HB0494S01 compared with HB0494

{deleted text} shows text that was in HB0494 but was deleted in HB0494S01.

inserted text shows text that was not in HB0494 but was inserted into HB0494S01.

DISCLAIMER: This document is provided to assist you in your comparison of the two bills. Sometimes this automated comparison will NOT be completely accurate. Therefore, you need to read the actual bills. This automatically generated document could contain inaccuracies caused by: limitations of the compare program; bad input data; or other causes.

Representative Paul Ray proposes the following substitute bill:

EMERGENCY DISEASE RESPONSE FUNDING AMENDMENTS

2020 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Paul Ray

Senate Sponsor: _____

LONG TITLE

General Description:

This bill modifies the Budgetary Procedures Act by amending provisions relating to funding for a state response to the coronavirus.

Highlighted Provisions:

This bill:

‣ authorizes the Department of Administrative Services to transfer or divert money to another department, agency, institution, or division only for the purposes of providing a state response to the coronavirus;

‣ makes technical and corresponding changes; and

‣ creates a sunset date for the authorization in this bill.

Money Appropriated in this Bill:

None

Other Special Clauses:

This bill provides a special effective date.

This bill provides a coordination clause.

Utah Code Sections Affected:

AMENDS:

63I-2-263, as last amended by Laws of Utah 2019, Chapters 182, 240, 246, 325, 370, and 483

63J-1-206, as last amended by Laws of Utah 2019, Chapters 182 and 468

Utah Code Sections Affected by Coordination Clause:

63I-2-263, as last amended by Laws of Utah 2019, Chapters 182, 240, 246, 325, 370, and 483

63J-1-206, as last amended by Laws of Utah 2019, Chapters 182 and 468

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

Section 1. Section **63I-2-263** is amended to read:

63I-2-263.   Repeal dates, Title 63A to Title 63N.

(1) On July 1, 2020:

(a) Subsection 63A-1-203(5)(a)(i) is repealed; and

(b) in Subsection 63A-1-203(5)(a)(ii), the language that states "appointed on or after May 8, 2018," is repealed.

(2) Sections 63C-4a-307 and 63C-4a-309 are repealed January 1, 2020.

(3) Title 63C, Chapter 19, Higher Education Strategic Planning Commission is repealed July 1, 2020.

(4) The following sections regarding the World War II Memorial Commission are repealed on July 1, 2020:

(a) Section 63G-1-801;

(b) Section 63G-1-802;

(c) Section 63G-1-803; and

(d) Section 63G-1-804.

(5) In relation to the State Fair Park Committee, on January 1, 2021:

(a) Section 63H-6-104.5 is repealed; and

(b) Subsections 63H-6-104(8) and (9) are repealed.

(6) Section 63H-7a-303 is repealed on July 1, 2022.

(7) Subsection 63J-1-206(3)(b), relating to coronavirus, is repealed on July 1, 2021.

[(7)] (8) In relation to the Employability to Careers Program Board, on July 1, 2022:

(a) Subsection 63J-1-602.1(52) is repealed;

(b) Subsection 63J-4-301(1)(h), related to the review of data and metrics, is repealed;

and

(c) Title 63J, Chapter 4, Part 7, Employability to Careers Program, is repealed.

[(8)] (9) Section 63J-4-708 is repealed January 1, 2023.

Section 2. Section **63J-1-206** is amended to read:

63J-1-206. Appropriations governed by chapter -- Restrictions on expenditures --
Transfer of funds -- Exclusion.

(1) (a) Except as provided in Subsections (1)(b) and (2)(e), or where expressly
exempted in the appropriating act:

(i) all money appropriated by the Legislature is appropriated upon the terms and
conditions set forth in this chapter; and

(ii) any department, agency, or institution that accepts money appropriated by the
Legislature does so subject to the requirements of this chapter.

(b) This section does not apply to:

(i) the Legislature and its committees; and

(ii) the Investigation Account of the Water Resources Construction Fund, which is
governed by Section 73-10-8.

(2) (a) Each item of appropriation is to be expended subject to any schedule of
programs and any restriction attached to the item of appropriation, as designated by the
Legislature.

(b) Each schedule of programs or restriction attached to an appropriation item:

(i) is a restriction or limitation upon the expenditure of the respective appropriation
made;

(ii) does not itself appropriate any money; and

(iii) is not itself an item of appropriation.

(c) (i) [Except as provided in Subsection (2)(c)(ii), an] An appropriation or any surplus

of any appropriation may not be diverted from any department, agency, institution, division, or line item to any other department, agency, institution, division, or line item.

[(ii) ~~The state superintendent may transfer money appropriated for the Minimum~~ ~~School Program between line items in accordance with Section 53F-2-205.~~]

[(iii)] (ii) If the money appropriated to an agency to pay lease payments under the program established in Subsection 63A-5-228(3) exceeds the amount required for the agency's lease payments to the Division of Facilities Construction and Management, the agency may:

(A) transfer money from the lease payments line item to other line items within the agency; and

(B) retain and use the excess money for other purposes.

(d) The money appropriated subject to a schedule of programs or restriction may be used only for the purposes authorized.

(e) In order for a department, agency, or institution to transfer money appropriated to it from one program to another program within a line item, the department, agency, or institution shall revise its budget execution plan as provided in Section 63J-1-209.

(f) (i) The procedures for transferring money between programs within a line item as provided by Subsection (2)(e) do not apply to money appropriated to the State Board of Education for the Minimum School Program or capital outlay programs created in Title 53F, Chapter 3, State Funding -- Capital Outlay Programs.

(ii) The state superintendent may transfer money appropriated for the programs specified in Subsection (2)(f)(i) only as provided by Section 53F-2-205.

(3) Notwithstanding Subsection (2)(c)(i):

(a) the state superintendent may transfer money appropriated for the Minimum School Program between line items in accordance with Section 53F-2-205; and

(b) the Department of Administrative Services may transfer or divert money to another department, agency, institution, or division only for the purposes of coordinating and providing a state response to the coronavirus.

Section 3. **Effective date.**

If approved by two-thirds of all the members elected to each house, this bill takes effect upon approval by the governor, or the day following the constitutional time limit of Utah Constitution, Article VII, Section 8, without the governor's signature, or in the case of a veto,

the date of veto override.

Section 4.   **Coordinating H.B. 494 with S.B. 207 -- Substantive and technical**
amendments.

If this H.B. 494 and S.B. 207, Paid Leave Amendments, both pass and become law, it is
the intent of the Legislature that the Office of Legislative Research and General Counsel shall
prepare the Utah Code database for publication by:

(1) not making the changes to Subsection 63J-1-206(2)(c) in S.B. 207;

(2) replacing Subsection 63J-1-206(3) in H.B. 494 to read:

"(3) Notwithstanding Subsection (2)(c)(i):

(a) the state superintendent may transfer money appropriated for the Minimum School
Program between line items in accordance with Section 53F-2-205;

(b) the Department of Administrative Services may transfer money appropriated for the
purpose of paying the costs of paid employee postpartum recovery leave under Section
67-19-14.7 to another department, agency, institution, or division; and

(c) the Department of Administrative Services may transfer or divert money to another
department, agency, institution, or division only for the purposes of coordinating and providing
a state response to the coronavirus."; and

(3) modifying Subsection 63I-2-263(7) in H.B. 494 to read:

"(7) Subsection 63J-1-206(3)(c), relating to coronavirus, is repealed on July 1, 2021."