

REVIEW AND APPROPRIATION OF GRANTS

2008 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: David Clark

Senate Sponsor: _____

LONG TITLE

General Description:

This bill creates the process for the legislative review and appropriation of agency grants.

Highlighted Provisions:

This bill:

- ▶ creates a legislative review process of agency grants; and
- ▶ prohibits an agency from expending grant monies that are not appropriated by the Legislature.

Monies Appropriated in this Bill:

None

Other Special Clauses:

This bill coordinates with H.B. 63, Recodification of Title 63 State Affairs in General, by providing technical renumbering.

Utah Code Sections Affected:

ENACTS:

63-38h-101, Utah Code Annotated 1953

63-38h-102, Utah Code Annotated 1953

63-38h-201, Utah Code Annotated 1953

63-38h-202, Utah Code Annotated 1953



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

29 Section 1. Section **63-38h-101** is enacted to read:

30 **CHAPTER 38h. REVIEW AND APPROPRIATION OF GRANTS**

31 **Part 1. General Provisions**

32 **63-38h-101. Title.**

33 This chapter is known as the "Review and Appropriation of Grants."

34 Section 2. Section **63-38h-102** is enacted to read:

35 **63-38h-102. Definitions.**

36 As used in this chapter:

37 (1) "Accept" means an agency has been offered and has received grant monies.

38 (2) (a) "Agency" means an executive department, division, committee, commission,
39 council, court, board, or other executive administrative subunit.

40 (b) "Agency" includes executive branch entities and judicial branch entities.

41 (c) "Agency" does not mean higher education institutions or political subdivisions.

42 (3) (a) "Grant" means a gift, donation, loan, or other funds or monies given to an
43 agency by an individual, group of individuals, foundation, corporation, or other public or
44 private organization.

45 (b) "Grant" does not mean federal funds or monies.

46 (4) "Grant summary" means a document detailing:

47 (a) the amount of money that is being granted or is available to be received by the
48 agency;

49 (b) the duration of the grant and provisions for its reauthorization or extension, if any;

50 (c) the individual, group of individuals, foundation, corporation, or public or private
51 organization making the grant;

52 (d) the purpose of the grant, including, in detail, any programs, resources, and positions
53 required to be funded by the grant;

54 (e) any requirements that the agency must meet as a condition to receive or participate
55 in the grant; and

56 (f) the amount of state monies, if any, that will be required in order to obtain the grant.

57 Section 3. Section **63-38h-201** is enacted to read:

58 **Part 2. Review and Appropriation of Grants**

59 **63-38h-201. Executive Appropriation Committee to review grants.**

60 (1) Before an agency may accept a grant, the agency shall submit a grant summary to
61 the Executive Appropriations Committee for review.

62 (2) The Executive Appropriations Committee shall review the grant and grant
63 summary and:

64 (a) recommend that the agency accept the grant;

65 (b) recommend that the agency decline the grant; or

66 (c) refer the grant to an appropriation subcommittee for its review and
67 recommendation.

68 Section 4. Section **63-38h-202** is enacted to read:

69 **63-38h-202. Legislature to appropriate grant funds.**

70 An agency may not expend a grant until the Legislature has specifically appropriated
71 the grant monies to the agency.

72 Section 5. **Coordinating H.B. 319 with H.B. 63 -- Technical renumbering.**

73 If this H.B. 319 and H.B. 63, Recodification of Title 63 State Affairs in General, both
74 pass, it is the intent of the Legislature that the Office of Legislative Research and General
75 Counsel, in preparing the Utah Code database for publication:

76 (1) renumber Sections 63-38h-101 through 63-38h-202 to 63J-7-101 through
77 63J-7-202; and

78 (2) change all internal cross references.

Legislative Review Note
as of 1-10-08 3:30 PM

Office of Legislative Research and General Counsel

H.B. 319 - Review and Appropriation of Grants

Fiscal Note

2008 General Session

State of Utah

State Impact

Enactment of this bill will not require additional state-fund appropriations. The bill will require review and appropriation of grants before an agency can expend grant monies. The bill may cause a delay in expending non-routine grants which were not expected in the prior legislative session, but in such cases would also delay incursion of costs.

Individual, Business and/or Local Impact

Enactment of this bill likely will not result in direct, measurable costs and/or benefits for individuals, businesses, or local governments.