

HB0373S03 compared with HB0373S02

~~text~~ shows text that was in HB0373S02 but was deleted in HB0373S03.

text shows text that was not in HB0373S02 but was inserted into HB0373S03.

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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

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

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- ▶ makes the following changes applicable to the Attorney General Crime and Violence Prevention Fund:
 - allows the fund to receive appropriations by the Legislature;
 - 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 fund and the activities of a task force established under this bill; and
 - requires the attorney general to include information related to the activities of a task force established under this bill in the attorney general's annual report to the Legislature.

Money Appropriated in this Bill:

~~{None}~~ This bill appropriates in fiscal year 2021:

- ▶ to the Attorney General's Office -- Attorney General Crime and Violence Prevention Fund, as on ongoing appropriation:
 - from the General Fund, \$100,000.

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

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

ENACTS:

51-9-801, Utah Code Annotated 1953

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

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

Part 8. Opioid Litigation Settlement Restricted Account

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

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

(2) The account consists of:

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

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

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

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

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

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

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

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

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

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

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

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

(2) The fund shall consist of:

(a) appropriations by the Legislature; and

(b) gifts, grants, devises, donations, and bequests of real property, personal property, or services, from any source~~[, made to the fund]~~.

(3) (a) If the donor designates a specific purpose or use for ~~[the]~~ a gift, grant, devise, donation, or bequest provided under Subsection (2)(b), money from the fund shall be used solely for that purpose.

(b) ~~[Gifts, grants, devises, donations, and bequests not]~~ Unless designated for a specific

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purpose under Subsection (3)(a) ~~[and that are]~~, money in the fund not restricted to a specific use under federal law~~[-];~~ shall be used in connection with the activities under Subsection (4).

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

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

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

- (a) the Amber Alert program;
- (b) prevention of crime against seniors;
- (c) prevention of domestic violence and dating violence;

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

(d) programs designed to reduce the supply or demand of illicit or controlled substances;

- (e) preventing gangs and gang violence;
- (f) Internet safety programs, including Internet literacy for parents;
- (g) mentoring Utah partnerships;
- (h) suicide prevention programs;
- (i) underage ~~[drinking]~~ alcohol and substance misuse prevention programs;
- (j) antipornography programs;
- (k) victims assistance programs;
- (l) identity theft investigations and prosecutions; or
- (m) identity theft reporting system database.

(5) The state treasurer shall invest the money in the fund under Title 51, Chapter 7, State Money Management Act, except that all interest or other earnings derived from the fund money shall be deposited in the fund.

(6) The attorney general shall make an annual report to the Legislature regarding the status of the fund, including:

(a) a report on the contributions received, expenditures made, and programs and services funded[-]; and

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(b) if the attorney general establishes a task force under Subsection (7), all activities and programs initiated through the task force.

(7) The attorney general may establish a volunteer task force consisting of representatives from public or private agencies or organizations in the state to address any of the activities described in Subsection (4).

(8) The attorney general may employ necessary support staff to implement and administer the fund and the activities of a task force established under Subsection (7).

Section 3. Appropriation.

The following sums of money are appropriated for the fiscal year beginning July 1, 2020, and ending June 30, 2021. These are additions to amounts previously appropriated for fiscal year 2021. Under the terms and conditions of Title 63J, Chapter 1, Budgetary Procedures Act, the Legislature appropriates the following sums of money from the funds or accounts indicated for the use and support of the government of the state of Utah.

ITEM 1

To Attorney General's Office -- Attorney General Crime and Violence Prevention Fund

From General Fund \$100,000

Schedule of Programs:

Attorney General Crime and Violence

Prevention Fund \$100,000