

**Representative Larry B. Wiley** proposes the following substitute bill:

**UTAH SCHOOL SEISMIC HAZARD**

**INVENTORY**

2010 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Larry B. Wiley**

Senate Sponsor: Jon J. Greiner

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**LONG TITLE**

**General Description:**

This bill establishes requirements relating to public school seismic safety.

**Highlighted Provisions:**

This bill:

▶ enacts the School Seismic Safety Act which:

• requires a school district or charter school to conduct a seismic evaluation of each facility used by the school district or charter school using specified standards;

• creates and specifies the duties of the Public School Seismic Safety Committee;

• directs the State Board of Education to adopt rules;

• provides certain immunity from suit relating to a seismic safety evaluation;

▶ repeals the School Seismic Safety Act on July 1, 2020; and

▶ makes technical changes.

**Monies Appropriated in this Bill:**

This bill appropriates:

▶ for fiscal year 2010-11 only, \$25,000 from the General Fund to the State Board of Education.



26 **Other Special Clauses:**

27 This bill takes effect on July 1, 2010.

28 **Utah Code Sections Affected:**

29 AMENDS:

30 **63G-7-201**, as renumbered and amended by Laws of Utah 2008, Chapter 382

31 **63I-2-253**, as last amended by Laws of Utah 2008, Second Special Session, Chapter 6

32 **63J-1-602**, as enacted by Laws of Utah 2009, Chapter 368

33 ENACTS:

34 **53A-15-1201**, Utah Code Annotated 1953

35 **53A-15-1202**, Utah Code Annotated 1953

36 **53A-15-1203**, Utah Code Annotated 1953

37 **53A-15-1204**, Utah Code Annotated 1953



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

40 Section 1. Section **53A-15-1201** is enacted to read:

41 **Part 12. School Seismic Safety Act**

42 **53A-15-1201. Title.**

43 This part is known as the "School Seismic Safety Act."

44 Section 2. Section **53A-15-1202** is enacted to read:

45 **53A-15-1202. Definitions.**

46 As used in this part:

47 (1) "Committee" means the Public School Seismic Safety Committee created in

48 Section 53A-15-1203.

49 (2) "Evaluation score worksheet" means the appropriate scoring worksheet for the

50 location and type of building, as contained within federal guidelines.

51 (3) "Federal guidelines" means guidelines and procedures specified in "Rapid Visual  
52 Screening of Buildings for Potential Seismic Hazards: A Handbook, 2nd Edition" published by  
53 the United States Federal Emergency Management Agency.

54 (4) "Threshold score" means a score on an evaluation score worksheet which indicates  
55 that a building warrants a more detailed structural evaluation for its intended use.

56 Section 3. Section **53A-15-1203** is enacted to read:

57 53A-15-1203. Public School Seismic Safety Committee.58 (1) There is created the Public School Seismic Safety Committee consisting of seven  
59 members.60 (2) (a) The governor shall appoint three members who are licensed structural engineers,  
61 including:62 (i) one member from the public or private sector appointed from a list of at least two  
63 names submitted by the Utah Seismic Safety Commission;64 (ii) one member from the public or private sector appointed from a list of at least two  
65 names submitted by the Utah Division of Facilities Construction and Management; and66 (iii) one member from the public or private sector, after considering recommendations  
67 from professional associations representing structural engineers.68 (b) The state superintendent shall appoint four members, including:69 (i) one member representing a small school district;70 (ii) one member representing a medium-sized school district;71 (iii) one member representing a large school district; and72 (iv) one member from the state superintendent's staff.73 (3) (a) Except as required by Subsection (3)(b), each member is appointed to a  
74 four-year term.75 (b) Notwithstanding the requirement of Subsection (3)(a), the governor and state  
76 superintendent shall, at the time of appointment, adjust the length of terms to ensure that the  
77 terms of committee members are staggered so that approximately half of the committee is  
78 appointed every two years.79 (c) When a vacancy occurs in the membership for any reason, the replacement shall be  
80 appointed for the unexpired term in the same manner as the vacated member was chosen.81 (4) A member may not receive compensation or benefits for the member's service, but  
82 may receive per diem and travel expenses in accordance with:83 (a) Section 63A-3-106;84 (b) Section 63A-3-107; and85 (c) rules made by the Division of Finance pursuant to Sections 63A-3-106 and  
86 63A-3-107.87 (5) (a) The committee shall elect one of the members to serve as chair.

- 88 (b) A majority of the members of the committee constitutes a quorum of the
- 89 committee.
- 90 (c) The action of a majority of a quorum constitutes the action of the committee.
- 91 (6) The state superintendent's staff shall provide staff support to the committee.
- 92 (7) The committee shall:
- 93 (a) advise and make recommendations to the Legislature, governor, state
- 94 superintendent, and State Board of Education on seismic safety issues in public schools;
- 95 (b) provide technical assistance to the State Board of Education, state superintendent,
- 96 school districts, and charter schools in conducting and overseeing the seismic safety
- 97 evaluations required by Section 53A-15-1204; and
- 98 (c) after completion of the seismic safety evaluations required by Subsection
- 99 53A-15-1204(2), establish the threshold score.

100 Section 4. Section **53A-15-1204** is enacted to read:

101 **53A-15-1204. Seismic safety evaluation.**

102 (1) On or before October 1, 2010, each school district and charter school shall provide

103 the following information about each school to the Public School Seismic Safety Committee:

- 104 (a) school address;
- 105 (b) year of:
- 106 (i) initial construction; and
- 107 (ii) last significant improvement;
- 108 (c) square footage;
- 109 (d) total number of staff and enrolled students; and
- 110 (e) a copy of any structural or seismic evaluation conducted.

111 (2) As funding allocated by the Public School Seismic Safety Committee allows, each

112 school district and charter school shall:

- 113 (a) conduct a seismic safety rapid visual screening of each facility used by the school
- 114 district or charter school in accordance with federal guidelines;
- 115 (b) complete the appropriate evaluation score worksheet; and
- 116 (c) report its findings to the State Board of Education, including for each building:
- 117 (i) the evaluation score worksheet;
- 118 (ii) the current estimated number of building occupants during normal business hours;

119 and

120 (iii) the square footage.

121 (3) The rapid visual screening and completion of the evaluation score worksheet under  
122 Subsection (2) shall be supervised or performed by a licensed professional structural engineer  
123 or a licensed professional civil engineer with experience in seismic evaluations.

124 (4) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the  
125 State Board of Education, after consultation with the Public School Seismic Safety Committee,  
126 shall make rules to establish standardized forms and procedures for conducting and reporting  
127 the results of the rapid visual screening.

128 (5) (a) The State Board of Education shall reimburse school districts and charter  
129 schools for the costs of complying with this section from funds appropriated for that purpose.

130 (b) If reimbursement requests from school districts and charter schools exceed  
131 available funds, the State Board of Education shall proportionately reduce the allocation for  
132 each reimbursement request to match the level of available funds.

133 (c) (i) If reimbursement requests from school districts and charter schools are less than  
134 available funds, the State Board of Education, after consultation with the Public School  
135 Seismic Safety Committee, shall allocate any remaining funds for additional evaluations of  
136 buildings that receive a score on the building's evaluation score worksheet that is below the  
137 threshold score established by the committee.

138 (ii) If additional evaluations are funded pursuant to Subsection (5)(c)(i), the State  
139 Board of Education, after consultation with the Public School Seismic Safety Committee, shall  
140 require that the additional evaluations be performed using a nationally recognized standard.

141 (iii) The State Board of Education may require matching funds as a condition of  
142 funding any additional evaluations.

143 (6) The Public School Seismic Safety Committee shall report to the Education Interim  
144 Committee the provisional findings of the statewide seismic evaluation, including any  
145 additional evaluations, on or before October 31, 2012, including:

146 (a) by school district or charter school, the total number of screened buildings and the  
147 score for each building;

148 (b) the total estimated number of building occupants;

149 (c) the total estimated number of building occupants in structures that receive a score

150 on the building's evaluation score worksheet that is below the threshold score established by  
151 the committee;

152 (d) the total facility square footage statewide;

153 (e) the total facility square footage statewide in structures that receive a score on the  
154 building's evaluation score worksheet that is below the threshold score established by the  
155 committee; and

156 (f) the number of school districts, charter schools, and facilities for which no report  
157 was submitted.

158 (7) Immunity from suit of a governmental entity is not waived if the injury arises out  
159 of, in connection with, or results from a seismic safety evaluation, including a seismic safety  
160 rapid visual screening, or failure to conduct a seismic safety evaluation, including a seismic  
161 safety rapid visual screening.

162 (8) (a) A seismic safety evaluation, seismic safety rapid visual screening, score,  
163 worksheet, report, or any document created or prepared as a result of or in connection with a  
164 seismic safety evaluation, is not subject to discovery, subpoena, or similar compulsory process  
165 in any civil, judicial, or administrative proceeding.

166 (b) An individual or organization with access to the data described in Subsection (8)(a)  
167 may not be compelled to testify with regard to a seismic safety evaluation or proceedings in  
168 connection with a seismic safety evaluation.

169 (c) Documents described in Subsection (8)(a) and testimony described in Subsection  
170 (8)(b) are not admissible in a civil, judicial, or administrative proceeding.

171 Section 5. Section **63G-7-201** is amended to read:

172 **63G-7-201. Immunity of governmental entities from suit.**

173 (1) Except as may be otherwise provided in this chapter, each governmental entity and  
174 each employee of a governmental entity are immune from suit for any injury that results from  
175 the exercise of a governmental function.

176 (2) Notwithstanding the waiver of immunity provisions of Section 63G-7-301, a  
177 governmental entity, its officers, and its employees are immune from suit for any injury or  
178 damage resulting from the implementation of or the failure to implement measures to:

179 (a) control the causes of epidemic and communicable diseases and other conditions  
180 significantly affecting the public health or necessary to protect the public health as set out in

181 Title 26A, Chapter 1, Local Health Departments;

182 (b) investigate and control suspected bioterrorism and disease as set out in Title 26,  
183 Chapter 23b, Detection of Public Health Emergencies Act; ~~and~~

184 (c) respond to a national, state, or local emergency, a public health emergency as  
185 defined in Section 26-23b-102, or a declaration by the President of the United States or other  
186 federal official requesting public health related activities[-]; and

187 (d) conduct a seismic safety evaluation, including a seismic safety rapid visual  
188 screening pursuant to Title 53A, Chapter 15, Part 12, School Seismic Safety Act.

189 Section 6. Section **63I-2-253** is amended to read:

190 **63I-2-253. Repeal dates -- Titles 53, 53A, and 53B.**

191 (1) Section 53A-1-403.5 is repealed July 1, 2012.

192 (2) Subsection 53A-1-603(5) is repealed July 1, 2010.

193 (3) Title 53A, Chapter 1a, Part 10, UPSTART, is repealed July 1, 2014.

194 [~~(4) Section 53A-3-702 is repealed July 1, 2008.~~]

195 [~~(5) Section 53A-6-112 is repealed July 1, 2009.~~]

196 [~~(6)~~ (4) Subsection 53A-13-110(3) is repealed July 1, 2013.

197 (5) Title 53A, Chapter 15, Part 12, School Seismic Safety Act, is repealed July 1, 2020.

198 [~~(7)~~ (6) Section 53A-17a-152 is repealed July 1, 2010.

199 [~~(8)~~ (7) Section 53A-17a-162 is repealed July 1, 2012.

200 Section 7. Section **63J-1-602** is amended to read:

201 **63J-1-602. Nonlapsing accounts and funds.**

202 (1) The following revenue collections, appropriations from a fund or account, and  
203 appropriations to a program are nonlapsing:

204 (a) appropriations made to the Legislature and its committees;

205 (b) funds collected by the grain grading program, as provided in Section 4-2-2;

206 (c) the Salinity Offset Fund created in Section 4-2-8.5;

207 (d) the Invasive Species Mitigation Fund created in Section 4-2-8.7;

208 (e) funds collected by pesticide dealer license registration fees, as provided in Section  
209 4-14-3;

210 (f) funds collected by pesticide applicator business registration fees, as provided in  
211 Section 4-14-13;

- 212 (g) the Rangeland Improvement Fund created in Section 4-20-2;
- 213 (h) funds deposited as dedicated credits under the Insect Infestation Emergency Control  
214 Act, as provided in Section 4-35-6;
- 215 (i) the Percent-for-Art Program created in Section 9-6-404;
- 216 (j) the Centennial History Fund created in Section 9-8-604;
- 217 (k) the Uintah Basin Revitalization Fund, as provided in Section 9-10-108;
- 218 (l) the Navajo Revitalization Fund created in Section 9-11-104;
- 219 (m) the LeRay McAllister Critical Land Conservation Program created in Section  
220 11-38-301;
- 221 (n) the Clean Fuels and Vehicle Technology Fund created in Section 19-1-403;
- 222 (o) fees deposited as dedicated credits for hazardous waste plan reviews, as provided in  
223 Section 19-6-120;
- 224 (p) an appropriation made to the Division of Wildlife Resources for the appraisal and  
225 purchase of lands under the Pelican Management Act, as provided in Section 23-21a-6;
- 226 (q) award monies under the Crime Reduction Assistance Program, as provided under  
227 Section 24-1-19;
- 228 (r) funds collected from the emergency medical services grant program, as provided in  
229 Section 26-8a-207;
- 230 (s) fees and other funding available to purchase training equipment and to administer  
231 tests and conduct quality assurance reviews, as provided in Section 26-8a-208;
- 232 (t) funds collected as a result of a sanction under Section 1919 of Title XIX of the  
233 federal Social Security Act, as provided in Section 26-18-3;
- 234 (u) the Utah Health Care Workforce Financial Assistance Program created in Section  
235 26-46-102;
- 236 (v) monies collected from subscription fees for publications prepared or distributed by  
237 the insurance commissioner, as provided in Section 31A-2-208;
- 238 (w) monies received by the Insurance Department for administering, investigating  
239 under, and enforcing the Insurance Fraud Act, as provided in Section 31A-31-108;
- 240 (x) certain monies received for penalties paid under the Insurance Fraud Act, as  
241 provided in Section 31A-31-109;
- 242 (y) the fund for operating the state's Federal Health Care Tax Credit Program, as

243 provided in Section 31A-38-104;

244 (z) certain funds in the Department of Workforce Services' program for the education,  
245 training, and transitional counseling of displaced homemakers, as provided in Section  
246 35A-3-114;

247 (aa) the Employment Security Administration Fund created in Section 35A-4-505;

248 (bb) the Special Administrative Expense Fund created in Section 35A-4-506;

249 (cc) funding for a new program or agency that is designated as nonlapsing under  
250 Section 36-24-101;

251 (dd) the Oil and Gas Conservation Account created in Section 40-6-14.5;

252 (ee) funds available to the State Tax Commission for purchase and distribution of  
253 license plates and decals, as provided in Section 41-1a-1201;

254 (ff) certain fees for the cost of electronic payments under the Motor Vehicle Act, as  
255 provided in Section 41-1a-1221;

256 (gg) certain fees collected for administering and enforcing the Motor Vehicle Business  
257 Regulation Act, as provided in Section 41-3-601;

258 (hh) certain fees for the cost of electronic payments under the Motor Vehicle Business  
259 Regulation Act, as provided in Section 41-3-604;

260 (ii) the Off-Highway Access and Education Restricted Account created in Section  
261 41-22-19.5;

262 (jj) certain fees for the cost of electronic payments under the Motor Vehicle Act, as  
263 provided in Section 41-22-36;

264 (kk) monies collected under the Notaries Public Reform Act, as provided under  
265 46-1-23;

266 (ll) certain funds associated with the Law Enforcement Operations Account, as  
267 provided in Section 51-9-411;

268 (mm) the Public Safety Honoring Heroes Restricted Account created in Section  
269 53-1-118;

270 (nn) funding for the Search and Rescue Financial Assistance Program, as provided in  
271 Section 53-2-107;

272 (oo) appropriations made to the Department of Public Safety from the Department of  
273 Public Safety Restricted Account, as provided in Section 53-3-106;

274 (pp) appropriations to the Motorcycle Rider Education Program, as provided in Section  
275 53-3-905;

276 (qq) fees collected by the State Fire Marshal Division under the Utah Fire Prevention  
277 and Safety Act, as provided in Section 53-7-314;

278 (rr) the DNA Specimen Restricted Account created in Section 53-10-407;

279 (ss) monies appropriated to the State Board of Education for:

280 (i) reimbursement of school district and charter school seismic safety evaluation costs  
281 pursuant to Section 53A-15-1204; and

282 (ii) expenses of the Public School Seismic Safety Committee created in Section  
283 53A-15-1203;

284 [~~ss~~] (tt) the minimum school program, as provided in Section 53A-17a-105;

285 [~~tt~~] (uu) certain funds appropriated from the Uniform School Fund to the State Board  
286 of Education for new teacher bonus and performance-based compensation plans, as provided in  
287 Section 53A-17a-148;

288 [~~ttt~~] (vv) certain funds appropriated from the Uniform School Fund to the State  
289 Board of Education for implementation of proposals to improve mathematics achievement test  
290 scores, as provided in Section 53A-17a-152;

291 [~~vvv~~] (ww) the School Building Revolving Account created in Section 53A-21-401;

292 [~~www~~] (xx) monies received by the State Office of Rehabilitation for the sale of certain  
293 products or services, as provided in Section 53A-24-105;

294 [~~xxx~~] (yy) the State Board of Regents, as provided in Section 53B-6-104;

295 [~~yyy~~] (zz) certain funds appropriated from the General Fund to the State Board of  
296 Regents for teacher preparation programs, as provided in Section 53B-6-104;

297 [~~zzz~~] (aaa) a certain portion of monies collected for administrative costs under the  
298 School Institutional Trust Lands Management Act, as provided under Section 53C-3-202;

299 [~~aaa~~] (bbb) certain surcharges on residence and business telecommunications access  
300 lines imposed by the Public Service Commission, as provided in Section 54-8b-10;

301 [~~bbb~~] (ccc) certain fines collected by the Division of Occupational and Professional  
302 Licensing for violation of unlawful or unprofessional conduct that are used for education and  
303 enforcement purposes, as provided in Section 58-17b-505;

304 [~~ccc~~] (ddd) the Nurse Education and Enforcement Fund created in Section

305 58-31b-103;  
306 [~~(ddd)~~] (eee) funding of the controlled substance database, as provided in Section  
307 58-37-7.7;  
308 [~~(eee)~~] (fff) the Certified Nurse Midwife Education and Enforcement Fund created in  
309 Section 58-44a-103;  
310 [~~(fff)~~] (ggg) funding for the building inspector's education program, as provided in  
311 Section 58-56-9;  
312 [~~(ggg)~~] (hhh) certain fines collected by the Division of Occupational and Professional  
313 Licensing for use in education and enforcement of the Security Personnel Licensing Act, as  
314 provided in Section 58-63-103;  
315 [~~(hhh)~~] (iii) the Professional Geologist Education and Enforcement Fund created in  
316 Section 58-76-103;  
317 [~~(iii)~~] (jjj) certain monies in the Water Resources Conservation and Development  
318 Fund, as provided in Section 59-12-103;  
319 [~~(jjj)~~] (kkk) funds paid to the Division of Real Estate for the cost of a criminal  
320 background check for broker and sales agent licenses, as provided in Section 61-2-9;  
321 [~~(kkk)~~] (lll) the Utah Housing Opportunity Restricted Account created in Section  
322 61-2-28;  
323 [~~(lll)~~] (mmm) funds paid to the Division of Real Estate for the cost of a criminal  
324 background check for a mortgage loan license, as provided in Section 61-2c-202;  
325 [~~(mmm)~~] (nnn) funds paid to the Division of Real Estate in relation to examination of  
326 records in an investigation, as provided in Section 61-2c-401;  
327 [~~(nnn)~~] (ooo) certain funds donated to the Department of Human Services, as provided  
328 in Section 62A-1-111;  
329 [~~(ooo)~~] (ppp) certain funds donated to the Division of Child and Family Services, as  
330 provided in Section 62A-4a-110;  
331 [~~(ppp)~~] (qqq) the Mental Health Therapist Grant and Scholarship Program, as provided  
332 in Section 62A-13-109;  
333 [~~(qqq)~~] (rrr) assessments for DUI violations that are forwarded to an account created by  
334 a county treasurer, as provided in Section 62A-15-503;  
335 [~~(rrr)~~] (sss) appropriations to the Division of Services for People with Disabilities, as

336 provided in Section 62A-5-102;  
337 [~~(sss)~~] (ttt) certain donations to the Division of Substance Abuse and Mental Health, as  
338 provided in Section 62A-15-103;  
339 [~~(ttt)~~] (uuu) certain funds received by the Division of Parks and Recreation from the  
340 sale or disposal of buffalo, as provided under Section 63-11-19.2;  
341 [~~(uuu)~~] (vvv) revenue for golf user fees at the Wasatch Mountain State Park, Palisades  
342 State Park, or Jordan River State Park, as provided under Section 63-11-19.5;  
343 [~~(vvv)~~] (www) revenue for golf user fees at the Green River State Park, as provided  
344 under Section 63-11-19.6;  
345 [~~(www)~~] (xxx) the Centennial Nonmotorized Paths and Trail Crossings Program  
346 created under Section 63-11a-503;  
347 [~~(xxx)~~] (yyy) the Bonneville Shoreline Trail Program created under Section  
348 63-11a-504;  
349 [~~(yyy)~~] (zzz) the account for the Utah Geological Survey, as provided in Section  
350 63-73-10;  
351 [~~(zzz)~~] (aaa) the Risk Management Fund created under Section 63A-4-201;  
352 [~~(aaa)~~] (bbb) the Child Welfare Parental Defense Fund created in Section  
353 63A-11-203;  
354 [~~(bbb)~~] (ccc) the Constitutional Defense Restricted Account created in Section  
355 63C-4-103;  
356 [~~(ccc)~~] (ddd) a portion of the funds appropriated to the Utah Seismic Safety  
357 Commission, as provided in Section 63C-6-104;  
358 [~~(ddd)~~] (eee) funding for the Medical Education Program administered by the  
359 Medical Education Council, as provided in Section 63C-8-102;  
360 [~~(eee)~~] (fff) certain monies payable for commission expenses of the Pete Suazo Utah  
361 Athletic Commission, as provided under Section 63C-11-301;  
362 [~~(fff)~~] (ggg) funds collected for publishing the Division of Administrative Rules'  
363 publications, as provided in Section 63G-3-402;  
364 [~~(ggg)~~] (hhh) the appropriation to fund the Governor's Office of Economic  
365 Development's Enterprise Zone Act, as provided in Section 63M-1-416;  
366 [~~(hhh)~~] (iii) the Tourism Marketing Performance Account, as provided in Section

367 63M-1-1406;  
368        ~~[(tttt)]~~ (jjjj) certain funding for rural development provided to the Office of Rural  
369 Development in the Governor's Office of Economic Development, as provided in Section  
370 63M-1-1604;  
371        ~~[(jjjj)]~~ (kkkk) certain monies in the Development for Disadvantaged Rural  
372 Communities Restricted Account, as provided in Section 63M-1-2003;  
373        ~~[(kkkk)]~~ (llll) appropriations to the Utah Science Technology and Research Governing  
374 Authority, created under Section 63M-2-301, as provided under Section 63M-3-302;  
375        ~~[(llll)]~~ (mmmm) certain monies in the Rural Broadband Service Fund, as provided in  
376 Section 63M-1-2303;  
377        ~~[(mmmm)]~~ (nnnn) funds collected from monthly offender supervision fees, as provided  
378 in Section 64-13-21.2;  
379        ~~[(nnnn)]~~ (oooo) funds collected by the housing of state probationary inmates or state  
380 parole inmates, as provided in Subsection 64-13e-104(2);  
381        ~~[(oooo)]~~ (pppp) the Sovereign Lands Management account created in Section 65A-5-1;  
382        ~~[(pppp)]~~ (qqqq) certain forestry and fire control funds utilized by the Division of  
383 Forestry, Fire, and State Lands, as provided in Section 65A-8-103;  
384        ~~[(qqqq)]~~ (rrrr) the Department of Human Resource Management user training program,  
385 as provided in Section 67-19-6;  
386        ~~[(rrrr)]~~ (ssss) funds for the University of Utah Poison Control Center program, as  
387 provided in Section 69-2-5.5;  
388        ~~[(ssss)]~~ (tttt) appropriations to the Transportation Corridor Preservation Revolving  
389 Loan Fund, as provided in Section 72-2-117;  
390        ~~[(tttt)]~~ (uuuu) appropriations to the Local Transportation Corridor Preservation Fund,  
391 as provided in Section 72-2-117.5;  
392        ~~[(uuuu)]~~ (vvvv) appropriations to the Tollway Restricted Special Revenue Fund, as  
393 provided in Section 77-2-120;  
394        ~~[(vvvv)]~~ (wwww) appropriations to the Aeronautics Construction Revolving Loan  
395 Fund, as provided in Section 77-2-122;  
396        ~~[(wwww)]~~ (xxxx) appropriations to the State Park Access Highways Improvement  
397 Program, as provided in Section 72-3-207;

398 [~~(xxxxx)~~] (yyyy) the Traffic Noise Abatement Program created in Section 72-6-112;  
399 [~~(yyyyy)~~] (zzzz) certain funds received by the Office of the State Engineer for well  
400 drilling fines or bonds, as provided in Section 73-3-25;

401 [~~(zzzzz)~~] (aaaaa) certain monies appropriated to increase the carrying capacity of the  
402 Jordan River that are transferred to the Division of Parks and Recreation, as provided in  
403 Section 73-10e-1;

404 [~~(aaaaa)~~] (bbbbb) certain fees for the cost of electronic payments under the State  
405 Boating Act, as provided in Section 73-18-25;

406 [~~(bbbbbb)~~] (ccccc) certain monies appropriated from the Water Resources Conservation  
407 and Development Fund, as provided in Section 73-23-2;

408 [~~(ceeece)~~] (dddddd) the Lake Powell Pipeline Project Operation and Maintenance Fund  
409 created in Section 73-28-404;

410 [~~(ddddd)~~] (eeeee) certain funds in the Water Development and Flood Mitigation  
411 Reserve Account, as provided in Section 73-103-1;

412 [~~(ceeece)~~] (fffff) certain funds appropriated for compensation for special prosecutors, as  
413 provided in Section 77-10a-19;

414 [~~(fffff)~~] (ggggg) the Indigent Aggravated Murder Defense Trust Fund created in  
415 Section 77-32-601;

416 [~~(ggggg)~~] (hhhhh) the Indigent Felony Defense Trust Fund created in Section  
417 77-32-701;

418 [~~(hhhhh)~~] (iiiiii) funds donated or paid to a juvenile court by private sources, as  
419 provided in Subsection 78A-6-203(c);

420 [~~(iiiiii)~~] (jjjjj) a state rehabilitative employment program, as provided in Section  
421 78A-6-210; and

422 [~~(jjjjj)~~] (kkkkk) fees from the issuance and renewal of licenses for certified court  
423 interpreters, as provided in Section 78B-1-146.

424 (2) No revenue collection, appropriation from a fund or account, or appropriation to a  
425 program may be treated as nonlapsing unless:

426 (a) it is expressly referenced by this section;

427 (b) it is designated in a condition of appropriation in the appropriations bill; or

428 (c) nonlapsing authority is granted under Section 63J-1-603.

429 (3) Each legislative appropriations subcommittee shall review the accounts and funds  
430 that have been granted nonlapsing authority under this section or Section 63J-1-603.

431 Section 8. **Appropriation.**

432 (1) There is appropriated \$25,000 from the General Fund for fiscal year 2010-11 only,  
433 to the State Board of Education for:

434 (a) reimbursement of school district and charter school seismic safety evaluation costs  
435 incurred pursuant to Section 53A-15-1204; and

436 (b) expenses of the Public School Seismic Safety Committee created under Section  
437 53A-15-1203.

438 (2) The funds appropriated in Subsection (1) are non-lapsing.

439 Section 9. **Effective date.**

440 This bill takes effect on July 1, 2010.

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**H.B. 72 1st Sub. (Buff) - Utah School Seismic Hazard Inventory**

**Fiscal Note**

2010 General Session  
State of Utah

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**State Impact**

Enactment of this bill will appropriate one-time \$25,000 from the General Fund for FY 2011 and includes non-lapsing authority.

	<u>FY 2010 Approp.</u>	<u>FY 2011 Approp.</u>	<u>FY 2012 Approp.</u>	<u>FY 2010 Revenue</u>	<u>FY 2011 Revenue</u>	<u>FY 2012 Revenue</u>
General Fund, One-Time	\$0	\$25,000	\$0	\$0	\$0	\$0
<b>Total</b>	<b>\$0</b>	<b>\$25,000</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

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**Individual, Business and/or Local Impact**

Enactment of this bill likely will not result in direct, measurable costs and/or benefits for individuals or businesses. Local school districts and charter school may incur additional expenses if evaluation costs exceed the amount appropriated in this bill.

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