



House of Representatives *State of Utah*

UTAH STATE CAPITOL COMPLEX • 350 STATE CAPITOL
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February 5, 2014

Madam Speaker:

The Government Operations Committee recommends **H.B. 283**, NONPROFIT ENTITY RECEIPT OF GOVERNMENT MONEY, by Representative R. Menlove, be replaced and reports a favorable recommendation on **1st Sub. H.B. 283**, NONPROFIT ENTITY RECEIPT OF GOVERNMENT MONEY with the following amendments:

1. *Page 1, Lines 16 through 18:*

- 16 • imposing requirements on a nonprofit entity's receipt of state money; and
- 17 { ~~requiring reporting to the Utah Public Finance website; and~~ }
- 18 • authorizing a state entity to seek return of state money if the nonprofit entity

2. *Page 2, Line 34:*

34 { ~~63J-9-203, Utah Code Annotated 1953~~ }

3. *Page 6, Lines 165 through 170:*

165 { ~~Section 6. Section 63J-9-202 is enacted to read:~~

166 ~~63J-9-202. Utah Public Finance Website reporting.~~

167 ~~In accordance with 63A-3-402, a state entity shall report on the Utah Public Finance~~

168 ~~Website the state money provided to a nonprofit entity in accordance with this part.~~ }

169 Section { ~~7~~ } 6 . Section { ~~63J-9-203~~ } 63J-9-202 is enacted to read:

170 { ~~63J-9-203~~ } 63J-9-202 Nonprofit entity's return of state money.

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4. Page 5, Line 147 through Page 6, Line 164:

147 Subsection (3)(b) {
148 ~~— (4) before the state money is released to the nonprofit entity, the nonprofit entity~~
149 ~~submits to the state entity:~~
150 ~~— (a) a form signed by the board members that certifies that the board members:~~
151 ~~— (i) have read and understand the nonprofit entity's bylaws; and~~
152 ~~— (ii) have had explained to them the benefit of insurance covering the activities of~~
153 ~~the~~
154 ~~board; and~~
155 ~~— (b) (i) a form signed by the chief executive officer, executive director, or board~~
156 ~~president that certifies that the board understands basic board responsibilities,~~
157 ~~including:~~
158 ~~— (A) determining the mission of the nonprofit entity;~~
159 ~~— (B) hiring and, if needed, dismissing the chief executive officer or executive~~
160 ~~director;~~
161 ~~— (C) planning and evaluating;~~
162 ~~— (D) recruiting and orienting new board members;~~
163 ~~— (E) assessing board performance;~~
164 ~~— (F) providing financial oversight;~~
165 ~~— (G) ensuring integrity and accountability; or~~
166 ~~— (H) ensuring adequate resources; or~~
167 ~~— (i) a standard of ethics document adopted by the nonprofit entity; } .~~

Respectfully,

Jack R. Draxler
Committee Chair

Voting: 6-1-2

7 HB0283.HC1.WPD 2/5/14 6:22 pm bbean/BJB PO/BRH

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