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**ALCOHOL EDUCATION AMENDMENTS**

2021 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Jeffrey D. Stenquist**

Senate Sponsor: Jacob L. Anderegg

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**LONG TITLE**

**General Description:**

This bill amends the Alcoholic Beverage Control Act regarding deposits to the Drinking While Pregnant Prevention Media and Education Campaign Restricted Account.

**Highlighted Provisions:**

This bill:

- ▶ amends provisions regarding what the Drinking While Pregnant Prevention Media and Education Campaign Restricted Account consists of;
- ▶ requires deposits into the Drinking While Pregnant Prevention Media and Education Campaign Restricted Account of a percentage of the total gross revenue from the sale of liquor; and
- ▶ makes technical and conforming changes.

**Money Appropriated in this Bill:**

None

**Other Special Clauses:**

None

**Utah Code Sections Affected:**

AMENDS:

**32B-2-308**, as enacted by Laws of Utah 2020, Chapter 186

**63J-1-602.1**, as last amended by Laws of Utah 2020, Fifth Special Session, Chapter 4



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

30 Section 1. Section **32B-2-308** is amended to read:

31 **32B-2-308. Drinking While Pregnant Prevention Media and Education**

32 **Campaign Restricted Account.**

33 (1) As used in this section:

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

35 (b) "Restricted account" means the Drinking While Pregnant Prevention Media and

36 Education Campaign Restricted Account created in this section.

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

39 (b) The restricted account consists of:

40 (i) ~~[money the Legislature appropriates to the restricted account]~~ deposits made under  
41 Subsection (3); and

42 (ii) interest earned on the restricted account.

43 (3) (a) The department shall deposit the amounts described in Subsection (3)(b) of the  
44 total gross revenue from sales of liquor with the state treasurer, as determined by the total gross  
45 revenue collected for the fiscal year two years preceding the fiscal year for which the deposit is  
46 made, to be credited to the restricted account and to be used by the Department of Health as  
47 provided in Section [26-7-12](#).

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

50 (i) beginning July 1, 2021, and ending June 30, 2023, .2% of the total gross revenue;

51 (ii) beginning July 1, 2023, and ending June 30, 2025, .3% of the total gross revenue;

52 and

53 (iii) beginning after June 30, 2025, .4% of the total gross revenue.

54 Section 2. Section **63J-1-602.1** is amended to read:

55 **63J-1-602.1. List of nonlapsing appropriations from accounts and funds.**

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

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

- 59 (2) The Native American Repatriation Restricted Account created in Section 9-9-407.
- 60 (3) The Martin Luther King, Jr. Civil Rights Support Restricted Account created in
- 61 Section 9-18-102.
- 62 (4) The National Professional Men's Soccer Team Support of Building Communities
- 63 Restricted Account created in Section 9-19-102.
- 64 (5) Funds collected for directing and administering the C-PACE district created in
- 65 Section 11-42a-106.
- 66 (6) Money received by the Utah Inland Port Authority, as provided in Section
- 67 11-58-105.
- 68 (7) The "Latino Community Support Restricted Account" created in Section 13-1-16.
- 69 (8) The Clean Air Support Restricted Account created in Section 19-1-109.
- 70 (9) The "Support for State-Owned Shooting Ranges Restricted Account" created in
- 71 Section 23-14-13.5.
- 72 (10) Award money under the State Asset Forfeiture Grant Program, as provided under
- 73 Section 24-4-117.
- 74 (11) Funds collected from the program fund for local health department expenses
- 75 incurred in responding to a local health emergency under Section 26-1-38.
- 76 (12) The Children with Cancer Support Restricted Account created in Section
- 77 26-21a-304.
- 78 (13) State funds for matching federal funds in the Children's Health Insurance Program
- 79 as provided in Section 26-40-108.
- 80 (14) The Children with Heart Disease Support Restricted Account created in Section
- 81 26-58-102.
- 82 (15) The Nurse Home Visiting Restricted Account created in Section 26-63-601.
- 83 (16) The Technology Development Restricted Account created in Section 31A-3-104.
- 84 (17) The Criminal Background Check Restricted Account created in Section
- 85 31A-3-105.
- 86 (18) The Captive Insurance Restricted Account created in Section 31A-3-304, except
- 87 to the extent that Section 31A-3-304 makes the money received under that section free revenue.
- 88 (19) The Title Licensee Enforcement Restricted Account created in Section
- 89 31A-23a-415.

- 90 (20) The Health Insurance Actuarial Review Restricted Account created in Section  
91 [31A-30-115](#).
- 92 (21) The Insurance Fraud Investigation Restricted Account created in Section  
93 [31A-31-108](#).
- 94 (22) The Underage Drinking Prevention Media and Education Campaign Restricted  
95 Account created in Section [32B-2-306](#).
- 96 (23) The School Readiness Restricted Account created in Section [35A-15-203](#).
- 97 (24) Money received by the Utah State Office of Rehabilitation for the sale of certain  
98 products or services, as provided in Section [35A-13-202](#).
- 99 (25) The Oil and Gas Administrative Penalties Account created in Section [40-6-11](#).
- 100 (26) The Oil and Gas Conservation Account created in Section [40-6-14.5](#).
- 101 (27) The Electronic Payment Fee Restricted Account created by Section [41-1a-121](#) to  
102 the Motor Vehicle Division.
- 103 (28) The Motor Vehicle Enforcement Division Temporary Permit Restricted Account  
104 created by Section [41-3-110](#) to the State Tax Commission.
- 105 (29) The Utah Law Enforcement Memorial Support Restricted Account created in  
106 Section [53-1-120](#).
- 107 (30) The State Disaster Recovery Restricted Account to the Division of Emergency  
108 Management, as provided in Section [53-2a-603](#).
- 109 (31) The Department of Public Safety Restricted Account to the Department of Public  
110 Safety, as provided in Section [53-3-106](#).
- 111 (32) The Utah Highway Patrol Aero Bureau Restricted Account created in Section  
112 [53-8-303](#).
- 113 (33) The DNA Specimen Restricted Account created in Section [53-10-407](#).
- 114 (34) The Canine Body Armor Restricted Account created in Section [53-16-201](#).
- 115 (35) The Technical Colleges Capital Projects Fund created in Section [53B-2a-118](#).
- 116 (36) The Higher Education Capital Projects Fund created in Section [53B-22-202](#).
- 117 (37) A certain portion of money collected for administrative costs under the School  
118 Institutional Trust Lands Management Act, as provided under Section [53C-3-202](#).
- 119 (38) The Public Utility Regulatory Restricted Account created in Section [54-5-1.5](#),  
120 subject to Subsection [54-5-1.5\(4\)\(d\)](#).

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

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

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

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

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

132 (44) Certain fines collected by the Division of Occupational and Professional Licensing  
133 for use in education and enforcement of the Security Personnel Licensing Act, as provided in  
134 Section 58-63-103.

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

136 (46) The Cigarette Tax Restricted Account created in Section 59-14-204.

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

139 (48) Funds paid to the Division of Real Estate for the cost of a criminal background  
140 check for principal broker, associate broker, and sales agent licenses, as provided in Section  
141 61-2f-204.

142 (49) Certain funds donated to the Department of Human Services, as provided in  
143 Section 62A-1-111.

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

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

148 (52) The Choose Life Adoption Support Restricted Account created in Section  
149 62A-4a-608.

150 (53) Funds collected by the Office of Administrative Rules for publishing, as provided  
151 in Section 63G-3-402.

- 152 (54) The Immigration Act Restricted Account created in Section [63G-12-103](#).
- 153 (55) Money received by the military installation development authority, as provided in  
154 Section [63H-1-504](#).
- 155 (56) The Computer Aided Dispatch Restricted Account created in Section [63H-7a-303](#).
- 156 (57) The Unified Statewide 911 Emergency Service Account created in Section  
157 [63H-7a-304](#).
- 158 (58) The Utah Statewide Radio System Restricted Account created in Section  
159 [63H-7a-403](#).
- 160 (59) The Employability to Careers Program Restricted Account created in Section  
161 [63J-4-703](#).
- 162 (60) The Motion Picture Incentive Account created in Section [63N-8-103](#).
- 163 (61) Certain money payable for expenses of the Pete Suazo Utah Athletic Commission,  
164 as provided under Section [63N-10-301](#).
- 165 (62) Funds collected by the housing of state probationary inmates or state parole  
166 inmates, as provided in Subsection [64-13e-104\(2\)](#).
- 167 (63) Certain forestry and fire control funds utilized by the Division of Forestry, Fire,  
168 and State Lands, as provided in Section [65A-8-103](#).
- 169 (64) The Transportation of Veterans to Memorials Support Restricted Account created  
170 in Section [71-14-102](#).
- 171 (65) The Amusement Ride Safety Restricted Account, as provided in Section  
172 [72-16-204](#).
- 173 (66) Certain funds received by the Office of the State Engineer for well drilling fines or  
174 bonds, as provided in Section [73-3-25](#).
- 175 (67) The Water Resources Conservation and Development Fund, as provided in  
176 Section [73-23-2](#).
- 177 (68) Funds donated or paid to a juvenile court by private sources, as provided in  
178 Subsection [78A-6-203\(1\)\(c\)](#).
- 179 (69) Fees for certificate of admission created under Section [78A-9-102](#).
- 180 (70) Funds collected for adoption document access as provided in Sections [78B-6-141](#),  
181 [78B-6-144](#), and [78B-6-144.5](#).
- 182 (71) Funds collected for indigent defense as provided in Title 78B, Chapter 22, Part 4,

183 Utah Indigent Defense Commission.

184 (72) Revenue for golf user fees at the Wasatch Mountain State Park, Palisades State  
185 Park, Jordan River State Park, and Green River State Park, as provided under Section  
186 79-4-403.

187 (73) Certain funds received by the Division of Parks and Recreation from the sale or  
188 disposal of buffalo, as provided under Section 79-4-1001.

189 [~~(74) The Drinking While Pregnant Prevention Media and Education Campaign~~  
190 ~~Restricted Account created in Section 32B-2-308.~~]