

**EMPLOYMENT SUPPORT ACT - TECHNICAL
CHANGES**

2007 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Karen W. Morgan

Senate Sponsor: Patricia W. Jones

Cosponsors:

Janice M. Fisher

Steven R. Mascaro

LONG TITLE

General Description:

This bill makes technical changes to provisions of the Employment Support Act in the Utah Workforce Services Code by deleting outdated or unnecessary language.

Highlighted Provisions:

This bill:

- ▶ deletes outdated provisions in the definitions section of the Employment Support Act regarding "passenger vehicle" and "average monthly number of families"; and
- ▶ deletes a reporting provision to an entity that no longer exists, the Utah Tomorrow Strategic Planning Committee.

Monies Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

35A-3-102, as last amended by Chapter 81, Laws of Utah 2005

35A-3-313, as last amended by Chapter 29, Laws of Utah 2004

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

Section 1. Section **35A-3-102** is amended to read:

30 **35A-3-102. Definitions.**

31 Unless otherwise specified, as used in this chapter:

32 (1) "Applicant" means a person who requests assistance under this chapter.

33 (2) "Average monthly number of families" means the average number of families who
34 received cash assistance on a monthly basis during the previous federal fiscal year~~[, starting~~
35 ~~from October 1, 1998 to September 30, 1999, and continuing each year thereafter].~~

36 (3) "Cash assistance" means a monthly dollar amount of cash a client is eligible to
37 receive under Section 35A-3-302.

38 (4) "Child care services" means care of a child for a portion of the day that is less than
39 24 hours in a qualified setting, as defined by rule, by a responsible person who is not the child's
40 parent or legal guardian.

41 (5) "Date of enrollment" means the date on which the applicant was approved as
42 eligible for cash assistance.

43 (6) "Director" means the director of the division.

44 (7) "Diversion" means a single payment of cash assistance under Section 35A-3-303 to
45 a client who is eligible for but does not require extended cash assistance under Part 3, Family
46 Employment Program.

47 (8) "Division" means the Employment Development Division.

48 (9) "Education or training" means:

49 (a) basic remedial education;

50 (b) adult education;

51 (c) high school education;

52 (d) education to obtain the equivalent of a high school diploma;

53 (e) education to learn English as a second language;

54 (f) applied technology training;

55 (g) employment skills training; or

56 (h) on-the-job training.

57 (10) "Full-time education or training" means training on a full-time basis as defined by

58 the educational institution attended by the parent client.

59 (11) "General assistance" means financial assistance provided to a person who is not
60 otherwise eligible for cash assistance under Part 3, Family Employment Program, because that
61 person does not live in a family with a related dependent child.

62 (12) "Parent client" means a person who enters into an employment plan with the
63 division to qualify for cash assistance under Part 3, Family Employment Program.

64 ~~[(13) (a) "Passenger vehicle" means a self-propelled, two-axle vehicle intended~~
65 ~~primarily for operation on highways and used by an applicant or client to meet basic~~
66 ~~transportation needs and has a fair market value below 40% of the applicable amount of the~~
67 ~~federal luxury passenger automobile tax established in 26 U.S.C. Sec. 4001 and adjusted~~
68 ~~annually for inflation.]~~

69 ~~[(b) "Passenger vehicle" does not include:]~~

70 ~~[(i) a commercial vehicle, as defined in Section 41-1a-102;]~~

71 ~~[(ii) an off-highway vehicle, as defined in Section 41-1a-102; or]~~

72 ~~[(iii) a motor home, as defined in Section 13-14-102.]~~

73 ~~[(14)]~~ (13) "Plan" or "state plan" means the state plan submitted to the Secretary of the
74 United States Department of Health and Human Services to receive funding from the United
75 States through the Temporary Assistance for Needy Families Block Grant.

76 ~~[(15)]~~ (14) "Single minor parent" means a person under 18 years of age who is not
77 married and has a minor child in the person's care and custody.

78 Section 2. Section **35A-3-313** is amended to read:

79 **35A-3-313. Performance goals.**

80 (1) As used in this section:

81 (a) "Performance goals" means a target level of performance or an expected level of
82 performance against which actual performance is compared.

83 (b) "Performance indicators" means actual performance information regarding a
84 program or activity.

85 (c) "Performance monitoring system" means a process to regularly collect and analyze

86 performance information including performance indicators and performance goals.

87 (2) (a) The department shall establish a performance monitoring system for cash
88 assistance provided under this part.

89 (b) The department shall establish the performance indicators and performance goals
90 that will be used in the performance monitoring system for cash assistance under this part.

91 (c) (i) On or before December 31 of each year, the department shall submit to the
92 legislative fiscal analyst and the director of the Office of Legislative Research and General
93 Counsel, a written report describing the difference between actual performance and
94 performance goals for the second, third, and fourth quarters of the prior fiscal year and the first
95 quarter of the current fiscal year.

96 (ii) (A) The legislative fiscal analyst or the analyst's designee shall convey the
97 information contained in the report to the appropriation subcommittee that has oversight
98 responsibilities for the Department of Workforce Services during the General Session that
99 follows the submission of the report.

100 (B) The subcommittee may consider the information in its deliberations regarding the
101 budget for services and supports under this chapter.

102 (iii) The director of the Office of Legislative Research and General Counsel or the
103 director's designee shall convey the information in the report to~~[-(A)]~~ the legislative interim
104 committee that has oversight responsibilities for the Department of Workforce Services~~[-and].~~

105 ~~[(B) the Utah Tomorrow Strategic Planning Committee.]~~