

1 **APPROPRIATION FOR DOMESTIC VIOLENCE**

2 **SHELTERS**

3 1999 GENERAL SESSION

4 STATE OF UTAH

5 **Sponsor: R. Mont Evans**

6 AN ACT RELATING TO DOMESTIC VIOLENCE; AMENDING THE DUTIES OF THE
7 DIVISION OF COMMUNITY DEVELOPMENT WITHIN THE DEPARTMENT OF
8 COMMUNITY AND ECONOMIC DEVELOPMENT; REQUIRING THE DIVISION TO
9 DETERMINE HOW MONIES APPROPRIATED FOR THE DEVELOPMENT,
10 CONSTRUCTION, AND IMPROVEMENT OF SHELTERS FOR VICTIMS OF DOMESTIC
11 VIOLENCE SHALL BE DISBURSED; PROVIDING RULEMAKING AUTHORITY;
12 APPROPRIATING \$900,000 TO THE DIVISION OF COMMUNITY DEVELOPMENT; AND
13 PROVIDING AN EFFECTIVE DATE.

14 This act affects sections of Utah Code Annotated 1953 as follows:

15 AMENDS:

16 **9-4-202**, as renumbered and amended by Chapter 241, Laws of Utah 1992

17 ENACTS:

18 **9-4-1301**, Utah Code Annotated 1953

19 *Be it enacted by the Legislature of the state of Utah:*

20 Section 1. Section **9-4-202** is amended to read:

21 **9-4-202. Powers and duties of division.**

22 (1) The division shall:

23 (a) assist local governments and citizens in the planning, development, and maintenance
24 of necessary public infrastructure and services;

25 (b) cooperate with, and provide technical assistance to, counties, cities, towns, regional
26 planning commissions, area-wide clearinghouses, zoning commissions, parks or recreation boards,
27 community development groups, community action agencies, and other agencies created for the

28 purpose of aiding and encouraging an orderly, productive, and coordinated development of the
29 state and its political subdivisions;

30 (c) assist the governor in coordinating the activities of state agencies which have an impact
31 on the solution of community development problems and the implementation of community plans;

32 (d) provide assistance to communities in preparing applications to the Four Corners
33 Regional Commission;

34 (e) serve as a clearinghouse for information, data, and other materials which may be
35 helpful to local governments in discharging their responsibilities and provide information on
36 available federal and state financial and technical assistance;

37 (f) carry out continuing studies and analyses of the problems faced by communities within
38 the state and develop such recommendations for administrative or legislative action as appear
39 necessary;

40 (g) assist in funding adequate housing;

41 (h) assist in the development, construction, and improvement of shelters for victims of
42 domestic violence, as described in Section 77-36-1, through loans and grants to nonprofit and
43 governmental entities;

44 [~~h~~] (i) support economic development activities through grants, loans, and direct
45 programs financial assistance;

46 [~~i~~] (j) certify project funding at the local level in conformance with federal, state, and
47 other requirements; and

48 [~~j~~] (k) utilize the capabilities and facilities of public and private universities and colleges
49 within the state in carrying out its functions.

50 (2) The division may:

51 (a) accept for and on behalf of, and bind the state to, any federal program in which the state
52 is invited, permitted, or authorized to participate in the distribution, disbursement, or
53 administration of any fund or service advanced, offered, or contributed in whole or in part, by the
54 federal government for purposes consistent with the powers and duties of the department; and

55 (b) if any federal program requires the expenditure of state funds as a condition to
56 participation by the state in any fund, property, or service, with the governor's approval, expend
57 whatever funds are necessary out of the money provided by the Legislature for the use of the
58 department.

59 Section 2. Section **9-4-1301** is enacted to read:

60 **Part 13. Domestic Violence Shelters**

61 **9-4-1301. Financial assistance to domestic violence shelters.**

62 (1) The division shall assist in the development, construction, and improvement of shelters
63 for victims of domestic violence, as described in Section 77-36-1, through loans and grants to
64 nonprofit and governmental entities.

65 (2) In accordance with Title 63, Chapter 46a, Utah Administrative Rulemaking Act, the
66 division shall make rules establishing:

67 (a) procedures for applying for loans and grants;

68 (b) criteria for awarding loans and grants; and

69 (c) requirements for the repayment of loans.

70 (3) The division may appoint an advisory panel to:

71 (a) assist the division in developing rules under Subsection (2); and

72 (b) recommend how available funds should be disbursed.

73 (4) The division shall make loans and grants with monies specifically appropriated for that
74 purpose.

75 **Section 3. Appropriation.**

76 (1) Except as provided in H.B. 4, Appropriations Coordination Act, there is appropriated
77 from the General Fund for fiscal year 1999-2000, \$900,000 to the Division of Community
78 Development within the Department of Community and Economic Development for the
79 development, construction, and improvement of shelters for victims of domestic violence under
80 Subsection 9-4-202(1)(h).

81 (2) The appropriation under Subsection (1) is nonlapsing.

82 **Section 4. Effective date.**

83 This act takes effect on July 1, 1999.

Legislative Review Note
as of 2-2-99 9:32 AM

A limited legal review of this legislation raises no obvious constitutional or statutory concerns.

Office of Legislative Research and General Counsel