

34A-2-701 Premium assessment restricted account for safety.

- (1) There is created in the General Fund a restricted account known as the "Workplace Safety Account."
- (2)
 - (a) An amount equal to 0.25% of the premium income remitted to the state treasurer pursuant to Subsection 59-9-101(2)(c)(ii) shall be deposited in the Workplace Safety Account in the General Fund for use as provided in this section.
 - (b) Beginning with fiscal year 2008-09, if the balance in the Workplace Safety Account exceeds \$500,000 at the close of a fiscal year, the excess shall be transferred to the Employers' Reinsurance Fund, created under Subsection 34A-2-702(1).
- (3) The Legislature shall appropriate from the restricted account money to one or both of the following:
 - (a) money to the commission for use by the commission to:
 - (i) improve safety consultation services available to Utah employers; or
 - (ii) provide for electronic or print media advertising campaigns designed to promote workplace safety; and
 - (b) subject to Subsection (7), money known as the "Eddie P. Mayne Workplace Safety and Occupational Health Funding Program":
 - (i) to an institution within the state system of higher education, as defined in Section 53B-1-102; and
 - (ii) to be expended by an education and research center that is:
 - (A) affiliated with the institution described in Subsection (3)(b)(i); and
 - (B) designated as an education and research center by the National Institute for Occupational Safety and Health.
- (4) From money appropriated by the Legislature from the restricted account to the commission for use by the commission, the commission may fund other safety programs or initiatives recommended to it by its state workers' compensation advisory council created under Section 34A-2-107.
- (5)
 - (a) The commission shall annually report to the governor, the Legislature, and its state council regarding:
 - (i) the use of the money appropriated to the commission under Subsection (3) or (4); and
 - (ii) the impact of the use of the money on the safety of Utah's workplaces.
 - (b) By no later than August 15 following a fiscal year in which an education and research center receives money from an appropriation under Subsection (3)(b), the education and research center shall report:
 - (i) to:
 - (A) the governor;
 - (B) the Legislature;
 - (C) the commission; and
 - (D) the state workers' compensation advisory council created under Section 34A-2-107; and
 - (ii) regarding:
 - (A) the use of the money appropriated under Subsection (3)(b); and
 - (B) the impact of the use of the money on the safety of Utah's workplaces.
- (6) The money deposited in the restricted account:
 - (a) shall be:
 - (i) used only for the activities described in Subsection (3) or (4); and
 - (ii) expended according to processes that can be verified by audit; and

- (b) may not be used by the commission for:
 - (i) administrative costs unrelated to the restricted account; or
 - (ii) any activity of the commission other than the activities of the commission described in Subsection (3) or (4).
- (7) The total of appropriations under Subsection (3)(b) may not exceed for a fiscal year an amount equal to 20% of the premium income remitted to the state treasurer pursuant to Subsection 59-9-101(2)(c) and deposited in the Workplace Safety Account during the previous fiscal year.

Amended by Chapter 85, 2009 General Session