

**Senator Jacob L. Anderegg** proposes the following substitute bill:

**ALCOHOL EDUCATION AMENDMENTS**

2020 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Jeffrey D. Stenquist**

Senate Sponsor: Ronald Winterton

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**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;
- ▶ requires deposits into the restricted account of a percentage of the total gross revenue from the sale of liquor;
- ▶ 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:



26 **63J-1-602.1**, as last amended by Laws of Utah 2019, Chapters 89, 136, 213, 215, 244,  
27 326, 342, and 482

28 ENACTS:

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

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

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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:

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

61 (b) "Restricted account" means the Drinking While Pregnant Prevention Media and  
62 Education Campaign Restricted Account created in this section.

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) deposits made under Subsection (3); and

67 (ii) interest earned on the restricted account.

68 (3) (a) The department shall deposit the amounts described in Subsection (3)(b) of the  
69 total gross revenue from sales of liquor with the state treasurer, as determined by the total gross  
70 revenue collected for the fiscal year two years preceding the fiscal year for which the deposit is  
71 made, to be credited to the restricted account and to be used by the Department of Health as  
72 provided in Section [26-7-10](#).

73 (b) In accordance with Subsection (3)(a), the department shall deposit during the fiscal  
74 years:

75 (i) beginning July 1, 2021 and ending June 30, 2023, 0.2% of the total gross revenue;

76 (ii) beginning July 1, 2023 and ending June 30, 2025, 0.3% of the total gross revenue;

77 and

78 (iii) beginning after June 30, 2025, 0.4% of the total gross revenue.

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

80 **63J-1-602.1. List of nonlapsing appropriations from accounts and funds.**

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

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

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

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

87 (4) The National Professional Men's Soccer Team Support of Building Communities

88 Restricted Account created in Section 9-19-102.

89 (5) Funds collected for directing and administering the C-PACE district created in  
90 Section 11-42a-302.

91 (6) The "Support for State-Owned Shooting Ranges Restricted Account" created in  
92 Section 23-14-13.5.

93 (7) Award money under the State Asset Forfeiture Grant Program, as provided under  
94 Section 24-4-117.

95 (8) Funds collected from the program fund for local health department expenses  
96 incurred in responding to a local health emergency under Section 26-1-38.

97 (9) Funds collected from the emergency medical services grant program, as provided in  
98 Section 26-8a-207.

99 (10) The Children with Cancer Support Restricted Account created in Section  
100 26-21a-304.

101 (11) State funds for matching federal funds in the Children's Health Insurance Program  
102 as provided in Section 26-40-108.

103 (12) The Children with Heart Disease Support Restricted Account created in Section  
104 26-58-102.

105 (13) The Nurse Home Visiting Restricted Account created in Section 26-63-601.

106 (14) The Technology Development Restricted Account created in Section 31A-3-104.

107 (15) The Criminal Background Check Restricted Account created in Section  
108 31A-3-105.

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

111 (17) The Title Licensee Enforcement Restricted Account created in Section  
112 31A-23a-415.

113 (18) The Health Insurance Actuarial Review Restricted Account created in Section  
114 31A-30-115.

115 (19) The Insurance Fraud Investigation Restricted Account created in Section  
116 31A-31-108.

117 (20) The Underage Drinking Prevention Media and Education Campaign Restricted  
118 Account created in Section 32B-2-306.

- 119 (21) The School Readiness Restricted Account created in Section 35A-15-203.
- 120 (22) Money received by the Utah State Office of Rehabilitation for the sale of certain  
121 products or services, as provided in Section 35A-13-202.
- 122 (23) The Oil and Gas Conservation Account created in Section 40-6-14.5.
- 123 (24) The Electronic Payment Fee Restricted Account created by Section 41-1a-121 to  
124 the Motor Vehicle Division.
- 125 (25) The Motor Vehicle Enforcement Division Temporary Permit Restricted Account  
126 created by Section 41-3-110 to the State Tax Commission.
- 127 (26) The Utah Law Enforcement Memorial Support Restricted Account created in  
128 Section 53-1-120.
- 129 (27) The State Disaster Recovery Restricted Account to the Division of Emergency  
130 Management, as provided in Section 53-2a-603.
- 131 (28) The Department of Public Safety Restricted Account to the Department of Public  
132 Safety, as provided in Section 53-3-106.
- 133 (29) The Utah Highway Patrol Aero Bureau Restricted Account created in Section  
134 53-8-303.
- 135 (30) The DNA Specimen Restricted Account created in Section 53-10-407.
- 136 (31) The Canine Body Armor Restricted Account created in Section 53-16-201.
- 137 (32) The Technical Colleges Capital Projects Fund created in Section 53B-2a-118.
- 138 (33) The Higher Education Capital Projects Fund created in Section 53B-22-202.
- 139 (34) A certain portion of money collected for administrative costs under the School  
140 Institutional Trust Lands Management Act, as provided under Section 53C-3-202.
- 141 (35) The Public Utility Regulatory Restricted Account created in Section 54-5-1.5,  
142 subject to Subsection 54-5-1.5(4)(d).
- 143 (36) Funds collected from a surcharge fee to provide certain licensees with access to an  
144 electronic reference library, as provided in Section 58-3a-105.
- 145 (37) Certain fines collected by the Division of Occupational and Professional Licensing  
146 for violation of unlawful or unprofessional conduct that are used for education and enforcement  
147 purposes, as provided in Section 58-17b-505.
- 148 (38) Funds collected from a surcharge fee to provide certain licensees with access to an  
149 electronic reference library, as provided in Section 58-22-104.

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

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

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

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

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

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

161 (45) Funds paid to the Division of Real Estate for the cost of a criminal background  
162 check for principal broker, associate broker, and sales agent licenses, as provided in Section  
163 61-2f-204.

164 (46) Certain funds donated to the Department of Human Services, as provided in  
165 Section 62A-1-111.

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

168 (48) Certain funds donated to the Division of Child and Family Services, as provided  
169 in Section 62A-4a-110.

170 (49) The Choose Life Adoption Support Restricted Account created in Section  
171 62A-4a-608.

172 (50) Funds collected by the Office of Administrative Rules for publishing, as provided  
173 in Section 63G-3-402.

174 (51) The Immigration Act Restricted Account created in Section 63G-12-103.

175 (52) Money received by the military installation development authority, as provided in  
176 Section 63H-1-504.

177 (53) The Computer Aided Dispatch Restricted Account created in Section 63H-7a-303.

178 (54) The Unified Statewide 911 Emergency Service Account created in Section  
179 63H-7a-304.

180 (55) The Utah Statewide Radio System Restricted Account created in Section

- 181 [63H-7a-403](#).
- 182 (56) The Employability to Careers Program Restricted Account created in Section
- 183 [63J-4-703](#).
- 184 (57) The Motion Picture Incentive Account created in Section [63N-8-103](#).
- 185 (58) Certain money payable for expenses of the Pete Suazo Utah Athletic Commission,
- 186 as provided under Section [63N-10-301](#).
- 187 (59) Funds collected by the housing of state probationary inmates or state parole
- 188 inmates, as provided in Subsection [64-13e-104\(2\)](#).
- 189 (60) Certain forestry and fire control funds utilized by the Division of Forestry, Fire,
- 190 and State Lands, as provided in Section [65A-8-103](#).
- 191 (61) The Transportation of Veterans to Memorials Support Restricted Account created
- 192 in Section [71-14-102](#).
- 193 (62) The Amusement Ride Safety Restricted Account, as provided in Section
- 194 [72-16-204](#).
- 195 (63) Certain funds received by the Office of the State Engineer for well drilling fines or
- 196 bonds, as provided in Section [73-3-25](#).
- 197 (64) The Water Resources Conservation and Development Fund, as provided in
- 198 Section [73-23-2](#).
- 199 (65) Funds donated or paid to a juvenile court by private sources, as provided in
- 200 Subsection [78A-6-203\(1\)\(c\)](#).
- 201 (66) Fees for certificate of admission created under Section [78A-9-102](#).
- 202 (67) Funds collected for adoption document access as provided in Sections [78B-6-141](#),
- 203 [78B-6-144](#), and [78B-6-144.5](#).
- 204 (68) Funds collected for indigent defense as provided in Title 78B, Chapter 22, Part 4,
- 205 Utah Indigent Defense Commission.
- 206 (69) Revenue for golf user fees at the Wasatch Mountain State Park, Palisades State
- 207 Park, Jordan River State Park, and Green River State Park, as provided under Section
- 208 [79-4-403](#).
- 209 (70) Certain funds received by the Division of Parks and Recreation from the sale or
- 210 disposal of buffalo, as provided under Section [79-4-1001](#).
- 211 (71) The Drinking While Pregnant Prevention Media and Education Campaign

212 Restricted Account created in Section [32B-2-308](#).