

HB0453S01 compared with HB0453

~~{Omitted text}~~ shows text that was in HB0453 but was omitted in HB0453S01
inserted text shows text that was not in HB0453 but was inserted into HB0453S01

DISCLAIMER: This document is provided to assist you in your comparison of the two bills. Sometimes this automated comparison will NOT be completely accurate. Therefore, you need to read the actual bills. This automatically generated document could contain inaccuracies caused by: limitations of the compare program; bad input data; or other causes.

1 **Unspent Funding Amendments**
2026 GENERAL SESSION
STATE OF UTAH
Chief Sponsor: Ashlee Matthews
Senate Sponsor:Luz Escamilla



2
3 **LONG TITLE**

4 **General Description:**

5 This bill modifies provisions related to unexpended balances.

6 **Highlighted Provisions:**

7 This bill:

- 8 ▶ creates the Unspent Balances Restricted Account (restricted account);
- 9 ▶ directs the Division of Finance to annually transfer a specified percentage of all lapsing balances and excess {~~fund balances~~} account balance transfers to the restricted account; and
- 11 ▶ provides the purposes for which money in the restricted account may be used.

12 **Money Appropriated in this Bill:**

13 None

14 **Other Special Clauses:**

15 None

16 **Utah Code Sections Affected:**

17 AMENDS:

18 **63J-1-601** , as last amended by Laws of Utah 2023, Chapter 330

HB0453 compared with HB0453S01

19 ENACTS:

20 **63J-1-604** , Utah Code Annotated 1953

21

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

23 Section 1. Section **63J-1-601** is amended to read:

24 **63J-1-601. End of fiscal year -- Unexpended balances -- Funds not to be closed out --
Pending claims -- Transfer of amounts from item of appropriation -- Nonlapsing accounts and
funds -- Institutions of higher education to report unexpended balances.**

27 (1) As used in this section:

28 (a) "Education grant subrecipient" means a nonfederal entity that:

29 (i) receives a subaward from the State Board of Education to carry out at least part of a federal or state
grant program; and

31 (ii) does not include an individual who is a beneficiary of the federal or state grant program.

33 (b) "Transaction control number" means the unique numerical identifier established by the Department
of Health and Human Services to track each medical claim and indicates the date on which the claim
is entered.

36 (2) [On] Except as provided in Section 63J-1-604, on or before August 31 of each fiscal year, the
director of the Division of Finance shall close out to the proper fund or account all remaining
unexpended and unencumbered balances of appropriations made by the Legislature, except:

40 (a) those funds classified under Title 51, Chapter 5, Funds Consolidation Act, as:

41 (i) enterprise funds;

42 (ii) internal service funds;

43 (iii) fiduciary funds;

44 (iv) capital projects funds;

45 (v) discrete component unit funds;

46 (vi) debt service funds; and

47 (vii) permanent funds;

48 (b) those appropriations from a fund or account or appropriations to a program that are designated as
nonlapsing under Section 63J-1-602.1 or 63J-1-602.2;

50 (c) expendable special revenue funds, unless specifically directed to close out the fund in the fund's
enabling legislation;

HB0453 compared with HB0453S01

- 52 (d) acquisition and development funds appropriated to the Division of State Parks or the Division of
Outdoor Recreation;
- 54 (e) funds encumbered to pay purchase orders issued before May 1 for capital equipment if delivery is
expected before June 30; and
- 56 (f) unexpended and unencumbered balances of appropriations that meet the requirements of Section
63J-1-603.
- 58 (3)
- (a) Liabilities and related expenses for goods and services received on or before June 30 shall be
recognized as expenses due and payable from appropriations made before June 30.
- 61 (b) The liability and related expense shall be recognized within time periods established by the Division
of Finance but shall be recognized not later than August 31.
- 63 (c) Liabilities and expenses not so recognized may be paid from regular departmental appropriations for
the subsequent fiscal year, if these claims do not exceed unexpended and unencumbered balances of
appropriations for the years in which the obligation was incurred.
- 67 (d) Amounts may not be transferred from an item of appropriation of any department, institution, or
agency into the Capital Projects Fund or any other fund without the prior express approval of the
Legislature.
- 70 (4)
- (a) For purposes of this chapter, a claim processed under the authority of Title 26B, Chapter 3, Health
Care - Administration and Assistance:
- 72 (i) is not a liability or an expense to the state for budgetary purposes, unless the Division of
Integrated Healthcare receives the claim within the time periods established by the Division of
Finance under Subsection (3)(b); and
- 75 (ii) is not subject to Subsection (3)(c).
- 76 (b) The transaction control number that the Division of Integrated Healthcare records on each claim
invoice is the date of receipt.
- 78 (5)
- (a) For purposes of this chapter, a claim processed in accordance with Title 35A, Chapter 13, Utah State
Office of Rehabilitation Act:

80

HB0453 compared with HB0453S01

(i) is not a liability or an expense to the state for budgetary purposes, unless the Utah State Office of Rehabilitation receives the claim within the time periods established by the Division of Finance under Subsection (3)(b); and

83 (ii) is not subject to Subsection (3)(c).

84 (b)

(i) The Utah State Office of Rehabilitation shall mark each claim invoice with the date on which the Utah State Office of Rehabilitation receives the claim invoice.

86 (ii) The date described in Subsection (5)(b)(i) is the date of receipt for purposes of this section.

88 (6)

(a) For purposes of this chapter, a reimbursement request received from an education grant subrecipient:

90 (i) is not a liability or expense to the state for budgetary purposes, unless the State Board of Education receives the claim within the time periods described in Subsection (3)(b); and

93 (ii) is not subject to Subsection (3)(c).

94 (b) The transaction control number that the State Board of Education records on a claim invoice is the date of receipt.

96 (7) Any balance from an appropriation to a state institution of higher education that remains unexpended at the end of the fiscal year shall be reported to the Division of Finance by the September 1 following the close of the fiscal year.

99 Section 2. Section 2 is enacted to read:

100 **63J-1-604. Unspent Balances Restricted Account.**

101 (1) As used in this section:

102 (a)

(i) {~~"Excess fund balance"~~ "Account balance transfer" means an amount in a fund or account at the close of a fiscal year that:

104 (A) exceeds the amount statute allows to remain in the fund or account at the close of the fiscal year; and

106 (B) statute directs be transferred to the General Fund at the close of a fiscal year.

107 (ii) {~~"Excess fund balance"~~ "Account balance transfer" does not include a lapsing balance.

108 (b) "Excess account balance transfer" means the greater of:

109 (i) the difference between:

110 (A) a fund's or account's account balance transfer; and

HB0453 compared with HB0453S01

- 111 (B) the fund's or account's expected account balance transfer based on the most recent General Fund
112 revenue estimate adopted by the Executive Appropriations Committee; and
- 114 (i) \$0.
- 115 (c) "General Fund revenue surplus" means the same as that term is defined in Section 63J-1-312.
- 108 (b){(d)} "Lapsing balance" means any unexpended and unencumbered amount that would otherwise
109 lapse to the General Fund under Section 63J-1-601.
- 110 (c){(e)} "Paraeducator" means an employee of a school district or charter school who delivers
111 instruction under the direct supervision of a teacher.
- 112 (2) There is created within the General Fund a restricted account known as the Unspent Balances
113 Restricted Account.
- 114 (3) Notwithstanding any other provision of law, beginning with fiscal year 2026, the Division of
115 Finance shall { deposit into the restricted account } comply with Subsection (4) for each fiscal year in
116 which:
- 125 (a) there is a General Fund revenue surplus; and
- 126 (b)
- 127 (i) there is not an Income Tax Fund revenue deficit; or
- 128 (ii) if there is an Income Tax Fund revenue deficit, the General Fund revenue surplus is equal to or
129 exceeds the Income Tax Fund deficit.
- 129 (4) For each fiscal year described in Subsection (3), the Division of Finance shall deposit into the
130 restricted account:
- 116 (a) 50% of all lapsing balances; and
- 117 (b) 50% of all excess { fund balances } account balance transfers.
- 118 (4){(5)} Subject to legislative appropriation:
- 119 (a) the Office of Child Care created in Section 35A-3-202 may use up to an amount equal to 34% of the
120 funds in the restricted account for child care subsidies or grants as provided in Section 35A-3-209;
- 122 (b) the Utah Behavioral Health Commission created in Section 26B-5-702 may use up to an amount
123 equal to 33% of the funds in the restricted account to fulfill the commission's duties; and
- 125 (c) the State Board of Education may use up to an amount equal to 33% of the funds in the restricted
126 account for salary support through bonuses for paraeducators.

142 Section 3. **Effective date.**

Effective Date.

HB0453 compared with HB0453S01

This bill takes effect on May 6, 2026.

2-12-26 5:13 PM