

COVID-19 GRANT PROGRAM AMENDMENTS

2021 FIRST SPECIAL SESSION

STATE OF UTAH

Chief Sponsor: Mike Schultz

Senate Sponsor: Kirk A. Cullimore

LONG TITLE

General Description:

This bill addresses grant programs responding to COVID-19.

Highlighted Provisions:

This bill:

- ▶ amends the grant program that allows the Governor's Office of Economic Development to respond to the COVID-19 pandemic by directing financial grants to institutions of higher education by:
 - modifying certain reporting and expenditure requirements; and
 - repealing the sunset date;
- ▶ creates a grant program within the Governor's Office of Management and Budget for local governments to receive financial grants for certain purposes related to COVID-19 recovery if the local government commits to provide matching funds; and
- ▶ requires the Governor's Office of Management and Budget to report information about the grant program to the Executive Appropriations Committee on an annual basis.

Money Appropriated in this Bill:

None

Other Special Clauses:

This bill provides a special effective date.



28 **Utah Code Sections Affected:**

29 AMENDS:

30 **63I-2-263 (Effective 07/01/21)**, as last amended by Laws of Utah 2021, Chapters 64,
31 84, 205, 280, 282, 330, 382, and 401

32 **63N-1b-307 (Effective 07/01/21)**, as renumbered and amended by Laws of Utah 2021,
33 Chapter 282

34 **63N-12-508 (Superseded 07/01/21)**, as last amended by Laws of Utah 2020, Sixth
35 Special Session, Chapter 19

36 ENACTS:

37 **63J-4-801**, Utah Code Annotated 1953

38 **63J-4-802**, Utah Code Annotated 1953

39

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

41 Section 1. Section **63I-2-263 (Effective 07/01/21)** is amended to read:

42 **63I-2-263 (Effective 07/01/21). Repeal dates, Title 63A to Title 63N.**

43 (1) Section 63A-3-111 is repealed June 30, 2021.

44 (2) Title 63C, Chapter 19, Higher Education Strategic Planning Commission is
45 repealed July 1, 2021.

46 (3) Title 63C, Chapter 22, Digital Wellness, Citizenship, and Safe Technology
47 Commission is repealed July 1, 2023.

48 (4) Section 63G-1-502 is repealed July 1, 2022.

49 (5) The following sections regarding the World War II Memorial Commission are
50 repealed on July 1, 2022:

51 (a) Section 63G-1-801;

52 (b) Section 63G-1-802;

53 (c) Section 63G-1-803; and

54 (d) Section 63G-1-804.

55 (6) Section 63H-7a-303 is repealed July 1, 2024.

56 (7) Subsection 63J-1-206(3)(c), relating to coronavirus, is repealed July 1, 2021.

57 (8) Sections 63M-7-213 and 63M-7-213.5 are repealed on January 1, 2023.

58 (9) Section 63M-7-217 is repealed on July 1, 2022.

59 ~~[(10) Subsection 63N-1b-307(3), which allows the Governor's Office of Economic~~
60 ~~Opportunity to respond to the COVID-19 pandemic by directing financial grants to institutions~~
61 ~~of higher education, is repealed December 31, 2021.]~~

62 ~~[(11)]~~ (10) Title 63N, Chapter 13, Part 3, Facilitating Public-private Partnerships Act,
63 is repealed January 1, 2024.

64 ~~[(12)]~~ (11) Title 63N, Chapter 15, COVID-19 Economic Recovery Programs, is
65 repealed December 31, 2021.

66 Section 2. Section **63J-4-801** is enacted to read:

67 **Part 8. COVID-19 Local Assistance Matching Grant Program**

68 **63J-4-801. Definitions.**

69 As used in this part:

70 (1) "American Rescue Plan Act" means the American Rescue Plan Act, Pub. L. 117-2.

71 (2) "COVID-19" means:

72 (a) severe acute respiratory syndrome coronavirus 2; or

73 (b) the disease caused by severe acute respiratory syndrome coronavirus 2.

74 (3) "COVID-19 emergency" means the spread of COVID-19 that the World Health
75 Organization declared a pandemic on March 11, 2020.

76 (4) "Local government" means a county, city, town, or metro township.

77 Section 3. Section **63J-4-802** is enacted to read:

78 **63J-4-802. Creation of COVID-19 Local Assistance Matching Grant Program --**
79 **Eligibility -- Duties of the office.**

80 (1) There is established a grant program known as COVID-19 Local Assistance
81 Matching Grant Program that is administered by the office.

82 (2) The office shall award financial grants to local governments that meet the
83 qualifications described in Subsection (3) to provide support for:

84 (a) projects or services that address the economic impacts of the COVID-19 emergency
85 on housing insecurity, lack of affordable housing, or homelessness;

86 (b) costs incurred in addressing public health challenges resulting from the COVID-19
87 emergency;

88 (c) necessary investments in water and sewer infrastructure; or

89 (d) any other purpose authorized under the American Rescue Plan Act.

90 (3) To be eligible for a grant under this part, a local government shall:
91 (a) commit to provide matching funds in an amount determined by the office; and
92 (b) certify that the local government will spend grant funds:
93 (i) on a purpose described in Subsection (2); and
94 (ii) in accordance with the American Rescue Plan Act.
95 (4) As soon as is practicable, but on or before September 15, 2021, the office shall
96 establish:
97 (a) procedures for applying for and awarding grants under this part, using an online
98 grants management system that:
99 (i) manages each grant throughout the duration of the grant;
100 (ii) allows for:
101 (A) online submission of grant applications;
102 (B) automated disbursement of grant funds; and
103 (C) auditing and reporting for a local government that receives grant funds; and
104 (iii) generates reports containing information about each grant;
105 (b) criteria for awarding grants; and
106 (c) reporting requirements for grant recipients.
107 (5) Subject to appropriation, the office shall award grant funds on a competitive basis
108 until December 31, 2024.
109 (6) Before November 30 of each year, ending November 30, 2025, the office shall
110 submit a report to the Executive Appropriations Committee that includes:
111 (a) the information described in Subsection (4);
112 (b) the number of applications submitted under the grant program during the previous
113 year;
114 (c) the number of grants awarded under the grant program during the previous year;
115 (d) the aggregate amount of grant funds awarded under the grant program during the
116 previous year; and
117 (e) any other information the office considers relevant to evaluating the success of the
118 grant program.
119 Section 4. Section **63N-1b-307 (Effective 07/01/21)** is amended to read:
120 **63N-1b-307 (Effective 07/01/21). Utah Works Program.**

121 (1) There is created the Utah Works Program.

122 (2) The program, under the direction of the talent subcommittee, shall coordinate and
123 partner with the entities described below to develop short-term pre-employment training and
124 short-term early employment training for student and workforce participants that meet the
125 needs of businesses that are creating jobs and economic growth in the state by:

126 (a) partnering with the office, the Department of Workforce Services, and the Utah
127 system of higher education;

128 (b) partnering with businesses that have significant hiring demands for primarily newly
129 created jobs in the state;

130 (c) coordinating with the Department of Workforce Services, education agencies, and
131 employers to create effective recruitment initiatives to attract student and workforce
132 participants and business participants to the program;

133 (d) coordinating with the Utah system of higher education to develop educational and
134 training resources to provide student participants in the program qualifications to be hired by
135 business participants in the program; and

136 (e) coordinating with the State Board of Education and local education agencies when
137 appropriate to develop educational and training resources to provide student participants in the
138 program qualifications to be hired by business participants in the program.

139 (3) (a) Subject to appropriation, [~~beginning on August 5, 2020,~~] the office, in
140 consultation with the talent subcommittee, may respond to the COVID-19 pandemic by
141 directing financial grants to institutions of higher education described in Section 53B-2-101 to
142 offer short-term programs to:

143 (i) provide training to furloughed, laid off, dislocated, underserved, or other
144 populations affected by COVID-19 to fill employment gaps in the state;

145 (ii) provide training and education related to industry needs; and

146 (iii) provide students with certificates or other recognition after completion of training.

147 [~~(b) (i) As soon as is practicable but on or before July 31, 2020, the office shall report~~
148 ~~to the director of the Division of Finance about the grant program under this Subsection (3),~~
149 ~~including:~~]

150 [~~(A) the process by which the office shall determine which institutions of higher~~
151 ~~education shall receive financial grants; and]~~

152 ~~[(B) the formula for awarding financial grants.]~~

153 ~~[(ii) The office shall:]~~

154 ~~[(A) participate in the presentation that the director of the Division of Finance provides~~
155 ~~to the president of the Senate, the speaker of the House of Representatives, the minority leader~~
156 ~~of the Senate, and the minority leader of the House of Representatives under Section~~
157 ~~63A-3-111; and]~~

158 ~~[(B) consider any recommendations for adjustments to the grant program from the~~
159 ~~president of the Senate, the speaker of the House of Representatives, the minority leader of the~~
160 ~~Senate, and the minority leader of the House of Representatives:]~~

161 (b) The office shall include the following information in the annual written report
162 described in Section 63N-1-301:

163 (i) the process by which the office determines which institutions of higher education
164 shall receive financial grants; and

165 (ii) the formula for awarding financial grants.

166 (c) ~~[To implement Subsection (3)(a), an]~~ An institution of higher education that
167 receives grant funds under this Subsection (3):

168 (i) may use grant funds for:

169 (A) costs associated with developing a new program; or

170 (B) costs associated with expanding an existing program; and

171 (ii) shall demonstrate industry needs and opportunities for partnership with industry.

172 ~~[(d) (i) The office shall award grant funds:]~~

173 ~~[(A) after an initial application period that ends on or before August 31, 2020; and]~~

174 ~~[(B) if funds remain after the initial application period, on a rolling basis until the~~
175 ~~earlier of funds being exhausted or November 30, 2020.]~~

176 ~~[(ii) An institution of higher education that receives grant funds shall expend the grant~~
177 ~~funds on or before December 1, 2020.]~~

178 (d) The office shall award grant funds on a rolling basis, until the earlier of funds being
179 exhausted or June 30, 2022.

180 (e) The office shall conduct outreach, including education about career guidance,
181 training, and workforce programs, to the targeted populations.

182 (4) The office, in consultation with the talent subcommittee, may, in accordance with

183 Title 63G, Chapter 3, Utah Administrative Rulemaking Act, and in accordance with the
184 provisions of this section, make rules regarding the development and administration of the
185 Utah Works Program.

186 (5) The Utah Works Program shall report the following metrics to the office for
187 inclusion in the office's annual report described in Section 63N-1a-306:

188 (a) the number of participants in the program;

189 (b) how program participants learned about or were referred to the program, including
190 the number of participants who learned about or were referred to the program by:

191 (i) the Department of Workforce Services;

192 (ii) marketing efforts of the office or talent subcommittee;

193 (iii) a school counselor; and

194 (iv) other methods;

195 (c) the number of participants who have completed training offered by the program;

196 and

197 (d) the number of participants who have been hired by a business participating in the
198 program.

199 Section 5. Section **63N-12-508 (Superseded 07/01/21)** is amended to read:

200 **63N-12-508 (Superseded 07/01/21). Utah Works Program.**

201 (1) There is created within the center the Utah Works Program.

202 (2) The program, under the direction of the center and the talent ready board, shall
203 coordinate and partner with the entities described below to develop short-term pre-employment
204 training and short-term early employment training for student and workforce participants that
205 meet the needs of businesses that are creating jobs and economic growth in the state by:

206 (a) partnering with the office, the Department of Workforce Services, and the Utah
207 system of higher education;

208 (b) partnering with businesses that have significant hiring demands for primarily newly
209 created jobs in the state;

210 (c) coordinating with the Department of Workforce Services, education agencies, and
211 employers to create effective recruitment initiatives to attract student and workforce
212 participants and business participants to the program;

213 (d) coordinating with the Utah system of higher education to develop educational and

214 training resources to provide student participants in the program qualifications to be hired by
215 business participants in the program; and

216 (e) coordinating with the State Board of Education and local education agencies when
217 appropriate to develop educational and training resources to provide student participants in the
218 program qualifications to be hired by business participants in the program.

219 (3) (a) Subject to appropriation, [~~beginning on August 5, 2020;~~] the office, in
220 consultation with the talent ready board, may respond to the COVID-19 pandemic by directing
221 financial grants to institutions of higher education described in Section 53B-2-101 to offer
222 short-term programs to:

223 (i) provide training to furloughed, laid off, dislocated, underserved, or other
224 populations affected by COVID-19 to fill employment gaps in the state;

225 (ii) provide training and education related to industry needs; and

226 (iii) provide students with certificates or other recognition after completion of training.

227 [~~(b) (i) As soon as is practicable but on or before July 31, 2020, the office shall report
228 to the director of the Division of Finance about the grant program under this Subsection (3),
229 including:~~]

230 [~~(A) the process by which the office shall determine which institutions of higher
231 education shall receive financial grants; and]~~

232 [~~(B) the formula for awarding financial grants.]~~

233 [~~(ii) The office shall:]~~

234 [~~(A) participate in the presentation that the director of the Division of Finance provides
235 to the president of the Senate, the speaker of the House of Representatives, the minority leader
236 of the Senate, and the minority leader of the House of Representatives under Section
237 63A-3-111; and]~~

238 [~~(B) consider any recommendations for adjustments to the grant program from the
239 president of the Senate, the speaker of the House of Representatives, the minority leader of the
240 Senate, and the minority leader of the House of Representatives.]~~

241 (b) The office shall include the following information in the annual written report
242 described in Section 63N-1a-306:

243 (i) the process by which the office determines which institutions of higher education
244 shall receive financial grants; and

- 245 (ii) the formula for awarding financial grants.
- 246 (c) ~~[To implement Subsection (3)(a), an]~~ An institution of higher education that
247 receives grant funds under this Subsection (3):
- 248 (i) may use grant funds for:
- 249 (A) costs associated with developing a new program; or
- 250 (B) costs associated with expanding an existing program; and
- 251 (ii) shall demonstrate industry needs and opportunities for partnership with industry.
- 252 ~~[(d) (i) The office shall award grant funds:]~~
- 253 ~~[(A) after an initial application period that ends on or before August 31, 2020; and]~~
- 254 ~~[(B) if funds remain after the initial application period, on a rolling basis until the~~
255 ~~earlier of funds being exhausted or November 30, 2020.]~~
- 256 ~~[(ii) An institution of higher education that receives grant funds shall expend the grant~~
257 ~~funds on or before December 1, 2020.]~~
- 258 (d) The office shall award grant funds on a rolling basis, until the earlier of funds being
259 exhausted or June 30, 2022.
- 260 (e) The center shall conduct outreach, including education about career guidance,
261 training, and workforce programs, to the targeted populations.
- 262 (4) The office, in consultation with the talent ready board, may, in accordance with
263 Title 63G, Chapter 3, Utah Administrative Rulemaking Act, and in accordance with the
264 provisions of this section, make rules regarding the development and administration of the
265 Utah Works Program.
- 266 (5) The center shall report the following metrics to the office for inclusion in the
267 office's annual report described in Section 63N-1-301:
- 268 (a) the number of participants in the program;
- 269 (b) how program participants learned about or were referred to the program, including
270 the number of participants who learned about or were referred to the program by:
- 271 (i) the Department of Workforce Services;
- 272 (ii) marketing efforts of the center or talent ready board;
- 273 (iii) a school counselor; and
- 274 (iv) other methods;
- 275 (c) the number of participants who have completed training offered by the program;

276 and

277 (d) the number of participants who have been hired by a business participating in the
278 program.

279 Section 6. **Effective date.**

280 (1) Except as provided in Subsection (2), if approved by two-thirds of all the members
281 elected to each house, this bill takes effect upon approval by the governor, or the day following
282 the constitutional time limit of Utah Constitution, Article VII, Section 8, without the governor's
283 signature, or in the case of a veto, the date of veto override.

284 (2) (a) Section 63I-2-263 (Effective 07/01/21) takes effect on July 1, 2021.

285 (b) Section 63N-1b-307 (Effective 07/01/21) takes effect on July 1, 2021.