

**RESPITE CARE ASSISTANCE FUND**

2009 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Jack R. Draxler**

Senate Sponsor: Lyle W. Hillyard

Cosponsor: Tim M. Cosgrove

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**LONG TITLE**

**General Description:**

This bill creates a restricted special revenue fund at the Department of Human Services for the receipt and expenditure of certain gifts and donations to be used for respite care assistance.

**Highlighted Provisions:**

This bill:

- ▶ creates a restricted special revenue fund known as the Respite Care Assistance Fund for the receipt and expenditure of certain gifts and donations for respite care related services; and
- ▶ provides for the administration and use of the fund.

**Monies Appropriated in this Bill:**

None

**Other Special Clauses:**

None

**Utah Code Sections Affected:**

ENACTS:

**62A-1-119**, Utah Code Annotated 1953

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

Section 1. Section **62A-1-119** is enacted to read:

**62A-1-119. Respite Care Assistance Fund -- Use of monies -- Restrictions --**

30 **Annual report.**

31 (1) There is created a restricted special revenue fund known as the Respite Care  
32 Assistance Fund.

33 (2) The fund shall consist of:

34 (a) gifts, grants, devises, donations, and bequests of real property, personal property,  
35 or services, from any source, made to the fund; and

36 (b) any additional amounts as appropriated by the Legislature.

37 (3) The fund shall be administered by the director of the Utah Developmental  
38 Disabilities Council.

39 (4) All monies appropriated to the fund are nonlapsing.

40 (5) The fund monies shall be used for the following activities:

41 (a) to support a respite care information and referral system;

42 (b) to educate and train caregivers and respite care providers; and

43 (c) to provide grants to caregivers.

44 (6) An individual who receives services paid for from the fund shall:

45 (a) be a resident of Utah; and

46 (b) be a primary care giver for:

47 (i) an aging individual; or

48 (ii) an individual with a cognitive, mental, or physical disability.

49 (7) The fund monies may not be used for:

50 (a) administrative expenses that are normally provided for by legislative appropriation;

51 or

52 (b) direct services or support mechanisms that are available from or provided by  
53 another government or private agency.

54 (8) All interest and other earnings derived from the fund monies shall be deposited  
55 into the fund.

56 (9) The state treasurer shall invest the monies in the fund under Title 51, Chapter 7,  
57 State Money Management Act.

58           (10) The Department of Human Services shall make an annual report to the  
59 appropriate appropriations subcommittee of the Legislature regarding the status of the fund,  
60 including a report on the contributions received, expenditures made, and programs and  
61 services funded.