

PAMELA ATKINSON HOMELESS TRUST

ACCOUNT

2003 GENERAL SESSION

STATE OF UTAH

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This act modifies provisions related to the Homeless Trust Account by renaming it the Pamela Atkinson Homeless Trust Account.

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

AMENDS:

9-4-802, as last amended by Chapter 73, Laws of Utah 2001

9-4-803, as renumbered and amended by Chapter 241, Laws of Utah 1992

59-10-530.5, as last amended by Chapters 10 and 12, Laws of Utah 1997

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

Section 1. Section **9-4-802** is amended to read:

9-4-802. Purposes of Homeless Coordinating Committee -- Uses of Pamela Atkinson Homeless Trust Account.

(1) (a) The Homeless Coordinating Committee shall work to ensure that services provided to the homeless by state agencies, local governments, and private organizations are provided in a cost-effective manner.

(b) Programs funded by the committee shall emphasize emergency housing and self-sufficiency, including placement in meaningful employment or occupational training activities and, where needed, special services to meet the unique needs of the homeless who have families with children, or who are mentally ill, disabled, or suffer from other serious challenges to employment and self-sufficiency.

(c) The committee may also fund treatment programs to ameliorate the effects of substance abuse or a disability.

(2) The committee members designated in Subsection 9-4-801(2) shall:

(a) award contracts funded by the Pamela Atkinson Homeless Trust Account with the advice and input of those designated in Subsection 9-4-801(3);

(b) consider need, diversity of geographic location, coordination with or enhancement of existing services, and the extensive use of volunteers; and

(c) give priority for funding to programs that serve the homeless who are mentally ill and who are in families with children.

(3) (a) In any fiscal year, no more than 80% of the funds in the Pamela Atkinson Homeless Trust Account may be allocated to organizations that provide services only in Salt Lake, Davis, Weber, and Utah Counties.

(b) The committee may:

(i) expend up to 3% of its annual appropriation for administrative costs associated with the allocation of funds from the Pamela Atkinson Homeless Trust Account, and up to 2% of its annual appropriation for marketing the [~~Homeless Trust Account~~] account and soliciting donations to the [~~Homeless Trust Account~~] account; and

(ii) pay for the initial costs of the State Tax Commission in implementing Section 59-10-530.5 from the [~~Homeless Trust Account~~] account.

(4) (a) The committee may not expend, except as provided in Subsection (4)(b), an

amount equal to the greater of \$50,000 or 20% of the amount donated to the Pamela Atkinson Homeless Trust Account during fiscal year 1988-89.

(b) If there are decreases in contributions to the [~~fund~~] account, the committee may expend funds held in reserve to provide program stability, but the committee shall reimburse the amounts of those expenditures to the reserve fund.

(5) The committee shall make an annual report to the Economic Development and Human Resources Appropriations Subcommittee regarding the programs and services funded by contributions to the Pamela Atkinson Homeless Trust Account.

(6) The moneys in the Pamela Atkinson Homeless Trust Account shall be invested by the state treasurer according to the procedures and requirements of Title 51, Chapter 7, State Money Management Act, except that all interest or other earnings derived from the fund moneys shall be deposited in the fund.

Section 2. Section **9-4-803** is amended to read:

9-4-803. Creation of Pamela Atkinson Homeless Trust Account.

(1) There is created a restricted account within the General Fund to be known as the Pamela Atkinson Homeless Trust Account.

(2) Private contributions received under this section and Section 59-10-530.5 shall be deposited into the account to be used only for programs described in Section 9-4-802.

(3) Money shall be appropriated from the account to the State Homeless Coordinating Committee in accordance with the Utah Budgetary Procedures Act.

(4) The State Homeless Coordinating Committee may accept transfers, grants, gifts, bequests, or any money made available from any source to implement this part.

Section 3. Section **59-10-530.5** is amended to read:

59-10-530.5. Homeless contribution -- Credit to Pamela Atkinson Homeless Trust Account.

(1) (a) Except as provided in Section 59-10-551, each taxpayer required to file a return pursuant to Section 59-10-502 may designate on the return a contribution of \$2, \$5, \$10, or another amount not less than \$2, or no contribution, to the [~~state~~] Pamela Atkinson Homeless

Trust Account.

(b) Any amount designated as a contribution to this program is to be deducted from the individual's state tax refund and, if a joint return, shall be a joint contribution.

(c) This option, once exercised, is irrevocable during the tax year in which it was effective.

(d) If no refund is due, the taxpayer may remit the contribution with the return.

(2) The commission may [~~promulgate~~] make rules to implement this section.

(3) The commission shall determine annually the total amount designated pursuant to this section and shall report such amount to the state treasurer who shall credit such amount to the Pamela Atkinson Homeless Trust Account as provided for in Section 9-4-803.

(4) This section applies to calendar-year taxpayers beginning January 1, 1988, and to fiscal-year taxpayers for any part of the taxable year accruing after December 31, 1988, and to all taxable years thereafter.