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SAFETY NET INITIATIVE AMENDMENTS

2016 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Curtis S. Bramble

House Sponsor: John Knotwell

LONG TITLE

General Description:

This bill modifies provisions related to the Safety Net Initiative.

Highlighted Provisions:

This bill:

▶ transfers the administration of the Safety Net Initiative from the Office of the Attorney General to the Department of Workforce Services; and

▶ makes technical and conforming changes.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

35A-1-104, as last amended by Laws of Utah 2008, Chapter 382

67-5-1.5, as last amended by Laws of Utah 2012, Chapter 350

ENACTS:

35A-3-801, Utah Code Annotated 1953

RENUMBERS AND AMENDS:

35A-3-802, (Renumbered from 67-5-26, as enacted by Laws of Utah 2008, Chapter 116)



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

Section 1. Section **35A-1-104** is amended to read:

35A-1-104. Department authority.

Within all other authority or responsibility granted to it by law, the department may:

- (1) adopt rules when authorized by this title, in accordance with the procedures of Title 63G, Chapter 3, Utah Administrative Rulemaking Act;
- (2) purchase, as authorized or required by law, services that the department is responsible to provide for legally eligible persons;
- (3) conduct adjudicative proceedings in accordance with the procedures of Title 63G, Chapter 4, Administrative Procedures Act;
- (4) establish eligibility standards for its programs, not inconsistent with state or federal law or regulations;
- (5) take necessary steps, including legal action, to recover money or the monetary value of services provided to a recipient who is not eligible;
- (6) administer oaths, certify to official acts, issue subpoenas to compel witnesses and the production of books, accounts, documents, and other records necessary as evidence;
- (7) acquire, manage, and dispose of any real or personal property needed or owned by the department, not inconsistent with state law;
- (8) receive gifts, grants, devises, and donations or their proceeds, crediting the program designated by the donor, and using the gift, grant, devise, or donation for the purposes requested by the donor, as long as the request conforms to state and federal policy;
- (9) accept and employ volunteer labor or services;
- (10) reimburse volunteers for necessary expenses, when the department considers that reimbursement to be appropriate;
- (11) carry out the responsibility assigned by the State Workforce Services Plan developed by the State Council on Workforce Services;
- (12) provide training and educational opportunities for its staff;
- (13) examine and audit the expenditures of any public funds provided to a local authority, agency, or organization that contracts with or receives funds from those authorities or agencies;

59 (14) accept and administer grants from the federal government and from other sources,
60 public or private;

61 (15) employ and determine the compensation of clerical, legal, technical, investigative,
62 and other employees necessary to carry out its policymaking, regulatory, and enforcement
63 powers, rights, duties, and responsibilities under this title;

64 (16) establish and conduct free employment agencies, and bring together employers
65 seeking employees and working people seeking employment, and make known the
66 opportunities for employment in this state;

67 (17) collect, collate, and publish statistical and other information relating to employees,
68 employers, employments, and places of employment, and other statistics as it considers proper;

69 (18) encourage the expansion and use of apprenticeship programs meeting state or
70 federal standards for apprenticeship programs;

71 (19) develop processes to ensure that the department responds to the full range of
72 employee and employer clients; ~~and~~

73 (20) carry out the responsibilities assigned to it by statute[-]; and

74 (21) administer the Safety Net Initiative as described in Section 35A-3-802.

75 Section 2. Section 35A-3-801 is enacted to read:

76 **Part 8. Safety Net Initiative**

77 **35A-3-801. Title.**

78 This part is known as the "Safety Net Initiative."

79 Section 3. Section 35A-3-802, which is renumbered from Section 67-5-26 is
80 renumbered and amended to read:

81 ~~[67-5-26].~~ **35A-3-802. Safety Net Initiative -- Staff.**

82 (1) As used in this section, "individuals in underserved communities" means ~~[men,~~
83 ~~women, and children]~~ individuals living in culturally isolated communities ~~[of Utah and~~
84 ~~northern Arizona]~~ in the state who may lack access to ~~[justice, safety, and services]~~ public
85 assistance and other government services.

86 (2) There is created within the ~~[Office of the Attorney General]~~ department the Safety
87 Net Initiative to:

88 ~~[(a) address and prevent the crimes of domestic violence, sexual assault, stalking,~~
89 ~~incest, and child abuse relating to individuals in underserved communities; and]~~

90 ~~[(b)]~~ (a) implement strategies to increase awareness and ~~[to]~~ reduce risk factors in
 91 order to improve the safety and well-being of individuals in underserved communities[-];

92 ~~[(3) There is created within the Office of the Attorney General the Safety Net Task~~
 93 ~~Force, which is a statewide multi-disciplinary and multi-jurisdictional task force focused on~~
 94 ~~accomplishing the following objectives:]~~

95 ~~[(a) coordinating]~~ (b) coordinate with government agencies, nonprofit organizations,
 96 and interested individuals ~~[in order to work]~~ to provide open communication with individuals
 97 in underserved communities; and

98 ~~[(b) coordinating]~~ (c) coordinate efforts to give individuals in underserved
 99 communities ~~[equal]~~ needed access to ~~[justice, safety, and services]~~ public assistance and other
 100 government services.

101 ~~[(4)]~~ (3) The ~~[attorney general]~~ department may employ or contract with individuals,
 102 entities, and support staff as necessary to administer the duties required by this section.

103 Section 4. Section **67-5-1.5** is amended to read:

104 **67-5-1.5. Special duties -- Employment of staff.**

105 (1) The attorney general may undertake special duties and projects as follows:

106 (a) employment of child protection services investigators under Section [67-5-16](#);

107 (b) employment of an Obscenity and Pornography Complaints Ombudsman under
 108 Section [67-5-18](#);

109 (c) administration of the Internet Crimes Against Children Task Force under Section
 110 [67-5-20](#);

111 (d) administration of the Internet Crimes Against Children (ICAC) Unit under Section
 112 [67-5-21](#);

113 (e) administration of the Identity Theft Reporting Information System (IRIS) Program
 114 under Section [67-5-22](#);

115 (f) administration of the Attorney General Crime and Violence Prevention Fund under
 116 Section [67-5-24](#); and

117 ~~[(g) administration of the Safety Net Initiative as provided under Section [67-5-26](#); and]~~

118 ~~[(h)]~~ (g) administration of the Mortgage and Financial Fraud Unit under Section
 119 [67-5-30](#).

120 (2) As permitted by the provisions of this chapter, the attorney general may employ or

121 contract with investigators, prosecutors, and necessary support staff to fulfill the special duties
122 undertaken under this section.

Legislative Review Note
Office of Legislative Research and General Counsel