

Refugee Services Amendments

2025 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Ronald M. Winterton

LONG TITLE**General Description:**

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

Highlighted Provisions:

This bill:

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

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

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

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

ENACTS:

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

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

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

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

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

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

REPEALS:

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

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

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

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

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

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

- (a) the Workforce Development Division to administer the development and implementation of employment assistance programs;
- (b) the Workforce Research and Analysis Division;
- (c) the Unemployment Insurance Division to administer Chapter 4, Employment Security Act;
- (d) the Eligibility Services Division to administer public assistance eligibility;
- (e) the Division of Adjudication to adjudicate claims or actions in accordance with this title;
- (f) the Housing and Community Development Division, which is described in Sections 35A-8-201 and 35A-8-202;
- (g) the Utah State Office of Rehabilitation, which is described in Section 35A-13-103; [and]
- (h) the Office of Homeless Services, which is described in Section 35A-16-202[-] ;
- (i) the Office of Child Care, which is described in Sections 35A-3-202 and 35A-3-203;
- and
- (j) the Refugee Services Office, which is described in Part 8, Refugee Services.

(2) In addition to the divisions created under Subsection (1), within the department are the following:

- (a) the Workforce Appeals Board created in Section 35A-1-205;
- (b) the State Workforce Development Board created in Section 35A-1-206;
- (c) the Employment Advisory Council created in Section 35A-4-502;
- (d) the Child Care Advisory Committee created in Section 35A-3-205; and
- (e) the economic service areas created in accordance with Chapter 2, Economic Service Areas.

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

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

The department shall:

- (1) administer public assistance programs assigned by the Legislature and the governor;
- (2) determine eligibility for public assistance programs in accordance with the requirements

of this chapter;

- (3) cooperate with the federal government in the administration of public assistance programs;
 - (4) administer state employment services;
 - (5) provide for the compilation of necessary or desirable information, statistics, and reports;
 - (6) perform other duties and functions required by law;
 - (7) monitor the application of eligibility policy;
 - (8) develop personnel training programs for effective and efficient operation of the programs administered by the department;
 - (9) provide refugee resettlement services in accordance with Section ~~[35A-3-701]~~ 35A-3-803;
 - (10) provide child care assistance for children in accordance with Part 2, Office of Child Care;
 - (11) provide services that enable an applicant or recipient to qualify for affordable housing in cooperation with:
 - (a) the Utah Housing Corporation;
 - (b) the Housing and Community Development Division; and
 - (c) local housing authorities;
 - (12) administer the Medicaid Eligibility Quality Control function in accordance with 42 C.F.R. Sec. 431.812; and
 - (13) conduct non-clinical eligibility hearings and issue final decisions in adjudicative proceedings, including expedited appeals as defined in 42 C.F.R. Sec. 431.224, for medical assistance eligibility under:
 - (a) Title 26B, Chapter 3, Health Care - Administration and Assistance; or
 - (b) Title 26B, Chapter 3, Part 9, Utah Children's Health Insurance Program.
- Section 3. Section **35A-3-801** is enacted to read:

Part 8. Refugee Services

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

As used in this part:

- (1) "Director" means the director of the Refugee Services Office.
- (2) "Office" means the Refugee Services Office created in Section 35A-3-802.
- (3) "Refugee" means a person who is or has been eligible to receive benefits from the Office of Refugee Resettlement, as described in 45 C.F.R., Part 400.

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

35A-3-802 (Effective 05/07/25). Refugee Services Office - Creation.

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

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

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

- (1) The office shall:
- (a) provide refugee resettlement services to eligible refugees pursuant to federal regulations;
- (b) operate a refugee cash assistance program;
- (c) provide administrative support services to any refugee advisory committee;
- (d) work collaboratively with community partners for the delivery of services to refugees;
- (e) coordinate with the department to include in the annual written report, described in Section 35A-1-109, information regarding refugee services; and
- (f) make rules, in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, and consistent with state and federal law establishing the eligibility requirements for refugee case assistance.
- (2) The office may apply for, accept, or expend gifts or donations from public or private sources.

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

35A-3-804 (Effective 05/07/25). Duties of director.

- (1) The director shall:
- (a) enforce rules made by the department regulating the use of services provided by the office; and
- (b) supervise office staff and prepare an annual work plan.
- (2) The director may apply for, accept, and expend donations from public or private sources to assist the office in fulfilling its statutory obligations.

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

35A-3-805 (Effective 05/07/25). Refugee services fund -- Use of money -- Committee and director duties -- Restrictions.

- (1) There is created an expendable special revenue fund, known as the "Refugee Services Fund."
- (2) The director shall administer the fund with input from the department and any advisory

committee involved with the provision of refugee services within the department.

(3)(a) Money shall be deposited into the fund from legislative appropriations, federal grants, private foundations, and individual donors.

(b) The director shall encourage a refugee who receives services funded under Subsection (8) to be a donor to the fund when the refugee's financial situation improves sufficiently to make a donation.

(4) Except for money restricted to a specific use under federal law or by a donor, the director may not spend money from the fund without the input described in Subsection (2).

(5) The state treasurer shall invest the money in the fund under Title 51, Chapter 7, State Money Management Act, and all interest or other earnings derived from the fund money shall be deposited into the fund.

(6) Money in the fund may not be used by the director for administrative expenses.

(7) If the department establishes a refugee services advisory committee referenced in Subsection (2), the committee may:

(a) advise the director on refugee services needs in the state and on relevant operational aspects of any grant or revenue collection program established under this part;

(b) recommend specific refugee projects to the director;

(c) recommend policies and procedures for administering the fund;

(d) make recommendations on grants made from the fund for refugee services activities authorized under this section;

(e) advise the director on the criteria by which grants from the fund shall be made;

(f) recommend the order approved projects should be funded;

(g) make recommendations regarding the distribution of money from the fund in accordance with federal or donor restrictions; and

(h) have joint responsibility to solicit public and private funding for the fund.

(8) The director may use fund money to:

(a) train an existing refugee organization to develop its capacity to operate professionally and effectively and to become an independent, viable organization; or

(b) provide grants to refugee organizations and other entities identified in Subsection (9) to assist them:

(i) with case management;

(ii) in meeting emergency housing needs for refugees;

(iii) in providing English language services;

- (iv) in providing interpretive services;
- (v) in finding and maintaining employment for refugees;
- (vi) in collaborating with the state's public education system to improve the involvement of refugee parents in assimilating their children into public schools;
- (vii) in meeting the health and mental health needs of refugees;
- (viii) in providing or arranging for child care services; or
- (ix) in administering refugee services.

(9) The director, with the input described in Subsection (2), may grant fund money for refugee services outlined in Subsection (8) through a request for proposal process to:

- (a) local governments;
- (b) nonprofit community, charitable, or neighborhood-based organizations or private for-profit organizations involved with providing or arranging for the provision of refugee services; or
- (c) regional or statewide nonprofit organizations.

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

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

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

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

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

Section 8. Section **35A-3-806** is enacted to read:

35A-3-806 (Effective 05/07/25). Continuation of refugee services.

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

- (a) services to address emergency needs;
- (b) English language training; and
- (c) services for victims of domestic violence.

- 201 (2) The director shall administer and coordinate services under this section:
202 (a) with input from the department and any office or advisory committee involved with
203 the provision of refugee services within the department; and
204 (b) in accordance with any state and federal requirements related to the provision of
205 services to refugees.

206 Section 9. **Repealer.**

207 This bill repeals:

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

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

211 Section 10. **Effective Date.**

212 This bill takes effect on May 7, 2025.