

28 (1) (a) The Hazardous Chemical Emergency Response Commission may recover from
 29 those persons whose negligent actions caused the hazardous materials emergency, expenses
 30 [~~incurred by state agencies~~] directly associated with a response to a hazardous materials
 31 emergency taken under authority of this part, Title 53, Chapter 2a, Part 1, Emergency
 32 Management Act, or Title 53, Chapter 2a, Part 2, Disaster Response and Recovery Act[~~;~~], that
 33 are incurred by:

34 (i) a state agency; ~~H→~~ **[or]** ~~←H~~

35 (ii) a political subdivision as defined in Subsection 53-2a-203(3) ~~H→~~ **[:]** ; or

35a **(iii) an interlocal entity, described in Section 11-13-203, providing emergency**
 35b **services to a political subdivision pursuant to written agreement.** ~~←H~~

36 (b) The payment of expenses under this Subsection (1) [~~does not constitute~~] is not an
 37 admission of liability or negligence in any legal action for damages.

38 (c) The Hazardous Chemical Emergency Response Commission may obtain assistance
 39 from the attorney general or a county attorney of the affected jurisdiction to assist in recovering
 40 expenses and legal fees.

41 (d) Any recovered costs shall be deposited in the General Fund as dedicated credits to
 42 be used by the division to reimburse ~~H→~~ **[state and local government agencies or political**
 43 **subdivisions for the costs they have incurred:]** **an entity described in Subsection (1)(a) for costs**
 43a **incurred by the entity.** ~~←H~~

44 (2) (a) If the cost directly associated with emergency response exceeds all available
 45 funds of the division within a given fiscal year, the division, with approval from the governor,
 46 may incur a deficit in its line item budget.

47 (b) The Legislature shall provide a supplemental appropriation in the following year to
 48 cover the deficit.

49 (c) The division shall deposit all costs associated with any emergency response that are
 50 collected in subsequent fiscal years into the General Fund.

51 (3) Any political subdivision may enact local ordinances pursuant to existing statutory
 52 or constitutional authority to provide for the recovery of expenses incurred by the political
 53 subdivision.