

LAW ENFORCEMENT DRUG TASK FORCE**FUNDING**

2006 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Eric K. Hutchings

Senate Sponsor: _____

LONG TITLE**General Description:**

This bill modifies Title 63, Chapter 25a, Criminal Justice and Substance Abuse, to create a restricted account to fund grants for law enforcement task forces. This bill also appropriates \$1,000,000 from the General Fund to the restricted account for the 2006-07 fiscal year only.

Highlighted Provisions:

This bill:

- ▶ creates the Law Enforcement Drug Task Force Restricted Account to fund law enforcement drug task forces in conjunction with available federal funding;
- ▶ provides that 6% of the criminal fines surcharge be allocated to the Law Enforcement Drug Task Force;
- ▶ creates the Statewide Law Enforcement Drug Task Force Grant Program within the Commission on Criminal and Juvenile Justice and requires that the commission administer the program and establish procedures for application and awarding the task force grants;
- ▶ requires grant recipients to report to the commission on the use of the grants; and
- ▶ requires that the commission report to the Legislature annually regarding the grant program.

Monies Appropriated in this Bill:

This bill appropriates:

- ▶ for fiscal year 2006-07 only, \$1,000,000 from the General Fund to the Law

Enforcement Drug Task Force Restricted Account.

Other Special Clauses:

This bill takes effect on July 1, 2006.

Utah Code Sections Affected:

ENACTS:

63-25a-501, Utah Code Annotated 1953

63-63a-10, Utah Code Annotated 1953

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

Section 1. Section **63-25a-501** is enacted to read:

63-25a-501. Statewide Drug Law Enforcement Task Force Grant Program --

Funding and administration.

(1) As used in this section:

(a) "Commission" means the Commission on Criminal and Juvenile Justice.

(b) "Task force" means a multijurisdictional law enforcement task force or other agency comprised of persons who are employed by or acting under the authority of different governmental authorities, including federal, state, county or municipal governments, or any combination of these agencies, to enforce state controlled substance laws.

(c) "Task force grant program" means the Statewide Law Enforcement Drug Task Force Grant Program created in this section.

(2) (a) There is created within the commission the Statewide Law Enforcement Drug Task Force Grant Program to provide grant funding for the operation of task forces.

(b) The commission shall, in accordance with Title 63, Chapter 46a, Utah Administrative Rulemaking Act, make rules establishing requirements, forms, and procedures for the application for and the awarding of task force grants under this section.

(3) The funding for the task force grant program shall be:

(a) federal funding provided to the state for the purpose of operating task forces; and

(b) an allocation to the Law Enforcement Drug Task Force Restricted Account created and funded under Section 63-63a-10.

(4) The commission shall use funding under Subsection (3):

(a) to award to task forces for operating expenses under the task force grant program;

and

(b) to provide necessary staff support and administrative costs of administering the task force grant program.

(5) Each agency or political subdivision that receives a task force grant shall submit to the commission, no later than 14 months after receipt of the grant, a report in a form specified by the commission. The report shall include regarding each grant:

(a) the agency's name;

(b) the amount of the grant;

(c) the date of the grant;

(d) how the grant has been used, including functions of the task force; and

(e) a statement signed by both the agency's or political subdivision's executive officer or designee and by the agency's legal counsel, that the task force grant was used for the law enforcement purposes specified in the grant application.

(6) The commission shall report in writing to the legislative Law Enforcement and Criminal Justice Interim Committee annually on or before December 1 regarding the grants made under this section.

Section 2. Section **63-63a-10** is enacted to read:

63-63a-10. Law Enforcement Drug Task Force Restricted Account -- Funding -- Uses.

(1) There is created in the General Fund a restricted account known as the Law Enforcement Drug Task Force Restricted Account, to be used by the Commission on Criminal and Juvenile Justice in accordance with Section 63-25a-501.

(2) The Division of Finance shall allocate 6% of the collected surcharge established under Section 63-63a-1, but not to exceed the amount appropriated by the Legislature, to the Law Enforcement Drug Task Force Restricted Account created in Subsection (1).

Section 3. **Appropriation.**

There is appropriated \$1,000,000, for fiscal year 2006-07 only, from the General Fund to the Law Enforcement Drug Task Force Restricted Account created in Section 63-63a-10 to fund the Statewide Law Enforcement Drug Task Force Grant Program created in Section

90 63-25a-501.

91 Section 4. **Effective date.**

92 This bill takes effect on July 1, 2006.

Legislative Review Note
as of 1-23-06 3:25 PM

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

Fiscal Note
Bill Number HB0149

Law Enforcement Drug Task Force Funding*02-Feb-06**11:12 AM*

State Impact

Passage of this bill would create a new GF Restricted Account to fund grants for law enforcement task forces. The bill appropriates \$1,000,000 from the General Fund in FY07. No additional fiscal impact is expected for state agencies.

| | <u>FY 2007</u> | <u>FY 2008</u> | <u>FY 2007</u> | <u>FY 2008</u> |
|------------------------|--------------------|----------------|----------------|----------------|
| | <u>Approp.</u> | <u>Approp.</u> | <u>Revenue</u> | <u>Revenue</u> |
| General Fund, One-Time | \$1,000,000 | \$0 | \$0 | \$0 |
| TOTAL | \$1,000,000 | \$0 | \$0 | \$0 |

Individual and Business Impact

No fiscal impact.

Office of the Legislative Fiscal Analyst