

**UTAH HISTORICAL SOCIETY -
NONLAPSING AUTHORITY**

2010 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Ralph Okerlund

House Sponsor: _____

LONG TITLE

General Description:

This bill modifies the History Development section of the Utah Code and the Budgetary Procedures Act to provide that certain funds of the Utah Historical Society be classified as nonlapsing.

Highlighted Provisions:

This bill:

- ▶ provides that proceeds from the sale of "Utah's Historical Quarterly," the historical magazine published by the Utah State Historical Society, be formally classified as nonlapsing funds;
- ▶ adds the Historical Society's nonlapsing classification to the list of authorized nonlapsing funds in the Budgetary Procedures Act; and
- ▶ makes technical and organizational modifications to the Budgetary Procedures Act's list of nonlapsing funds.

Monies Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:



28 9-8-206, as renumbered and amended by Laws of Utah 1992, Chapter 241

29 63J-1-602, as enacted by Laws of Utah 2009, Chapter 368

30 ENACTS:

31 63J-1-602.1, Utah Code Annotated 1953

32 63J-1-602.2, Utah Code Annotated 1953

33 63J-1-602.3, Utah Code Annotated 1953

34 63J-1-602.4, Utah Code Annotated 1953

35 63J-1-602.5, Utah Code Annotated 1953



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

38 Section 1. Section 9-8-206 is amended to read:

39 **9-8-206. Historical magazine, books, documents, and microfilms -- Proceeds.**

40 (1) The division shall, under the direction of the board:

41 (a) compile and publish an historical magazine to be furnished to supporting members
42 of the society in accordance with membership subscriptions or to be sold independently of
43 membership; and

44 (b) publish and sell other books, documents, and microfilms at reasonable prices to be
45 approved by the director.

46 (2) Proceeds from sales under this section:

47 (a) shall be retained in the treasury of the society[:]; and

48 (b) are nonlapsing.

49 Section 2. Section 63J-1-602 is amended to read:

50 **63J-1-602. Nonlapsing accounts and funds.**

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

54 ~~[(a) appropriations made to the Legislature and its committees;]~~

55 ~~[(b) funds collected by the grain grading program, as provided in Section 4-2-2;]~~

56 ~~[(c) the Salinity Offset Fund created in Section 4-2-8.5;]~~

57 ~~[(d) the Invasive Species Mitigation Fund created in Section 4-2-8.7;]~~

58 ~~[(e) funds collected by pesticide dealer license registration fees, as provided in Section~~

59 ~~4-14-3;]~~
60 ~~[(f) funds collected by pesticide applicator business registration fees, as provided in~~
61 ~~Section 4-14-13;]~~
62 ~~[(g) the Rangeland Improvement Fund created in Section 4-20-2;]~~
63 ~~[(h) funds deposited as dedicated credits under the Insect Infestation Emergency~~
64 ~~Control Act, as provided in Section 4-35-6;]~~
65 ~~[(i) the Percent-for-Art Program created in Section 9-6-404;]~~
66 ~~[(j) the Centennial History Fund created in Section 9-8-604;]~~
67 ~~[(k) the Uintah Basin Revitalization Fund, as provided in Section 9-10-108;]~~
68 ~~[(l) the Navajo Revitalization Fund created in Section 9-11-104;]~~
69 ~~[(m) the LeRay McAllister Critical Land Conservation Program created in Section~~
70 ~~11-38-301;]~~
71 ~~[(n) the Clean Fuels and Vehicle Technology Fund created in Section 19-1-403;]~~
72 ~~[(o) fees deposited as dedicated credits for hazardous waste plan reviews, as provided~~
73 ~~in Section 19-6-120;]~~
74 ~~[(p) an appropriation made to the Division of Wildlife Resources for the appraisal and~~
75 ~~purchase of lands under the Pelican Management Act, as provided in Section 23-21a-6;]~~
76 ~~[(q) award monies under the Crime Reduction Assistance Program, as provided under~~
77 ~~Section 24-1-19;]~~
78 ~~[(r) funds collected from the emergency medical services grant program, as provided in~~
79 ~~Section 26-8a-207;]~~
80 ~~[(s) fees and other funding available to purchase training equipment and to administer~~
81 ~~tests and conduct quality assurance reviews, as provided in Section 26-8a-208;]~~
82 ~~[(t) funds collected as a result of a sanction under Section 1919 of Title XIX of the~~
83 ~~federal Social Security Act, as provided in Section 26-18-3;]~~
84 ~~[(u) the Utah Health Care Workforce Financial Assistance Program created in Section~~
85 ~~26-46-102;]~~
86 ~~[(v) monies collected from subscription fees for publications prepared or distributed by~~
87 ~~the insurance commissioner, as provided in Section 31A-2-208;]~~
88 ~~[(w) monies received by the Insurance Department for administering, investigating~~
89 ~~under, and enforcing the Insurance Fraud Act, as provided in Section 31A-31-108;]~~

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

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

94 ~~[(z) certain funds in the Department of Workforce Services' program for the education,~~
95 ~~training, and transitional counseling of displaced homemakers, as provided in Section~~
96 ~~35A-3-114;]~~

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

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

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

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

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

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

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

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

110 ~~[(ii) the Off-Highway Access and Education Restricted Account created in Section~~
111 ~~41-22-19.5;]~~

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

114 ~~[(kk) monies collected under the Notaries Public Reform Act, as provided under~~
115 ~~46-1-23;]~~

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

118 ~~[(mm) the Public Safety Honoring Heroes Restricted Account created in Section~~
119 ~~53-1-118;]~~

120 ~~[(nn) funding for the Search and Rescue Financial Assistance Program, as provided in~~

121 ~~Section 53-2-107;~~
122 ~~[(oo) appropriations made to the Department of Public Safety from the Department of~~
123 ~~Public Safety Restricted Account, as provided in Section 53-3-106;]~~
124 ~~[(pp) appropriations to the Motorcycle Rider Education Program, as provided in~~
125 ~~Section 53-3-905;]~~
126 ~~[(qq) fees collected by the State Fire Marshal Division under the Utah Fire Prevention~~
127 ~~and Safety Act, as provided in Section 53-7-314;]~~
128 ~~[(rr) the DNA Specimen Restricted Account created in Section 53-10-407;]~~
129 ~~[(ss) the minimum school program, as provided in Section 53A-17a-105;]~~
130 ~~[(tt) certain funds appropriated from the Uniform School Fund to the State Board of~~
131 ~~Education for new teacher bonus and performance-based compensation plans, as provided in~~
132 ~~Section 53A-17a-148;]~~
133 ~~[(uu) certain funds appropriated from the Uniform School Fund to the State Board of~~
134 ~~Education for implementation of proposals to improve mathematics achievement test scores, as~~
135 ~~provided in Section 53A-17a-152;]~~
136 ~~[(vv) the School Building Revolving Account created in Section 53A-21-401;]~~
137 ~~[(ww) monies received by the State Office of Rehabilitation for the sale of certain~~
138 ~~products or services, as provided in Section 53A-24-105;]~~
139 ~~[(xx) the State Board of Regents, as provided in Section 53B-6-104;]~~
140 ~~[(yy) certain funds appropriated from the General Fund to the State Board of Regents~~
141 ~~for teacher preparation programs, as provided in Section 53B-6-104;]~~
142 ~~[(zz) a certain portion of monies collected for administrative costs under the School~~
143 ~~Institutional Trust Lands Management Act, as provided under Section 53C-3-202;]~~
144 ~~[(aaa) certain surcharges on residence and business telecommunications access lines~~
145 ~~imposed by the Public Service Commission, as provided in Section 54-8b-10;]~~
146 ~~[(bbb) certain fines collected by the Division of Occupational and Professional~~
147 ~~Licensing for violation of unlawful or unprofessional conduct that are used for education and~~
148 ~~enforcement purposes, as provided in Section 58-17b-505;]~~
149 ~~[(ccc) the Nurse Education and Enforcement Fund created in Section 58-31b-103;]~~
150 ~~[(ddd) funding of the controlled substance database, as provided in Section 58-37-7.7;]~~
151 ~~[(eee) the Certified Nurse Midwife Education and Enforcement Fund created in~~

152 ~~Section 58-44a-103;~~
153 ~~[(fff) funding for the building inspector's education program, as provided in Section~~
154 ~~58-56-9;]~~
155 ~~[(ggg) certain fines collected by the Division of Occupational and Professional~~
156 ~~Licensing for use in education and enforcement of the Security Personnel Licensing Act, as~~
157 ~~provided in Section 58-63-103;]~~
158 ~~[(hhh) the Professional Geologist Education and Enforcement Fund created in Section~~
159 ~~58-76-103;]~~
160 ~~[(iii) certain monies in the Water Resources Conservation and Development Fund, as~~
161 ~~provided in Section 59-12-103;]~~
162 ~~[(jjj) funds paid to the Division of Real Estate for the cost of a criminal background~~
163 ~~check for broker and sales agent licenses, as provided in Section 61-2-9;]~~
164 ~~[(kkk) the Utah Housing Opportunity Restricted Account created in Section 61-2-28;]~~
165 ~~[(lll) funds paid to the Division of Real Estate for the cost of a criminal background~~
166 ~~check for a mortgage loan license, as provided in Section 61-2e-202;]~~
167 ~~[(mmm) funds paid to the Division of Real Estate in relation to examination of records~~
168 ~~in an investigation, as provided in Section 61-2e-401;]~~
169 ~~[(nnn) certain funds donated to the Department of Human Services, as provided in~~
170 ~~Section 62A-1-111;]~~
171 ~~[(ooo) certain funds donated to the Division of Child and Family Services, as provided~~
172 ~~in Section 62A-4a-110;]~~
173 ~~[(ppp) the Mental Health Therapist Grant and Scholarship Program, as provided in~~
174 ~~Section 62A-13-109;]~~
175 ~~[(qqq) assessments for DUI violations that are forwarded to an account created by a~~
176 ~~county treasurer, as provided in Section 62A-15-503;]~~
177 ~~[(rrr) appropriations to the Division of Services for People with Disabilities, as~~
178 ~~provided in Section 62A-5-102;]~~
179 ~~[(sss) certain donations to the Division of Substance Abuse and Mental Health, as~~
180 ~~provided in Section 62A-15-103;]~~
181 ~~[(ttt) certain funds received by the Division of Parks and Recreation from the sale or~~
182 ~~disposal of buffalo, as provided under Section 63-11-19.2;]~~

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

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

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

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

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

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

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

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

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

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

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

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

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

204 ~~[(hhhh) the Tourism Marketing Performance Account, as provided in Section~~
205 ~~63M-1-1406;]~~

206 ~~[(iiii) certain funding for rural development provided to the Office of Rural~~
207 ~~Development in the Governor's Office of Economic Development, as provided in Section~~
208 ~~63M-1-1604;]~~

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

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

213 ~~[(llll) certain monies in the Rural Broadband Service Fund, as provided in Section~~

214 ~~63M-1-2303;~~
215 ~~[(mmmm) funds collected from monthly offender supervision fees, as provided in~~
216 ~~Section 64-13-21.2;]~~
217 ~~[(nnnn) funds collected by the housing of state probationary inmates or state parole~~
218 ~~inmates, as provided in Subsection 64-13e-104(2);]~~
219 ~~[(oooo) the Sovereign Lands Management account created in Section 65A-5-1;]~~
220 ~~[(pppp) certain forestry and fire control funds utilized by the Division of Forestry, Fire,~~
221 ~~and State Lands, as provided in Section 65A-8-103;]~~
222 ~~[(qqqq) the Department of Human Resource Management user training program, as~~
223 ~~provided in Section 67-19-6;]~~
224 ~~[(rrrr) funds for the University of Utah Poison Control Center program, as provided in~~
225 ~~Section 69-2-5.5;]~~
226 ~~[(ssss) appropriations to the Transportation Corridor Preservation Revolving Loan~~
227 ~~Fund, as provided in Section 72-2-117;]~~
228 ~~[(tttt) appropriations to the Local Transportation Corridor Preservation Fund, as~~
229 ~~provided in Section 72-2-117.5;]~~
230 ~~[(uuuu) appropriations to the Tollway Restricted Special Revenue Fund, as provided in~~
231 ~~Section 77-2-120;]~~
232 ~~[(vvvv) appropriations to the Aeronautics Construction Revolving Loan Fund, as~~
233 ~~provided in Section 77-2-122;]~~
234 ~~[(wwww) appropriations to the State Park Access Highways Improvement Program, as~~
235 ~~provided in Section 72-3-207;]~~
236 ~~[(xxxx) the Traffic Noise Abatement Program created in Section 72-6-112;]~~
237 ~~[(yyyy) certain funds received by the Office of the State Engineer for well drilling fines~~
238 ~~or bonds, as provided in Section 73-3-25;]~~
239 ~~[(zzzz) certain monies appropriated to increase the carrying capacity of the Jordan~~
240 ~~River that are transferred to the Division of Parks and Recreation, as provided in Section~~
241 ~~73-10e-1;]~~
242 ~~[(aaaa) certain fees for the cost of electronic payments under the State Boating Act, as~~
243 ~~provided in Section 73-18-25;]~~
244 ~~[(bbbb) certain monies appropriated from the Water Resources Conservation and~~

245 Development Fund, as provided in Section ~~73-23-2;~~

246 ~~[(~~cccc~~) the Lake Powell Pipeline Project Operation and Maintenance Fund created in~~
247 ~~Section 73-28-404;]~~

248 ~~[(~~dddd~~) certain funds in the Water Development and Flood Mitigation Reserve~~
249 ~~Account, as provided in Section 73-103-1;]~~

250 ~~[(~~eeee~~) certain funds appropriated for compensation for special prosecutors, as~~
251 ~~provided in Section 77-10a-19;]~~

252 ~~[(~~ffff~~) the Indigent Aggravated Murder Defense Trust Fund created in Section~~
253 ~~77-32-601;]~~

254 ~~[(~~gggg~~) the Indigent Felony Defense Trust Fund created in Section 77-32-701;]~~

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

257 ~~[(~~iiii~~) a state rehabilitative employment program, as provided in Section 78A-6-210;~~
258 ~~and]~~

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

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

263 (a) it is ~~[expressly referenced by this section]~~ listed in Sections 63J-1-602.1 through
264 63J-1-602.5;

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

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

267 (3) Each legislative appropriations subcommittee shall review the accounts and funds
268 that have been granted nonlapsing authority under the provisions of this section or Section
269 63J-1-603.

270 Section 3. Section **63J-1-602.1** is enacted to read:

271 **63J-1-602.1. List of nonlapsing accounts and funds -- General authority and Title**
272 **1 through Title 30.**

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

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

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

- 276 (4) The Invasive Species Mitigation Fund created in Section 4-2-8.7.
- 277 (5) Funds collected by pesticide dealer license registration fees, as provided in Section
- 278 4-14-3.
- 279 (6) Funds collected by pesticide applicator business registration fees, as provided in
- 280 Section 4-14-13.
- 281 (7) The Rangeland Improvement Fund created in Section 4-20-2.
- 282 (8) Funds deposited as dedicated credits under the Insect Infestation Emergency
- 283 Control Act, as provided in Section 4-35-6.
- 284 (9) The Percent-for-Art Program created in Section 9-6-404.
- 285 (10) Proceeds from the sale of the historical magazine published by the Utah State
- 286 Historical Society, as provided in Section 9-8-206.
- 287 (11) The Centennial History Fund created in Section 9-8-604.
- 288 (12) The Uintah Basin Revitalization Fund, as provided in Section 9-10-108.
- 289 (13) The Navajo Revitalization Fund created in Section 9-11-104.
- 290 (14) The LeRay McAllister Critical Land Conservation Program created in Section
- 291 11-38-301.
- 292 (15) The Clean Fuels and Vehicle Technology Fund created in Section 19-1-403.
- 293 (16) Fees deposited as dedicated credits for hazardous waste plan reviews, as provided
- 294 in Section 19-6-120.
- 295 (17) An appropriation made to the Division of Wildlife Resources for the appraisal and
- 296 purchase of lands under the Pelican Management Act, as provided in Section 23-21a-6.
- 297 (18) Award monies under the Crime Reduction Assistance Program, as provided under
- 298 Section 24-1-19.
- 299 (19) Funds collected from the emergency medical services grant program, as provided
- 300 in Section 26-8a-207.
- 301 (20) Fees and other funding available to purchase training equipment and to administer
- 302 tests and conduct quality assurance reviews, as provided in Section 26-8a-208.
- 303 (21) Funds collected as a result of a sanction under Section 1919 of Title XIX of the
- 304 federal Social Security Act, as provided in Section 26-18-3.
- 305 (22) The Utah Health Care Workforce Financial Assistance Program created in Section
- 306 26-46-102.

307 Section 4. Section **63J-1-602.2** is enacted to read:

308 **63J-1-602.2. List of nonlapsing funds and accounts -- Title 31 through Title 45.**

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

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

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

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

317 (5) Certain funds in the Department of Workforce Services' program for the education,
318 training, and transitional counseling of displaced homemakers, as provided in Section
319 35A-3-114.

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

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

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

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

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

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

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

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

333 (14) The Off-Highway Access and Education Restricted Account created in Section
334 41-22-19.5.

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

337 Section 5. Section **63J-1-602.3** is enacted to read:

338 **63J-1-602.3. List of nonlapsing funds and accounts -- Title 46 through Title 60.**

339 (1) Monies collected under the Notaries Public Reform Act, as provided under
340 46-1-23.

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

343 (3) The Public Safety Honoring Heroes Restricted Account created in Section
344 53-1-118.

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

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

349 (6) Appropriations to the Motorcycle Rider Education Program, as provided in Section
350 53-3-905.

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

353 (8) The DNA Specimen Restricted Account created in Section 53-10-407.

354 (9) The minimum school program, as provided in Section 53A-17a-105.

355 (10) Certain funds appropriated from the Uniform School Fund to the State Board of
356 Education for new teacher bonus and performance-based compensation plans, as provided in
357 Section 53A-17a-148.

358 (11) Certain funds appropriated from the Uniform School Fund to the State Board of
359 Education for implementation of proposals to improve mathematics achievement test scores, as
360 provided in Section 53A-17a-152.

361 (12) The School Building Revolving Account created in Section 53A-21-401.

362 (13) Monies received by the State Office of Rehabilitation for the sale of certain
363 products or services, as provided in Section 53A-24-105.

364 (14) The State Board of Regents, as provided in Section 53B-6-104.

365 (15) Certain funds appropriated from the General Fund to the State Board of Regents
366 for teacher preparation programs, as provided in Section 53B-6-104.

367 (16) A certain portion of monies collected for administrative costs under the School
368 Institutional Trust Lands Management Act, as provided under Section 53C-3-202.

369 (17) Certain surcharges on residence and business telecommunications access lines
370 imposed by the Public Service Commission, as provided in Section 54-8b-10.

371 (18) Certain fines collected by the Division of Occupational and Professional Licensing
372 for violation of unlawful or unprofessional conduct that are used for education and enforcement
373 purposes, as provided in Section 58-17b-505.

374 (19) The Nurse Education and Enforcement Fund created in Section 58-31b-103.

375 (20) Funding of the controlled substance database, as provided in Section 58-37-7.7.

376 (21) The Certified Nurse Midwife Education and Enforcement Fund created in Section
377 58-44a-103.

378 (22) Funding for the building inspector's education program, as provided in Section
379 58-56-9.

380 (23) Certain fines collected by the Division of Occupational and Professional Licensing
381 for use in education and enforcement of the Security Personnel Licensing Act, as provided in
382 Section 58-63-103.

383 (24) The Professional Geologist Education and Enforcement Fund created in Section
384 58-76-103.

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

387 Section 6. Section **63J-1-602.4** is enacted to read:

388 **63J-1-602.4. List of nonlapsing funds and accounts -- Title 61 through Title 63.**

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

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

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

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

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

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

400 (7) The Mental Health Therapist Grant and Scholarship Program, as provided in
401 Section 62A-13-109.

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

404 (9) Appropriations to the Division of Services for People with Disabilities, as provided
405 in Section 62A-5-102.

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

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

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

412 (13) Revenue for golf user fees at the Green River State Park, as provided under
413 Section 63-11-19.6.

414 (14) The Centennial Nonmotorized Paths and Trail Crossings Program created under
415 Section 63-11a-503.

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

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

418 (17) The Risk Management Fund created under Section 63A-4-201.

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

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

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

423 (21) Funding for the Medical Education Program administered by the Medical
424 Education Council, as provided in Section 63C-8-102.

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

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

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

- 431 (25) The Tourism Marketing Performance Account, as provided in Section
432 63M-1-1406.
- 433 (26) Certain funding for rural development provided to the Office of Rural
434 Development in the Governor's Office of Economic Development, as provided in Section
435 63M-1-1604.
- 436 (27) Certain monies in the Development for Disadvantaged Rural Communities
437 Restricted Account, as provided in Section 63M-1-2003.
- 438 (28) Appropriations to the Utah Science Technology and Research Governing
439 Authority, created under Section 63M-2-301, as provided under Section 63M-3-302.
- 440 (29) Certain monies in the Rural Broadband Service Fund, as provided in Section
441 63M-1-2303.
- 442 Section 7. Section **63J-1-602.5** is enacted to read:
- 443 **63J-1-602.5. List of nonlapsing funds and accounts -- Title 64 and thereafter.**
- 444 (1) Funds collected from monthly offender supervision fees, as provided in Section
445 64-13-21.2.
- 446 (2) Funds collected by the housing of state probationary inmates or state parole
447 inmates, as provided in Subsection 64-13e-104(2).
- 448 (3) The Sovereign Lands Management account created in Section 65A-5-1.
- 449 (4) Certain forestry and fire control funds utilized by the Division of Forestry, Fire, and
450 State Lands, as provided in Section 65A-8-103.
- 451 (5) The Department of Human Resource Management user training program, as
452 provided in Section 67-19-6.
- 453 (6) Funds for the University of Utah Poison Control Center program, as provided in
454 Section 69-2-5.5.
- 455 (7) Appropriations to the Transportation Corridor Preservation Revolving Loan Fund,
456 as provided in Section 72-2-117.
- 457 (8) Appropriations to the Local Transportation Corridor Preservation Fund, as provided
458 in Section 72-2-117.5.
- 459 (9) Appropriations to the State Park Access Highways Improvement Program, as
460 provided in Section 72-3-207.
- 461 (10) The Traffic Noise Abatement Program created in Section 72-6-112.

462 (11) Certain funds received by the Office of the State Engineer for well drilling fines or
463 bonds, as provided in Section 73-3-25.

464 (12) Certain monies appropriated to increase the carrying capacity of the Jordan River
465 that are transferred to the Division of Parks and Recreation, as provided in Section 73-10e-1.

466 (13) Certain fees for the cost of electronic payments under the State Boating Act, as
467 provided in Section 73-18-25.

468 (14) Certain monies appropriated from the Water Resources Conservation and
469 Development Fund, as provided in Section 73-23-2.

470 (15) The Lake Powell Pipeline Project Operation and Maintenance Fund created in
471 Section 73-28-404.

472 (16) Certain funds in the Water Development and Flood Mitigation Reserve Account,
473 as provided in Section 73-103-1.

474 (17) Appropriations to the Tollway Restricted Special Revenue Fund, as provided in
475 Section 77-2-120.

476 (18) Appropriations to the Aeronautics Construction Revolving Loan Fund, as
477 provided in Section 77-2-122.

478 (19) Certain funds appropriated for compensation for special prosecutors, as provided
479 in Section 77-10a-19.

480 (20) The Indigent Aggravated Murder Defense Trust Fund created in Section
481 77-32-601.

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

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

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

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

Legislative Review Note
as of 12-4-09 10:48 AM

Office of Legislative Research and General Counsel

S.B. 48 - Utah Historical Society - Nonlapsing Authority

Fiscal Note

2010 General Session

State of Utah

State Impact

Enactment of this bill will not require additional appropriations.

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.
