

SB0031S01 compared with SB0031

{Omitted text} shows text that was in SB0031 but was omitted in SB0031S01

inserted text shows text that was not in SB0031 but was inserted into SB0031S01

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Refugee Services Amendments

2025 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Ronald M. Winterton

House Sponsor:

LONG TITLE

General Description:

This bill creates the Refugee Services Office within the Department of Workforce Services.

Highlighted Provisions:

This bill:

- defines terms;
- creates the Refugee Services Office (office) within the Department of Workforce Services;
- describes the duties and functions of the office; and
- makes technical and conforming changes.

Money Appropriated in this Bill:

None

None

AMENDS:

35A-1-202 ~~{(Effective 05/07/25)}~~, as last amended by Laws of Utah 2021, Chapter 281 ~~{(Effective 05/07/25)}~~, as last amended by Laws of Utah 2021, Chapter 281

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35A-3-103 ~~Effective 05/07/25~~, as last amended by Laws of Utah 2023, Chapter 328 ~~Effective 05/07/25~~, as last amended by Laws of Utah 2023, Chapter 328

20 ENACTS:

21 **35A-3-801** ~~Effective 05/07/25~~, Utah Code Annotated 1953 ~~Effective 05/07/25~~, Utah Code
Annotated 1953

22 **35A-3-802** ~~Effective 05/07/25~~, Utah Code Annotated 1953 ~~Effective 05/07/25~~, Utah Code
Annotated 1953

23 **35A-3-803** ~~Effective 05/07/25~~, Utah Code Annotated 1953 ~~Effective 05/07/25~~, Utah Code
Annotated 1953

24 **35A-3-804** ~~Effective 05/07/25~~, Utah Code Annotated 1953 ~~Effective 05/07/25~~, Utah Code
Annotated 1953

25 **35A-3-805** ~~Effective 05/07/25~~, Utah Code Annotated 1953 ~~Effective 05/07/25~~, Utah Code
Annotated 1953

26 **35A-3-806** ~~Effective 05/07/25~~, Utah Code Annotated 1953 ~~Effective 05/07/25~~, Utah Code
Annotated 1953

27 REPEALS:

28 **35A-3-701** , as renumbered and amended by Laws of Utah 2015, Chapter 221 , as renumbered and
amended by Laws of Utah 2015, Chapter 221

29 **35A-3-702** , as renumbered and amended by Laws of Utah 2015, Chapter 221 , as renumbered and
amended by Laws of Utah 2015, Chapter 221

30

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

32 Section 1. Section **35A-1-202** is amended to read:

33 **35A-1-202. ~~Effective 05/07/25~~ Divisions -- Creation -- Duties -- Workforce Appeals
Board, councils, Child Care Advisory Committee, and economic service areas.**

41 (1) There is created within the department the following divisions:

42 (a) the Workforce Development Division to administer the development and implementation of
employment assistance programs;

44 (b) the Workforce Research and Analysis Division;

45 (c) the Unemployment Insurance Division to administer Chapter 4, Employment Security Act;

47 (d) the Eligibility Services Division to administer public assistance eligibility;

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- 48 (e) the Division of Adjudication to adjudicate claims or actions in accordance with this title;
- 50 (f) the Housing and Community Development Division, which is described in Sections 35A-8-201 and
35A-8-202;
- 52 (g) the Utah State Office of Rehabilitation, which is described in Section 35A-13-103;[~~and~~]
- 54 (h) the Office of Homeless Services, which is described in Section 35A-16-202[-];
- 55 (i) the Office of Child Care, which is described in Sections 35A-3-202 and 35A-3-203; and
- 57 (j) the Refugee Services Office, which is described in [Chapter 3](#), Part 8, Refugee Services.
- 58 (2) In addition to the divisions created under Subsection (1), within the department are the following:
- 60 (a) the Workforce Appeals Board created in Section 35A-1-205;
- 61 (b) the State Workforce Development Board created in Section 35A-1-206;
- 62 (c) the Employment Advisory Council created in Section 35A-4-502;
- 63 (d) the Child Care Advisory Committee created in Section 35A-3-205; and
- 64 (e) the economic service areas created in accordance with Chapter 2, Economic Service Areas.
- 61 Section 2. Section **35A-3-103** is amended to read:
- 62 **35A-3-103. ~~{(Effective 05/07/25)}~~Department responsibilities.**
- The department shall:
- 69 (1) administer public assistance programs assigned by the Legislature and the governor;
- 70 (2) determine eligibility for public assistance programs in accordance with the requirements of this
chapter;
- 72 (3) cooperate with the federal government in the administration of public assistance programs;
- 74 (4) administer state employment services;
- 75 (5) provide for the compilation of necessary or desirable information, statistics, and reports;
- 76 (6) perform other duties and functions required by law;
- 77 (7) monitor the application of eligibility policy;
- 78 (8) develop personnel training programs for effective and efficient operation of the programs
administered by the department;
- 80 (9) provide refugee resettlement services in accordance with Section [~~35A-3-701~~] 35A-3-803;
- 81 (10) provide child care assistance for children in accordance with Part 2, Office of Child Care;
- 83 (11) provide services that enable an applicant or recipient to qualify for affordable housing in
cooperation with:
- 85 (a) the Utah Housing Corporation;

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- 86 (b) the Housing and Community Development Division; and
87 (c) local housing authorities;
88 (12) administer the Medicaid Eligibility Quality Control function in accordance with 42 C.F.R. Sec.
431.812; and
89 (13) conduct non-clinical eligibility hearings and issue final decisions in adjudicative proceedings,
including expedited appeals as defined in 42 C.F.R. Sec. 431.224, for medical assistance eligibility
under:
93 (a) Title 26B, Chapter 3, Health Care - Administration and Assistance; or
94 (b) Title 26B, Chapter 3, Part 9, Utah Children's Health Insurance Program.
90 Section 3. Section 3 is enacted to read:

Part 8. Refugee Services

92 **35A-3-801. ~~{(Effective 05/07/25)}~~Definitions.**

As used in this part:

- 99 (1) "Director" means the director of the Refugee Services Office.
100 (2) "Office" means the Refugee Services Office created in Section 35A-3-802.
101 (3) "Refugee" means a person who is ~~{or has been eligible to receive benefits from}~~ lawfully present in
the ~~{Office}~~ United States and who meets the definition of ~~{Refugee Resettlement}~~ a refugee under
the Immigration and Nationality Act, ~~{as described in 45 C.F.R., Part 400}~~ 8 U.S.C. Sec. 1101(a)
(42), and related federal regulations.

99 Section 4. Section 4 is enacted to read:

100 **35A-3-802. ~~{(Effective 05/07/25)}~~Refugee Services Office - Creation.**

- 105 (1) There is created within the department a Refugee Services Office.
106 (2) The office shall be administered by a director who shall be appointed by the executive director and
who may be removed from that position at the will of the executive director.

104 Section 5. Section 5 is enacted to read:

105 **35A-3-803. ~~{(Effective 05/07/25)}~~Functions and duties of office -- Annual report.**

- 110 (1) The office shall:
111 (a) provide refugee resettlement services to eligible refugees pursuant to federal regulations;
113 (b) operate a refugee cash assistance program;
114 (c) provide administrative support services to any refugee advisory committee;
115 (d) work collaboratively with community partners for the delivery of services to refugees;

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- 117 (e) coordinate with the department to include in the annual written report, described in Section
119 35A-1-109, information regarding refugee services; and
- (f) make rules, in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, and
consistent with state and federal law establishing the eligibility requirements for refugee case
assistance.
- 122 (2) The office may apply for, accept, or expend gifts or donations from public or private sources.
- 120 Section 6. Section 6 is enacted to read:
- 121 **35A-3-804. ~~{(Effective 05/07/25)}~~Duties of director.**
- 126 (1) The director shall:
- 127 (a) enforce rules made by the department regulating the use of services provided by the office; and
129 (b) supervise office staff and prepare an annual work plan.
- 130 (2) The director may apply for, accept, and expend donations from public or private sources to assist the
office in fulfilling its statutory obligations.
- 128 Section 7. Section 7 is enacted to read:
- 129 **35A-3-805. ~~{(Effective 05/07/25)}~~Refugee services fund -- Use of money -- Committee and**
director duties -- Restrictions.
- 135 (1) There is created an expendable special revenue fund, known as the "Refugee Services Fund."
- 137 (2) The director shall administer the fund with input from the department and any advisory committee
involved with the provision of refugee services within the department.
- 139 (3)
- . (a) Money shall be deposited into the fund from legislative appropriations, federal grants, private
foundations, and individual donors.
- 141 (b) The director shall encourage a refugee who receives services funded under Subsection (8) to be a
donor to the fund when the refugee's financial situation improves sufficiently to make a donation.
- 144 (4) Except for money restricted to a specific use under federal law or by a donor, the director may not
spend money from the fund without the input described in Subsection (2).
- 147 (5) The state treasurer shall invest the money in the fund under Title 51, Chapter 7, State Money
Management Act, and all interest or other earnings derived from the fund money shall be deposited
into the fund.
- 150 (6) Money in the fund may not be used by the director for administrative expenses.
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- (7) If the department establishes a refugee services advisory committee referenced in Subsection (2), the committee may:
- 153 (a) advise the director on refugee services needs in the state and on relevant operational aspects of any grant or revenue collection program established under this part;
- 155 (b) recommend specific refugee projects to the director;
- 156 (c) recommend policies and procedures for administering the fund;
- 157 (d) make recommendations on grants made from the fund for refugee services activities authorized under this section;
- 159 (e) advise the director on the criteria by which grants from the fund shall be made;
- 160 (f) recommend the order approved projects should be funded;
- 161 (g) make recommendations regarding the distribution of money from the fund in accordance with federal or donor restrictions; and
- 163 (h) have joint responsibility to solicit public and private funding for the fund.
- 164 (8) The director may use fund money to:
- 165 (a) train an existing refugee organization to develop its capacity to operate professionally and effectively and to become an independent, viable organization; or
- 167 (b) provide grants to refugee organizations and other entities identified in Subsection (9) to assist them:
- 169 (i) with case management;
- 170 (ii) in meeting emergency housing needs for refugees;
- 171 (iii) in providing English language services;
- 172 (iv) in providing interpretive services;
- 173 (v) in finding and maintaining employment for refugees;
- 174 (vi) in collaborating with the state's public education system to improve the involvement of refugee parents in assimilating their children into public schools;
- 176 (vii) in meeting the health and mental health needs of refugees;
- 177 (viii) in providing or arranging for child care services; or
- 178 (ix) in administering refugee services.
- 179 (9) The director, with the input described in Subsection (2), may grant fund money for refugee services outlined in Subsection (8) through a request for proposal process to:
- 181 (a) local governments;
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(b) nonprofit community, charitable, or neighborhood-based organizations or private for-profit organizations involved with providing or arranging for the provision of refugee services; or

185 (c) regional or statewide nonprofit organizations.

186 (10)

(a) The director shall enter into a written agreement with each entity that successfully applies for a grant.

188 (b) The agreement shall include specific terms for each grant consistent with the provisions of this section, including the structure, amount, and nature of the grant.

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

193 (12) The director shall require an entity that receives a grant under this section to provide periodic accounting of how the money was used.

195 (13) As part of the annual written report described in Section 35A-1-109, the director shall report the status of the fund, including programs and services funded by the fund.

193 Section 8. Section 8 is enacted to read:

194 **35A-3-806. ~~{(Effective 05/07/25)}~~Continuation of refugee services.**

199 (1) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the department may make rules to provide for the administration and coordination of services to refugees beyond the time period refugee assistance is provided or funded by the federal government, including the provisions of:

203 (a) services to address emergency needs;

204 (b) English language training; and

205 (c) services for victims of domestic violence.

206 (2) The director shall administer and coordinate services under this section:

207 (a) with input from the department and any office or advisory committee involved with the provision of refugee services within the department; and

209 (b) in accordance with any state and federal requirements related to the provision of services to refugees.

207 Section 9. **Repealer.**

This Bill Repeals:

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208 This bill repeals:

209 Section **35A-3-702, Continuation of refugee services.**

210 Section **35A-3-701, Refugee services fund -- Use of money -- Committee and director**
211 **duties -- Restrictions.**

212 Section 10. **Effective date.**

This bill takes effect on May 7, 2025.

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