

Effective 5/10/2016

63J-5-203 Judicial council to approve certain new federal funds requests.

- (1)
 - (a) Before obligating the state to accept or receive new federal funds or to participate in a new federal program, and no later than three months after submitting a new federal funds request, and, where possible, before formally submitting the new federal funds request, a judicial branch agency shall submit a federal funds request summary to the Judicial Council for its approval or rejection when:
 - (i) the state will receive total payments of \$1,000,000 or less per year if the new federal funds request is approved;
 - (ii) receipt of the new federal funds will require no additional permanent full-time employees, additional permanent part-time employees, or combination of additional permanent full-time employees and permanent part-time employees; and
 - (iii) no new state money will be required to match the new federal funds or to implement the new federal program for which the grant is issued.
 - (b) The Judicial Council shall report each new federal funds request that is approved by it and each new federal funds request granted by the federal government to:
 - (i) the Legislature's Executive Appropriations Committee;
 - (ii) the Office of the Legislative Fiscal Analyst; and
 - (iii) the Office of Legislative Research and General Counsel.
- (2) The Judicial Council shall approve or reject each new federal funds request submitted to it under the authority of this section.
- (3)
 - (a) If the Judicial Council approves the new federal funds request, the judicial branch agency may accept the new federal funds or participate in the new federal program.
 - (b) If the Judicial Council rejects the new federal funds request, the judicial branch agency may not accept the new federal funds or participate in the new federal program.
- (4) If a judicial branch agency fails to obtain the Judicial Council's approval under this section, the Judicial Council may require the agency to:
 - (a) withdraw the new federal funds request;
 - (b) return the federal funds;
 - (c) withdraw from the federal program; or
 - (d) any combination of Subsections (4)(a), (4)(b), and (4)(c).
- (5) If a letter or other official documentation awarding a judicial branch agency a grant of federal funds is not available to be included in a federal funds request summary submitted to the Judicial Council under this section, the judicial branch agency shall submit to the Judicial Council the letter or other official documentation awarding the judicial branch agency a grant of federal funds before expending the federal funds granted.

Amended by Chapter 272, 2016 General Session