

HB0187S01 compared with HB0187

~~text~~ shows text that was in HB0187 but was deleted in HB0187S01.

inserted text shows text that was not in HB0187 but was inserted into HB0187S01.

DISCLAIMER: This document is provided to assist you in your comparison of the two bills. Sometimes this automated comparison will NOT be completely accurate. Therefore, you need to read the actual bills. This automatically generated document could contain inaccuracies caused by: limitations of the compare program; bad input data; or other causes.

Representative Edward H. Redd proposes the following substitute bill:

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

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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:

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

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

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

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

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

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

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

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

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

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

(b) Money and interest in the fund may not be used for items normally paid for by

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operating revenues or for items related to personnel costs without specific legislative authorization.

(6) (a) Single expenditures from the fund described in Subsection (1) in amounts of \$5,000 or less shall be approved by the superintendent.

(b) Single expenditures exceeding \$5,000 must be preapproved by the superintendent and the division director.

(c) Expenditures described in this Subsection (6) shall be used for the benefit of patients at the Utah State Developmental Center.

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

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

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

(2) The state hospital is authorized to receive from any other institution within the department [~~any person~~] an individual committed to that institution, when a careful evaluation of the treatment needs of the [~~person~~] individual and of the treatment programs available at the state hospital indicates that the transfer would be in the interest of that [~~person~~] individual.

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

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

~~[(b) Those gifts, grants, devises, donations, and the proceeds thereof shall be used by the {}~~

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

(c) (i) Single expenditures from the fund in amounts of \$5,000 or less shall be approved by the superintendent.

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(ii) Single expenditures exceeding \$5,000 must be preapproved by the superintendent and the division director.

(iii) Expenditures described in this Subsection (3) shall be used for the benefit of patients at the state hospital.

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

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Legislative Review Note

~~as of 1-23-15 9:42 AM~~

~~Office of Legislative Research and General Counsel~~