

**Senator Evan J. Vickers** proposes the following substitute bill:

**ATTORNEY GENERAL FUND AMENDMENTS**

2020 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Paul Ray**

Senate Sponsor: Evan J. Vickers

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**LONG TITLE**

**General Description:**

This bill amends provisions applicable to certain funds received by the attorney general or the Department of Commerce.

**Highlighted Provisions:**

This bill:

- ▶ creates the Opioid Litigation Settlement Restricted Account, to consist of:
  - money received by the attorney general or the Department of Commerce as a result of certain opioid litigation;
  - interest earned on money in the account; and
  - money appropriated by the Legislature;
- ▶ specifies the purposes for which money in the Opioid Litigation Settlement Restricted Account may be used; and
- ▶ makes the following changes applicable to the Attorney General Crime and Violence Prevention Fund:
  - modifies the activities for which fund money may be used;
  - allows the attorney general to establish a volunteer task force to address the activities for which fund money may be used;
  - allows the attorney general to employ necessary support staff to administer the



26 fund and the activities of a task force established under this bill; and

- 27 • requires the attorney general to include information related to the activities of a
- 28 task force established under this bill in the attorney general's annual report to the
- 29 Legislature.

30 **Money Appropriated in this Bill:**

31 None

32 **Other Special Clauses:**

33 None

34 **Utah Code Sections Affected:**

35 AMENDS:

36 **67-5-24**, as last amended by Laws of Utah 2013, Chapter 400

37 ENACTS:

38 **51-9-801**, Utah Code Annotated 1953



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

41 Section 1. Section **51-9-801** is enacted to read:

42 **Part 8. Opioid Litigation Settlement Restricted Account**

43 **51-9-801. Opioid Litigation Settlement Restricted Account.**

44 (1) There is created within the General Fund a restricted account known as the Opioid  
45 Litigation Settlement Restricted Account.

46 (2) The account consists of:

47 (a) any money deposited into the account in accordance with Subsection (3);

48 (b) interest earned on money in the account; and

49 (c) money appropriated to the account by the Legislature.

50 (3) Notwithstanding Sections **13-2-8** and **76-10-3114**, after reimbursement to the  
51 attorney general and the Department of Commerce for expenses related to the matters  
52 described in Subsection (3)(a) or (b), the following shall be deposited into the account:

53 (a) all money received by the attorney general or the Department of Commerce as a  
54 result of any judgment, settlement, or compromise of claims pertaining to alleged violations of  
55 law related to the manufacture, marketing, distribution, or sale of opioids from a case  
56 designated as an opioid case by the attorney general in a legal services contract; and

57 (b) all money received by the attorney general or the Department of Commerce as a  
58 result of any multistate judgment, settlement, or compromise of claims pertaining to alleged  
59 violations of law related to the manufacture, marketing, distribution, or sale of opioids.

60 (4) Subject to appropriation by the Legislature, money in the account shall be used:

61 (a) to address the effects of alleged violations of law related to the manufacture,  
62 marketing, distribution, or sale of opioids; or

63 (b) if applicable, in accordance with the terms of a settlement agreement described in  
64 Subsection (3)(a) or (b) entered into by the state.

65 Section 2. Section **67-5-24** is amended to read:

66 **67-5-24. Attorney General Crime and Violence Prevention Fund -- Use of money**  
67 **-- Restrictions -- Volunteer task force -- Staff.**

68 (1) There is created an expendable special revenue fund known as the Attorney General  
69 Crime and Violence Prevention Fund.

70 (2) The fund shall consist of gifts, grants, devises, donations, and bequests of real  
71 property, personal property, or services, from any source, made to the fund.

72 (3) (a) If the donor designates a specific purpose or use for the gift, grant, devise,  
73 donation, or bequest, money from the fund shall be used solely for that purpose.

74 (b) Gifts, grants, devises, donations, and bequests not designated for a specific purpose  
75 under Subsection (3)(a) and that are not restricted to a specific use under federal law, shall be  
76 used in connection with the activities under Subsection (4).

77 (c) The attorney general or the attorney general's designee shall authorize the  
78 expenditure of fund money in accordance with this section.

79 (d) The money in the fund may not be used for administrative expenses of the Office of  
80 the Attorney General normally provided for by legislative appropriation, except for the  
81 purposes described in Subsection (8).

82 (4) Except as provided under Subsection (3), the fund money shall be used for any of  
83 the following activities:

84 (a) the Amber Alert program;

85 (b) prevention of crime against seniors;

86 (c) prevention of domestic violence and dating violence;

87 [~~(d) antidrug use programs;~~]

- 88            (d) programs designed to reduce the supply or demand of illicit or controlled
- 89 substances;
- 90            (e) preventing gangs and gang violence;
- 91            (f) Internet safety programs, including Internet literacy for parents;
- 92            (g) mentoring Utah partnerships;
- 93            (h) suicide prevention programs;
- 94            (i) underage [~~drinking~~] alcohol and substance misuse prevention programs;
- 95            (j) antipornography programs;
- 96            (k) victims assistance programs;
- 97            (l) identity theft investigations and prosecutions; or
- 98            (m) identity theft reporting system database.
- 99            (5) The state treasurer shall invest the money in the fund under Title 51, Chapter 7,
- 100 State Money Management Act, except that all interest or other earnings derived from the fund
- 101 money shall be deposited in the fund.
- 102            (6) The attorney general shall make an annual report to the Legislature regarding the
- 103 status of the fund, including:
- 104            (a) a report on the contributions received, expenditures made, and programs and
- 105 services funded[-]; and
- 106            (b) if the attorney general establishes a task force under Subsection (7), all activities
- 107 and programs initiated through the task force.
- 108            (7) The attorney general may establish a volunteer task force consisting of
- 109 representatives from public or private agencies or organizations in the state to address any of
- 110 the activities described in Subsection (4).
- 111            (8) The attorney general may employ necessary support staff to implement and
- 112 administer the fund and the activities of a task force established under Subsection (7).