

**PUBLIC ASSISTANCE FRAUD AMENDMENTS**

2010 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Howard A. Stephenson**

House Sponsor: John Dougall

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**LONG TITLE**

**General Description:**

This bill modifies provisions relating to public assistance fraud.

**Highlighted Provisions:**

This bill:

- ▶ requires both earned and unearned income to be disclosed when an individual applies for public assistance; and
- ▶ allows the state agency administering the public assistance to request additional information it considers necessary to determine eligibility.

**Monies Appropriated in this Bill:**

None

**Other Special Clauses:**

None

**Utah Code Sections Affected:**

AMENDS:

**76-8-1203**, as last amended by Laws of Utah 2006, Chapter 80

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

Section 1. Section **76-8-1203** is amended to read:

**76-8-1203. Disclosure required -- Penalty.**

(1) Each person who applies for public assistance shall disclose to the state agency



28 administering the public assistance each fact that may materially affect the determination of the  
29 person's eligibility to receive public assistance, including the person's current:

- 30 (a) marital status;
- 31 (b) household composition;
- 32 (c) employment;
- 33 (d) earned and unearned income, as defined by rule;
- 34 (e) receipt of monetary and in-kind gifts~~[, which would]~~ that may affect the person's  
35 eligibility; ~~[and]~~
- 36 (f) assets~~[, which would]~~ that may affect the person's eligibility~~[-]; and~~
- 37 (g) any other material fact or change in circumstance that may affect the determination  
38 of that person's eligibility to receive public assistance benefits, or may affect the amount of  
39 benefits for which the person is eligible.

40 (2) A person applying for public assistance who intentionally, knowingly, or recklessly  
41 fails to disclose a material fact required to be disclosed under Subsection (1) is guilty of public  
42 assistance fraud as provided in Section 76-8-1206.

43 (3) With the exception of a client receiving public assistance from the Department of  
44 Workforce Services or the Department of Health, a client who intentionally, knowingly, or  
45 recklessly fails to disclose to the state agency administering the public assistance a change in a  
46 material fact required to be disclosed under Subsection (1), within 10 days after the date of the  
47 change, is guilty of public assistance fraud as provided in Section 76-8-1206.

48 (4) A client who intentionally, knowingly, or recklessly fails to disclose to the  
49 Department of Workforce Services or the Department of Health at the time of a review or  
50 recertification, whichever comes first, a change in a material fact required to be disclosed under  
51 Subsection (1) is guilty of public assistance fraud as provided in Section 76-8-1206.

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**Legislative Review Note**  
**as of 2-1-10 1:25 PM**

**Office of Legislative Research and General Counsel**

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**S.B. 127 - Public Assistance Fraud Amendments**

**Fiscal Note**

2010 General Session

State of Utah

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**State Impact**

Enactment of this bill will not require additional appropriations.

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**Individual, Business and/or Local Impact**

Enactment of this bill likely will not result in direct, measurable costs and/or benefits for individuals, businesses, or local governments.

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