1	PUBLIC ASSISTANCE AMENDMENTS
2	2006 GENERAL SESSION
3	STATE OF UTAH
4	Chief Sponsor: Sheryl L. Allen
5	Senate Sponsor: Carlene M. Walker
6 7 8	Cosponsors: Janice M. Fisher Karen W. Morgan Tim M. Cosgrove Steven R. Mascaro Peggy Wallace David N. Cox
9	
10	LONG TITLE
11	General Description:
12	This bill modifies provisions related to persons applying for public assistance.
13	Highlighted Provisions:
14	This bill:
15	 modifies the public assistance fraud time line for disclosing a change in a material
16	fact that affects the determination of a person's eligibility to receive public
17	assistance from the Department of Workforce Services or the Department of Health;
18	and
19	 makes certain technical changes.
20	Monies Appropriated in this Bill:
21	None
22	Other Special Clauses:
23	None
24	Utah Code Sections Affected:
25	AMENDS:
26	76-8-1203, as last amended by Chapter 48, Laws of Utah 2000



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H.B. 37 12-16-05 11:03 AM

28	Be it enacted by the Legislature of the state of Utah:
29	Section 1. Section 76-8-1203 is amended to read:
30	76-8-1203. Disclosure required Penalty.
31	(1) Each person who applies for public assistance shall disclose to the state agency
32	administering the public assistance each fact that may materially affect the determination of
33	[his] the person's eligibility to receive public assistance, including [his] the person's current:
34	(a) marital status;
35	(b) household composition;
36	(c) employment;
37	(d) income;
38	(e) receipt of monetary and in-kind gifts, which would affect the person's eligibility;
39	and
40	(f) [other resources] assets, which would affect the person's eligibility.
41	(2) $[Any]$ \underline{A} person applying for public assistance who intentionally, knowingly, or
42	recklessly fails to disclose [any] \underline{a} material fact required to be disclosed under Subsection (1) is
43	guilty of public assistance fraud as provided in Section 76-8-1206.
44	(3) [Any] With the exception of a client receiving public assistance from the
45	Department of Workforce Services or the Department of Health, a client who intentionally,
46	knowingly, or recklessly fails to disclose to the state agency administering the public assistance
47	[any] <u>a</u> change in a material fact required to be disclosed under Subsection (1), within ten days
48	after the date of the change, is guilty of public assistance fraud as provided in Section
49	76-8-1206.
50	(4) A client who intentionally, knowingly, or recklessly fails to disclose to the
51	Department of Workforce Services or the Department of Health at the time of a review or
52	recertification, whichever comes first, a change in a material fact required to be disclosed under
53	Subsection (1) is guilty of public assistance fraud as provided in Section 76-8-1206.

12-16-05 11:03 AM H.B. 37

Legislative Review Note as of 11-10-05 10:03 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

Interim Committee Note as of 12-16-05 11:03 AM

The Workforce Services and Community and Economic Development Interim Committee recommended this bill.