

1 **FEDERAL HEALTH CARE TAX CREDIT**

2 **PROGRAM ACT**

3 2005 GENERAL SESSION

4 STATE OF UTAH

5 **Sponsor: Curtis Oda**

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7 **LONG TITLE**

8 **General Description:**

9 This bill modifies the Federal Health Care Tax Credit Program Act.

10 **Highlighted Provisions:**

11 This bill:

12 ▶ deletes the date terminating authorization for the Department of Workforce Services  
13 relating to the federal health coverage tax credit program;

14 ▶ deletes the requirement that the Department of Workforce Services prepare  
15 legislation;

16 ▶ deletes the repeal date for the Federal Health Care Tax Credit Program Act; and

17 ▶ makes technical changes.

18 **Monies Appropriated in this Bill:**

19 None

20 **Other Special Clauses:**

21 None

22 **Utah Code Sections Affected:**

23 AMENDS:

24 **31A-38-104**, as enacted by Chapter 2, Laws of Utah 2004

25 **63-55b-131**, as last amended by Chapters 2 and 37, Laws of Utah 2004

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



28 Section 1. Section **31A-38-104** is amended to read:

29 **31A-38-104. Authorization -- Monies transferred for reserves.**

30 (1) [~~Until July 1, 2005, the~~] The Department of Workforce Services may:

31 (a) convert the bridge program to the state program through any of the following, or  
32 combination of the following, that the Department of Workforce Services considers best serves  
33 the needs of qualified participants:

34 (i) a contract with a licensed insurance company authorized to do business in the state;

35 (ii) through any other arrangement acceptable under the Trade Reform Act; or

36 (iii) a self-insurance program through a third party administrator as provided in

37 Subsection 31A-38-103(3)(b)(ii);

38 (b) (i) in cooperation with the Division of Finance, establish an appropriate state fund  
39 for the purpose of operation of the state program; and

40 (ii) transfer the balance of any monies received under the bridge program into this  
41 fund; and

42 (c) obligate up to \$2,000,000 of the Workforce Services Special Administrative  
43 Expense Fund as reserves for the state program.

44 (2) The monies in the fund created under Subsection (1)(b) are:

45 (a) nonlapsing; and

46 (b) restricted to the purposes of the state program established under this chapter.

47 (3) The monies in Subsection (1)(c) may be:

48 (a) used until the reserves in the state program become adequate; and

49 (b) transferred into or out of any fund created under Subsection (1)(b).

50 [~~(4) If legislation is needed to continue the state program beyond July 1, 2005, the~~  
51 ~~Department of Workforce Services shall prepare draft legislation to be presented to the~~  
52 ~~Workforce Services and Community and Economic Development Interim Committee by~~  
53 ~~November 30, 2004.~~]

54 Section 2. Section **63-55b-131** is amended to read:

55 **63-55b-131. Repeal dates, Title 31A.**

56 [(1)] Section 31A-23a-415 is repealed July 1, 2006.

57 [(2)] ~~Title 31A, Chapter 38, Federal Health Care Tax Credit Program Act, is repealed~~  
58 ~~July 1, 2005.~~]

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**Legislative Review Note**

**as of 12-28-04 11:20 AM**

Based on a limited legal review, this legislation has not been determined to have a high probability of being held unconstitutional.

**Office of Legislative Research and General Counsel**

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**Fiscal Note**  
**Bill Number HB0069**

Federal Health Care Tax Credit Program Act

19-Jan-05

11:32 AM

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**State Impact**

No fiscal impact.

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**Individual and Business Impact**

No fiscal impact.

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**Office of the Legislative Fiscal Analyst**