

Part 19

Youth Development Organization Restricted Account Act

35A-8-1901 Title.

This part is known as the "Youth Development Organization Restricted Account Act."

Enacted by Chapter 338, 2013 General Session

35A-8-1902 Definitions.

As used in this part:

- (1) "Account" means the Youth Development Organization Restricted Account created in Section 35A-8-1903.
- (2) "Qualified youth development organization council" means a youth development organization council in the state that the division determines to be eligible to receive a distribution under Section 35A-8-1904.
- (3) "Youth development organization" means an organization that:
 - (a) is exempt from federal income taxation under Section 501(c)(3), Internal Revenue Code;
 - (b) has more than 180,000 youth members within the state;
 - (c) has as its mission to prepare youth members to make ethical and moral choices over their lifetimes; and
 - (d) accomplishes the mission described in Subsection (3)(c) by building character, teaching citizenship, and developing personal fitness.
- (4) "Youth development organization council" means a council that:
 - (a) is chartered by a youth development organization;
 - (b) is exempt from federal income taxation under Section 501(c)(3), Internal Revenue Code;
 - (c) has more than 35,000 youth members within the state;
 - (d) covers a specified geographic area within the state;
 - (e) has as its mission to prepare youth members to make ethical and moral choices over their lifetimes; and
 - (f) accomplishes the mission described in Subsection (4)(e) by building character, teaching citizenship, and developing personal fitness.
- (5) "Youth member" means a person who:
 - (a) has a valid membership in a youth development organization;
 - (b) is affiliated with a particular youth development organization council; and
 - (c) is 20 years of age or younger.

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35A-8-1903 Youth Development Organization Restricted Account -- Creation -- Interest.

- (1) There is created within the General Fund a restricted account known as the "Youth Development Organization Restricted Account."
- (2) The account shall be funded by:
 - (a) contributions deposited into the account in accordance with Section 59-10-1316;
 - (b) private contributions;
 - (c) donations or grants from public or private entities; and
 - (d) interest described in Subsection (3).
- (3)

- (a) The account shall earn interest.
- (b) Interest earned on the account shall be deposited into the account.
- (4) The division shall distribute money appropriated by the Legislature to the division from the restricted account as provided in Section 35A-8-1904.

Enacted by Chapter 338, 2013 General Session

35A-8-1904 Division to distribute amounts deposited into Youth Development Organization Restricted Account -- Procedures for distribution.

- (1) Subject to the other provisions of this section, the division shall distribute amounts deposited into the Youth Development Organization Restricted Account in accordance with Section 35A-8-1903 to one or more qualified youth development organization councils in the state.
- (2) A qualified youth development organization council that receives a distribution from the division under this section shall expend the distribution only to accomplish the mission of the qualified youth development organization council described in Subsection 35A-8-1903(4).
- (3) An organization that seeks to receive a distribution from the division under this section shall, on or before May 1 of each year, file an application with the division:
 - (a) on a form prescribed by the division;
 - (b) that contains information required by the division to establish that the organization is a youth development organization council in the state; and
 - (c) that contains any other information prescribed by the commission.
- (4)
 - (a) The division shall, on or before June 1 of each year, determine whether an organization that files an application with the division under Subsection (3) is a youth development organization council in the state.
 - (b)
 - (i) If the division determines that an organization that files an application with the division under Subsection (3) is a youth development organization council, the division shall, on or before June 15 of each year, issue the organization a certificate stating that the organization is a qualified youth development organization council.
 - (ii) If the division determines that an organization that files an application with the division under Subsection (3) is not a youth development organization council, the division shall provide the organization written notice stating the reasons for its determination.
- (5) On or before July 1 of each year, the division shall make the distributions required by this section to each qualified youth development organization council as follows:
 - (a) the division shall, for each qualified youth development organization council, calculate a percentage:
 - (i) the numerator of which is the youth membership of the qualified youth development organization council; and
 - (ii) the denominator of which is the total youth membership of the qualified youth development organization councils;
 - (b) the division shall, for each qualified youth development organization council, calculate an amount by multiplying the percentage the division calculates under Subsection (5)(a) by the lesser of:
 - (i) the amount the Legislature appropriates to the division from the account for the fiscal year; or
 - (ii) the balance in the account as of June 1 of that year; and
 - (c) the division shall distribute the amount the division calculates under Subsection (5)(b) to each qualified youth development organization council.

Enacted by Chapter 338, 2013 General Session