilating their children into public schools;  
80 (vii) in meeting the health and mental health needs of refugees;  
81 (viii) in providing or arranging for child care services; or  
82 (ix) in administering refugee services.  
83 (9) In addition to Subsection (8), the director with advice from the Department of  
84 Community and Culture or its refugee services advisory committee, if one is created, may grant  
85 fund money for refugee services outlined in Subsection (8) through a request for proposal  
86 process to:  
87 (a) local governments;

88 (b) nonprofit community, charitable, or neighborhood-based organizations or private  
89 for profit organizations that deal solely or in part with providing or arranging for the provision  
90 of refugee services; or

91 (c) regional or statewide nonprofit organizations.

92 (10) The director shall enter into a written agreement with each successful grant  
93 applicant that has specific terms for each grant consistent with the provisions of this section  
94 that includes the structure, amount, and nature of the grant.

95 (11) The director shall monitor the activities of the recipients of grants issued from the  
96 fund on an annual basis to ensure compliance with the terms and conditions imposed on the  
97 recipient by the fund.

98 (12) An entity receiving a grant shall provide the director with periodic accounting of  
99 how the monies it received from the fund were spent.

100 (13) By November 1 of each year the director shall make an annual report to the  
101 Workforce Services and Community and Economic Development Interim Committee regarding  
102 the status of the fund and the programs and services funded by the fund.

103 **Section 2. Effective date.**

104 If approved by two-thirds of all the members elected to each house, this bill takes effect  
105 upon approval by the governor, or the day following the constitutional time limit of Utah  
106 Constitution Article VII, Section 8, without the governor's signature, or in the case of a veto,  
107 the date of veto override.