

ALCOHOL EDUCATION AMENDMENTS

2020 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Jeffrey D. Stenquist

Senate Sponsor: Ronald Winterton

LONG TITLE

General Description:

This bill amends and enacts provisions regarding media and education campaigns about alcohol.

Highlighted Provisions:

This bill:

- ▶ defines terms;
- ▶ creates a restricted account within the General Fund;

~~It~~ → [~~→~~ ~~requires deposits into the restricted account of a percentage of the total gross revenue from the sale of liquor;~~] ← ~~It~~

- ▶ outlines the duties of the Department of Health in creating and conducting a drinking while pregnant prevention campaign; and
- ▶ makes technical and conforming changes.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

63J-1-602.1, as last amended by Laws of Utah 2019, Chapters 89, 136, 213, 215, 244, 326, 342, and 482

H.B. 208



28 ENACTS:

29 **26-7-10**, Utah Code Annotated 1953

30 **32B-2-308**, Utah Code Annotated 1953

31

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

33 Section 1. Section **26-7-10** is enacted to read:

34 **26-7-10. Drinking while pregnant prevention media and education campaign.**

35 (1) As used in this section, "restricted account" means the Drinking While Pregnant
36 Prevention Media and Education Campaign Restricted Account created in Section **32B-2-308**.

37 (2) The department shall:

38 (a) create guidelines for how money in the restricted account for a media and education
39 campaign can be used;

40 (b) include in the guidelines established under this Subsection (2) that a media and
41 education campaign is:

42 (i) carefully researched and developed; and

43 (ii) appropriate for target groups.

44 (3) (a) Subject to appropriation from the Legislature, the department shall expend
45 money from the restricted account to direct and fund one or more media and education
46 campaigns designed to reduce the consumption of alcohol while pregnant.

47 (b) The department shall:

48 (i) conduct the media and education campaign in accordance with the guidelines
49 established under Subsection (2); and

50 (ii) submit to the Health and Human Services Interim Committee annually by no later
51 than October 1, a written report detailing:

52 (A) the use of the money for the media and education campaigns conducted under this
53 Subsection (3); and

54 (B) the impact and result of the use of the money during the previous fiscal year ending
55 June 30.

56 Section 2. Section **32B-2-308** is enacted to read:

57 **32B-2-308. Drinking while pregnant prevention media and education campaign**
58 **restricted account.**

59 (1) As used in this section ~~Ĥ→ Ĥ→~~ [Ĥ] :

60 (a) [Ĥ] ~~←Ĥ ←Ĥ~~ "Department of Health" means the Department of Health created in Section
60a [26-1-4](#).

61 ~~Ĥ→ Ĥ→~~ [Ĥ] (b) "Restricted account" means the Drinking While Pregnant Prevention Media
61a and

62 Education Campaign Restricted Account created in this section. [Ĥ] ~~←Ĥ ←Ĥ~~

63 (2) (a) There is created a restricted account within the General Fund known as the
64 "Drinking While Pregnant Prevention Media and Education Campaign Restricted Account."

65 (b) The restricted account consists of:

66 (i) ~~Ĥ→~~ [~~deposits made under Subsection (3)~~] money the Legislature appropriates to the
66a restricted account ~~←Ĥ~~ ; and

67 (ii) interest earned on the restricted account.

68 ~~Ĥ→~~ [~~(3) The department shall deposit 0.4% of the total gross revenue from sales of liquor~~
69 ~~with the state treasurer, as determined by the total gross revenue collected for the fiscal year~~
70 ~~two years preceding the fiscal year for which the deposit is made, to be credited to the~~
71 ~~restricted account and to be used by the Department of Health as provided in Section~~ [26-7-10](#);] ~~←Ĥ~~

72 Section 3. Section **63J-1-602.1** is amended to read:

73 **63J-1-602.1. List of nonlapsing appropriations from accounts and funds.**

74 Appropriations made from the following accounts or funds are nonlapsing:

75 (1) The Utah Intracurricular Student Organization Support for Agricultural Education
76 and Leadership Restricted Account created in Section [4-42-102](#).

77 (2) The Native American Repatriation Restricted Account created in Section [9-9-407](#).

78 (3) The Martin Luther King, Jr. Civil Rights Support Restricted Account created in
79 Section [9-18-102](#).

80 (4) The National Professional Men's Soccer Team Support of Building Communities
81 Restricted Account created in Section [9-19-102](#).

82 (5) Funds collected for directing and administering the C-PACE district created in
83 Section [11-42a-302](#).

84 (6) The "Support for State-Owned Shooting Ranges Restricted Account" created in
85 Section [23-14-13.5](#).

86 (7) Award money under the State Asset Forfeiture Grant Program, as provided under
87 Section [24-4-117](#).

88 (8) Funds collected from the program fund for local health department expenses
89 incurred in responding to a local health emergency under Section [26-1-38](#).

90 (9) Funds collected from the emergency medical services grant program, as provided in
91 Section [26-8a-207](#).

92 (10) The Children with Cancer Support Restricted Account created in Section
93 [26-21a-304](#).

94 (11) State funds for matching federal funds in the Children's Health Insurance Program
95 as provided in Section [26-40-108](#).

96 (12) The Children with Heart Disease Support Restricted Account created in Section
97 [26-58-102](#).

98 (13) The Nurse Home Visiting Restricted Account created in Section [26-63-601](#).

99 (14) The Technology Development Restricted Account created in Section [31A-3-104](#).

100 (15) The Criminal Background Check Restricted Account created in Section
101 [31A-3-105](#).

102 (16) The Captive Insurance Restricted Account created in Section [31A-3-304](#), except
103 to the extent that Section [31A-3-304](#) makes the money received under that section free revenue.

104 (17) The Title Licensee Enforcement Restricted Account created in Section
105 [31A-23a-415](#).

106 (18) The Health Insurance Actuarial Review Restricted Account created in Section
107 [31A-30-115](#).

108 (19) The Insurance Fraud Investigation Restricted Account created in Section
109 [31A-31-108](#).

110 (20) The Underage Drinking Prevention Media and Education Campaign Restricted
111 Account created in Section [32B-2-306](#).

112 (21) The School Readiness Restricted Account created in Section [35A-15-203](#).

113 (22) Money received by the Utah State Office of Rehabilitation for the sale of certain
114 products or services, as provided in Section [35A-13-202](#).

115 (23) The Oil and Gas Conservation Account created in Section [40-6-14.5](#).

116 (24) The Electronic Payment Fee Restricted Account created by Section [41-1a-121](#) to
117 the Motor Vehicle Division.

118 (25) The Motor Vehicle Enforcement Division Temporary Permit Restricted Account
119 created by Section [41-3-110](#) to the State Tax Commission.

120 (26) The Utah Law Enforcement Memorial Support Restricted Account created in

121 Section 53-1-120.

122 (27) The State Disaster Recovery Restricted Account to the Division of Emergency
123 Management, as provided in Section 53-2a-603.

124 (28) The Department of Public Safety Restricted Account to the Department of Public
125 Safety, as provided in Section 53-3-106.

126 (29) The Utah Highway Patrol Aero Bureau Restricted Account created in Section
127 53-8-303.

128 (30) The DNA Specimen Restricted Account created in Section 53-10-407.

129 (31) The Canine Body Armor Restricted Account created in Section 53-16-201.

130 (32) The Technical Colleges Capital Projects Fund created in Section 53B-2a-118.

131 (33) The Higher Education Capital Projects Fund created in Section 53B-22-202.

132 (34) A certain portion of money collected for administrative costs under the School
133 Institutional Trust Lands Management Act, as provided under Section 53C-3-202.

134 (35) The Public Utility Regulatory Restricted Account created in Section 54-5-1.5,
135 subject to Subsection 54-5-1.5(4)(d).

136 (36) Funds collected from a surcharge fee to provide certain licensees with access to an
137 electronic reference library, as provided in Section 58-3a-105.

138 (37) Certain fines collected by the Division of Occupational and Professional Licensing
139 for violation of unlawful or unprofessional conduct that are used for education and enforcement
140 purposes, as provided in Section 58-17b-505.

141 (38) Funds collected from a surcharge fee to provide certain licensees with access to an
142 electronic reference library, as provided in Section 58-22-104.

143 (39) Funds collected from a surcharge fee to provide certain licensees with access to an
144 electronic reference library, as provided in Section 58-55-106.

145 (40) Funds collected from a surcharge fee to provide certain licensees with access to an
146 electronic reference library, as provided in Section 58-56-3.5.

147 (41) Certain fines collected by the Division of Occupational and Professional Licensing
148 for use in education and enforcement of the Security Personnel Licensing Act, as provided in
149 Section 58-63-103.

150 (42) The Relative Value Study Restricted Account created in Section 59-9-105.

151 (43) The Cigarette Tax Restricted Account created in Section 59-14-204.

152 (44) Funds paid to the Division of Real Estate for the cost of a criminal background
153 check for a mortgage loan license, as provided in Section [61-2c-202](#).

154 (45) Funds paid to the Division of Real Estate for the cost of a criminal background
155 check for principal broker, associate broker, and sales agent licenses, as provided in Section
156 [61-2f-204](#).

157 (46) Certain funds donated to the Department of Human Services, as provided in
158 Section [62A-1-111](#).

159 (47) The National Professional Men's Basketball Team Support of Women and
160 Children Issues Restricted Account created in Section [62A-1-202](#).

161 (48) Certain funds donated to the Division of Child and Family Services, as provided
162 in Section [62A-4a-110](#).

163 (49) The Choose Life Adoption Support Restricted Account created in Section
164 [62A-4a-608](#).

165 (50) Funds collected by the Office of Administrative Rules for publishing, as provided
166 in Section [63G-3-402](#).

167 (51) The Immigration Act Restricted Account created in Section [63G-12-103](#).

168 (52) Money received by the military installation development authority, as provided in
169 Section [63H-1-504](#).

170 (53) The Computer Aided Dispatch Restricted Account created in Section [63H-7a-303](#).

171 (54) The Unified Statewide 911 Emergency Service Account created in Section
172 [63H-7a-304](#).

173 (55) The Utah Statewide Radio System Restricted Account created in Section
174 [63H-7a-403](#).

175 (56) The Employability to Careers Program Restricted Account created in Section
176 [63J-4-703](#).

177 (57) The Motion Picture Incentive Account created in Section [63N-8-103](#).

178 (58) Certain money payable for expenses of the Pete Suazo Utah Athletic Commission,
179 as provided under Section [63N-10-301](#).

180 (59) Funds collected by the housing of state probationary inmates or state parole
181 inmates, as provided in Subsection [64-13e-104](#)(2).

182 (60) Certain forestry and fire control funds utilized by the Division of Forestry, Fire,

183 and State Lands, as provided in Section [65A-8-103](#).

184 (61) The Transportation of Veterans to Memorials Support Restricted Account created
185 in Section [71-14-102](#).

186 (62) The Amusement Ride Safety Restricted Account, as provided in Section
187 [72-16-204](#).

188 (63) Certain funds received by the Office of the State Engineer for well drilling fines or
189 bonds, as provided in Section [73-3-25](#).

190 (64) The Water Resources Conservation and Development Fund, as provided in
191 Section [73-23-2](#).

192 (65) Funds donated or paid to a juvenile court by private sources, as provided in
193 Subsection [78A-6-203\(1\)\(c\)](#).

194 (66) Fees for certificate of admission created under Section [78A-9-102](#).

195 (67) Funds collected for adoption document access as provided in Sections [78B-6-141](#),
196 [78B-6-144](#), and [78B-6-144.5](#).

197 (68) Funds collected for indigent defense as provided in Title 78B, Chapter 22, Part 4,
198 Utah Indigent Defense Commission.

199 (69) Revenue for golf user fees at the Wasatch Mountain State Park, Palisades State
200 Park, Jordan River State Park, and Green River State Park, as provided under Section
201 [79-4-403](#).

202 (70) Certain funds received by the Division of Parks and Recreation from the sale or
203 disposal of buffalo, as provided under Section [79-4-1001](#).

204 (71) The Drinking While Pregnant Prevention Media and Education Campaign
205 Restricted Account created in Section [32B-2-308](#).