

Part 12
State Small Business Credit Initiative Program Fund

35A-8-1201 Creation and administration.

- (1) There is created an enterprise fund known as the "State Small Business Credit Initiative Program Fund" administered by the director of the division or the director's designee.
- (2) The division is the administrator of the fund.
- (3) Revenues deposited into the fund shall consist of:
 - (a) grants, pay backs, bonuses, entitlements, and other money received from the federal government to implement the State Small Business Credit Initiative; and
 - (b) transfers, grants, gifts, bequests, and other money made available from any source to implement this part.
- (4)
 - (a) The state treasurer shall invest the money in the fund according to the procedures and requirements of Title 51, Chapter 7, State Money Management Act.
 - (b) Interest and other earnings derived from the fund money shall be deposited in the fund.
- (5) The division may use fund money for administration of the fund, but not to exceed 4% of the annual receipts to the fund.

Renumbered and Amended by Chapter 212, 2012 General Session

35A-8-1202 Distribution of fund money.

- (1)
 - (a) The director shall make loans and loan guarantees from the fund for the Small Business Credit Initiative created under the federal government's Small Business Jobs Act of 2010, to use federal money for programs that leverage private lending to help finance small businesses and manufacturers that are creditworthy but not receiving the loans needed to expand and create jobs.
 - (b) In making loans and loan guarantees under this part, the director shall give due consideration to small businesses in underserved communities throughout the state that have been deeply impacted by recession and not seen a comparable resurgence in their economies.
- (2) The director shall distribute federal money in the fund according to the procedures, conditions, and restrictions placed upon the use of the money by the federal government.
- (3) The director may, with the approval of the executive director of the department:
 - (a) enact rules to establish procedures for the loan and loan guarantee process by following the procedures and requirements of Title 63G, Chapter 3, Utah Administrative Rulemaking Act; and
 - (b) service or contract, under Title 63G, Chapter 6a, Utah Procurement Code, for the servicing of loans made by the fund.

Renumbered and Amended by Chapter 212, 2012 General Session
Amended by Chapter 347, 2012 General Session

35A-8-1203 Annual accounting.

- (1) The director shall monitor the activities of recipients of the loans and loan guarantees issued under this part on a yearly basis to ensure compliance with the terms and conditions imposed on the recipient by the director under this part.

- (2) An entity receiving a loan or loan guarantee under this part shall provide the director with an annual accounting of how the money it received from the fund was spent.
- (3) The director shall provide the following information to the department for inclusion in the department's annual written report described in Section 35A-1-109:
 - (a) an accounting of expenditures made from the fund; and
 - (b) an evaluation of the effectiveness of the loan and loan guarantee program.

Amended by Chapter 371, 2014 General Session