

Part 1 General Provisions

63J-7-101 Definitions.

(1) As used in this chapter:

(a)

- (i) "Agency" means a department, division, committee, commission, council, court, or other administrative subunit of the state.
- (ii) "Agency" includes executive branch entities and judicial branch entities.
- (iii) "Agency" does not mean higher education institutions or political subdivisions.

(b)

- (i) "Grant" means cash or other money donated to an agency.
- (ii) "Grant" includes:
 - (A) a reauthorization of an existing grant; and
 - (B) a donation, regardless of whether it is subject to a formal grant agreement.
- (iii) "Grant" does not mean:
 - (A) money appropriated to an agency by the Legislature;
 - (B) money received from the United States government;
 - (C) money legally required to be paid to the state;
 - (D) money legally required to be repaid by the state; or
 - (E) revenues otherwise designated by law for deposit into another fund or account.
- (c) "Grantor" means the individual, group of individuals, foundation, corporation, or public or private organization making the grant.
- (d) "Grant reauthorization" means the formal submission from an agency to the grantor applying for reauthorization or seeking reauthorization of a grant.
- (e) "Grant summary" means a document detailing:
 - (i) the amount of money that is being requested or is available to be received by the agency from a grant;
 - (ii) the duration of the grant and provisions for its reauthorization or extension, if any;
 - (iii) the name of the grantor;
 - (iv) the purpose of the grant, including, in detail, any programs, resources, and positions required to be funded by the grant;
 - (v) any requirements that the agency must meet as a condition to receive or participate in the grant; and
 - (vi) the amount of state money, if any, that will be required in order to obtain the grant.
- (f) "New state money" means money, whether specifically appropriated by the Legislature or not, that the grantor requires Utah to expend as a condition for receiving the grant.
- (g) "State" means the state of Utah and all of its agencies, and any administrative subunits of those agencies.

(2) When this chapter describes an employee as a "permanent full-time employee" or a "permanent part-time employee," it is not intended to, and may not be construed to, affect the employee's status as an at-will employee.

Amended by Chapter 182, 2019 General Session

63J-7-102 Scope and applicability of chapter.

- (1) Except as provided in Subsection (2), and except as otherwise provided by a statute superseding provisions of this chapter by explicit reference to this chapter, the provisions of this chapter apply to each agency and govern each grant received on or after May 5, 2008.
- (2) This chapter does not govern:
 - (a) a grant deposited into a General Fund restricted account;
 - (b) a grant deposited into a Fiduciary Fund as defined in Section 51-5-4;
 - (c) a grant deposited into an Enterprise Fund as defined in Section 51-5-4;
 - (d) a grant made to the state without a restriction or other designated purpose that is deposited into the General Fund as free revenue;
 - (e) a grant made to the state that is restricted only to "education" and that is deposited into the Income Tax Fund or Uniform School Fund as free revenue;
 - (f) in-kind donations;
 - (g) a tax, fees, penalty, fine, surcharge, money judgment, or other money due the state when required by state law or application of state law;
 - (h) a contribution made under Title 59, Chapter 10, Part 13, Individual Income Tax Contribution Act;
 - (i) a grant received by an agency from another agency or political subdivision;
 - (j) a grant to the Utah Dairy Commission created in Section 4-22-103;
 - (k) a grant to the Heber Valley Historic Railroad Authority created in Section 63H-4-102;
 - (l) a grant to the Utah State Railroad Museum Authority created in Section 63H-5-102;
 - (m) a grant to the Utah Housing Corporation created in Section 63H-8-201;
 - (n) a grant to the State Fair Park Authority created in Section 11-68-201;
 - (o) a grant to the Utah State Retirement Office created in Section 49-11-201;
 - (p) a grant to the School and Institutional Trust Lands Administration created in Section 53C-1-201;
 - (q) a grant to the Utah Communications Authority created in Section 63H-7a-201;
 - (r) a grant to the Medical Education Program created in Section 26B-4-707;
 - (s) a grant to the Utah Capital Investment Corporation created in Section 63N-6-301;
 - (t) a grant to the Utah Charter School Finance Authority created in Section 53G-5-602;
 - (u) a grant to the State Building Ownership Authority created in Section 63B-1-304; or
 - (v) a grant to the Military Installation Development Authority created in Section 63H-1-201.
- (3) An agency need not seek legislative review or approval of grants under Part 2, Grant Approval Requirements, if:
 - (a) the governor has declared a state of emergency; and
 - (b) the grant is donated to the agency to assist victims of the state of emergency under Subsection 53-2a-204(1).

Amended by Chapter 330, 2023 General Session

Amended by Chapter 502, 2023 General Session