

Jen Plumb proposes the following substitute bill:

Property Loss Amendments

2025 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Jen Plumb

House Sponsor: Tyler Clancy

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LONG TITLE

General Description:

This bill creates the Property Loss Related to Homelessness Compensation Enterprise Fund.

Highlighted Provisions:

This bill:

- defines terms;
- creates the Property Loss Related to Homelessness Compensation Enterprise Fund (fund);
- describes allowable uses of the fund;
- provides that money in the fund is nonlapsing;
- creates the Property Loss Related to Homelessness Advisory Committee (committee);
- describes the duties of the committee; and
- provides for a sunset review on July 1, 2028.

Money Appropriated in this Bill:

This bill appropriates \$250,000 in business-like activities for fiscal year 2026, all of which is from the General Fund.

Other Special Clauses:

This bill provides a special effective date.

Utah Code Sections Affected:

AMENDS:

63I-1-235, as last amended by Laws of Utah 2024, Third Special Session, Chapter 5

63J-1-602.1, as last amended by Laws of Utah 2024, Chapters 88, 501

ENACTS:

35A-16-801, Utah Code Annotated 1953

35A-16-802, Utah Code Annotated 1953

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

29 Section 1. Section **35A-16-801** is enacted to read:

30 **Part 8. Property Loss Related to Homelessness**

31 **35A-16-801 . Property Loss Related to Homelessness Compensation Enterprise**

32 **Fund.**

33 (1) As used in this part:

34 (a) "Committee" means the Property Loss Related to Homelessness Advisory
35 Committee created in Section 35A-16-802.

36 (b) "Fund" means the Property Loss Related to Homelessness Compensation Enterprise
37 Fund created in Subsection (2).

38 (c) "Homeless services facility" means an eligible shelter under Subsection
39 35A-16-401(5)(a) or (5)(b).

40 (d) "Property loss" means:

41 (i) documented damage to or theft of personal property; or

42 (ii) documented cost of cleaning, sanitizing, repairing, or restoring real property.

43 (2) There is created an enterprise fund known as the Property Loss Related to
44 Homelessness Compensation Enterprise Fund.

45 (3) The fund shall consist of:

46 (a) gifts, grants, donations, and loan repayments or any other conveyance of money that
47 may be made to the fund from private sources; and

48 (b) additional amounts as appropriated by the Legislature.

49 (4) The fund shall be administered by the coordinator.

50 (5) Funds may be used to:

51 (a) provide a no-interest loan to a business that:

52 (i) meets the requirements of Subsection (5)(b); and

53 (ii) enters into an agreement with the department to:

54 (A) use loan funds for documented costs for property loss or for documented costs
55 to mitigate property loss as a direct result of the presence of the homeless
56 services facility; and

57 (B) repay the loan no later than one year from the day on which the loan is
58 disbursed to the business;

59 (b) ~~§~~ **→ except as provided in Subsection (11), ←** ~~§~~ compensate a business that:

60 (i) is located within 1/5 of a mile of a homeless services facility; and

61 (ii) experiences property loss as a direct result of the presence of the homeless
62 services facility; or

- 63 (c) compensate an individual who:
 64 (i) lives within 1/5 of a mile from a homeless services facility; and
 65 (ii) experiences property loss as a direct result of the presence of the homeless
 66 services facility.
- 67 (6) No more than 50% of the fund shall be used each fiscal year to directly assist an
 68 individual or a business that meets the requirements described in Subsection (5).
- 69 (7) An individual who receives compensation from the fund shall:
 70 (a) be a resident of Utah; and
 71 (b) have a need that meets the requirements of this section.
- 72 (8)(a) A business that receives compensation or a loan from the fund shall be in good
 73 standing with the State Tax Commission and Department of Commerce.
 74 (b) The State Tax Commission and Department of Commerce may charge a business
 75 described in Subsection (8)(a) a nominal fee to obtain a certificate of good standing
 76 to meet the requirements under this section.
- 77 (9)(a) The fund may not duplicate or supplant a service or support mechanism provided
 78 to an individual or business by another government entity or private agency.
 79 (b) The fund may supplement a service or support mechanism provided to an individual
 80 or business by another government entity or private agency, if the service or support
 81 mechanism does not fully cover the cost of the individual's or business's property loss.
- 82 (10) Administrative and operating expenses for the committee, including costs for staffing
 83 the committee, shall be paid from the fund.
- 83a **(11) §→ A business located at parcel record number 15-26-326-016-0000 is not**
 83b **eligible to receive compensation for property loss as a direct result of the presence of a**
 83c **homeless services facility. ←§**
- 84 Section 3. Section **35A-16-802** is enacted to read:
 85 **35A-16-802 . Property Loss Related to Homelessness Advisory Committee.**
- 86 (1) There is created the Property Loss Related to Homelessness Advisory Committee.
 87 (2) On or after July 1 of each year, the coordinator may create the Property Loss Related to
 88 Homelessness Advisory Committee of not more than nine members.
 89 (3) The committee shall be composed of members of the community, including:
 90 (a) individuals who operate a business in proximity with a homeless services facility;
 91 (b) representatives of an association that advocates for individuals experiencing
 92 homelessness;
 93 (c) individuals with experience in quantifying and evaluating property loss; and

94 (d) office representatives.

95 (4)(a) Subject to Subsections (4)(b) and (11), a committee member shall serve a term of
96 no earlier than July 1 and no later than December 31 of each year.

97 (b) A committee member may be removed by the coordinator:

98 (i) if the member is unable or unwilling to carry out the member's assigned
99 responsibilities; or

100 (ii) for good cause.

101 (5)(a) If a vacancy occurs in the committee membership, a replacement may be
102 appointed for the unexpired term.

103 (b) The committee shall elect a chairperson from the membership.

104 (c) A majority of the committee members constitutes a quorum.

105 (d) The action of the majority of a quorum shall be the action of the committee.

106 (e) The committee may adopt bylaws governing the committee's activities.

107 (6) The committee shall:

108 (a) recommend criteria for disbursements and loans from the fund, including criteria for
109 confirming the amount of property loss and prioritizing disbursements in the event of
110 limited funds, to the coordinator; and

111 (b) review disbursements and loans from the fund.

112 (7) The committee shall comply with the procedures and requirements of:

113 (a) Title 52, Chapter 4, Open and Public Meetings Act; and

114 (b) Title 63G, Chapter 2, Government Records Access and Management Act.

115 (8) A member may not receive compensation or benefits for the member's service, but may
116 receive per diem and travel expenses if approved by the coordinator and in accordance
117 with:

118 (a) Section 63A-3-106;

119 (b) Section 63A-3-107; and

120 (c) rules made by the Division of Finance in accordance with Sections 63A-3-106 and
121 63A-3-107.

122 (9) No later than November 30 of each year, the committee shall provide the coordinator
123 with an annual written report summarizing the activities of the committee.

124 (10) The office shall provide staff support to the committee.

125 (11) The committee shall cease to exist on December 31 of each year, unless the
126 coordinator determines it necessary to continue.

127 Section 20. Section **63I-1-235** is amended to read:

128 **63I-1-235 . Repeal dates: Title 35A.**

- 129 (1) Subsection 35A-1-202(2)(d), regarding the Child Care Advisory Committee, is repealed
130 July 1, 2026.
- 131 (2) Section 35A-3-205, Creation of committee, is repealed July 1, 2026.
- 132 (3) Subsection 35A-4-502(5), regarding the Employment Advisory Council, is repealed
133 July 1, 2029.
- 134 (4) Title 35A, Chapter 9, Part 6, Education Savings Incentive Program, is repealed July 1,
135 2028.
- 136 (5) Section 35A-13-303, State Rehabilitation Advisory Council, is repealed July 1, 2034.
- 137 (6) Section 35A-16-206, Utah Homeless Network Steering Committee, is repealed July 1,
138 2027.
- 139 (7) Section 35A-16-207, Duties of the steering committee, is repealed July 1, 2027.
- 140 (8) Title 35A, Chapter 16, Part 8, Property Loss Related to Homelessness, is repealed July
141 1, 2028.

142 Section 12. Section **63J-1-602.1** is amended to read:

143 **63J-1-602.1 . List of nonlapsing appropriations from accounts and funds.**

144 Appropriations made from the following accounts or funds are nonlapsing:

- 145 (1) The Native American Repatriation Restricted Account created in Section 9-9-407.
- 146 (2) Certain money payable for expenses of the Pete Suazo Utah Athletic Commission, as
147 provided under Title 9, Chapter 23, Pete Suazo Utah Athletic Commission Act.
- 148 (3) Funds collected for directing and administering the C-PACE district created in Section
149 11-42a-106.
- 150 (4) Money received by the Utah Inland Port Authority, as provided in Section 11-58-105.
- 151 (5) The Commerce Electronic Payment Fee Restricted Account created in Section 13-1-17.
- 152 (6) The Division of Air Quality Oil, Gas, and Mining Restricted Account created in Section
153 19-2a-106.
- 154 (7) The Division of Water Quality Oil, Gas, and Mining Restricted Account created in
155 Section 19-5-126.
- 156 (8) State funds for matching federal funds in the Children's Health Insurance Program as
157 provided in Section 26B-3-906.
- 158 (9) Funds collected from the program fund for local health department expenses incurred in
159 responding to a local health emergency under Section 26B-7-111.
- 160 (10) The Technology Development Restricted Account created in Section 31A-3-104.
- 161 (11) The Criminal Background Check Restricted Account created in Section 31A-3-105.

- 162 (12) The Captive Insurance Restricted Account created in Section 31A-3-304, except to the
163 extent that Section 31A-3-304 makes the money received under that section free revenue.
- 164 (13) The Title Licensee Enforcement Restricted Account created in Section 31A-23a-415.
- 165 (14) The Health Insurance Actuarial Review Restricted Account created in Section
166 31A-30-115.
- 167 (15) The State Mandated Insurer Payments Restricted Account created in Section
168 31A-30-118.
- 169 (16) The Insurance Fraud Investigation Restricted Account created in Section 31A-31-108.
- 170 (17) The Underage Drinking Prevention Media and Education Campaign Restricted
171 Account created in Section 32B-2-306.
- 172 (18) The Drinking While Pregnant Prevention Media and Education Campaign Restricted
173 Account created in Section 32B-2-308.
- 174 (19) The School Readiness Restricted Account created in Section 35A-15-203.
- 175 (20) Money received by the Utah State Office of Rehabilitation for the sale of certain
176 products or services, as provided in Section 35A-13-202.
- 177 (21) The Homeless Shelter Cities Mitigation Restricted Account created in Section
178 35A-16-402.
- 179 (22) The Property Loss Related to Homelessness Compensation Enterprise Fund created in
180 Section 35A-16-801.
- 181 [~~(22)~~] (23) The Oil and Gas Administrative Penalties Account created in Section 40-6-11.
- 182 [~~(23)~~] (24) The Oil and Gas Conservation Account created in Section 40-6-14.5.
- 183 [~~(24)~~] (25) The Division of Oil, Gas, and Mining Restricted account created in Section
184 40-6-23.
- 185 [~~(25)~~] (26) The Electronic Payment Fee Restricted Account created by Section 41-1a-121 to
186 the Motor Vehicle Division.
- 187 [~~(26)~~] (27) The License Plate Restricted Account created by Section 41-1a-122.
- 188 [~~(27)~~] (28) The Motor Vehicle Enforcement Division Temporary Permit Restricted Account
189 created by Section 41-3-110 to the State Tax Commission.
- 190 [~~(28)~~] (29) The State Disaster Recovery Restricted Account to the Division of Emergency
191 Management, as provided in Section 53-2a-603.
- 192 [~~(29)~~] (30) The Response, Recovery, and Post-disaster Mitigation Restricted Account
193 created in Section 53-2a-1302.
- 194 [~~(30)~~] (31) The Department of Public Safety Restricted Account to the Department of Public
195 Safety, as provided in Section 53-3-106.

196 [~~(31)~~] (32) The Utah Highway Patrol Aero Bureau Restricted Account created in Section
197 53-8-303.

198 [~~(32)~~] (33) The DNA Specimen Restricted Account created in Section 53-10-407.

199 [~~(33)~~] (34) The Technical Colleges Capital Projects Fund created in Section 53B-2a-118.

200 [~~(34)~~] (35) The Higher Education Capital Projects Fund created in Section 53B-22-202.

201 [~~(35)~~] (36) A certain portion of money collected for administrative costs under the School
202 Institutional Trust Lands Management Act, as provided under Section 53C-3-202.

203 [~~(36)~~] (37) The Public Utility Regulatory Restricted Account created in Section 54-5-1.5,
204 subject to Subsection 54-5-1.5(4)(d).

205 [~~(37)~~] (38) Funds collected from a surcharge fee to provide certain licensees with access to
206 an electronic reference library, as provided in Section 58-3a-105.

207 [~~(38)~~] (39) Certain fines collected by the Division of Professional Licensing for violation of
208 unlawful or unprofessional conduct that are used for education and enforcement
209 purposes, as provided in Section 58-17b-505.

210 [~~(39)~~] (40) Funds collected from a surcharge fee to provide certain licensees with access to
211 an electronic reference library, as provided in Section 58-22-104.

212 [~~(40)~~] (41) Funds collected from a surcharge fee to provide certain licensees with access to
213 an electronic reference library, as provided in Section 58-55-106.

214 [~~(41)~~] (42) Funds collected from a surcharge fee to provide certain licensees with access to
215 an electronic reference library, as provided in Section 58-56-3.5.

216 [~~(42)~~] (43) Certain fines collected by the Division of Professional Licensing for use in
217 education and enforcement of the Security Personnel Licensing Act, as provided in
218 Section 58-63-103.

219 [~~(43)~~] (44) The Relative Value Study Restricted Account created in Section 59-9-105.

220 [~~(44)~~] (45) The Cigarette Tax Restricted Account created in Section 59-14-204.

221 [~~(45)~~] (46) Funds paid to the Division of Real Estate for the cost of a criminal background
222 check for a mortgage loan license, as provided in Section 61-2c-202.

223 [~~(46)~~] (47) Funds paid to the Division of Real Estate for the cost of a criminal background
224 check for principal broker, associate broker, and sales agent licenses, as provided in
225 Section 61-2f-204.

226 [~~(47)~~] (48) Certain funds donated to the Department of Health and Human Services, as
227 provided in Section 26B-1-202.

228 [~~(48)~~] (49) Certain funds donated to the Division of Child and Family Services, as provided
229 in Section 80-2-404.

230 [~~(49)~~] (50) Funds collected by the Office of Administrative Rules for publishing, as
231 provided in Section 63G-3-402.

232 [~~(50)~~] (51) The Immigration Act Restricted Account created in Section 63G-12-103.

233 [~~(51)~~] (52) Money received by the military installation development authority, as provided
234 in Section 63H-1-504.

235 [~~(52)~~] (53) The Unified Statewide 911 Emergency Service Account created in Section
236 63H-7a-304.

237 [~~(53)~~] (54) The Utah Statewide Radio System Restricted Account created in Section
238 63H-7a-403.

239 [~~(54)~~] (55) The Utah Capital Investment Restricted Account created in Section 63N-6-204.

240 [~~(55)~~] (56) The Motion Picture Incentive Account created in Section 63N-8-103.

241 [~~(56)~~] (57) Funds collected by the housing of state probationary inmates or state parole
242 inmates, as provided in Subsection 64-13e-104(2).

243 [~~(57)~~] (58) Certain forestry and fire control funds utilized by the Division of Forestry, Fire,
244 and State Lands, as provided in Section 65A-8-103.

245 [~~(58)~~] (59) The following funds or accounts created in Section 72-2-124:

246 (a) Transportation Investment Fund of 2005;

247 (b) Transit Transportation Investment Fund;

248 (c) Cottonwood Canyons Transportation Investment Fund;

249 (d) Active Transportation Investment Fund; and

250 (e) Commuter Rail Subaccount.

251 [~~(59)~~] (60) The Amusement Ride Safety Restricted Account, as provided in Section
252 72-16-204.

253 [~~(60)~~] (61) Certain funds received by the Office of the State Engineer for well drilling fines
254 or bonds, as provided in Section 73-3-25.

255 [~~(61)~~] (62) The Water Resources Conservation and Development Fund, as provided in
256 Section 73-23-2.

257 [~~(62)~~] (63) Award money under the State Asset Forfeiture Grant Program, as provided under
258 Section 77-11b-403.

259 [~~(63)~~] (64) Funds donated or paid to a juvenile court by private sources, as provided in
260 Subsection 78A-6-203(1)(c).

261 [~~(64)~~] (65) Fees for certificate of admission created under Section 78A-9-102.

262 [~~(65)~~] (66) Funds collected for adoption document access as provided in Sections 78B-6-141,
263 78B-6-144, and 78B-6-144.5.

264 [~~(66)~~] (67) Funds collected for indigent defense as provided in Title 78B, Chapter 22, Part 4,
 265 Utah Indigent Defense Commission.

266 [~~(67)~~] (68) The Utah Geological Survey Restricted Account created in Section 79-3-403.

267 [~~(68)~~] (69) Revenue for golf user fees at the Wasatch Mountain State Park, Palisades State
 268 Park, and Green River State Park, as provided under Section 79-4-403.

269 [~~(69)~~] (70) Certain funds received by the Division of State Parks from the sale or disposal of
 270 buffalo, as provided under Section 79-4-1001.

271 Section 25. **FY 2026 Appropriations.**

272 The following sums of money are appropriated for the fiscal year beginning July 1,
 273 2025, and ending June 30, 2026. These are additions to amounts previously appropriated for
 274 fiscal year 2026.

275 Subsection 5(a). **Business-like Activities**

276 The Legislature has reviewed the following proprietary funds. Under the terms and
 277 conditions of Utah Code 63J-1-410, for any included Internal Service Fund, the Legislature
 278 approves budgets, full-time permanent positions, and capital acquisition amounts as indicated,
 279 and appropriates to the funds, as indicated, estimated revenue from rates, fees, and other
 280 charges. The Legislature authorizes the State Division of Finance to transfer amounts between
 281 funds and accounts as indicated.

282 ITEM 1 To Department of Workforce Services - Office of Homeless Services

283 From General Fund, One-time 250,000

284 Schedule of Programs:

285 Property Loss Related to Homelessness

286 Compensation Enterprise Fund (fund) 250,000

287 Section 28. **Effective Date.**

288 This bill takes effect on July 1, 2025.