

1                   **NAME CHANGE FOR APPROPRIATIONS SUBCOMMITTEES**

2   2012 GENERAL SESSION

3   STATE OF UTAH

4                                   **Chief Sponsor: Lyle W. Hillyard**

5                                   House Sponsor: \_\_\_\_\_

6 

---

---

  
7 **LONG TITLE**

8 **General Description:**

9                   This bill modifies sections in the Utah Code to reflect modified appropriation  
10 subcommittee names.

11 **Highlighted Provisions:**

12                   This bill:

13                   ▶ modifies references in the Utah Code to correctly refer to modified appropriation  
14 subcommittee names.

15 **Money Appropriated in this Bill:**

16                   None

17 **Other Special Clauses:**

18                   None

19 **Utah Code Sections Affected:**

20 **AMENDS:**

21                   **35A-3-302**, as last amended by Laws of Utah 2009, Chapter 55

22                   **36-23-106**, as last amended by Laws of Utah 2008, Chapters 218 and 382

23 

---

---

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

25                   Section 1. Section **35A-3-302** is amended to read:

26                   **35A-3-302. Eligibility requirements.**

27                   (1) The program of cash assistance provided under this part is known as the Family



28 Employment Program.

29 (2) (a) The division shall submit a state plan to the Secretary of the United States  
30 Department of Health and Human Services to obtain federal funding under the Temporary  
31 Assistance for Needy Families Block Grant.

32 (b) The division shall make the plan consistent with this part and federal law.

33 (c) If a discrepancy arises between a provision of the state plan and this part, this part  
34 supersedes the provision in the state plan.

35 (3) The services and supports under this part are for both one-parent and two-parent  
36 families.

37 (4) To be eligible for cash assistance under this part, a family shall:

38 (a) have at least one minor dependent child; or

39 (b) have a parent who is in the third trimester of a pregnancy.

40 (5) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the  
41 department shall make rules for eligibility and the amount of cash assistance a family is eligible  
42 to receive under this part based on:

43 (a) family size;

44 (b) family income;

45 (c) income disregards; and

46 (d) other relevant factors.

47 (6) The division shall disregard money on deposit in an Individual Development  
48 Account established under Section 35A-3-312 in determining eligibility.

49 (7) The department shall provide for an appeal of a determination of eligibility in  
50 accordance with Title 63G, Chapter 4, Administrative Procedures Act.

51 (8) (a) The department shall make a report to either the Legislature's Executive  
52 Appropriations Committee or the [~~Commerce and Workforce Services Appropriations~~  
53 ~~Subcommittee~~] Social Services Appropriations Subcommittee on any proposed rule change  
54 made under Subsection (5) that would modify the eligibility requirements or the amount of  
55 cash assistance a family would be eligible to receive.

56 (b) The department shall submit the report prior to implementing the proposed rule  
57 change and the report shall include:

58 (i) a description of the department's current practice or policy that it is proposing to

59 change;

60 (ii) an explanation of why the department is proposing the change;

61 (iii) the effect of an increase or decrease in cash benefits on families; and

62 (iv) the fiscal impact of the proposed change.

63 (c) The department may use the Notice of Proposed Rule Amendment form filed with  
64 the Division of Administrative Rules as its report so long as the notice contains all the  
65 information required under Subsection (8)(b).

66 Section 2. Section **36-23-106** is amended to read:

67 **36-23-106. Duties -- Reporting.**

68 (1) The committee shall:

69 (a) conduct a sunrise review in accordance with Section 36-23-107 for all applications  
70 submitted in accordance with Section 36-23-105;

71 (b) conduct a sunset review for an occupational or professional license classification  
72 that is referred to the committee by any other legislative committee by applying:

73 (i) the criteria in Section 36-23-107;

74 (ii) the criteria in Title 63I, Chapter 1, Legislative Oversight and Sunset Act; and

75 (iii) any other appropriate criteria; and

76 (c) submit a written report by no later than December 31 of each calendar year to:

77 (i) the speaker of the House of Representatives;

78 (ii) the president of the Senate;

79 (iii) the chair of the House Rules Committee;

80 (iv) the chair of the Senate Rules Committee; and

81 (v) the chairs of the [~~Commerce and Workforce Services~~] Business, Economic  
82 Development, and Labor Appropriations Subcommittee.

83 (2) The written report required by Subsection (1)(c) shall include:

84 (a) all findings and recommendations made by the committee under Subsection (1) or  
85 (3) in that calendar year; and

86 (b) a summary report for each sunrise review conducted by the committee stating:

87 (i) whether the sunrise review was conducted under Subsection (1) or (3);

88 (ii) whether or not the sunrise review included a review of specific proposed statutory  
89 language;

- 90 (iii) any action taken by the committee as a result of the sunrise review; and  
91 (iv) the number of legislative members that voted in favor of the action described in  
92 Subsection (2)(b)(iii).
- 93 (3) The committee may:
- 94 (a) conduct a sunrise review of any proposal to newly regulate an occupation or  
95 profession;
- 96 (b) conduct any other review referred to it by the Legislature, the Legislative  
97 Management Committee, or other legislative committee; or
- 98 (c) conduct any other study related to regulation of an occupation or profession under  
99 Title 58, Occupations and Professions.

---

---

**Legislative Review Note**  
**as of 2-7-12 11:34 AM**

**Office of Legislative Research and General Counsel**