

1 **REFUGEE SERVICES FUND AMENDMENTS**

2 2009 GENERAL SESSION

3 STATE OF UTAH

4 **Chief Sponsor: Christopher N. Herrod**

5 Senate Sponsor: Gregory S. Bell

6 Cosponsors:
7 James A. Dunnigan

 Janice M. Fisher

 Steven R. Mascaro

8
9 **LONG TITLE**

10 **General Description:**

11 This bill amends the investment provision of the Refugee Services Fund.

12 **Highlighted Provisions:**

13 This bill:

14 ▶ provides that all interest or earnings from the Refugee Services Fund shall be
15 deposited into the fund rather than in the General Fund.

16 **Monies Appropriated in this Bill:**

17 None

18 **Other Special Clauses:**

19 None

20 **Utah Code Sections Affected:**

21 AMENDS:

22 **35A-3-116**, as enacted by Laws of Utah 2008, Chapter 200

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

25 Section 1. Section **35A-3-116** is amended to read:

26 **35A-3-116. Restricted special revenue fund -- Use of monies -- Committee and**
27 **director duties -- Restrictions.**

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

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

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

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

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

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

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

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

49 (a) advise the director on refugee services needs in the state and on relevant
50 operational aspects of any grant or revenue collection program established under this part;

51 (b) recommend specific refugee projects to the director;

52 (c) recommend policies and procedures for administering the fund;

53 (d) make recommendations on grants made from the fund for any of the refugee
54 services activities authorized under this section;

55 (e) advise the director on the criteria by which grants shall be made from the fund;

56 (f) recommend the order in which approved projects would be funded;

57 (g) make recommendations regarding the distribution of money from the fund in

58 accordance with the procedures, conditions, and restrictions placed upon monies in the fund
59 by donors; and

60 (h) have joint responsibility to solicit public and private funding for the fund.

61 (8) The director may use fund monies to:

62 (a) train an existing refugee organization to develop its capacity to operate
63 professionally and effectively and to become an independent, viable organization; or

64 (b) provide grants to an existing refugee organization and other entities identified in
65 Subsection (9) to assist them:

66 (i) with case management;

67 (ii) in meeting emergency housing needs for refugees;

68 (iii) in providing English language services;

69 (iv) in providing interpretive services;

70 (v) in finding and maintaining employment for refugees;

71 (vi) in collaborating with the state's public education system to improve the
72 involvement of refugee parents in assimilating their children into public schools;

73 (vii) in meeting the health and mental health needs of refugees;

74 (viii) in providing or arranging for child care services; or

75 (ix) in administering refugee services.

76 (9) In addition to Subsection (8), the director with advice from the Department of
77 Community and Culture or its refugee services advisory committee, if one is created, may
78 grant fund money for refugee services outlined in Subsection (8) through a request for
79 proposal process to:

80 (a) local governments;

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

84 (c) regional or statewide nonprofit organizations.

85 (10) The director shall enter into a written agreement with each successful grant

86 applicant that has specific terms for each grant consistent with the provisions of this section
87 that includes the structure, amount, and nature of the grant.

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

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

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