

Refugee Services Amendments

2025 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Ronald M. Winterton

LONG TITLE**Committee Note:**

The Economic Development and Workforce Services Interim Committee recommended this bill.

Legislative Vote: 12 voting for 0 voting against 5 absent

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

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

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

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

ENACTS:

35A-3-801 (Effective 05/07/25), Utah Code Annotated 1953

35A-3-802 (Effective 05/07/25), Utah Code Annotated 1953

35A-3-803 (Effective 05/07/25), Utah Code Annotated 1953

35A-3-804 (Effective 05/07/25), Utah Code Annotated 1953

35A-3-805 (Effective 05/07/25), Utah Code Annotated 1953

35A-3-806 (Effective 05/07/25), Utah Code Annotated 1953

REPEALS:

32 **35A-3-701 (Effective 05/07/25)**, as renumbered and amended by Laws of Utah 2015,
 33 Chapter 221

34 **35A-3-702 (Effective 05/07/25)**, as renumbered and amended by Laws of Utah 2015,
 35 Chapter 221

36

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

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

39 **35A-1-202 (Effective 05/07/25). Divisions -- Creation -- Duties -- Workforce**

40 **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
 43 implementation of employment assistance programs;
- 44 (b) the Workforce Research and Analysis Division;
- 45 (c) the Unemployment Insurance Division to administer Chapter 4, Employment
 46 Security Act;
- 47 (d) the Eligibility Services Division to administer public assistance eligibility;
- 48 (e) the Division of Adjudication to adjudicate claims or actions in accordance with this
 49 title;
- 50 (f) the Housing and Community Development Division, which is described in Sections
 51 35A-8-201 and 35A-8-202;
- 52 (g) the Utah State Office of Rehabilitation, which is described in Section 35A-13-103;[
 53 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;
 56 and
- 57 (j) the Refugee Services Office, which is described in Part 8, Refugee Services.

58 (2) In addition to the divisions created under Subsection (1), within the department are the
 59 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
 65 Areas.

66 Section 2. Section **35A-3-103** is amended to read:

67 **35A-3-103 (Effective 05/07/25). Department responsibilities.**

68 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
71 of this chapter;
- 72 (3) cooperate with the federal government in the administration of public assistance
73 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
79 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
82 Care;
- 83 (11) provide services that enable an applicant or recipient to qualify for affordable housing
84 in cooperation with:
- 85 (a) the Utah Housing Corporation;
- 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
89 C.F.R. Sec. 431.812; and
- 90 (13) conduct non-clinical eligibility hearings and issue final decisions in adjudicative
91 proceedings, including expedited appeals as defined in 42 C.F.R. Sec. 431.224, for
92 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.

95 Section 3. Section **35A-3-801** is enacted to read:

96 **Part 8. Refugee Services**

97 **35A-3-801 (Effective 05/07/25). Definitions.**

98 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 the
102 Office of Refugee Resettlement, as described in 45 C.F.R., Part 400.

103 Section 4. Section **35A-3-802** is enacted to read:

104 **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
107 director and who may be removed from that position at the will of the executive director.

108 Section 5. Section **35A-3-803** is enacted to read:

109 **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
112 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
116 refugees;

117 (e) coordinate with the department to include in the annual written report, described in
118 Section 35A-1-109, information regarding refugee services; and

119 (f) make rules, in accordance with Title 63G, Chapter 3, Utah Administrative
120 Rulemaking Act, and consistent with state and federal law establishing the eligibility
121 requirements for refugee case assistance.

122 (2) The office may apply for, accept, or expend gifts or donations from public or private
123 sources.

124 Section 6. Section **35A-3-804** is enacted to read:

125 **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
128 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
131 to assist the office in fulfilling its statutory obligations.

132 Section 7. Section **35A-3-805** is enacted to read:

- 133 **35A-3-805 (Effective 05/07/25). Refugee services fund -- Use of money --**
134 **Committee and director duties -- Restrictions.**
- 135 (1) There is created an expendable special revenue fund, known as the "Refugee Services
136 Fund."
- 137 (2) The director shall administer the fund with input from the department and any advisory
138 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
140 grants, private foundations, and individual donors.
- 141 (b) The director shall encourage a refugee who receives services funded under
142 Subsection (8) to be a donor to the fund when the refugee's financial situation
143 improves sufficiently to make a donation.
- 144 (4) Except for money restricted to a specific use under federal law or by a donor, the
145 director may not spend money from the fund without the input described in Subsection
146 (2).
- 147 (5) The state treasurer shall invest the money in the fund under Title 51, Chapter 7, State
148 Money Management Act, and all interest or other earnings derived from the fund money
149 shall be deposited into the fund.
- 150 (6) Money in the fund may not be used by the director for administrative expenses.
- 151 (7) If the department establishes a refugee services advisory committee referenced in
152 Subsection (2), the committee may:
- 153 (a) advise the director on refugee services needs in the state and on relevant operational
154 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
158 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
162 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
166 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)
 168 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
 175 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
 180 refugee services outlined in Subsection (8) through a request for proposal process to:
- 181 (a) local governments;
 182 (b) nonprofit community, charitable, or neighborhood-based organizations or private
 183 for-profit organizations involved with providing or arranging for the provision of
 184 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
 187 successfully applies for a grant.
- 188 (b) The agreement shall include specific terms for each grant consistent with the
 189 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
 191 on an annual basis to ensure compliance with the terms and conditions imposed on the
 192 recipient by the fund.
- 193 (12) The director shall require an entity that receives a grant under this section to provide
 194 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
 196 report the status of the fund, including programs and services funded by the fund.
- 197 Section 8. Section **35A-3-806** is enacted to read:
- 198 **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
 200 department may make rules to provide for the administration and coordination of

201 services to refugees beyond the time period refugee assistance is provided or funded by
202 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
208 the provision of refugee services within the department; and

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

211 **Section 9. Repealer.**

212 This bill repeals:

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

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

216 **Section 10. Effective Date.**

217 This bill takes effect on May 7, 2025.