

Homelessness Amendments
2026 GENERAL SESSION
STATE OF UTAH
Chief Sponsor: Steve Eliason
Senate Sponsor:

LONG TITLE

General Description:

This bill addresses provisions regarding homeless services.

Highlighted Provisions:

This bill:

- ▶ modifies and defines terms;
- ▶ prohibits a municipality from imposing a capacity limit on a homeless shelter;
- ▶ provides that lease payments made to the office shall be deposited into the Homeless Shelter Cities Mitigation Restricted Account;
- ▶ allows the Utah Homeless Services Board (board), in cooperation with the fire marshal, local homeless councils, and a homeless services nonprofit organization to set a capacity limit for certain homeless shelters;
- ▶ amends exceptions for conveyance, lease, or disposal of certain property owned by the Division of Facilities and Construction Management;
- ▶ amends the name of the Shelter Cities Advisory Board to the Shelter Cities Coordinating Council;
- ▶ amends the name of the Shelter Counties Advisory Board to the Shelter Counties Coordinating Council;
- ▶ amends certain funding formulas for deposits into the Homeless Shelter Cities Mitigation Restricted Account;
- ▶ amends provisions regarding code blue alerts;
- ▶ requires the Office of Homeless Services (office) to issue future services payments to a homeless service provider (provider) under certain conditions;
- ▶ creates the Homeless Services Restricted Account (account) to assist counties regarding provisions of homelessness;
- ▶ allows the office to disburse funds from the account to certain counties for certain purposes;
- ▶ requires the State Tax Commission to transfer certain funds from the Cigarette Tax

- 31 Restricted Account to the account;
- 32 ▸ enacts a code red alert;
- 33 ▸ gives the office rulemaking authority under certain conditions for certain purposes;
- 34 ▸ makes technical and conforming changes;
- 35 ▸ provides for intent language that up to \$2,000,000 of the appropriated funds for fiscal
- 36 year ending 2026 shall be used for a certain purpose and the remaining nonlapsing funds
- 37 for fiscal year beginning 2027 may be used for certain purposes; and
- 38 ▸ provides a special effective date.

39 **Money Appropriated in this Bill:**

40 This bill appropriates (\$20,998,000) in operating and capital budgets for fiscal year 2026,

41 all of which is from the General Fund.

42 This bill appropriates \$20,998,000 in operating and capital budgets for fiscal year 2027, all of

43 which is from the General Fund.

44 **Other Special Clauses:**

45 This bill provides a special effective date.

46 **Utah Code Sections Affected:**

47 AMENDS:

- 48 **10-20-506 (Effective 04/01/26)**, as renumbered and amended by Laws of Utah 2025,
- 49 First Special Session, Chapter 15
- 50 **26B-1-202 (Effective 04/01/26)**, as last amended by Laws of Utah 2025, Chapter 426
- 51 **35A-16-102 (Effective 04/01/26)**, as last amended by Laws of Utah 2025, First Special
- 52 Session, Chapter 16
- 53 **35A-16-202 (Effective 04/01/26)**, as last amended by Laws of Utah 2024, Chapters 338,
- 54 349
- 55 **35A-16-203 (Effective 04/01/26)**, as last amended by Laws of Utah 2025, Chapter 530
- 56 **35A-16-208 (Effective 04/01/26)**, as last amended by Laws of Utah 2025, Chapters 422,
- 57 530
- 58 **35A-16-210 (Effective 04/01/26)**, as enacted by Laws of Utah 2024, Chapter 338
- 59 **35A-16-210.1 (Effective 04/01/26)**, as enacted by Laws of Utah 2025, Chapter 530
- 60 **35A-16-212 (Effective 04/01/26) (Repealed 07/01/28)**, as enacted by Laws of Utah 2025,
- 61 Chapter 41
- 62 **35A-16-401 (Effective 04/01/26)**, as last amended by Laws of Utah 2024, Chapters 204,
- 63 338 and 438
- 64 **35A-16-402 (Effective 04/01/26)**, as last amended by Laws of Utah 2024, Chapters 204,

65 338
 66 **35A-16-701 (Effective 04/01/26)**, as last amended by Laws of Utah 2024, Chapters 204,
 67 438
 68 **35A-16-702 (Effective 04/01/26)**, as last amended by Laws of Utah 2024, Chapter 204
 69 **59-12-205 (Effective 04/01/26)**, as last amended by Laws of Utah 2025, Chapters 490,
 70 495
 71 **59-14-204 (Effective 04/01/26)**, as last amended by Laws of Utah 2016, Chapter 168
 72 **63A-5b-902 (Effective 04/01/26)**, as last amended by Laws of Utah 2024, Chapters 419,
 73 480
 74 **63J-1-602.1 (Effective 04/01/26)**, as last amended by Laws of Utah 2025, First Special
 75 Session, Chapter 9

76 ENACTS:

77 **35A-16-205.2 (Effective 04/01/26)**, Utah Code Annotated 1953
 78 **35A-16-1101 (Effective 04/01/26)**, Utah Code Annotated 1953
 79 **35A-16-1201 (Effective 04/01/26)**, Utah Code Annotated 1953
 80 **35A-16-1301 (Effective 04/01/26)**, Utah Code Annotated 1953
 81 **35A-16-1302 (Effective 04/01/26)**, Utah Code Annotated 1953
 82 **35A-16-1303 (Effective 04/01/26)**, Utah Code Annotated 1953

83

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

85 Section 1. Section **10-20-506** is amended to read:

86 **10-20-506 (Effective 04/01/26). Conditional uses.**

87 (1)(a) A municipality may adopt a land use ordinance that includes conditional uses and
 88 provisions for conditional uses that require compliance with objective standards set
 89 forth in an applicable ordinance.

90 (b) A municipality may not impose a requirement or standard on a conditional use that
 91 conflicts with a provision of this chapter or other state or federal law.

92 (2)(a)(i) A land use authority shall approve a conditional use if reasonable conditions
 93 are proposed, or can be imposed, to mitigate the reasonably anticipated
 94 detrimental effects of the proposed use in accordance with applicable standards.

95 (ii) The requirement described in Subsection (2)(a)(i) to reasonably mitigate
 96 anticipated detrimental effects of the proposed conditional use does not require
 97 elimination of the detrimental effects.

98 (b) If a land use authority proposes reasonable conditions on a proposed conditional use,

99 the land use authority shall ensure that the conditions are stated on the record and
 100 reasonably relate to mitigating the anticipated detrimental effects of the proposed use.
 101 (c) If the reasonably anticipated detrimental effects of a proposed conditional use cannot
 102 be substantially mitigated by the proposal or the imposition of reasonable conditions
 103 to achieve compliance with applicable standards, the land use authority may deny the
 104 conditional use.

105 (3) A land use authority's decision to approve or deny conditional use is an administrative
 106 land use decision.

107 (4) A legislative body shall classify any use that a land use regulation allows in a zoning
 108 district as either a permitted or conditional use under this chapter.

109 (5) A municipality that approves a conditional use permit for a homeless shelter, as that
 110 term is defined in Section 35A-16-701, may not impose a capacity limit on the number
 111 of individuals experiencing homelessness who may occupy a homeless shelter for
 112 overnight accommodations, whether the homeless shelter is operating year-round,
 113 temporarily, or for emergency purposes.

114 Section 2. Section **26B-1-202** is amended to read:

115 **26B-1-202 (Effective 04/01/26). Department authority and duties.**

116 (1) As used in this section, "public funds" means the same as that term is defined in Section
 117 26B-5-101.

118 (2) The department may, subject to applicable restrictions in state law and in addition to all
 119 other authority and responsibility granted to the department by law:

120 (a) [~~adopt~~] make rules, in accordance with Title 63G, Chapter 3, Utah Administrative
 121 Rulemaking Act, and not inconsistent with law, as the department may consider
 122 necessary or desirable for providing health and social services to the people of this
 123 state;

124 (b) establish and manage client trust accounts in the department's institutions and
 125 community programs, at the request of the client or the client's legal guardian or
 126 representative, or in accordance with federal law;

127 (c) purchase, as authorized or required by law, services that the department is
 128 responsible to provide for legally eligible persons;

129 (d) conduct adjudicative proceedings for clients and providers in accordance with the
 130 procedures of Title 63G, Chapter 4, Administrative Procedures Act;

131 (e) establish eligibility standards for the department's programs, not inconsistent with
 132 state or federal law or regulations;

- 133 (f) take necessary steps, including legal action, to recover money or the monetary value
134 of services provided to a recipient who was not eligible;
- 135 (g) set and collect fees for the department's services;
- 136 (h) license agencies, facilities, and programs, except as otherwise allowed, prohibited, or
137 limited by law;
- 138 (i) acquire, manage, and dispose of any real or personal property needed or owned by
139 the department, not inconsistent with state law;
- 140 (j) receive gifts, grants, devises, and donations; gifts, grants, devises, donations, or the
141 proceeds thereof, may be credited to the program designated by the donor, and may
142 be used for the purposes requested by the donor, as long as the request conforms to
143 state and federal policy; all donated funds shall be considered private, nonlapsing
144 funds and may be invested under guidelines established by the state treasurer;
- 145 (k) accept and employ volunteer labor or services; the department is authorized to
146 reimburse volunteers for necessary expenses, when the department considers that
147 reimbursement to be appropriate;
- 148 (l) carry out the responsibility assigned in the workforce services plan by the State
149 Workforce Development Board;
- 150 (m) carry out the responsibility assigned by Section 26B-1-430 with respect to
151 coordination of services for students with a disability;
- 152 (n) provide training and educational opportunities for the department's staff;
- 153 (o) collect child support payments and any other money due to the department;
- 154 (p) apply the provisions of Title 81, Chapter 6, Child Support, and Title 81, Chapter 7,
155 Payment and Enforcement of Spousal and Child Support, to parents whose child lives
156 out of the home in a department licensed or certified setting;
- 157 (q) establish policy and procedures, within appropriations authorized by the Legislature,
158 in cases where the Division of Child and Family Services or the Division of Juvenile
159 Justice and Youth Services is given custody of a minor by the juvenile court under
160 Title 80, Utah Juvenile Code, or the department is ordered to prepare an attainment
161 plan for a minor found not competent to proceed under Section 80-6-403, including:
- 162 (i) designation of interagency teams for each juvenile court district in the state;
- 163 (ii) delineation of assessment criteria and procedures;
- 164 (iii) minimum requirements, and timeframes, for the development and
165 implementation of a collaborative service plan for each minor placed in
166 department custody; and

- 167 (iv) provisions for submittal of the plan and periodic progress reports to the court;
- 168 (r) carry out the responsibilities assigned to the department by statute;
- 169 (s) as further provided in Subsection (3), examine and audit the expenditures of any
- 170 public funds provided to a local health department, a local substance abuse authority,
- 171 a local mental health authority, a local area agency on aging, and any person, agency,
- 172 or organization that contracts with or receives funds from those authorities or
- 173 agencies;
- 174 (t) in accordance with Subsection 26B-2-104(1)(d), accredit one or more agencies and
- 175 persons to provide intercountry adoption services;
- 176 (u) within legislative appropriations, promote and develop a system of care and
- 177 stabilization services:
- 178 (i) in compliance with Title 63G, Chapter 6a, Utah Procurement Code; and
- 179 (ii) that encompasses the department, department contractors, and the divisions,
- 180 offices, or institutions within the department, to:
- 181 (A) navigate services, funding resources, and relationships to the benefit of the
- 182 children and families whom the department serves;
- 183 (B) centralize department operations, including procurement and contracting;
- 184 (C) develop policies that govern business operations and that facilitate a system of
- 185 care approach to service delivery;
- 186 (D) allocate resources that may be used for the children and families served by the
- 187 department or the divisions, offices, or institutions within the department,
- 188 subject to the restrictions in Section 63J-1-206;
- 189 (E) create performance-based measures for the provision of services; and
- 190 (F) centralize other business operations, including data matching and sharing
- 191 among the department's divisions, offices, and institutions;
- 192 (v) ensure that any training or certification required of a public official or public
- 193 employee, as those terms are defined in Section 63G-22-102, complies with Title
- 194 63G, Chapter 22, State Training and Certification Requirements, if the training or
- 195 certification is required:
- 196 (i) under this title;
- 197 (ii) by the department; or
- 198 (iii) by an agency or division within the department;
- 199 (w) enter into cooperative agreements with the Department of Environmental Quality to
- 200 delineate specific responsibilities to assure that assessment and management of risk

- 201 to human health from the environment are properly administered;
- 202 (x) consult with the Department of Environmental Quality and enter into cooperative
203 agreements, as needed, to ensure efficient use of resources and effective response to
204 potential health and safety threats from the environment, and to prevent gaps in
205 protection from potential risks from the environment to specific individuals or
206 population groups;
- 207 (y) to the extent authorized under state law or required by federal law, promote and
208 protect the health and wellness of the people within the state;
- 209 (z) establish, maintain, and enforce rules authorized under state law or required by
210 federal law to promote and protect the public health or to prevent disease and illness;
- 211 (aa) investigate the causes of epidemic, infectious, communicable, and other diseases
212 affecting the public health;
- 213 (bb) provide for the detection and reporting of communicable, infectious, acute, chronic,
214 or any other disease or health hazard which the department considers to be
215 dangerous, important, or likely to affect the public health;
- 216 (cc) collect and report information on causes of injury, sickness, death, and disability
217 and the risk factors that contribute to the causes of injury, sickness, death, and
218 disability within the state;
- 219 (dd) collect, prepare, publish, and disseminate information to inform the public
220 concerning the health and wellness of the population, specific hazards, and risks that
221 may affect the health and wellness of the population and specific activities which
222 may promote and protect the health and wellness of the population;
- 223 (ee) abate nuisances when necessary to eliminate sources of filth and infectious and
224 communicable diseases affecting the public health;
- 225 (ff) make necessary sanitary and health investigations and inspections in cooperation
226 with local health departments as to any matters affecting the public health;
- 227 (gg) establish laboratory services necessary to support public health programs and
228 medical services in the state;
- 229 (hh) establish and enforce standards for laboratory services which are provided by any
230 laboratory in the state when the purpose of the services is to protect the public health;
- 231 (ii) cooperate with the Labor Commission to conduct studies of occupational health
232 hazards and occupational diseases arising in and out of employment in industry, and
233 make recommendations for elimination or reduction of the hazards;
- 234 (jj) cooperate with the local health departments, the Department of Corrections, the

- 235 Administrative Office of the Courts, the Division of Juvenile Justice and Youth
236 Services, and the Utah Office for Victims of Crime to conduct testing for HIV
237 infection of alleged sexual offenders, convicted sexual offenders, and any victims of
238 a sexual offense;
- 239 (kk) investigate the causes of maternal and infant mortality;
- 240 (ll) establish, maintain, and enforce a procedure requiring the blood of adult pedestrians
241 and drivers of motor vehicles killed in highway accidents be examined for the
242 presence and concentration of alcohol, and provide the Commissioner of Public
243 Safety with monthly statistics reflecting the results of these examinations, with
244 necessary safeguards so that information derived from the examinations is not used
245 for a purpose other than the compilation of these statistics;
- 246 (mm) establish a uniform public health program throughout the state which includes
247 continuous service, employment of qualified employees, and a basic program of
248 disease control, vital and health statistics, sanitation, public health nursing, and other
249 preventive health programs necessary or desirable for the protection of public health;
- 250 (nn) conduct health planning for the state;
- 251 (oo) monitor the costs of health care in the state and foster price competition in the
252 health care delivery system;
- 253 (pp) establish methods or measures for health care providers, public health entities, and
254 health care insurers to coordinate among themselves to verify the identity of the
255 individuals the providers serve;
- 256 (qq) designate Alzheimer's disease and related dementia as a public health issue and,
257 within budgetary limitations, implement a state plan for Alzheimer's disease and
258 related dementia by incorporating the plan into the department's strategic planning
259 and budgetary process;
- 260 (rr) coordinate with other state agencies and other organizations to implement the state
261 plan for Alzheimer's disease and related dementia;
- 262 (ss) ensure that any training or certification required of a public official or public
263 employee, as those terms are defined in Section 63G-22-102, complies with Title
264 63G, Chapter 22, State Training and Certification Requirements, if the training or
265 certification is required by the agency or under this Title 26B, Utah Health and
266 Human Services Code;
- 267 (tt) oversee public education vision screening as described in Section 53G-9-404;
- 268 (uu) issue code blue alerts in accordance with Title 35A, Chapter 16, Part 7, Code Blue

- 269 Alert;
- 270 (vv) issue code red alerts in accordance with Title 35A, Chapter 16, Part 13, Code Red
- 271 Alert; and
- 272 ~~[(vv)]~~ (ww) as allowed by state and federal law, share data with the Office of Families
- 273 that is relevant to the duties described in Subsection 26B-1-243(4), which may
- 274 include, to the extent available:
- 275 (i) demographic data concerning family structures in the state; and
- 276 (ii) data regarding the family structure associated with:
- 277 (A) suicide, depression, or anxiety; and
- 278 (B) various health outcomes.
- 279 (3)(a) Under Subsection (2)(s), those local departments, local authorities, area agencies,
- 280 and any person or entity that contracts with or receives funds from those departments,
- 281 authorities, or area agencies, shall provide the department with any information the
- 282 department considers necessary.
- 283 (b) The department is further authorized to issue directives resulting from any
- 284 examination or audit to a local department, local authority, an area agency, and
- 285 persons or entities that contract with or receive funds from those departments,
- 286 authorities, or agencies with regard to any public funds.
- 287 (c) If the department determines that it is necessary to withhold funds from a local health
- 288 department, local mental health authority, or local substance abuse authority based on
- 289 failure to comply with state or federal law, policy, or contract provisions, the
- 290 department may take steps necessary to ensure continuity of services.

291 Section 3. Section **35A-16-102** is amended to read:

292 **35A-16-102 (Effective 04/01/26). Definitions.**

293 As used in this chapter:

- 294 (1) "Board" means the Utah Homeless Services Board created in Section 35A-16-204.
- 295 (2) "Chief executive officer" means the same as that term is defined in Section 11-51-102.
- 296 (3) "Client" means an individual who is experiencing homelessness or an individual at risk
- 297 of becoming homeless.
- 298 (4) "Collaborative applicant" means the entity designated by a continuum of care to collect
- 299 and submit data and apply for funds on behalf of the continuum of care, as required by
- 300 the United States Department of Housing and Urban Development.
- 301 (5) "Continuum of care" means a regional or local planning body designated by the United
- 302 States Department of Housing and Urban Development to coordinate services for

- 303 individuals experiencing homelessness within an area of the state.
- 304 (6) "Coordinator" means the state homelessness coordinator appointed under Section
305 63J-4-202.
- 306 (7) "County of the first class" means the same as that term is defined in Section 17-60-104.
- 307 (8) "County of the second class" means the same as that term is defined in Section
308 17-60-104.
- 309 (9) "Eligible services" means any activities or services that mitigate the impacts of the
310 location of an eligible shelter, including direct services, public safety services, and
311 emergency services, as further defined by rule made by the office in accordance with
312 Title 63G, Chapter 3, Utah Administrative Rulemaking Act.
- 313 (10)(a) "Emergency shelter" means a facility that provides immediate, temporary shelter
314 to individuals experiencing homelessness.
- 315 (b) "Emergency shelter" includes a shelter in response to:
- 316 (i) a subsequent winter response period, as defined in Section 35A-16-501;
317 (ii) a code blue event, as defined in Section 35A-16-701; and
318 (iii) a code red event, as defined in Section 35A-16-1301.
- 319 [~~10~~] (11) "Executive committee" means the executive committee of the board.
- 320 [~~11~~] (12) "Exit destination" means:
- 321 (a) a homeless situation;
322 (b) an institutional situation;
323 (c) a temporary housing situation;
324 (d) a permanent housing situation; or
325 (e) other.
- 326 [~~12~~] (13) "First-tier eligible municipality" means a municipality that:
- 327 (a) is located within:
328 (i) a county of the first or second class, as classified in Section 17-60-104; or
329 (ii) a county of the third class, as classified in Section 17-60-104, if the municipality
330 has a population of 100,000 or more;
- 331 (b) as determined by the office, has or is proposed to have an eligible shelter within the
332 municipality's geographic boundaries within the following fiscal year;
333 (c) due to the location of an eligible shelter within the municipality's geographic
334 boundaries, requires eligible services; and
335 (d) is certified as a first-tier eligible municipality in accordance with Section 35A-16-404.
- 336 [~~13~~] (14) "Homeless Management Information System" or "HMIS" means an information

337 technology system that:

338 (a) is used to collect client-level data and data on the provision of housing and services
339 to homeless individuals and individuals at risk of homelessness in the state; and

340 (b) meets the requirements of the United States Department of Housing and Urban
341 Development.

342 [~~(14)~~] (15) "Homeless services budget" means the comprehensive annual budget and
343 overview of all homeless services available in the state described in Subsection
344 35A-16-203(1)(b).

345 [~~(15)~~] (16) "Local homeless council" means a local planning body designated by the steering
346 committee to coordinate services for individuals experiencing homelessness within an
347 area of the state.

348 [~~(16)~~] (17) "Office" means the Office of Homeless Services.

349 [~~(17)~~] (18) "Residential, vocational and life skills program" means the same as that term is
350 defined in Section 13-53-102.

351 [~~(18)~~] (19) "Second-tier eligible municipality" means a municipality that:

352 (a) is located within:

353 (i) a county of the fourth, fifth, or sixth class; or

354 (ii) a county of the third class, if the municipality has a population of less than
355 100,000;

356 (b) as determined by the office, has or is proposed to have an eligible shelter within the
357 municipality's geographic boundaries within the following fiscal year;

358 (c) due to the location of an eligible shelter within the municipality's geographic
359 boundaries, requires eligible services; and

360 (d) is certified as a second-tier eligible municipality in accordance with Section
361 35A-16-404.

362 [~~(19)~~] (20)(a) "Service provider" means a state agency, a local government, or a private
363 organization that provides services to clients.

364 (b) "Service provider" includes a correctional facility and the Administrative Office of
365 the Courts.

366 [~~(20)~~] (21) "Steering committee" means the Utah Homeless Network Steering Committee
367 created in Section 35A-16-206.

368 [~~(21)~~] (22) "Strategic plan" means the statewide strategic plan to minimize homelessness in
369 the state described in Subsection 35A-16-203(1)(c).

370 [~~(22)~~] (23) "Type of homelessness" means:

- 371 (a) chronic homelessness;
372 (b) episodic homelessness;
373 (c) situational homelessness; or
374 (d) family homelessness.

375 Section 4. Section **35A-16-202** is amended to read:

376 **35A-16-202 (Effective 04/01/26). Powers and duties of the office.**

- 377 (1) The office shall, under the direction of the coordinator:
- 378 (a) assist in providing homeless services in the state;
379 (b) coordinate the provision of homeless services in the state;
380 (c) manage, with the concurrence of continuum of care organizations approved by the
381 United States Department of Housing and Urban Development, a Homeless
382 Management Information System for the state that:
383 (i) shares client-level data between service providers in the state;
384 (ii) is effective as a case management system;
385 (iii) except for individuals receiving services who are victims of domestic violence,
386 includes an effective authorization protocol for encouraging individuals who are
387 provided with any homeless services in the state to provide accurate information
388 to providers for inclusion in the HMIS; and
389 (iv) meets the requirements of the United States Department of Housing and Urban
390 Development and other federal requirements;
- 391 (d) in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act,
392 make rules defining "successful exit," "unsuccessful exit," and "neutral exit"; ~~and~~
393 (e) provide support to the steering committee in developing the formula described in
394 Section 35A-16-211[-] ; and
395 (f) establish standards for determining capacity limits of homeless shelters in accordance
396 with Section 35A-16-205.2.
- 397 (2) The office may:
- 398 (a) by following the procedures and requirements of Title 63J, Chapter 5, Federal Funds
399 Procedures Act, seek federal grants, loans, or participation in federal programs; and
400 (b) for any federal program that requires the expenditure of state funds as a condition for
401 participation by the state in a fund, property, or service, with the governor's approval,
402 expend whatever funds are necessary out of the money provided by the Legislature
403 for the use of the office.
- 404 (3)(a) In accordance with Section 63A-5b-902, the office may accept a conveyance,

- 405 lease, or disposal of property owned by the Division of Facilities and Construction
 406 Management for use as a temporary shelter to individuals experiencing homelessness.
- 407 (b) For a conveyance of property described in Subsection (3)(a), the office, if approved
 408 by the board and with the concurrence of the coordinator, may enter into a lease
 409 agreement with a nonprofit service provider that the office selects to manage a
 410 homeless shelter in the leased space.
- 411 (4) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the
 412 office may make rules to establish a lease agreement template for a lease described in
 413 Subsection (3) that includes:
- 414 (a) lease terms, including lease rates;
 415 (b) homeless shelter use restrictions, including whether the homeless center may be used
 416 as an overflow or emergency shelter;
 417 (c) operational requirements for compliance with the standards described in this chapter;
 418 and
 419 (d) a termination clause, including cause for termination of a lease agreement if the
 420 housing sponsor fails to meet the requirements under this chapter; and
- 421 (5) Lease payments received under the lease agreement described in this section shall be
 422 deposited into the Homeless Shelter Cities Mitigation Restricted Account and used as
 423 for the purpose described in Section 35A-16-402.
- 424 Section 5. Section **35A-16-203** is amended to read:
- 425 **35A-16-203 (Effective 04/01/26). Powers and duties of the coordinator.**
- 426 (1) The coordinator shall:
- 427 (a) coordinate the provision of homeless services in the state;
- 428 (b) in cooperation with the board, develop and maintain a comprehensive annual budget
 429 and overview of all homeless services available in the state, which homeless services
 430 budget shall receive final approval by the board;
- 431 (c) in cooperation with the board, create a statewide strategic plan to minimize
 432 homelessness in the state, which strategic plan shall receive final approval by the
 433 board;
- 434 (d) in cooperation with the board, oversee funding provided for the provision of
 435 homeless services, which funding shall receive final approval by the board, including
 436 funding from the:
- 437 (i) Pamela Atkinson Homeless Account created in Section 35A-16-301;
- 438 (ii) Homeless to Housing Reform Restricted Account created in Section 35A-16-303;

- 439 and
- 440 (iii) Homeless Shelter Cities Mitigation Restricted Account created in Section
- 441 35A-16-402;
- 442 (e) provide administrative support to and serve as a member of the board;
- 443 (f) at the governor's request, report directly to the governor on issues regarding
- 444 homelessness in the state and the provision of homeless services in the state; and
- 445 (g) report directly to the president of the Senate and the speaker of the House of
- 446 Representatives at least twice each year on issues regarding homelessness in the state
- 447 and the provision of homeless services in the state.
- 448 (2) The coordinator, in cooperation with the board, shall ensure that the homeless services
- 449 budget described in Subsection (1)(b) includes an overview and coordination plan for all
- 450 funding sources for homeless services in the state, including from state agencies,
- 451 continuum of care organizations, housing authorities, local governments, federal
- 452 sources, and private organizations.
- 453 (3) The coordinator, in cooperation with the board and taking into account the metrics
- 454 established and data reported in accordance with Section 35A-16-211, shall ensure that
- 455 the strategic plan described in Subsection (1)(c):
- 456 (a) outlines specific goals and measurable benchmarks for minimizing homelessness in
- 457 the state and for coordinating services for individuals experiencing homelessness
- 458 among all service providers in the state;
- 459 (b) identifies best practices or innovative strategies and recommends improvements to
- 460 the provision of services to individuals experiencing homelessness in the state to
- 461 ensure the services are provided in a safe, cost-effective, and efficient manner;
- 462 (c) identifies best practices or innovative strategies and recommends improvements in
- 463 coordinating the delivery of services to the variety of populations experiencing
- 464 homelessness in the state, including through the use of electronic databases and
- 465 improved data sharing among all service providers in the state;
- 466 (d) identifies gaps and recommends solutions in the delivery of services to the variety of
- 467 populations experiencing homelessness in the state; and
- 468 (e) takes into consideration the success of the HOME Court Pilot Program established in
- 469 Section 26B-5-382.
- 470 (4) In overseeing funding for the provision of homeless services as described in Subsection
- 471 (1)(d), the coordinator:
- 472 (a) shall prioritize the funding of programs and providers that have a documented history

- 473 of successfully reducing the number of individuals experiencing homelessness,
474 reducing the time individuals spend experiencing homelessness, moving individuals
475 experiencing homelessness to permanent housing, or reducing the number of
476 individuals who return to experiencing homelessness;
- 477 (b) except for a program or provider providing services to victims of domestic violence,
478 may not approve funding to a program or provider that does not enter into a written
479 agreement with the office to collect and share HMIS data regarding the provision of
480 services to individuals experiencing homelessness so that the provision of services
481 can be coordinated among state agencies, local governments, and private
482 organizations; and
- 483 (c) if the board has approved a funding formula developed by the steering committee, as
484 described in Section 35A-16-205:
- 485 (i) except as provided in Subsection (4)(c)(ii), shall utilize that funding formula in
486 disbursing funds for the provision of homeless services; and
- 487 (ii) shall ensure that any federal funds not subject to the funding formula are
488 disbursed in accordance with any applicable federal requirements.
- 489 (5) In cooperation with the board, the coordinator shall update the annual statewide budget
490 and the strategic plan described in this section on an annual basis.
- 491 (6)(a) On or before [~~October~~] November 1, the coordinator shall provide a written report
492 to the department for inclusion in the department's annual written report described in
493 Section 35A-1-109.
- 494 (b) The written report shall include:
- 495 (i) the homeless services budget;
- 496 (ii) the strategic plan;
- 497 (iii) recommendations regarding improvements to coordinating and providing
498 services to individuals experiencing homelessness in the state;
- 499 (iv) in coordination with the board, a complete accounting of the office's
500 disbursement of funds during the previous fiscal year from:
- 501 (A) the Pamela Atkinson Homeless Account created in Section 35A-16-301;
- 502 (B) the Homeless to Housing Reform Restricted Account created in Section
503 35A-16-303;
- 504 (C) the Homeless Shelter Cities Mitigation Restricted Account created in Section
505 35A-16-402;
- 506 (D) the COVID-19 Homeless Housing and Services Grant Program created in

507 Section 35A-16-602; and
 508 (E) any other grant program created in statute that is administered by the office;
 509 and
 510 (v) the data described in Section 35A-16-211.

511 Section 6. Section **35A-16-205.2** is enacted to read:

512 **35A-16-205.2 (Effective 04/01/26). Capacity limit of homeless shelters --**

513 **Determination.**

514 (1) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the
 515 office shall make rules for determining the capacity limit of a homeless shelter.

516 (2) In determining the capacity limit under Subsection (1), the office shall:

517 (a) work in conjunction with the state fire marshal, local homeless councils, and a
 518 nonprofit organization that develops, holds, and manages high-impact emergency
 519 shelter facilities to assess the capacity limit of:

520 (i) a homeless shelter;

521 (ii) a temporary winter response shelter, as described in Section 35A-16-502;

522 (iii) a temporary shelter used during code blue events, as described in Section
 523 35A-16-701;

524 (iv) a temporary shelter used during code red events, as described in Section
 525 35A-16-1301; or

526 (v) a homeless resource center or emergency shelter;

527 (b) consider the location of a homeless shelter; and

528 (c) consider the potential impacts that an increase in shelter capacity may have on the
 529 surrounding community.

530 (3) No later than 10 days after the day on which a capacity limit is determined under
 531 Subsection (1), the office shall notify the applicable municipality of the capacity limit
 532 imposed on a homeless shelter located in the municipality.

533 (4) Notwithstanding any other provisions in this chapter, state funds may not be awarded
 534 under this chapter directly to or for the benefit of a homeless shelter located within the
 535 state unless the homeless shelter complies with the capacity limits determined by the
 536 office under Subsection (1).

537 Section 7. Section **35A-16-208** is amended to read:

538 **35A-16-208 (Effective 04/01/26). Reporting requirements -- Outcome measures.**

539 (1)(a) The office shall report, for the state and for each local homeless council:

540 (i) the state's year-to-date progress toward reaching a functional zero level of

- 541 homelessness for each type of homelessness and subpopulation, including:
- 542 (A) the number of individuals who are homeless for the first time;
- 543 (B) the number of individuals who returned to homelessness after having exited
- 544 homelessness within the two previous years;
- 545 (C) the number of individuals who remained homeless since the last report;
- 546 (D) the number of individuals experiencing homelessness since the last report by
- 547 household type;
- 548 (E) the number of individuals who exited by exit destination; and
- 549 (F) the number of individuals who are experiencing homelessness for the first time
- 550 plus the number of individuals who are returning to homelessness minus the
- 551 number of individuals who are exiting homelessness;
- 552 (ii) the percentage of individuals experiencing homelessness who:
- 553 (A) have a mental health disorder;
- 554 (B) have a substance use disorder;
- 555 (C) have a chronic health condition;
- 556 (D) have a physical disability;
- 557 (E) have a developmental disability;
- 558 (F) have HIV/AIDS;
- 559 (G) are survivors of domestic violence;
- 560 (H) are veterans; and
- 561 (I) are unaccompanied youth 24 years old or younger;
- 562 (iii) the number of individuals who exited homeless services since the last report by:
- 563 (A) type of homelessness;
- 564 (B) subpopulation; and
- 565 (C) exit destination;
- 566 (iv) the progress, by project type, on each goal established in accordance with
- 567 Subsection (3); and
- 568 (v) the data provided by the homeless services provider ombudsman as described in
- 569 Section 35A-16-1002.
- 570 (b) The reports described in this Subsection (1) shall contain aggregated, de-identified
- 571 information.
- 572 (2) The office shall report the data described in Subsection (1):
- 573 (a) in the annual report required by Section 35A-16-203; and
- 574 ~~[(b) on or before October 1 of each year, through an oral presentation to the Economic~~

- 575 ~~Development and Workforce Services Interim Committee; and]~~
 576 [(e)] (b) on a data dashboard for the public with specific additional data points
 577 recommended by the board.
- 578 (3) The board and the local homeless councils shall jointly establish quarterly goals for
 579 each project type.
- 580 (4) The board and the local homeless councils shall jointly make annual progress reports
 581 identifying:
- 582 (a) the percentage of clients:
- 583 (i) screened for social needs; and
 584 (ii) referred for services that match the clients' social needs;
- 585 (b) the percentage of clients subsequently referred to community-based providers who
 586 can:
- 587 (i) address the client's needs;
 588 (ii) follow-up on status of addressing the client's needs; and
 589 (iii) report back to the referring entity;
- 590 (c) the number of youth receiving parent or guardian bereavement support services; and
 591 (d) the number of clients with:
- 592 (i) a successful exit;
 593 (ii) an unsuccessful exit;
 594 (iii) a neutral exit; and
 595 (iv) continued enrollment in the project.

596 Section 8. Section **35A-16-210** is amended to read:

597 **35A-16-210 (Effective 04/01/26). Shelter Cities Coordinating Council.**

- 598 (1) There is established the Shelter Cities [~~Advisory Board~~] Coordinating Council.
- 599 (2) The Shelter Cities [~~Advisory Board~~] Coordinating Council shall consist of the following
 600 members:
- 601 (a) the chief executive officer of each first-tier eligible municipality, or the chief
 602 executive officer's designee; and
 603 (b) the chief executive officer of each second-tier eligible municipality, or the chief
 604 executive officer's designee.
- 605 (3)(a) The Shelter Cities [~~Advisory Board~~] Coordinating Council shall appoint, in
 606 accordance with this section, one chief executive officer representing a municipality
 607 as a member to the board.
- 608 (b) The members of the Shelter Cities [~~Advisory Board~~] Coordinating Council shall

609 make an appointment, or fill a vacancy, by a majority vote of all members of the
 610 Shelter Cities [~~Advisory Board~~] Coordinating Council who are present at the meeting
 611 during which an appointment is made.

612 (c) The Shelter Cities [~~Advisory Board~~] Coordinating Council may not appoint the chief
 613 executive officer described in Subsection 35A-16-204(2)(a)(vi).

614 (d) Section 35A-16-204 governs other terms of appointment.

615 (4) The Shelter Cities [~~Advisory Board~~] Coordinating Council may make recommendations
 616 to the board regarding improvements to coordinating and providing services to
 617 individuals experiencing homelessness in the state.

618 (5) The office and an association representing at least two municipalities in the state shall
 619 jointly provide staff and administrative support to the Shelter Cities [~~Advisory Board~~]
 620 Coordinating Council.

621 Section 9. Section **35A-16-210.1** is amended to read:

622 **35A-16-210.1 (Effective 04/01/26). Shelter Counties Coordinating Council.**

623 (1) There is established the Shelter Counties [~~Advisory Board~~] Coordinating Council.

624 (2) The Shelter Counties [~~Advisory Board~~] Coordinating Council shall consist of the chief
 625 executive officer of each county that maintains a homeless shelter year round, or the
 626 chief executive officer's designee.

627 (3) The Shelter Counties [~~Advisory Board~~] Coordinating Council may make
 628 recommendations to the board regarding improvements to coordinating and providing
 629 services to individuals experiencing homelessness in the state.

630 (4) The office and an association representing at least two counties in the state shall jointly
 631 provide staff and administrative support to the Shelter Counties [~~Advisory Board~~]
 632 Coordinating Council.

633 Section 10. Section **35A-16-212** is amended to read:

634 **35A-16-212 (Effective 04/01/26) (Repealed 07/01/28). Property Loss Related to**
 635 **Homelessness Compensation Enterprise Fund.**

636 (1) As used in this part:

637 (a) "Fund" means the Property Loss Related to Homelessness Compensation Enterprise
 638 Fund created in Subsection (3).

639 (b) "Homeless services facility" means an eligible shelter under Subsection [
 640 ~~35A-16-401(5)(a) or (5)(b)~~] 35A-16-401(6)(a) or (b).

641 (c) "Property loss" means:

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

- 643 (ii) documented cost of cleaning, sanitizing, repairing, or restoring real property.
- 644 (2) Documentation required for Subsection (1)(c) shall include closed insurance claim
645 information with any settlement amount.
- 646 (3) There is created an enterprise fund known as the Property Loss Related to
647 Homelessness Compensation Enterprise Fund.
- 648 (4) The fund shall consist of:
- 649 (a) gifts, grants, donations, and loan repayments or any other conveyance of money that
650 may be made to the fund from private sources; and
651 (b) additional amounts as appropriated by the Legislature.
- 652 (5) The fund shall be administered by the office.
- 653 (6) Funds may be used to:
- 654 (a) provide a no-interest loan to a business that:
- 655 (i) meets the requirements of Subsection (6)(b); and
656 (ii) enters into an agreement with the department to:
- 657 (A) use loan funds for documented costs for property loss or for documented costs
658 to mitigate property loss as a direct result of the presence of the homeless
659 services facility; and
660 (B) repay the loan no later than one year from the day on which the loan is
661 disbursed to the business;
- 662 (b) except as provided in Subsection (12), compensate a business that:
- 663 (i) is located within 1/5 of a mile of a homeless services facility; and
664 (ii) experiences property loss as a direct result of the presence of the homeless
665 services facility; or
- 666 (c) compensate an individual who:
- 667 (i) lives within 1/5 of a mile from a homeless services facility; and
668 (ii) experiences property loss as a direct result of the presence of the homeless
669 services facility.
- 670 (7) An individual who receives compensation from the fund shall:
- 671 (a) be a resident of Utah; and
672 (b) have a need that meets the requirements of this section.
- 673 (8)(a) A business that receives compensation or a loan from the fund shall be in good
674 standing with the State Tax Commission and Department of Commerce.
- 675 (b) The State Tax Commission and Department of Commerce may charge a business
676 described in Subsection (8)(a) a nominal fee to obtain a certificate of good standing

- 677 to meet the requirements under this section.
- 678 (9)(a) The fund may not duplicate or supplant a service or support mechanism provided
679 to an individual or business by another government entity or private agency.
- 680 (b) The fund may supplement a service or support mechanism provided to an individual
681 or business by another government entity or private agency, if the service or support
682 mechanism does not fully cover the cost of the individual's or business's property loss.
- 683 (10) Administrative and operating expenses for the fund shall be paid from the fund.
- 684 (11) The executive director may expend up to 4% of the revenues of the fund, including any
685 appropriations to the fund, for administrative expenses.
- 686 (12) A business located at parcel record number 15-26-326-016-0000 is not eligible to
687 receive compensation for property loss as a direct result of the presence of a homeless
688 services facility.
- 689 (13) The office shall:
- 690 (a) administer the loan program, including:
- 691 (i) in each calendar year that money is available from the fund for distribution by the
692 office, announcing, at least once in that year, a loan application period by sending
693 notice to interested persons;
- 694 (ii) accepting applications received in a timely manner;
- 695 (iii) reviewing loan applications;
- 696 (iv) determining eligibility in accordance with this section; and
- 697 (v) distributing loan money to an approved loan recipient; and
- 698 (b) in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act,
699 make rules to administer the program, including:
- 700 (i) loan application requirements;
- 701 (ii) procedures to approve a loan;
- 702 (iii) procedures for distributing money to loan recipients;
- 703 (iv) criteria for confirming the amount of property loss; and
- 704 (v) criteria prioritizing disbursements in the event of limited funds.
- 705 (14) The office may do any act necessary or convenient to the exercise of the powers
706 granted by this part or reasonably implied from those granted powers, including:
- 707 (a) service or contract, under Title 63G, Chapter 6a, Utah Procurement Code, for the
708 servicing of loans made by the fund;
- 709 (b) make or execute contracts and other instruments necessary or convenient for the
710 performance of the office's duties and exercise of the office's powers and functions

711 under this part, including contracts or agreements for the servicing and originating of
712 loans; and

713 (c) selling, at a public or private sale, with public bidding, an obligation held by the fund.

714 (15) Any money returned to the department under this section from a person that received a
715 loan from the fund shall be deposited into the fund.

716 Section 11. Section **35A-16-401** is amended to read:

717 **35A-16-401 (Effective 04/01/26). Definitions.**

718 As used in this part:

719 (1) "Account" means the Homeless Shelter Cities Mitigation Restricted Account created in
720 Section 35A-16-402.

721 (2) "Authorized provider" means a nonprofit provider of homeless services that is
722 authorized by a third-tier eligible municipality to operate a temporary [~~winter response~~
723 emergency shelter within the municipality[~~in accordance with Part 5, Winter Response~~
724 Plan Requirements].

725 (3) "Congregate shelter" means a facility that provides temporary shelter to individuals in a
726 shared, open space with limited or no privacy.

727 [~~(3)~~] (4) "Eligible municipality" means:

- 728 (a) a first-tier eligible municipality;
- 729 (b) a second-tier eligible municipality; or
- 730 (c) a third-tier eligible municipality.

731 [~~(4)~~] (5) "Eligible services" means any activities or services that mitigate the impacts of the
732 location of an eligible shelter, including direct services, public safety services, and
733 emergency services, as further defined by rule made by the office in accordance with
734 Title 63G, Chapter 3, Utah Administrative Rulemaking Act.

735 [~~(5)~~] (6) "Eligible shelter" means:

736 (a) for a first-tier eligible municipality, a homeless shelter that:

- 737 (i) has the capacity to provide temporary shelter to at least 80 individuals per night,
738 as verified by the office;
- 739 (ii) operates year-round; and
- 740 (iii) is not subject to restrictions that limit the hours, days, weeks, or months of
741 operation;

742 (b) for a second-tier municipality, a homeless shelter that:

- 743 (i)(A) has the capacity to provide temporary shelter to at least 25 individuals per
744 night, as verified by the office;

- 745 [(ii)] (B) operates year-round; and
- 746 [(iii)] (C) is not subject to restrictions that limit the hours, days, weeks, or months
- 747 of operation; [and] or
- 748 (ii) is an eligible shelter under Subsection (6)(c), if the homeless shelter operates for
- 749 more than 365 continuous days, regardless of whether the homeless shelter is
- 750 intended to operate as an emergency shelter, as long as the homeless shelter meets
- 751 the requirements of an eligible shelter defined in Subsection (6)(a) or (b); and
- 752 (c) for a third-tier eligible municipality, a homeless shelter that:
- 753 [(i)(A) has the capacity to provide temporary shelter to at least 50 individuals per
- 754 night, as verified by the office; and]
- 755 [(B) operates for no less than three months during the period beginning October 1
- 756 and ending April 30 of the following year; or]
- 757 [(ii)(A) meets the definition of a homeless shelter under Section 35A-16-501; and]
- 758 [(B) contains beds that are utilized as part of a county's winter response plan under
- 759 Section 35A-16-502.]
- 760 (i) has the capacity to provide temporary shelter to at least 50 individuals per night,
- 761 as verified by the office; and
- 762 (ii) operates for no less than three months during the period beginning October 1 and
- 763 ending April 30 of the following year.

764 [(6)] (7) "Homeless shelter" means a facility that provides or is proposed to provide

765 temporary shelter to individuals experiencing homelessness.

766 [(7)] (8) "Municipality" means a city or town.

767 (9) "Noncongregate shelter" means a facility in a tier-one or tier-two eligible municipality

768 that provides temporary shelter to individuals in a separate and private unit.

769 [(8)] (10) "Public safety services" means law enforcement, emergency medical services, or

770 fire protection.

771 [(9)] (11) "Third-tier eligible municipality" means a municipality that:

772 (a) as determined by the office, has or is proposed to have an eligible shelter within the

773 municipality's geographic boundaries within the following fiscal year; and

774 (b) due to the location of an eligible shelter within the municipality's geographic

775 boundaries, requires eligible services.

776 Section 12. Section **35A-16-402** is amended to read:

777 **35A-16-402 (Effective 04/01/26). Homeless Shelter Cities Mitigation Restricted**

778 **Account -- Formula for disbursing account funds to eligible municipalities.**

- 779 (1) There is created a restricted account within the General Fund known as the Homeless
780 Shelter Cities Mitigation Restricted Account.
- 781 (2) The account shall be funded by:
- 782 (a) local sales and use tax revenue deposited into the account in accordance with Section
783 59-12-205;
- 784 (b) interest earned on the account; ~~and~~
- 785 (c) appropriations made to the account by the Legislature~~[-]~~ ; and
- 786 (d) lease payments deposited into the account in accordance with Section 35A-16-202.
- 787 (3) The office shall administer the account.
- 788 (4)(a) Subject to appropriations, the office shall annually disburse funds from the
789 account as follows:
- 790 (i) 87.5% shall be disbursed to first-tier eligible municipalities that have been
791 approved to receive account funds under Section 35A-16-403, of which:
- 792 (A) 70% of the amount described in Subsection (4)(a)(i) shall be disbursed
793 proportionately among applicants based on the total number of individuals
794 experiencing homelessness who are served by eligible shelters within each
795 municipality, as determined by the office;
- 796 (B) 20% of the amount described in Subsection (4)(a)(i) shall be disbursed
797 proportionately among applicants based on the total number of individuals
798 experiencing homelessness who are served by eligible shelters within each
799 municipality as compared to the total population of the municipality, as
800 determined by the office; and
- 801 (C) 10% of the amount described in Subsection (4)(a)(i) shall be disbursed
802 proportionately among applicants based on the total year-round capacity of all
803 eligible shelters within each municipality, as determined by the office;
- 804 (ii) 2.5% shall be disbursed to second-tier eligible municipalities that have been
805 approved to receive account funds under Section 35A-16-403, of which:
- 806 (A) 70% of the amount described in Subsection (4)(a)(ii) shall be disbursed
807 proportionately among applicants based on the total number of individuals
808 experiencing homelessness who are served by eligible shelters within each
809 municipality, as determined by the office;
- 810 (B) 20% of the amount described in Subsection (4)(a)(ii) shall be disbursed
811 proportionately among applicants based on the total number of individuals
812 experiencing homelessness who are served by eligible shelters within each

- 813 municipality as compared to the total population of the municipality, as
814 determined by the office; and
- 815 (C) 10% of the amount described in Subsection (4)(a)(ii) shall be disbursed
816 proportionately among applicants based on the total year-round capacity of all
817 eligible shelters within each municipality, as determined by the office; and
- 818 (iii) 10% shall be disbursed to third-tier eligible municipalities that have been
819 approved to receive account funds under Section 35A-16-403, in accordance with
820 a formula established by the office and approved by the board.
- 821 (b) In disbursing funds to second-tier municipalities under Subsection (4)(a)(ii), the
822 maximum amount of funds that the office may disburse each year to a single
823 second-tier municipality may not exceed 50% of the total amount of funds disbursed
824 under Subsection (4)(a)(ii).
- 825 (c) The office may disburse funds under Subsection (4)(a)(iii) to an authorized provider
826 of a third-tier eligible municipality.
- 827 (d) The office may disburse funds to a third-tier municipality or an authorized provider
828 under Subsection (4)(a)(iii) regardless of whether the municipality receives funds
829 under Subsection (4)(a)(i) as a first-tier municipality or funds under Subsection
830 (4)(a)(ii) as a second-tier municipality.
- 831 (e) If any account funds are available to the office for disbursement under this section
832 after making the disbursements required in Subsection (4)(a), the office may disburse
833 the available account funds to third-tier municipalities that have been approved to
834 receive account funds under Section 35A-16-403.
- 835 (f)(i) Notwithstanding any other provision in this section, if an eligible municipality
836 requests account funds under Section 35A-16-403 and the request is denied for the
837 sole reason that the municipality has failed to comply with the requirements of
838 Subsection 35A-16-403(2)(g)(i), the office may disburse the account funds that
839 the municipality would otherwise have received to:
- 840 (A) eligible municipalities in accordance with the provisions of this Subsection (4);
841 or
- 842 (B) subject to Subsection (4)(f)(ii), the Department of Public Safety.
- 843 (ii)(A) The office may not disburse account funds to the Department of Public
844 Safety under Subsection (4)(f)(i) unless the disbursement is recommended and
845 approved by the board.
- 846 (B) The Department of Public Safety shall use any account funds received under

847 Subsection (4)(f)(i) to assist in the enforcement of state laws that promote the
848 safety or well-being of individuals experiencing homelessness.

849 (5) In disbursing account funds to municipalities under Subsection (4), the office may not
850 consider the capacity of an eligible shelter to qualify a municipality for multiple tiers of
851 funding.

852 (6) The office may use up to 2.75% of any appropriations made to the account by the
853 Legislature to offset the office's administrative expenses under this part.

854 (7) Subject to appropriations, the lease deposits described in Subsection (2)(d) may only be
855 expended for the costs incurred by the office for the operations and maintenance of a
856 leased space under Section 35A-16-202.

857 [~~(7)~~] (8) In accordance with Section 63J-1-602.1, appropriations from the account are
858 nonlapsing.

859 [~~(8)~~] (9) The office may disburse any uncommitted account funds to municipalities under
860 this section in the following year.

861 (10) The office shall make rules, in accordance with Title 63G, Chapter 3, Utah
862 Administrative Rulemaking Act, to administer this section.

863 Section 13. Section **35A-16-701** is amended to read:

864 **35A-16-701 (Effective 04/01/26). Definitions.**

865 As used in this part:

866 (1) "Affected county" means a county of the first, second, third, or fourth class in which a
867 code blue event is anticipated.

868 (2) "Applicable local homeless council" means the local homeless council that is
869 responsible for coordinating homeless response within an affected county.

870 (3) "Capacity limit" means a limit as to the number of individuals that a homeless shelter
871 may provide temporary shelter [~~to under a conditional use permit~~] in accordance with
872 Section 35A-16-205.1.

873 (4) "Code blue alert" means a proclamation issued by the Department of Health and Human
874 Services under Section 35A-16-702 to alert the public of a code blue event.

875 (5) "Code blue event" means a weather event in which the National Weather Service
876 predicts temperatures of [~~18~~] 25 degrees Fahrenheit or less, including wind chill, or any
877 other extreme weather conditions established in rules made by the Department of Health
878 and Human Services under Subsection 35A-16-702(4), to occur in any county of the
879 first, second, third, or fourth class for two hours or longer within the next 24 to 48 hours.

880 (6) "Homeless shelter" means a facility that provides temporary shelter to individuals

881 experiencing homelessness.

882 (7) "Municipality" means a city or town.

883 Section 14. Section **35A-16-702** is amended to read:

884 **35A-16-702 (Effective 04/01/26). Code blue alert -- Content -- Dissemination --**
885 **Rulemaking.**

886 (1) The Department of Health and Human Services shall:

887 (a) monitor and evaluate forecasts and advisories produced by the National Weather
888 Service;

889 (b) issue a code blue alert under this section if the Department of Health and Human
890 Services identifies a code blue event; and

891 (c) disseminate the code blue alert to:

892 (i) the public at large;

893 (ii) homeless shelters located within an affected county;

894 (iii) local government entities located within an affected county;

895 (iv) the office; and

896 (v) any other relevant public or private entities that provide services to individuals
897 experiencing homelessness within an affected county.

898 (2) The code blue alert shall:

899 (a) identify each affected county;

900 (b) specify the duration of the code blue alert;

901 (c) describe the provisions that take effect for the duration of the code blue alert as
902 described in Section 35A-16-703; and

903 (d) include the information prepared by the office under Subsection (3).

904 (3)(a) The office shall prepare and regularly update information to assist individuals
905 experiencing homelessness during a code blue event, including:

906 (i) the location and availability of homeless shelters and other community resources
907 and services for individuals experiencing homelessness;

908 (ii) information regarding public safety and emergency services; and

909 (iii) any other information considered relevant by the office.

910 (b) The office shall submit to the Department of Health and Human Services the
911 information prepared and updated under Subsection (3)(a).

912 (4)(a) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act,
913 the Department of Health and Human Services, in coordination with the office, shall
914 make rules to implement this section.

- 915 (b) The rules under Subsection (4)(a) shall:
- 916 (i) establish any extreme weather conditions that warrant the issuance of a code blue
- 917 alert; and
- 918 (ii) establish standards for:
- 919 (A) monitoring and evaluating National Weather Service forecasts and advisories
- 920 to identify code blue events;
- 921 (B) issuing code blue alerts under this section, including the form, content, and
- 922 dissemination of code blue alerts;
- 923 (C) the provisions that take effect within an affected county for the duration of a
- 924 code blue alert under Section 35A-16-703; and
- 925 (D) coordinating with the office to receive the information described in
- 926 Subsection (3).

927 (5) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the

928 office, in coordination with the Department of Health and Human Services, may make

929 rules to establish a temperature range and duration period under which a code blue

930 shelter may operate if:

- 931 (a) the Department of Health and Human Services issues a code blue alert under this
- 932 section that is terminated before the duration of the code blue alert expires; or
- 933 (b) the temperature is within two degrees of a code blue event even if the Department of
- 934 Health and Human Services does not issue a code blue alert.

935 [~~(5)~~] (6) Nothing in this section prohibits a municipality from implementing emergency

936 plans or other measures to assist individuals experiencing homelessness at times when

937 environmental conditions present a substantial threat to the health or safety of

938 individuals experiencing homelessness, [~~provided that~~] if the emergency plans or other

939 measures implemented by the municipality do not conflict with any applicable

940 provisions that take effect during a code blue event in accordance with Section

941 35A-16-703.

942 Section 15. Section **35A-16-1101** is enacted to read:

943 **Part 11. Homeless Services Provider Payments**

944 **35A-16-1101 (Effective 04/01/26). Advance payments to homeless services**

945 **providers -- Requirements.**

946 (1) As used in this section:

- 947 (a) "Contract" means a homeless services agreement between the office and a homeless
- 948 services provider that describes the scope of work, performance goals, funding terms,

- 949 and other provisions related to providing services to individuals experiencing
 950 homelessness.
- 951 (b) "Future services payment" means an advance payment made by the office to a
 952 homeless services provider for services to be provided to individuals experiencing
 953 homelessness.
- 954 (2)(a) Beginning on July 1, 2026, and subject to Subsection (2)(b), the office shall issue
 955 a future services payment to each service provider that requests a future services
 956 payment, if allowed by the funding source for the contract.
- 957 (b) The amount of the future services payment described in Subsection (2)(a), for a
 958 given month, shall be based upon the service provider's yearly dollar amount awarded
 959 under the current year's contract divided by 12 months.
- 960 (3)(a) Under the terms of the contract, a service provider shall submit an invoice for the
 961 actual services provided for the month for which the service provider receives a
 962 future payment.
- 963 (b) If the office determines that a service provider's actual expenses are less than the
 964 amount of the most recent future services payment, the office shall subtract the
 965 overpaid amount from the next future services payment to the service provider.
- 966 (c) If the service provider's actual expenses are greater than the amount of the most
 967 recent future services payment, the office shall add the underpaid amount to the next
 968 future services payment to the service provider.
- 969 (d) If a service provider fails to submit a required invoice or is otherwise out of
 970 compliance with the service provider's contract or state law, the office may hold any
 971 future services payments to the service provider until the service provider comes into
 972 compliance.
- 973 (4) The office shall ensure that an extension of a contract is executed no later than 30 days
 974 before the last day on which an existing contract ends.
- 975 (5) Nothing in this section prohibits the office from taking additional contractual or
 976 administrative action authorized by state law.
- 977 (6) The office may make rules in accordance with Title 63G, Chapter 3, Utah
 978 Administrative Rulemaking Act, to implement the procedures, documentation
 979 requirements, and payment schedules described in this section.

980 Section 16. Section **35A-16-1201** is enacted to read:

981 **Part 12. Homeless Services Restricted Account**

982 **35A-16-1201 (Effective 04/01/26). Homeless Services Restricted Account --**

983 **Allowable uses -- Requirements for county participation.**984 (1) As used in this section:985 (a) "Account" means the Homeless Services Restricted Account created in Subsection (2).986 (b) "Fiscal year" means the state fiscal year that begins on July 1 of each year and ends
987 on June 30 of the following year.988 (c) "Participating county" means a county that creates a county restricted fund for the
989 purposes described in this section.990 (d) "Street medicine" means health care that is provided by a licensed health care
991 provider, who conducts patient visits outside of a health care facility, clinic, or shelter
992 to an individual experiencing unsheltered homelessness.993 (e)(i) "Unsheltered homelessness" means, for an individual or family, not having a
994 long-term or permanent structure in which to live.995 (ii) "Unsheltered homelessness" may include sleeping in a vehicle, abandoned
996 building, farm, wilderness, street, park, or encampment.997 (2) There is created a restricted account within the General Fund known as the Homeless
998 Services Restricted Account.999 (3) Subject to appropriations, the office shall annually disburse funds from the account as
1000 provided in this section.1001 (4) The account shall consist of:1002 (a) money appropriated by the Legislature;1003 (b) money received from the Cigarette Tax Restricted Account in accordance with
1004 Section 59-14-204(5)(d);1005 (c) private donations, grants, gifts, bequests, or money made available from any other
1006 source to implement this section; and1007 (d) interest and earnings on money in the account.1008 (5)(a) Money in the account shall earn interest.1009 (b) All interest earned on account money shall be deposited into the account.1010 (6) The funds in the account shall be nonlapsing.1011 (7) To be eligible for a disbursement of funds under this section, a participating county
1012 shall create a county restricted account:1013 (a) for receipt of state fund distributions; and1014 (b) to deposit county matching funds.1015 (8) A participating county that receives a disbursement of funds under this section shall:1016 (a) commit to use the funds for the purposes described in Subsection (10); and

- 1017 (b) deposit matching funds into the county trust account.
- 1018 (9) No later than August 1 of each year, a participating county that receives funds under this
1019 section shall provide the office with an accounting of:
- 1020 (a) the amount of money deposited in the county restricted account and from what
1021 sources;
- 1022 (b) the amount of funds expended from the county restricted account and from what
1023 source;
- 1024 (c) the purposes under Subsection (10) for which funds from the county restricted
1025 account were expended; and
- 1026 (d) the amount of any remaining money in the county restricted account, and from what
1027 source.
- 1028 (10) subject to appropriation, a participating county that receives funds under this part, may
1029 only use the funds for:
- 1030 (a) the operation of:
- 1031 (i) a winter overflow shelter;
- 1032 (ii) a micro shelter community; or
- 1033 (iii) permanent supportive housing for chronic homelessness;
- 1034 (b) payment to service providers;
- 1035 (c) capital improvements, including to remodel or maintain a shelter;
- 1036 (d) behavioral health support services for individuals with a history of homelessness;
- 1037 (e) Assertive Community Treatment support services;
- 1038 (f) mobile crisis outreach; or
- 1039 (g) other services the office determines necessary to meet the provisions of homeless
1040 services described in this chapter.
- 1041 (11)(a) The office shall consult with the participating county's governing body to
1042 determine if additional uses of funds, other than the uses allowed under Subsection
1043 (10), are needed for the county.
- 1044 (b) If the office and the county governing body agree to additional uses of the funds, as
1045 described in Subsection (11)(a), the county may use the funds for the purposes agreed
1046 to for the fiscal year in which the additional use of the funds is approved.
- 1047 (12)(a) A participating county may only be eligible to receive state funds in any given
1048 year in an amount equal to the lesser of the amount the participating county:
- 1049 (i) deposits as matching funds as described in Subsection (8); or
- 1050 (ii) expends for the previous fiscal year for the eligible uses described in Subsection

1051 (10).

1052 (b) A participating county that does not provide matching funds, as described in
 1053 Subsection (8)(a), may not be eligible to receive funds until the participating county
 1054 deposits funds into the participating county's restricted account in an amount agreed
 1055 to by the office and the participating county's governing body.

1056 Section 17. Section **35A-16-1301** is enacted to read:

1057 **Part 13. Code Red**

1058 **35A-16-1301 (Effective 04/01/26). Definitions.**

1059 As used in this part:

- 1060 (1) "Affected county" means a county of the first, second, third, or fourth class in which a
 1061 code red event is anticipated.
- 1062 (2) "Applicable local homeless council" means the local homeless council that is
 1063 responsible for coordinating homeless response within an affected county.
- 1064 (3) "Capacity limit" means a limit as to the number of individuals that a homeless shelter
 1065 may provide temporary shelter to under a conditional use permit or other restrictions
 1066 required by law.
- 1067 (4) "Code red alert" means a proclamation issued by the Department of Health and Human
 1068 Services under Section 35A-16-1302(4) to alert the public of a code red event.
- 1069 (5) "Code red event" means a weather event in which the National Weather Service predicts
 1070 temperatures of 110 degrees Fahrenheit or more or any other extreme weather conditions
 1071 established in rules made by the Department of Health and Human Services under
 1072 Subsection 35A-16-1302(4), to occur in any county of the first, second, third, or fourth
 1073 class for two hours or longer within the next 24 to 48 hours.
- 1074 (6) "Homeless shelter" means a facility that provides temporary shelter to individuals
 1075 experiencing homelessness.
- 1076 (7) "Municipality" means a city or town.

1077 Section 18. Section **35A-16-1302** is enacted to read:

1078 **35A-16-1302 (Effective 04/01/26). Code red alert -- Content -- Dissemination --**
 1079 **Rulemaking.**

- 1080 (1) The Department of Health and Human Services shall:
- 1081 (a) monitor and evaluate forecasts and advisories produced by the National Weather
 1082 Service;
- 1083 (b) issue a code red alert under this section if the Department of Health and Human
 1084 Services identifies a code red event; and

- 1085 (c) disseminate the code red alert to:
- 1086 (i) the public at large;
- 1087 (ii) (ii)homeless shelters located within an affected county;
- 1088 (iii) (iii)local government entities located within an affected county;
- 1089 (iv) the office; and
- 1090 (v) any other relevant public or private entities that provide services to individuals
- 1091 experiencing homelessness within an affected county.
- 1092 (2) The code red alert shall:
- 1093 (a) identify each affected county;
- 1094 (b) specify the duration of the code red alert;
- 1095 (c) describe the provisions that take effect for the duration of the code red alert as
- 1096 described in Section 35A-16-1303; and
- 1097 (d) include the information prepared by the office under Subsection (3).
- 1098 (3)(a) The office shall prepare and regularly update information to assist individuals
- 1099 experiencing homelessness during a code red event, including:
- 1100 (i) the location and availability of homeless shelters and other community resources
- 1101 and services for individuals experiencing homelessness;
- 1102 (ii) information regarding public safety and emergency services; and
- 1103 (iii) any other information considered relevant by the office.
- 1104 (b) The office shall submit to the Department of Health and Human Services the
- 1105 information prepared and updated under Subsection (3)(a).
- 1106 (4)(a) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act,
- 1107 the Department of Health and Human Services, in coordination with the office, shall
- 1108 make rules to implement this section.
- 1109 (b) The rules under Subsection (4) shall:
- 1110 (i) establish any extreme weather conditions that warrant the issuance of a code red
- 1111 alert; and
- 1112 (ii) establish standards for:
- 1113 (A) monitoring and evaluating National Weather Service forecasts and advisories
- 1114 to identify code red events;
- 1115 (B) issuing code red alerts under this section, including the form, content, and
- 1116 dissemination of code red alerts;
- 1117 (C) the provisions that take effect within an affected county for the duration of a
- 1118 code red alert under Section 35A-16-1303; and

1119 (D) coordinating with the office to receive the information described in
1120 Subsection (3).

1121 (5) Nothing in this section prohibits a municipality from implementing emergency plans or
1122 other measures to assist individuals experiencing homelessness at times when
1123 environmental conditions present a substantial threat to the health or safety of
1124 individuals experiencing homelessness, if the emergency plans or other measures
1125 implemented by the municipality do not conflict with any applicable provisions that take
1126 effect during a code red event in accordance with Section 35A-16-1303.

1127 Section 19. Section **35A-16-1303** is enacted to read:

1128 **35A-16-1303 (Effective 04/01/26). Provisions in effect for duration of code red**
1129 **alert.**

1130 Subject to rules made by the Department of Health and Human Services under
1131 Subsection 35A-16-1302(4), the following provisions take effect within an affected county for
1132 the duration of a code red alert:

- 1133 (1) a homeless shelter may expand the homeless shelter's capacity limit by up to 35% to
1134 provide temporary shelter to any number of individuals experiencing homelessness, if
1135 the homeless shelter is in compliance with the applicable building code and fire code;
1136 (2) a homeless shelter, in coordination with the applicable local homeless council, shall
1137 implement expedited intake procedures for individuals experiencing homelessness who
1138 request access to the homeless shelter;
1139 (3) a homeless shelter may not deny temporary shelter to any individual experiencing
1140 homelessness who requests access to the homeless shelter for temporary shelter unless
1141 the homeless shelter is at the capacity limit described in Subsection (1) or if a reasonable
1142 individual would conclude that the individual presents a danger to public safety.
1143 (4) any indoor facility owned by a private organization, nonprofit organization, state
1144 government entity, or local government entity may be used to provide temporary shelter
1145 to individuals experiencing homelessness and is exempt from the licensure requirements
1146 of Title 26B, Chapter 2, Licensing and Certifications, for the duration of the code red
1147 alert and seven days following the day on which the code red alert ends, if the facility is
1148 in compliance with the applicable building code and fire code and the governing body of
1149 the organization or the legislative body of the government entity that owns the facility
1150 approves the use;
1151 (5) homeless shelters, state and local government entities, and other organizations that
1152 provide services to individuals experiencing homelessness shall coordinate street

- 1153 outreach efforts to distribute to individuals experiencing homelessness any available
 1154 resources for survival in hot weather, including water, lightweight and light-colored
 1155 clothing, a hat, sunscreen, or other items that may protect the individual from heat;
 1156 (6) a state or local government entity, including a municipality, law enforcement agency,
 1157 and local health department, may enforce a camping ordinance but may not seize from
 1158 individuals experiencing homelessness any personal items for survival in hot weather,
 1159 including clothing, tents, or other items used for shade; and
 1160 (7) a municipality or other local government entity may not enforce any ordinance or policy
 1161 that limits or restricts the ability for the provisions described in Subsections (1) through
 1162 (7) to take effect, including local zoning ordinances.

1163 Section 20. Section **59-12-205** is amended to read:

1164 **59-12-205 (Effective 04/01/26). Ordinances to conform with statutory**
 1165 **amendments -- Distribution of tax revenue -- Determination of population.**

- 1166 (1) To maintain in effect sales and use tax ordinances adopted [~~pursuant to~~] in accordance
 1167 with Section 59-12-204, a county, city, or town shall adopt amendments to the county's,
 1168 city's, or town's sales and use tax ordinances:
 1169 (a) within 30 days of the day on which the state makes an amendment to an applicable
 1170 provision of Part 1, Tax Collection; and
 1171 (b) as required to conform to the amendments to Part 1, Tax Collection.
- 1172 (2)(a) Except as provided in Subsections (3), (4), and (5) and subject to Subsection (6):
 1173 (i) 50% of each dollar collected from the sales and use tax authorized by this part
 1174 shall be distributed to each county, city, and town on the basis of the percentage
 1175 that the population of the county, city, or town bears to the total population of all
 1176 counties, cities, and towns in the state; and
 1177 (ii)(A) except as provided in Subsections (2)(a)(ii)(B), (C), (D), (E), and (F), 50%
 1178 of each dollar collected from the sales and use tax authorized by this part shall
 1179 be distributed to each county, city, and town on the basis of the location of the
 1180 transaction as determined under Sections 59-12-211 through 59-12-215;
 1181 (B) except as provided in Subsections (10) through (13), 50% of each dollar
 1182 collected from the sales and use tax authorized by this part within a project
 1183 area described in a project area plan adopted by the military installation
 1184 development authority under Title 63H, Chapter 1, Military Installation
 1185 Development Authority Act, shall be distributed to the military installation
 1186 development authority created in Section 63H-1-201;

1187 (C) except as provided in Subsections (10) through (13), beginning July 1, 2024,
1188 20% of each dollar collected from the sales and use tax authorized by this part
1189 within a project area under Title 11, Chapter 58, Utah Inland Port Authority
1190 Act, shall be distributed to the Utah Inland Port Authority, created in Section
1191 11-58-201;

1192 (D) except as provided in Subsections (10) through (13), 50% of each dollar
1193 collected from the sales and use tax authorized by this part within the lake
1194 authority boundary, as defined in Section 11-65-101, shall be distributed to the
1195 Utah Lake Authority, created in Section 11-65-201, beginning the next full
1196 calendar quarter following the creation of the Utah Lake Authority; and

1197 (E) except as provided in Subsections (10) through (13), beginning January 1,
1198 2026, 50% of each dollar collected from the sales and use tax authorized by
1199 this part within the boundary of an eligible basic special district, as that term is
1200 defined in Section 17B-1-1405, and if applicable, the boundary of a public
1201 infrastructure district created by the eligible basic special district, shall be
1202 distributed to the eligible basic special district.

1203 (F) except as provided in Subsections (10) through (13), beginning the first day of
1204 a calendar quarter after the sales and use tax boundary for a major sporting
1205 event venue zone is established, the commission, at least annually, shall
1206 transfer an amount equal to 50% of the sales and use tax increment, as defined
1207 in Section 63N-3-1701, from the sales and use tax imposed under this part on
1208 transactions occurring within a sales and use tax boundary, as Section
1209 63N-3-1710, to the creating entity of the major sporting event venue zone.

1210 (b) Subsection (2)(a)(ii)(C) does not apply to sales and use tax revenue collected before
1211 July 1, 2022.

1212 (3) Beginning no sooner than January 1, 2026, and before application of Subsections (2), (4),
1213 (5), and (6), and except as provided in Subsections (8) and (9), and as described in
1214 Section 63N-3-610.1, beginning the first day of a calendar quarter after the year set in
1215 the proposal and after the sales and use tax boundary for a convention center
1216 reinvestment zone is established under Title 63N, Chapter 3, Part 6, Housing and Transit
1217 Reinvestment Zone Act, the commission, at least annually, shall transfer an amount
1218 equal to 100% of the sales and use tax increment, as defined in Section 63N-3-602, from
1219 the sales and use tax imposed under this part on transactions occurring within an
1220 established sales and use tax boundary, as defined in Section 63N-3-602, to the entity

1221 specified in the convention center reinvestment zone proposal submitted pursuant to
 1222 Title 63N, Chapter 3, Part 6, Housing and Transit Reinvestment Zone Act.

1223 (4)(a) As used in this Subsection (4):

1224 (i) "Eligible county, city, or town" means a county, city, or town that:

1225 (A) for fiscal year 2012-13, received a tax revenue distribution under Subsection
 1226 (4)(b) equal to the amount described in Subsection (4)(b)(ii); and

1227 (B) does not impose a sales and use tax under Section 59-12-2103 on or before
 1228 July 1, 2016.

1229 (ii) "Minimum tax revenue distribution" means the total amount of tax revenue
 1230 distributions an eligible county, city, or town received from a tax imposed in
 1231 accordance with this part for fiscal year 2004-05.

1232 (b) An eligible county, city, or town shall receive a tax revenue distribution for a tax
 1233 imposed in accordance with this part equal to the greater of:

1234 (i) the payment required by Subsection (2); or

1235 (ii) the minimum tax revenue distribution.

1236 (c) For an eligible county, city, or town that qualifies to receive a distribution described
 1237 in this Subsection (4), the commission shall apply the provisions of this Subsection
 1238 (4) after the commission applies the provisions of Subsection (3).

1239 (5)(a) For purposes of this Subsection (5):

1240 (i)(A) "Annual local contribution" means, for a fiscal year beginning on or after
 1241 July 1, 2026, the lesser of \$316,250 or an amount equal to 2.93% of the
 1242 participating local government's tax revenue distribution amount under
 1243 Subsection (2)(a)(i) for the previous fiscal year.

1244 (B) "Annual local contribution" means, for a fiscal year beginning on or after July
 1245 1, 2027, the lesser of [~~\$275,000~~] \$500,000 or an amount equal to [~~2.55%~~] 5%
 1246 of the participating local government's tax revenue distribution amount under
 1247 Subsection (2)(a)(i) for the previous fiscal year.

1248 (ii) "Participating local government" means a county or municipality, as defined in
 1249 Section 10-1-104, that is not an eligible municipality certified in accordance with
 1250 Section 35A-16-404.

1251 (b) For revenue collected from the tax authorized by this part that is distributed on or
 1252 after January 1, 2019, the commission, before making a tax revenue distribution
 1253 under Subsection (2)(a)(i) to a participating local government, shall:

1254 (i) adjust a participating local government's tax revenue distribution under Subsection

- 1255 (2)(a)(i) by:
- 1256 (A) subtracting an amount equal to one-twelfth of the annual local contribution for
- 1257 each participating local government from the participating local government's
- 1258 tax revenue distribution; and
- 1259 (B) if applicable, reducing the amount described in Subsection (5)(b)(i)(A) by an
- 1260 amount equal to one-twelfth of \$250 for each bed that is available at all
- 1261 homeless shelters located within the boundaries of the participating local
- 1262 government, as reported to the commission by the Office of Homeless Services
- 1263 in accordance with Section 35A-16-405; and
- 1264 (ii) deposit the resulting amount described in Subsection (5)(b)(i) into the Homeless
- 1265 Shelter Cities Mitigation Restricted Account created in Section 35A-16-402.
- 1266 (c) For a participating local government that qualifies to receive a distribution described
- 1267 in Subsection (4), the commission shall apply the provisions of this Subsection (5)
- 1268 after the commission applies the provisions of Subsections (3) and (4).
- 1269 (6)(a) As used in this Subsection (6):
- 1270 (i) "Annual dedicated sand and gravel sales tax revenue" means an amount equal to
- 1271 the total revenue an establishment described in NAICS Code 327320, Ready-Mix
- 1272 Concrete Manufacturing, of the 2022 North American Industry Classification
- 1273 System of the federal Executive Office of the President, Office of Management
- 1274 and Budget, collects and remits under this part for a calendar year.
- 1275 (ii) "Sand and gravel" means sand, gravel, or a combination of sand and gravel.
- 1276 (iii) "Sand and gravel extraction site" means a pit, quarry, or deposit that:
- 1277 (A) contains sand and gravel; and
- 1278 (B) is assessed by the commission in accordance with Section 59-2-201.
- 1279 (iv) "Ton" means a short ton of 2,000 pounds.
- 1280 (v) "Tonnage ratio" means the ratio of:
- 1281 (A) the total amount of sand and gravel, measured in tons, sold during a calendar
- 1282 year from all sand and gravel extraction sites located within a county, city, or
- 1283 town; to
- 1284 (B) the total amount of sand and gravel, measured in tons, sold during the same
- 1285 calendar year from sand and gravel extraction sites statewide.
- 1286 (b) For purposes of calculating the ratio described in Subsection (6)(a)(v), the
- 1287 commission shall:
- 1288 (i) use the gross sales data provided to the commission as part of the commission's

- 1289 property tax valuation process; and
- 1290 (ii) if a sand and gravel extraction site operates as a unit across municipal or county
1291 lines, apportion the reported tonnage among the counties, cities, or towns based on
1292 the percentage of the sand and gravel extraction site located in each county, city,
1293 or town, as approximated by the commission.
- 1294 (c)(i) Each July, the commission shall distribute from total collections under this part
1295 an amount equal to the annual dedicated sand and gravel sales tax revenue for the
1296 preceding calendar year to each county, city, or town in the same proportion as the
1297 county's, city's, or town's tonnage ratio for the preceding calendar year.
- 1298 (ii) The commission shall ensure that the revenue distributed under this Subsection
1299 (6)(c) is drawn from each jurisdiction's collections in proportion to the
1300 jurisdiction's share of total collections for the preceding 12-month period.
- 1301 (d) A county, city, or town shall use revenue described in Subsection (6)(c) for class B
1302 or class C roads.
- 1303 (7)(a) Population figures for purposes of this section shall be based on, to the extent not
1304 otherwise required by federal law:
- 1305 (i) the most recent estimate from the Utah Population Committee created in Section
1306 63C-20-103; or
- 1307 (ii) if the Utah Population Committee estimate is not available for each municipality
1308 and unincorporated area, the adjusted sub-county population estimate provided by
1309 the Utah Population Committee in accordance with Section 63C-20-104.
- 1310 (b) The population of a county for purposes of this section shall be determined only
1311 from the unincorporated area of the county.
- 1312 (8)(a) As used in Subsections (8) and (9):
- 1313 (i) "Applicable percentage" means, for a convention center reinvestment zone created
1314 under Title 63N, Chapter 3, Part 6, Housing and Transit Reinvestment Zone Act,
1315 for sales occurring within the qualified development zone described in Subsection
1316 (8)(a)(ii), 100% of the sales and use tax increment, as that term is defined in
1317 Section 63N-3-602, from the sales and use tax:
- 1318 (A) imposed by a city of the first class in a county of the first class under this part;
1319 (B) imposed by a city of the first class in a county of the first class under Section
1320 59-12-402.1;
- 1321 (C) imposed by a county of the first class under Section 59-12-1102; and
1322 (D) imposed by a county of the first class under Part 22, Local Option Sales and

- 1323 Use Taxes for Transportation Act.
- 1324 (ii) "Qualified development zone" means the sales and use tax boundary of a
1325 convention center reinvestment zone created under Title 63N, Chapter 3, Part 6,
1326 Housing and Transit Reinvestment Zone Act.
- 1327 (iii) "Qualifying construction materials" means construction materials that are:
1328 (A) delivered to a delivery outlet within a qualified development zone; and
1329 (B) intended to be permanently attached to real property within the qualified
1330 development zone.
- 1331 (b) For a sale of qualifying construction materials, the commission shall distribute the
1332 product calculated in Subsection (8)(c) to a qualified development zone if the seller
1333 of the construction materials:
- 1334 (i) establishes a delivery outlet with the commission within the qualified development
1335 zone;
- 1336 (ii) reports the sales of the construction materials to the delivery outlet described in
1337 Subsection (8)(b)(i); and
- 1338 (iii) does not report the sales of the construction materials on a simplified electronic
1339 return.
- 1340 (c) For the purposes of Subsection (8)(b), the product is equal to:
- 1341 (i) the sales price or purchase price of the qualifying construction materials; and
1342 (ii) the applicable percentage.
- 1343 (9)(a) As used in this Subsection (9), "Schedule J sale" means a sale reported on State
1344 Tax Commission Form TC-62M, Schedule J, or a substantially similar form as
1345 designated by the commission.
- 1346 (b) Revenue generated from the applicable percentage by a Schedule J sale within a
1347 qualified development zone shall be distributed into the jurisdiction that would have
1348 received the revenue in the absence of the qualified development zone.
- 1349 (10)(a) As used in this Subsection (10):
- 1350 (i) "Applicable percentage" means:
- 1351 (A) for a project area adopted by the military installation development authority
1352 under Title 63H, Chapter 1, Military Installation Development Authority Act,
1353 for sales occurring within a qualified development zone described in
1354 Subsection (10)(a)(iii)(A):
- 1355 (I) 50% of the revenue from the sales and use tax imposed under this part;
1356 (II) 100% of the revenue from the sales and use tax imposed by the military

- 1357 installation development authority under Section 59-12-401; and
1358 (III) 100% of the revenue from the sales and use tax imposed by the military
1359 installation development authority under Section 59-12-402; and
1360 (B) for a project area under Title 11, Chapter 58, Utah Inland Port Authority Act,
1361 for sales occurring within a qualified development zone described in
1362 Subsection (10)(a)(iii)(B), 20% of the revenue from the sales and use tax under
1363 this part;
1364 (C) for the lake authority boundary, as defined in Section 11-65-101, for sales
1365 occurring within the qualified development zone described in Subsection
1366 (10)(a)(ii)(C), 50% of the revenue from the sales and use tax under this part;
1367 (D) for the Utah Fairpark Area Investment and Restoration District, created in
1368 Section 11-70-201, for sales occurring within the qualified development zone
1369 described in Subsection (10)(a)(iii)(D), 100% of the revenue from the sales and
1370 use tax imposed by the Utah Fairpark Area Investment and Restoration District
1371 under Sections 59-12-401 and 59-12-402;
1372 (E) for an eligible basic special district created under Title 17B, Chapter 1, Part 14,
1373 Basic Special District, for sales occurring within a qualified development zone
1374 described in Subsection (10)(a)(iii)(E), 50% of the revenue from the sales and
1375 use tax imposed under this part;
- 1376 (ii) "Eligible basic special district" means the same as that term is defined in Section
1377 17B-1-1405.
- 1378 (iii) "Qualified development zone" means the sales and use tax boundary of:
- 1379 (A) a project area adopted by the military installation development authority under
1380 Title 63H, Chapter 1, Military Installation Development Authority Act;
1381 (B) a project area under Title 11, Chapter 58, Utah Inland Port Authority Act;
1382 (C) the lake authority boundary, as defined in Section 11-65-101;
1383 (D) the Utah Fairpark Investment and Restoration District, created in Section
1384 11-70-201; or
1385 (E) the area within the boundary of an eligible basic special district, and if
1386 applicable, the boundary of a public infrastructure district created by the basic
1387 special district;
- 1388 (iv) "Qualifying construction materials" means construction materials that are:
- 1389 (A) delivered to a delivery outlet within a qualified development zone; and
1390 (B) intended to be permanently attached to real property within the qualified

1391 development zone.

1392 (b) For a sale of qualifying construction materials, the commission shall distribute the
1393 product calculated in Subsection (10)(c) to a qualified development zone if the seller
1394 of the construction materials:

1395 (i) establishes a delivery outlet with the commission within the qualified development
1396 zone;

1397 (ii) reports the sales of the construction materials to the delivery outlet described in
1398 Subsection (10)(b)(i); and

1399 (iii) does not report the sales of the construction materials on a simplified electronic
1400 return; or

1401 (c) For the purposes of Subsection (10)(b), the product is equal to:

1402 (i) the sales price or purchase price of the qualifying construction materials; and

1403 (ii) the applicable percentage.

1404 (11)(a) As used in this Subsection (11):

1405 (i) "Applicable percentage" means the same as that term is defined in Subsection (10).

1406 (ii) "Qualified development zone" means the same as that term is defined in
1407 Subsection (10).

1408 (iii) "Schedule J sale" means a sale reported on State Tax Commission Form
1409 TC-62M, Schedule J or a substantially similar form as designated by the
1410 commission.

1411 (b) Revenue generated from the applicable percentage by a Schedule J sale within a
1412 qualified development zone shall be distributed to the jurisdiction that would have
1413 received the revenue in the absence of the qualified development zone.

1414 (12)(a) As used in this Subsection (12):

1415 (i) "Applicable percentage" means, for a major sporting event venue zone created
1416 under Title 63N, Chapter 3, Part 17, Major Sporting Event Venue Zone Act, for
1417 sales occurring within the qualified development zone described in Subsection
1418 (12)(a)(ii):

1419 (A) 50% of the sales and use tax increment, as that term is defined in Section
1420 63N-3-601, from the sales and use tax imposed under this part;

1421 (B) 100% of the revenue from the sales and use tax imposed by the creating entity
1422 of a major sporting event venue zone under Section 59-12-401; and

1423 (C) 100% of the revenue from the sales and use tax imposed by the creating entity
1424 of a major sporting event venue zone under Section 59-12-402.

1425 (ii) "Qualified development zone" means the sales and use tax boundary, as described
 1426 in Section 63N-3-1710, of a major sporting event venue zone created under Title
 1427 63N, Chapter 3, Part 17, Major Sporting Event Venue Zone Act.

1428 (iii) "Qualifying construction materials" means construction materials that are:

1429 (A) delivered to a delivery outlet within a qualified development zone; and

1430 (B) intended to be permanently attached to real property within the qualified
 1431 development zone.

1432 (b) For a sale of qualifying construction materials, the commission shall distribute the
 1433 product calculated in Subsection (12)(c) to the creating entity of a qualified
 1434 development zone if the seller of the construction materials:

1435 (i) establishes a delivery outlet with the commission within the qualified development
 1436 zone;

1437 (ii) reports the sales of the construction materials to the delivery outlet described in
 1438 Subsection (12)(b)(i); and

1439 (iii) does not report the sales of the construction materials on a simplified electronic
 1440 return; or

1441 (c) For the purposes of Subsection (12)(b), the product is equal to:

1442 (i) the sales price or purchase price of the qualifying construction materials; and

1443 (ii) the applicable percentage.

1444 (13)(a) As used in this Subsection (13):

1445 (i) "Applicable percentage" means the same as that term is defined in Subsection (12).

1446 (ii) "Qualified development zone" means the same as that term is defined in
 1447 Subsection (12).

1448 (iii) "Schedule J sale" means a sale reported on State Tax Commission Form
 1449 TC-62M, Schedule J or a substantially similar form as designated by the
 1450 commission.

1451 (b) Revenue generated from the applicable percentage by a Schedule J sale within a
 1452 qualified development zone shall be distributed to the jurisdiction that would have
 1453 received the revenue in the absence of the qualified development zone.

1454 Section 21. Section **59-14-204** is amended to read:

1455 **59-14-204 (Effective 04/01/26). Tax basis -- Rate -- Future increase -- Cigarette**
 1456 **Tax Restricted Account -- Appropriation and expenditure of revenues.**

1457 (1) Except for cigarettes described under Subsection 59-14-210(3), there is levied a tax
 1458 upon the sale, use, storage, or distribution of cigarettes in the state.

- 1459 (2) The rates of the tax levied under Subsection (1) are, beginning on July 1, 2010:
- 1460 (a) 8.5 cents on each cigarette, for all cigarettes weighing not more than three pounds
- 1461 per thousand cigarettes; and
- 1462 (b) 9.963 cents on each cigarette, for all cigarettes weighing in excess of three pounds
- 1463 per thousand cigarettes.
- 1464 (3) Except as otherwise provided under this chapter, the tax levied under Subsection (1)
- 1465 shall be paid by any person who is the manufacturer, jobber, importer, distributor,
- 1466 wholesaler, retailer, user, or consumer.
- 1467 (4) The tax rates specified in this section shall be increased by the commission by the same
- 1468 amount as any future reduction in the federal excise tax on cigarettes.
- 1469 (5)(a) There is created within the General Fund a restricted account known as the
- 1470 "Cigarette Tax Restricted Account."
- 1471 (b) The Cigarette Tax Restricted Account consists of:
- 1472 (i) the first \$7,950,000 of the revenues collected from a tax under this section; and
- 1473 (ii) any other appropriations the Legislature makes to the Cigarette Tax Restricted
- 1474 Account.
- 1475 (c) For each fiscal year beginning with fiscal year 2011-12 and subject to appropriation
- 1476 by the Legislature, the Division of Finance shall distribute money from the Cigarette
- 1477 Tax Restricted Account as follows:
- 1478 (i) \$250,000 to the Department of Health to be expended for a tobacco prevention
- 1479 and control media campaign targeted towards children;
- 1480 (ii) \$2,900,000 to the Department of Health to be expended for tobacco prevention,
- 1481 reduction, cessation, and control programs;
- 1482 (iii) \$2,000,000 to the University of Utah Health Sciences Center for the Huntsman
- 1483 Cancer Institute to be expended for cancer research; and
- 1484 (iv) \$2,800,000 to the University of Utah Health Sciences Center to be expended for
- 1485 medical education at the University of Utah School of Medicine.
- 1486 (d) For a fiscal year beginning on or after July 1, 2026, and subject to appropriation by
- 1487 the Legislature, the Division of Finance shall deposit revenue generated from the tax
- 1488 imposed by this part that is in excess of \$48,900,000 to the Homeless Services
- 1489 Restricted Account to be expended for purposes described in Section 35A-16-1201.
- 1490 [~~d~~] (e) In determining how to appropriate revenue deposited into the Cigarette Tax
- 1491 Restricted Account that is not otherwise appropriated under Subsection (5)(c), the
- 1492 Legislature shall give particular consideration to enhancing Medicaid provider

1493 reimbursement rates and medical coverage for the uninsured.

1494 Section 22. Section **63A-5b-902** is amended to read:

1495 **63A-5b-902 (Effective 04/01/26). Application of part.**

1496 (1) Except as [stated] provided in Subsection (1)(d), the provisions of this part, other than
1497 this section, do not apply to:

1498 (a) the division's disposal or lease of division-owned property that would otherwise be
1499 subject to this part, if the division-owned property has a value under \$500,000, as
1500 estimated by the division;

1501 (b) a conveyance, lease, or disposal of division-owned property in connection with:

1502 (i) the establishment of a state store, as defined in Section 32B-1-102; or

1503 (ii) the construction of student housing;

1504 (c) a conveyance, lease, or disposal of any part of the point of the mountain state land, as
1505 defined in Section 11-59-102, by the Point of the Mountain State Land Authority
1506 created in Section 11-59-201;

1507 (d) a conveyance, lease, or disposal of division-owned property for fair market value, as
1508 determined by the division, under Subsection 63A-5b-303(1)(a)(viii), except that the
1509 following sections apply:

1510 (i) Section 63A-5b-907.5;

1511 (ii) Section 63A-5b-908;

1512 (iii) Section 63A-5b-910;

1513 (iv) Section 63A-5b-911; and

1514 (v) Section 63A-5b-912; or

1515 (e) a conveyance, lease, or disposal of any state-owned land, as defined in Section
1516 11-70-101, by the Utah Fairpark Area Investment and Restoration District, created in
1517 Section 11-70-201[-] ; or

1518 (f) a conveyance, lease, or disposal of division-owned property to the Office of
1519 Homeless Services to carry out the purposes described in Title 35A, Chapter 16, Part
1520 2, Office of Homeless Services.

1521 (2) Nothing in Subsection (1)(a), (b), [~~or (d) may be construed to~~] (d), or (f) shall diminish
1522 or eliminate the division's responsibility to manage division-owned property in the best
1523 interests of the state.

1524 Section 23. Section **63J-1-602.1** is amended to read:

1525 **63J-1-602.1 (Effective 04/01/26). List of nonlapsing appropriations from**
1526 **accounts and funds.**

- 1527 Appropriations made from the following accounts or funds are nonlapsing:
- 1528 (1) The Native American Repatriation Restricted Account created in Section 9-9-407.
 - 1529 (2) Certain money payable for expenses of the Pete Suazo Utah Athletic Commission, as
1530 provided under Title 9, Chapter 23, Pete Suazo Utah Athletic Commission Act.
 - 1531 (3) Funds collected for directing and administering the C-PACE district created in Section
1532 11-42a-106.
 - 1533 (4) Money received by the Utah Inland Port Authority, as provided in Section 11-58-105.
 - 1534 (5) The Commerce Electronic Payment Fee Restricted Account created in Section 13-1-17.
 - 1535 (6) The Division of Air Quality Oil, Gas, and Mining Restricted Account created in Section
1536 19-2a-106.
 - 1537 (7) The Division of Water Quality Oil, Gas, and Mining Restricted Account created in
1538 Section 19-5-126.
 - 1539 (8) State funds for matching federal funds in the Children's Health Insurance Program as
1540 provided in Section 26B-3-906.
 - 1541 (9) Funds collected from the program fund for local health department expenses incurred in
1542 responding to a local health emergency under Section 26B-7-111.
 - 1543 (10) The Technology Development Restricted Account created in Section 31A-3-104.
 - 1544 (11) The Criminal Background Check Restricted Account created in Section 31A-3-105.
 - 1545 (12) The Captive Insurance Restricted Account created in Section 31A-3-304, except to the
1546 extent that Section 31A-3-304 makes the money received under that section free revenue.
 - 1547 (13) The Title Licensee Enforcement Restricted Account created in Section 31A-23a-415.
 - 1548 (14) The Health Insurance Actuarial Review Restricted Account created in Section
1549 31A-30-115.
 - 1550 (15) The State Mandated Insurer Payments Restricted Account created in Section
1551 31A-30-118.
 - 1552 (16) The Insurance Fraud Investigation Restricted Account created in Section 31A-31-108.
 - 1553 (17) The Underage Drinking Prevention Media and Education Campaign Restricted
1554 Account created in Section 32B-2-306.
 - 1555 (18) The School Readiness Restricted Account created in Section 35A-15-203.
 - 1556 (19) Money received by the Utah State Office of Rehabilitation for the sale of certain
1557 products or services, as provided in Section 35A-13-202.
 - 1558 (20) The Property Loss Related to Homelessness Compensation Enterprise Fund created in
1559 Section 35A-16-212.
 - 1560 (21) The Homeless Shelter Cities Mitigation Restricted Account created in Section

- 1561 35A-16-402.
- 1562 ~~(22)~~ (22) The Homeless Services Restricted Account created in Section 35A-16-1201.
- 1563 ~~[(22)]~~ (23) The Oil and Gas Administrative Penalties Account created in Section 40-6-11.
- 1564 ~~[(23)]~~ (24) The Oil and Gas Conservation Account created in Section 40-6-14.5.
- 1565 ~~[(24)]~~ (25) The Division of Oil, Gas, and Mining Restricted account created in Section
- 1566 40-6-23.
- 1567 ~~[(25)]~~ (26) The Electronic Payment Fee Restricted Account created by Section 41-1a-121 to
- 1568 the Motor Vehicle Division.
- 1569 ~~[(26)]~~ (27) The License Plate Restricted Account created by Section 41-1a-122.
- 1570 ~~[(27)]~~ (28) The Motor Vehicle Enforcement Division Temporary Permit Restricted Account
- 1571 created by Section 41-3-110 to the State Tax Commission.
- 1572 ~~[(28)]~~ (29) The State Disaster Recovery Restricted Account to the Division of Emergency
- 1573 Management, as provided in Section 53-2a-603.
- 1574 ~~[(29)]~~ (30) The Disaster Response, Recovery, and Mitigation Restricted Account created in
- 1575 Section 53-2a-1302.
- 1576 ~~[(30)]~~ (31) The Emergency Medical Services Critical Needs Account created in Section
- 1577 53-2d-110.
- 1578 ~~[(31)]~~ (32) The Department of Public Safety Restricted Account to the Department of Public
- 1579 Safety, as provided in Section 53-3-106.
- 1580 ~~[(32)]~~ (33) The Utah Highway Patrol Aero Bureau Restricted Account created in Section
- 1581 53-8-303.
- 1582 ~~[(33)]~~ (34) The DNA Specimen Restricted Account created in Section 53-10-407.
- 1583 ~~[(34)]~~ (35) The Technical Colleges Capital Projects Fund created in Section 53H-9-605.
- 1584 ~~[(35)]~~ (36) The Higher Education Capital Projects Fund created in Section 53H-9-502.
- 1585 ~~[(36)]~~ (37) A certain portion of money collected for administrative costs under the School
- 1586 Institutional Trust Lands Management Act, as provided under Section 53C-3-202.
- 1587 ~~[(37)]~~ (38) The Public Utility Regulatory Restricted Account created in Section 54-5-1.5,
- 1588 subject to Subsection 54-5-1.5(4)(d).
- 1589 ~~[(38)]~~ (39) Funds collected from a surcharge fee to provide certain licensees with access to
- 1590 an electronic reference library, as provided in Section 58-3a-105.
- 1591 ~~[(39)]~~ (40) Certain fines collected by the Division of Professional Licensing for violation of
- 1592 unlawful or unprofessional conduct that are used for education and enforcement
- 1593 purposes, as provided in Section 58-17b-505.
- 1594 ~~[(40)]~~ (41) Funds collected from a surcharge fee to provide certain licensees with access to

1595 an electronic reference library, as provided in Section 58-22-104.
1596 [~~(41)~~] (42) Funds collected from a surcharge fee to provide certain licensees with access to
1597 an electronic reference library, as provided in Section 58-55-106.
1598 [~~(42)~~] (43) Funds collected from a surcharge fee to provide certain licensees with access to
1599 an electronic reference library, as provided in Section 58-56-3.5.
1600 [~~(43)~~] (44) Certain fines collected by the Division of Professional Licensing for use in
1601 education and enforcement of the Security Personnel Licensing Act, as provided in
1602 Section 58-63-103.
1603 [~~(44)~~] (45) The Relative Value Study Restricted Account created in Section 59-9-105.
1604 [~~(45)~~] (46) The Cigarette Tax Restricted Account created in Section 59-14-204.
1605 [~~(46)~~] (47) Funds paid to the Division of Real Estate for the cost of a criminal background
1606 check for a mortgage loan license, as provided in Section 61-2c-202.
1607 [~~(47)~~] (48) Funds paid to the Division of Real Estate for the cost of a criminal background
1608 check for principal broker, associate broker, and sales agent licenses, as provided in
1609 Section 61-2f-204.
1610 [~~(48)~~] (49) Certain funds donated to the Department of Health and Human Services, as
1611 provided in Section 26B-1-202.
1612 [~~(49)~~] (50) Certain funds donated to the Division of Child and Family Services, as provided
1613 in Section 80-2-404.
1614 [~~(50)~~] (51) Funds collected by the Office of Administrative Rules for publishing, as
1615 provided in Section 63G-3-402.
1616 [~~(51)~~] (52) The Immigration Act Restricted Account created in Section 63G-12-103.
1617 [~~(52)~~] (53) Money received by the military installation development authority, as provided
1618 in Section 63H-1-504.
1619 [~~(53)~~] (54) The Unified Statewide 911 Emergency Service Account created in Section
1620 63H-7a-304.
1621 [~~(54)~~] (55) The Utah Statewide Radio System Restricted Account created in Section
1622 63H-7a-403.
1623 [~~(55)~~] (56) The Utah Capital Investment Restricted Account created in Section 63N-6-204.
1624 [~~(56)~~] (57) The Motion Picture Incentive Account created in Section 63N-8-103.
1625 [~~(57)~~] (58) Funds collected by the housing of state probationary inmates or state parole
1626 inmates, as provided in Subsection 64-13e-104(2).
1627 [~~(58)~~] (59) Certain forestry and fire control funds utilized by the Division of Forestry, Fire,
1628 and State Lands, as provided in Section 65A-8-103.

1629 ~~[(59)]~~ (60) The following funds or accounts created in Section 72-2-124:

1630 (a) Transportation Investment Fund of 2005;

1631 (b) Transit Transportation Investment Fund;

1632 (c) Cottonwood Canyons Transportation Investment Fund;

1633 (d) Active Transportation Investment Fund; and

1634 (e) Commuter Rail Subaccount.

1635 ~~[(60)]~~ (61) The Amusement Ride Safety Restricted Account, as provided in Section

1636 72-16-204.

1637 ~~[(61)]~~ (62) Certain funds received by the Office of the State Engineer for well drilling fines

1638 or bonds, as provided in Section 73-3-25.

1639 ~~[(62)]~~ (63) The Water Resources Conservation and Development Fund, as provided in

1640 Section 73-23-2.

1641 ~~[(63)]~~ (64) Award money under the State Asset Forfeiture Grant Program, as provided under

1642 Section 77-11b-403.

1643 ~~[(64)]~~ (65) Funds donated or paid to a juvenile court by private sources, as provided in

1644 Subsection 78A-6-203(1)(c).

1645 ~~[(65)]~~ (66) Fees for certificate of admission created under Section 78A-9-102.

1646 ~~[(66)]~~ (67) Funds collected for adoption document access as provided in Sections 81-13-103,

1647 81-13-504, and 81-13-505.

1648 ~~[(67)]~~ (68) Funds collected for indigent defense as provided in Title 78B, Chapter 22, Part 4,

1649 Utah Indigent Defense Commission.

1650 ~~[(68)]~~ (69) The Utah Geological Survey Restricted Account created in Section 79-3-403.

1651 ~~[(69)]~~ (70) Revenue for golf user fees at the Wasatch Mountain State Park, Palisades State

1652 Park, and Green River State Park, as provided under Section 79-4-403.

1653 ~~[(70)]~~ (71) Certain funds received by the Division of State Parks from the sale or disposal of

1654 buffalo, as provided under Section 79-4-1001.

1655 Section 24. **FY 2026 Appropriations.**

1656 The following sums of money are appropriated for the fiscal year beginning July 1,

1657 2025, and ending June 30, 2026. These are additions to amounts previously appropriated for

1658 fiscal year 2026.

1659 Subsection 24(a). **Operating and Capital Budgets**

1660 Under the terms and conditions of Title 63J, Chapter 1, Budgetary Procedures Act, the

1661 Legislature appropriates the following sums of money from the funds or accounts indicated for

1662 the use and support of the government of the state of Utah.

1663 ITEM 1 To Department of Workforce Services - Office of Homeless Services
 1664 From General Fund, One-time (20,998,000)

1665 Schedule of Programs:

1666 Homeless Services (20,998,000)

1667 The Legislature intends that the Office of
 1668 Homeless Services may use up to \$22,998,

1669 Section 25. **FY 2027 Appropriations.**

1670 The following sums of money are appropriated for the fiscal year beginning July 1,
 1671 2026, and ending June 30, 2027. These are additions to amounts previously appropriated for
 1672 fiscal year 2027.

1673 Subsection 25(a). **Operating and Capital Budgets**

1674 Under the terms and conditions of Title 63J, Chapter 1, Budgetary Procedures Act, the
 1675 Legislature appropriates the following sums of money from the funds or accounts indicated for
 1676 the use and support of the government of the state of Utah.

1677 ITEM 2 To Department of Workforce Services - Office of Homeless Services

1678 From General Fund, One-time 20,998,000

1679 Schedule of Programs:

1680 Homeless Services 20,998,000

1681 The Legislature intends that, under Section
 1682 63J-1-603, appropriations provided under Item 1 not
 1683 lapse at the close of fiscal year 2026, and that the Office
 1684 of Homeless Services may use up to \$2,000,000 for
 1685 non-family homeless resource centers that do not exceed
 1686 more than 490 beds.

1687 The Legislature further intends that beginning in
 1688 fiscal year 2027, the Office of Homeless Services may
 1689 use the nonlapsing one-time general funds provided in
 1690 Item 2 for the purposes described in Subsection
 1691 35A-16-1201(10).

1692 Section 26. **Effective Date.**

1693 This bill takes effect:

1694 (1) except as provided in Subsection (2), May 6, 2026; or

1695 (2) if approved by two-thirds of all members elected to each house, the later of:

1696 (a) April 1, 2026; or

- 1697 (b)(i) upon approval by the governor;
- 1698 (ii) without the governor's approval, the day following the constitutional time limit of
- 1699 Utah Constitution, Article VII, Section 8; or
- 1700 (iii) with the governor's veto and a vote of the Legislature to override the veto, the
- 1701 date of veto override.