

AMENDMENTS TO HEALTH AND HUMAN SERVICES FUNDS

2015 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Edward H. Redd

Senate Sponsor: _____

LONG TITLE

General Description:

This bill amends provisions related to restricted funds administered by the Department of Health and Human Services.

Highlighted Provisions:

This bill:

- describes requirements for the use of the Utah State Developmental Center Miscellaneous Donation Fund and the State Hospital Unit Fund; and
- makes technical changes.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

62A-5-206.5, as enacted by Laws of Utah 2013, Chapter 21

62A-15-604, as renumbered and amended by Laws of Utah 2002, Fifth Special Session, Chapter 8

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

Section 1. Section **62A-5-206.5** is amended to read:



28 **62A-5-206.5. Utah State Developmental Center Miscellaneous Donation Fund --**
29 **Use.**

30 (1) There is created an expendable special revenue fund known as the "Utah State
31 Developmental Center Miscellaneous Donation Fund."

32 (2) The division shall deposit donations made to the Utah State Developmental Center
33 under Section **62A-1-111** into the expendable special revenue fund described in Subsection (1).

34 (3) Except as provided in Subsection (5), no expenditure or appropriation may be made
35 from the Utah State Developmental Center Miscellaneous Donation Fund.

36 (4) The state treasurer shall invest the money in the fund described in Subsection (1)
37 according to the procedures and requirements of Title 51, Chapter 7, State Money Management
38 Act, and the interest shall remain with the fund described in Subsection (1).

39 (5) (a) Subject to the requirements of Subsection (6), money and interest in the fund
40 described in Subsection (1) may only be spent:

41 ~~[(a)]~~ (i) as designated by the donor; or

42 ~~[(b)]~~ (ii) for the benefit of ~~[the Utah State Developmental Center and its]~~ clients of the
43 Utah State Developmental Center.

44 (b) Money and interest in the fund may not be used for items normally paid for by
45 operating revenues or for items related to personnel costs without specific legislative
46 authorization.

47 (6) Money may not be expended from the fund described in Subsection (1) unless the
48 expenditure is approved by the director in consultation with the executive director of the
49 Department of Human Services.

50 Section 2. Section **62A-15-604** is amended to read:

51 **62A-15-604. Receipt of gift -- Transfer of persons from other institutions.**

52 (1) The division may take and hold by gift, devise, or bequest real and personal
53 property required for the use of the state hospital. With the approval of the governor ~~[it]~~ the
54 division may convert that property ~~[which]~~ that is not suitable for ~~[its]~~ the state hospital's use
55 into money or property that is suitable for ~~[that]~~ the state hospital's use.

56 (2) The state hospital is authorized to receive from any other institution within the
57 department ~~[any person]~~ an individual committed to that institution, when a careful evaluation
58 of the treatment needs of the ~~[person]~~ individual and of the treatment programs available at the

59 state hospital indicates that the transfer would be in the interest of that ~~[person]~~ individual.

60 (3) (a) For the purposes of this Subsection (3), "contributions" means gifts, grants,
61 devises, and donations.

62 (b) Notwithstanding the provisions of Subsection 62A-1-111(10), the state hospital is
63 authorized to receive ~~[gifts, grants, devises, and donations]~~ contributions and ~~[shall]~~ deposit
64 ~~[them]~~ the contributions into an interest-bearing restricted special revenue fund. The state
65 treasurer may invest the fund, and all interest ~~[is to]~~ will remain ~~[with]~~ in the fund.

66 ~~[(b) Those gifts, grants, devises, donations, and the proceeds thereof shall be used by~~
67 ~~the]~~

68 (c) The superintendent or [his] the superintendent's designee shall use the fund
69 described in this section for the ~~[use and]~~ benefit of patients at the state hospital.

70 (d) Money and interest in the fund may not be used for items normally paid for by
71 operating revenues or for items related to personnel costs without specific legislative
72 authorization.

Legislative Review Note

as of 1-23-15 9:42 AM

Office of Legislative Research and General Counsel