

Senator Ralph Okerlund proposes the following substitute bill:

NONLAPSING AUTHORITY TECHNICAL AMENDMENTS

2010 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Ralph Okerlund

House Sponsor: Julie Fisher

LONG TITLE

General Description:

This bill modifies the Budgetary Procedures Act to reorganize the list of nonlapsing funds.

Highlighted Provisions:

This bill:

- ▶ makes technical and organizational modifications to the Budgetary Procedures Act's list of nonlapsing funds; and
- ▶ deletes a reference to a nonlapsing fund that has been repealed.

Monies Appropriated in this Bill:

None

Other Special Clauses:

This bill coordinates with H.B. 39, Insurance Related Amendments, by providing conforming amendments.

Utah Code Sections Affected:

AMENDS:

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

ENACTS:

63J-1-602.1, Utah Code Annotated 1953



- 26 **63J-1-602.2**, Utah Code Annotated 1953
- 27 **63J-1-602.3**, Utah Code Annotated 1953
- 28 **63J-1-602.4**, Utah Code Annotated 1953
- 29 **63J-1-602.5**, Utah Code Annotated 1953

30 **Utah Code Sections Affected by Coordination Clause:**

- 31 **63J-1-602.2**, Utah Code Annotated 1953



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

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

35 **63J-1-602. Nonlapsing accounts and funds.**

36 (1) The [following] revenue collections, appropriations from a fund or account, and
37 appropriations to a program that are listed in Sections 63J-1-602.1 through 63J-1-602.5 are
38 nonlapsing[:].

- 39 ~~[(a) appropriations made to the Legislature and its committees;]~~
- 40 ~~[(b) funds collected by the grain grading program, as provided in Section 4-2-2;]~~
- 41 ~~[(c) the Salinity Offset Fund created in Section 4-2-8.5;]~~
- 42 ~~[(d) the Invasive Species Mitigation Fund created in Section 4-2-8.7;]~~
- 43 ~~[(e) funds collected by pesticide dealer license registration fees, as provided in Section~~
- 44 ~~4-14-3;]~~
- 45 ~~[(f) funds collected by pesticide applicator business registration fees, as provided in~~
- 46 ~~Section 4-14-13;]~~
- 47 ~~[(g) the Rangeland Improvement Fund created in Section 4-20-2;]~~
- 48 ~~[(h) funds deposited as dedicated credits under the Insect Infestation Emergency~~
- 49 ~~Control Act, as provided in Section 4-35-6;]~~
- 50 ~~[(i) the Percent-for-Art Program created in Section 9-6-404;]~~
- 51 ~~[(j) the Centennial History Fund created in Section 9-8-604;]~~
- 52 ~~[(k) the Uintah Basin Revitalization Fund, as provided in Section 9-10-108;]~~
- 53 ~~[(l) the Navajo Revitalization Fund created in Section 9-11-104;]~~
- 54 ~~[(m) the LeRay McAllister Critical Land Conservation Program created in Section~~
- 55 ~~11-38-301;]~~
- 56 ~~[(n) the Clean Fuels and Vehicle Technology Fund created in Section 19-1-403;]~~

57 ~~[(o) fees deposited as dedicated credits for hazardous waste plan reviews, as provided~~
58 ~~in Section 19-6-120;]~~

59 ~~[(p) an appropriation made to the Division of Wildlife Resources for the appraisal and~~
60 ~~purchase of lands under the Pelican Management Act, as provided in Section 23-21a-6;]~~

61 ~~[(q) award monies under the Crime Reduction Assistance Program, as provided under~~
62 ~~Section 24-1-19;]~~

63 ~~[(r) funds collected from the emergency medical services grant program, as provided in~~
64 ~~Section 26-8a-207;]~~

65 ~~[(s) fees and other funding available to purchase training equipment and to administer~~
66 ~~tests and conduct quality assurance reviews, as provided in Section 26-8a-208;]~~

67 ~~[(t) funds collected as a result of a sanction under Section 1919 of Title XIX of the~~
68 ~~federal Social Security Act, as provided in Section 26-18-3;]~~

69 ~~[(u) the Utah Health Care Workforce Financial Assistance Program created in Section~~
70 ~~26-46-102;]~~

71 ~~[(v) monies collected from subscription fees for publications prepared or distributed by~~
72 ~~the insurance commissioner, as provided in Section 31A-2-208;]~~

73 ~~[(w) monies received by the Insurance Department for administering, investigating~~
74 ~~under, and enforcing the Insurance Fraud Act, as provided in Section 31A-31-108;]~~

75 ~~[(x) certain monies received for penalties paid under the Insurance Fraud Act, as~~
76 ~~provided in Section 31A-31-109;]~~

77 ~~[(y) the fund for operating the state's Federal Health Care Tax Credit Program, as~~
78 ~~provided in Section 31A-38-104;]~~

79 ~~[(z) certain funds in the Department of Workforce Services' program for the education,~~
80 ~~training, and transitional counseling of displaced homemakers, as provided in Section~~
81 ~~35A-3-114;]~~

82 ~~[(aa) the Employment Security Administration Fund created in Section 35A-4-505;]~~

83 ~~[(bb) the Special Administrative Expense Fund created in Section 35A-4-506;]~~

84 ~~[(cc) funding for a new program or agency that is designated as nonlapsing under~~
85 ~~Section 36-24-101;]~~

86 ~~[(dd) the Oil and Gas Conservation Account created in Section 40-6-14.5;]~~

87 ~~[(ee) funds available to the State Tax Commission for purchase and distribution of~~

88 ~~license plates and decals, as provided in Section 41-1a-1201;]~~

89 ~~[(ff) certain fees for the cost of electronic payments under the Motor Vehicle Act, as~~
90 ~~provided in Section 41-1a-1221;]~~

91 ~~[(gg) certain fees collected for administering and enforcing the Motor Vehicle Business~~
92 ~~Regulation Act, as provided in Section 41-3-601;]~~

93 ~~[(hh) certain fees for the cost of electronic payments under the Motor Vehicle Business~~
94 ~~Regulation Act, as provided in Section 41-3-604;]~~

95 ~~[(ii) the Off-Highway Access and Education Restricted Account created in Section~~
96 ~~41-22-19.5;]~~

97 ~~[(jj) certain fees for the cost of electronic payments under the Motor Vehicle Act, as~~
98 ~~provided in Section 41-22-36;]~~

99 ~~[(kk) monies collected under the Notaries Public Reform Act, as provided under~~
100 ~~46-1-23;]~~

101 ~~[(ll) certain funds associated with the Law Enforcement Operations Account, as~~
102 ~~provided in Section 51-9-411;]~~

103 ~~[(mm) the Public Safety Honoring Heroes Restricted Account created in Section~~
104 ~~53-1-118;]~~

105 ~~[(nn) funding for the Search and Rescue Financial Assistance Program, as provided in~~
106 ~~Section 53-2-107;]~~

107 ~~[(oo) appropriations made to the Department of Public Safety from the Department of~~
108 ~~Public Safety Restricted Account, as provided in Section 53-3-106;]~~

109 ~~[(pp) appropriations to the Motorcycle Rider Education Program, as provided in~~
110 ~~Section 53-3-905;]~~

111 ~~[(qq) fees collected by the State Fire Marshal Division under the Utah Fire Prevention~~
112 ~~and Safety Act, as provided in Section 53-7-314;]~~

113 ~~[(rr) the DNA Specimen Restricted Account created in Section 53-10-407;]~~

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

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

118 ~~[(uu) certain funds appropriated from the Uniform School Fund to the State Board of~~

119 Education for implementation of proposals to improve mathematics achievement test scores, as
120 provided in Section 53A-17a-152;]

121 [~~(vv) the School Building Revolving Account created in Section 53A-21-401;~~]

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

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

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

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

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

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

134 [~~(ccc) the Nurse Education and Enforcement Fund created in Section 58-31b-103;~~]

135 [~~(ddd) funding of the controlled substance database, as provided in Section 58-37-7.7;~~]

136 [~~(eee) the Certified Nurse Midwife Education and Enforcement Fund created in
137 Section 58-44a-103;~~]

138 [~~(fff) funding for the building inspector's education program, as provided in Section
139 58-56-9;~~]

140 [~~(ggg) certain fines collected by the Division of Occupational and Professional
141 Licensing for use in education and enforcement of the Security Personnel Licensing Act, as
142 provided in Section 58-63-103;~~]

143 [~~(hhh) the Professional Geologist Education and Enforcement Fund created in Section
144 58-76-103;~~]

145 [~~(iii) certain monies in the Water Resources Conservation and Development Fund, as
146 provided in Section 59-12-103;~~]

147 [~~(jjj) funds paid to the Division of Real Estate for the cost of a criminal background
148 check for broker and sales agent licenses, as provided in Section 61-2-9;~~]

149 [~~(kkk) the Utah Housing Opportunity Restricted Account created in Section 61-2-28;~~]

150 ~~[(lll) funds paid to the Division of Real Estate for the cost of a criminal background~~
151 ~~check for a mortgage loan license, as provided in Section 61-2c-202;]~~

152 ~~[(mmm) funds paid to the Division of Real Estate in relation to examination of records~~
153 ~~in an investigation, as provided in Section 61-2c-401;]~~

154 ~~[(nnn) certain funds donated to the Department of Human Services, as provided in~~
155 ~~Section 62A-1-111;]~~

156 ~~[(ooo) certain funds donated to the Division of Child and Family Services, as provided~~
157 ~~in Section 62A-4a-110;]~~

158 ~~[(ppp) the Mental Health Therapist Grant and Scholarship Program, as provided in~~
159 ~~Section 62A-13-109;]~~

160 ~~[(qqq) assessments for DUI violations that are forwarded to an account created by a~~
161 ~~county treasurer, as provided in Section 62A-15-503;]~~

162 ~~[(rrr) appropriations to the Division of Services for People with Disabilities, as~~
163 ~~provided in Section 62A-5-102;]~~

164 ~~[(sss) certain donations to the Division of Substance Abuse and Mental Health, as~~
165 ~~provided in Section 62A-15-103;]~~

166 ~~[(ttt) certain funds received by the Division of Parks and Recreation from the sale or~~
167 ~~disposal of buffalo, as provided under Section 63-11-19.2;]~~

168 ~~[(uuu) revenue for golf user fees at the Wasatch Mountain State Park, Palisades State~~
169 ~~Park, or Jordan River State Park, as provided under Section 63-11-19.5;]~~

170 ~~[(vvv) revenue for golf user fees at the Green River State Park, as provided under~~
171 ~~Section 63-11-19.6;]~~

172 ~~[(www) the Centennial Nonmotorized Paths and Trail Crossings Program created~~
173 ~~under Section 63-11a-503;]~~

174 ~~[(xxx) the Bonneville Shoreline Trail Program created under Section 63-11a-504;]~~

175 ~~[(yyy) the account for the Utah Geological Survey, as provided in Section 63-73-10;]~~

176 ~~[(zzz) the Risk Management Fund created under Section 63A-4-201;]~~

177 ~~[(aaaa) the Child Welfare Parental Defense Fund created in Section 63A-11-203;]~~

178 ~~[(bbbb) the Constitutional Defense Restricted Account created in Section 63C-4-103;]~~

179 ~~[(cccc) a portion of the funds appropriated to the Utah Seismic Safety Commission, as~~
180 ~~provided in Section 63C-6-104;]~~

181 ~~[(dddd) funding for the Medical Education Program administered by the Medical~~
182 ~~Education Council, as provided in Section 63C-8-102;]~~

183 ~~[(eeee) certain monies payable for commission expenses of the Pete Suazo Utah~~
184 ~~Athletic Commission, as provided under Section 63C-11-301;]~~

185 ~~[(ffff) funds collected for publishing the Division of Administrative Rules'~~
186 ~~publications, as provided in Section 63G-3-402;]~~

187 ~~[(gggg) the appropriation to fund the Governor's Office of Economic Development's~~
188 ~~Enterprise Zone Act, as provided in Section 63M-1-416;]~~

189 ~~[(hhhh) the Tourism Marketing Performance Account, as provided in Section~~
190 ~~63M-1-1406;]~~

191 ~~[(iiii) certain funding for rural development provided to the Office of Rural~~
192 ~~Development in the Governor's Office of Economic Development, as provided in Section~~
193 ~~63M-1-1604;]~~

194 ~~[(jjjj) certain monies in the Development for Disadvantaged Rural Communities~~
195 ~~Restricted Account, as provided in Section 63M-1-2003;]~~

196 ~~[(kkkk) appropriations to the Utah Science Technology and Research Governing~~
197 ~~Authority, created under Section 63M-2-301, as provided under Section 63M-3-302;]~~

198 ~~[(llll) certain monies in the Rural Broadband Service Fund, as provided in Section~~
199 ~~63M-1-2303;]~~

200 ~~[(mmmm) funds collected from monthly offender supervision fees, as provided in~~
201 ~~Section 64-13-21.2;]~~

202 ~~[(nnnn) funds collected by the housing of state probationary inmates or state parole~~
203 ~~inmates, as provided in Subsection 64-13e-104(2);]~~

204 ~~[(oooo) the Sovereign Lands Management account created in Section 65A-5-1;]~~

205 ~~[(pppp) certain forestry and fire control funds utilized by the Division of Forestry, Fire,~~
206 ~~and State Lands, as provided in Section 65A-8-103;]~~

207 ~~[(qqqq) the Department of Human Resource Management user training program, as~~
208 ~~provided in Section 67-19-6;]~~

209 ~~[(rrrr) funds for the University of Utah Poison Control Center program, as provided in~~
210 ~~Section 69-2-5.5;]~~

211 ~~[(ssss) appropriations to the Transportation Corridor Preservation Revolving Loan~~

212 Fund, as provided in Section 72-2-117;]
213 ~~[(tttt) appropriations to the Local Transportation Corridor Preservation Fund, as~~
214 ~~provided in Section 72-2-117.5;]~~
215 ~~[(uuuu) appropriations to the Tollway Restricted Special Revenue Fund, as provided in~~
216 ~~Section 77-2-120;]~~
217 ~~[(vvvv) appropriations to the Aeronautics Construction Revolving Loan Fund, as~~
218 ~~provided in Section 77-2-122;]~~
219 ~~[(www) appropriations to the State Park Access Highways Improvement Program, as~~
220 ~~provided in Section 72-3-207;]~~
221 ~~[(xxxx) the Traffic Noise Abatement Program created in Section 72-6-112;]~~
222 ~~[(yyyy) certain funds received by the Office of the State Engineer for well drilling fines~~
223 ~~or bonds, as provided in Section 73-3-25;]~~
224 ~~[(zzzz) certain monies appropriated to increase the carrying capacity of the Jordan~~
225 ~~River that are transferred to the Division of Parks and Recreation, as provided in Section~~
226 ~~73-10e-1;]~~
227 ~~[(aaaa) certain fees for the cost of electronic payments under the State Boating Act, as~~
228 ~~provided in Section 73-18-25;]~~
229 ~~[(bbbb) certain monies appropriated from the Water Resources Conservation and~~
230 ~~Development Fund, as provided in Section 73-23-2;]~~
231 ~~[(cccc) the Lake Powell Pipeline Project Operation and Maintenance Fund created in~~
232 ~~Section 73-28-404;]~~
233 ~~[(dddd) certain funds in the Water Development and Flood Mitigation Reserve~~
234 ~~Account, as provided in Section 73-103-1;]~~
235 ~~[(eeee) certain funds appropriated for compensation for special prosecutors, as~~
236 ~~provided in Section 77-10a-19;]~~
237 ~~[(ffff) the Indigent Aggravated Murder Defense Trust Fund created in Section~~
238 ~~77-32-601;]~~
239 ~~[(gggg) the Indigent Felony Defense Trust Fund created in Section 77-32-701;]~~
240 ~~[(hhhh) funds donated or paid to a juvenile court by private sources, as provided in~~
241 ~~Subsection 78A-6-203(c);]~~
242 ~~[(iiii) a state rehabilitative employment program, as provided in Section 78A-6-210;~~

243 and]

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

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

248 (a) it is [~~expressly referenced by this section~~] listed in Sections 63J-1-602.1 through
249 63J-1-602.5;

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

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

252 (3) Each legislative appropriations subcommittee shall review the accounts and funds
253 that have been granted nonlapsing authority under the provisions of this section or Section
254 63J-1-603.

255 Section 2. Section **63J-1-602.1** is enacted to read:

256 **63J-1-602.1. List of nonlapsing accounts and funds -- General authority and Title**
257 **1 through Title 30.**

258 (1) Appropriations made to the Legislature and its committees.

259 (2) Funds collected by the grain grading program, as provided in Section 4-2-2.

260 (3) The Salinity Offset Fund created in Section 4-2-8.5.

261 (4) The Invasive Species Mitigation Fund created in Section 4-2-8.7.

262 (5) Funds collected by pesticide dealer license registration fees, as provided in Section
263 4-14-3.

264 (6) Funds collected by pesticide applicator business registration fees, as provided in
265 Section 4-14-13.

266 (7) The Rangeland Improvement Fund created in Section 4-20-2.

267 (8) Funds deposited as dedicated credits under the Insect Infestation Emergency
268 Control Act, as provided in Section 4-35-6.

269 (9) The Percent-for-Art Program created in Section 9-6-404.

270 (10) The Centennial History Fund created in Section 9-8-604.

271 (11) The Uintah Basin Revitalization Fund, as provided in Section 9-10-108.

272 (12) The Navajo Revitalization Fund created in Section 9-11-104.

273 (13) The LeRay McAllister Critical Land Conservation Program created in Section

274 11-38-301.

275 (14) The Clean Fuels and Vehicle Technology Fund created in Section 19-1-403.

276 (15) Fees deposited as dedicated credits for hazardous waste plan reviews, as provided
277 in Section 19-6-120.

278 (16) An appropriation made to the Division of Wildlife Resources for the appraisal and
279 purchase of lands under the Pelican Management Act, as provided in Section 23-21a-6.

280 (17) Award monies under the Crime Reduction Assistance Program, as provided under
281 Section 24-1-19.

282 (18) Funds collected from the emergency medical services grant program, as provided
283 in Section 26-8a-207.

284 (19) Fees and other funding available to purchase training equipment and to administer
285 tests and conduct quality assurance reviews, as provided in Section 26-8a-208.

286 (20) Funds collected as a result of a sanction under Section 1919 of Title XIX of the
287 federal Social Security Act, as provided in Section 26-18-3.

288 (21) The Utah Health Care Workforce Financial Assistance Program created in Section
289 26-46-102.

290 Section 3. Section **63J-1-602.2** is enacted to read:

291 **63J-1-602.2. List of nonlapsing funds and accounts -- Title 31 through Title 45.**

292 (1) Monies collected from subscription fees for publications prepared or distributed by
293 the insurance commissioner, as provided in Section 31A-2-208.

294 (2) Monies received by the Insurance Department for administering, investigating
295 under, and enforcing the Insurance Fraud Act, as provided in Section 31A-31-108.

296 (3) Certain monies received for penalties paid under the Insurance Fraud Act, as
297 provided in Section 31A-31-109.

298 (4) The fund for operating the state's Federal Health Care Tax Credit Program, as
299 provided in Section 31A-38-104.

300 (5) Certain funds in the Department of Workforce Services' program for the education,
301 training, and transitional counseling of displaced homemakers, as provided in Section
302 35A-3-114.

303 (6) The Employment Security Administration Fund created in Section 35A-4-505.

304 (7) The Special Administrative Expense Fund created in Section 35A-4-506.

305 (8) Funding for a new program or agency that is designated as nonlapsing under
306 Section 36-24-101.

307 (9) The Oil and Gas Conservation Account created in Section 40-6-14.5.

308 (10) Funds available to the State Tax Commission for purchase and distribution of
309 license plates and decals, as provided in Section 41-1a-1201.

310 (11) Certain fees for the cost of electronic payments under the Motor Vehicle Act, as
311 provided in Section 41-1a-1221.

312 (12) Certain fees collected for administering and enforcing the Motor Vehicle Business
313 Regulation Act, as provided in Section 41-3-601.

314 (13) Certain fees for the cost of electronic payments under the Motor Vehicle Business
315 Regulation Act, as provided in Section 41-3-604.

316 (14) The Off-Highway Access and Education Restricted Account created in Section
317 41-22-19.5.

318 (15) Certain fees for the cost of electronic payments under the Motor Vehicle Act, as
319 provided in Section 41-22-36.

320 Section 4. Section **63J-1-602.3** is enacted to read:

321 **63J-1-602.3. List of nonlapsing funds and accounts -- Title 46 through Title 60.**

322 (1) Monies collected under the Notaries Public Reform Act, as provided under
323 46-1-23.

324 (2) Certain funds associated with the Law Enforcement Operations Account, as
325 provided in Section 51-9-411.

326 (3) The Public Safety Honoring Heroes Restricted Account created in Section
327 53-1-118.

328 (4) Funding for the Search and Rescue Financial Assistance Program, as provided in
329 Section 53-2-107.

330 (5) Appropriations made to the Department of Public Safety from the Department of
331 Public Safety Restricted Account, as provided in Section 53-3-106.

332 (6) Appropriations to the Motorcycle Rider Education Program, as provided in Section
333 53-3-905.

334 (7) Fees collected by the State Fire Marshal Division under the Utah Fire Prevention
335 and Safety Act, as provided in Section 53-7-314.

- 336 (8) The DNA Specimen Restricted Account created in Section 53-10-407.
- 337 (9) The minimum school program, as provided in Section 53A-17a-105.
- 338 (10) Certain funds appropriated from the Uniform School Fund to the State Board of
339 Education for new teacher bonus and performance-based compensation plans, as provided in
340 Section 53A-17a-148.
- 341 (11) Certain funds appropriated from the Uniform School Fund to the State Board of
342 Education for implementation of proposals to improve mathematics achievement test scores, as
343 provided in Section 53A-17a-152.
- 344 (12) The School Building Revolving Account created in Section 53A-21-401.
- 345 (13) Monies received by the State Office of Rehabilitation for the sale of certain
346 products or services, as provided in Section 53A-24-105.
- 347 (14) The State Board of Regents, as provided in Section 53B-6-104.
- 348 (15) Certain funds appropriated from the General Fund to the State Board of Regents
349 for teacher preparation programs, as provided in Section 53B-6-104.
- 350 (16) A certain portion of monies collected for administrative costs under the School
351 Institutional Trust Lands Management Act, as provided under Section 53C-3-202.
- 352 (17) Certain surcharges on residence and business telecommunications access lines
353 imposed by the Public Service Commission, as provided in Section 54-8b-10.
- 354 (18) Certain fines collected by the Division of Occupational and Professional Licensing
355 for violation of unlawful or unprofessional conduct that are used for education and enforcement
356 purposes, as provided in Section 58-17b-505.
- 357 (19) The Nurse Education and Enforcement Fund created in Section 58-31b-103.
- 358 (20) Funding of the controlled substance database, as provided in Section 58-37f-502.
- 359 (21) The Certified Nurse Midwife Education and Enforcement Fund created in Section
360 58-44a-103.
- 361 (22) Funding for the building inspector's education program, as provided in Section
362 58-56-9.
- 363 (23) Certain fines collected by the Division of Occupational and Professional Licensing
364 for use in education and enforcement of the Security Personnel Licensing Act, as provided in
365 Section 58-63-103.
- 366 (24) The Professional Geologist Education and Enforcement Fund created in Section

367 58-76-103.

368 (25) Certain monies in the Water Resources Conservation and Development Fund, as
369 provided in Section 59-12-103.

370 Section 5. Section **63J-1-602.4** is enacted to read:

371 **63J-1-602.4. List of nonlapsing funds and accounts -- Title 61 through Title 63.**

372 (1) Funds paid to the Division of Real Estate for the cost of a criminal background
373 check for broker and sales agent licenses, as provided in Section 61-2-9.

374 (2) The Utah Housing Opportunity Restricted Account created in Section 61-2-28.

375 (3) Funds paid to the Division of Real Estate for the cost of a criminal background
376 check for a mortgage loan license, as provided in Section 61-2c-202.

377 (4) Funds paid to the Division of Real Estate in relation to examination of records in an
378 investigation, as provided in Section 61-2c-401.

379 (5) Certain funds donated to the Department of Human Services, as provided in
380 Section 62A-1-111.

381 (6) Certain funds donated to the Division of Child and Family Services, as provided in
382 Section 62A-4a-110.

383 (7) Assessments for DUI violations that are forwarded to an account created by a
384 county treasurer, as provided in Section 62A-15-503.

385 (8) Appropriations to the Division of Services for People with Disabilities, as provided
386 in Section 62A-5-102.

387 (9) Certain donations to the Division of Substance Abuse and Mental Health, as
388 provided in Section 62A-15-103.

389 (10) Certain funds received by the Division of Parks and Recreation from the sale or
390 disposal of buffalo, as provided under Section 63-11-19.2.

391 (11) Revenue for golf user fees at the Wasatch Mountain State Park, Palisades State
392 Park, or Jordan River State Park, as provided under Section 63-11-19.5.

393 (12) Revenue for golf user fees at the Green River State Park, as provided under
394 Section 63-11-19.6.

395 (13) The Centennial Nonmotorized Paths and Trail Crossings Program created under
396 Section 63-11a-503.

397 (14) The Bonneville Shoreline Trail Program created under Section 63-11a-504.

398 (15) The account for the Utah Geological Survey, as provided in Section 63-73-10.

399 (16) The Risk Management Fund created under Section 63A-4-201.

400 (17) The Child Welfare Parental Defense Fund created in Section 63A-11-203.

401 (18) The Constitutional Defense Restricted Account created in Section 63C-4-103.

402 (19) A portion of the funds appropriated to the Utah Seismic Safety Commission, as
403 provided in Section 63C-6-104.

404 (20) Funding for the Medical Education Program administered by the Medical
405 Education Council, as provided in Section 63C-8-102.

406 (21) Certain monies payable for commission expenses of the Pete Suazo Utah Athletic
407 Commission, as provided under Section 63C-11-301.

408 (22) Funds collected for publishing the Division of Administrative Rules' publications,
409 as provided in Section 63G-3-402.

410 (23) The appropriation to fund the Governor's Office of Economic Development's
411 Enterprise Zone Act, as provided in Section 63M-1-416.

412 (24) The Tourism Marketing Performance Account, as provided in Section
413 63M-1-1406.

414 (25) Certain funding for rural development provided to the Office of Rural
415 Development in the Governor's Office of Economic Development, as provided in Section
416 63M-1-1604.

417 (26) Certain monies in the Development for Disadvantaged Rural Communities
418 Restricted Account, as provided in Section 63M-1-2003.

419 (27) Appropriations to the Utah Science Technology and Research Governing
420 Authority, created under Section 63M-2-301, as provided under Section 63M-3-302.

421 (28) Certain monies in the Rural Broadband Service Fund, as provided in Section
422 63M-1-2303.

423 Section 6. Section **63J-1-602.5** is enacted to read:

424 **63J-1-602.5. List of nonlapsing funds and accounts -- Title 64 and thereafter.**

425 (1) Funds collected from monthly offender supervision fees, as provided in Section
426 64-13-21.2.

427 (2) Funds collected by the housing of state probationary inmates or state parole
428 inmates, as provided in Subsection 64-13e-104(2).

- 429 (3) The Sovereign Lands Management account created in Section 65A-5-1.
- 430 (4) Certain forestry and fire control funds utilized by the Division of Forestry, Fire, and
431 State Lands, as provided in Section 65A-8-103.
- 432 (5) The Department of Human Resource Management user training program, as
433 provided in Section 67-19-6.
- 434 (6) Funds for the University of Utah Poison Control Center program, as provided in
435 Section 69-2-5.5.
- 436 (7) Appropriations to the Transportation Corridor Preservation Revolving Loan Fund,
437 as provided in Section 72-2-117.
- 438 (8) Appropriations to the Local Transportation Corridor Preservation Fund, as provided
439 in Section 72-2-117.5.
- 440 (9) Appropriations to the State Park Access Highways Improvement Program, as
441 provided in Section 72-3-207.
- 442 (10) The Traffic Noise Abatement Program created in Section 72-6-112.
- 443 (11) Certain funds received by the Office of the State Engineer for well drilling fines or
444 bonds, as provided in Section 73-3-25.
- 445 (12) Certain monies appropriated to increase the carrying capacity of the Jordan River
446 that are transferred to the Division of Parks and Recreation, as provided in Section 73-10e-1.
- 447 (13) Certain fees for the cost of electronic payments under the State Boating Act, as
448 provided in Section 73-18-25.
- 449 (14) Certain monies appropriated from the Water Resources Conservation and
450 Development Fund, as provided in Section 73-23-2.
- 451 (15) The Lake Powell Pipeline Project Operation and Maintenance Fund created in
452 Section 73-28-404.
- 453 (16) Certain funds in the Water Development and Flood Mitigation Reserve Account,
454 as provided in Section 73-103-1.
- 455 (17) Appropriations to the Tollway Restricted Special Revenue Fund, as provided in
456 Section 77-2-120.
- 457 (18) Appropriations to the Aeronautics Construction Revolving Loan Fund, as
458 provided in Section 77-2-122.
- 459 (19) Certain funds appropriated for compensation for special prosecutors, as provided

460 in Section 77-10a-19.

461 (20) The Indigent Aggravated Murder Defense Trust Fund created in Section
462 77-32-601.

463 (21) The Indigent Felony Defense Trust Fund created in Section 77-32-701.

464 (22) Funds donated or paid to a juvenile court by private sources, as provided in
465 Subsection 78A-6-203(1)(c).

466 (23) A state rehabilitative employment program, as provided in Section 78A-6-210.

467 (24) Fees from the issuance and renewal of licenses for certified court interpreters, as
468 provided in Section 78B-1-146.

469 Section 7. **Coordinating S.B. 48 with H.B. 39 -- Conforming amendments.**

470 If this S.B. 48 and H.B. 39, Insurance Related Amendments, both pass, it is the intent of
471 the Legislature that, the Office of Legislative Research and General Counsel in preparing the
472 Utah Code database for publication, do the following:

473 (1) insert a new Subsection 63J-1-602.2(2), (3), (4), and (5) to read:

474 "(2) The Technology Development Restricted Account created in Section 31A-3-104.

475 (3) The Criminal Background Check Restricted Account created in Section 31A-3-105.

476 (4) The Captive Insurance Restricted Account created in Section 31A-3-304, except to
477 the extent that Section 31A-3-304 makes the money received under that section free revenue.

478 (5) The Title Licensee Enforcement Restricted Account created in Section
479 31A-23a-415.";

480 (2) the existing Subsection 63J-1-602.2(2) be renumbered to 63J-1-602.2(6); and

481 (3) the remaining subsections of Section 63J-1-602.2 be renumbered accordingly.