

1                                   **COVID-19 GRANT PROGRAM AMENDMENTS**

2   2021 FIRST SPECIAL SESSION

3   STATE OF UTAH

4                                   **Chief Sponsor: Mike Schultz**

5                                   Senate Sponsor: Kirk A. Cullimore

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7 **LONG TITLE**

8 **General Description:**

9           This bill addresses grant programs responding to COVID-19.

10 **Highlighted Provisions:**

11           This bill:

- 12           ▶ amends the grant program that allows the Governor's Office of Economic  
13 Development to respond to the COVID-19 pandemic by directing financial grants to  
14 institutions of higher education by:
- 15                   • modifying certain reporting and expenditure requirements; and
  - 16                   • repealing the sunset date;
- 17           ▶ creates a grant program within the Governor's Office of Management and Budget  
18 for local governments to receive financial grants for certain purposes related to  
19 COVID-19 recovery if the local government commits to provide matching funds;  
20 and
- 21           ▶ requires the Governor's Office of Management and Budget to report information  
22 about the grant program to the Executive Appropriations Committee on an annual  
23 basis.

24 **Money Appropriated in this Bill:**

25           None

26 **Other Special Clauses:**

27           This bill provides a special effective date.



28 **Utah Code Sections Affected:**

29 AMENDS:

30 **63I-2-263 (Effective 07/01/21)**, as last amended by Laws of Utah 2021, Chapters 64,  
31 84, 205, 280, 282, 330, 382, and 401

32 **63N-1b-307 (Effective 07/01/21)**, as renumbered and amended by Laws of Utah 2021,  
33 Chapter 282

34 **63N-12-508 (Superseded 07/01/21)**, as last amended by Laws of Utah 2020, Sixth  
35 Special Session, Chapter 19

36 ENACTS:

37 **63J-4-801**, Utah Code Annotated 1953

38 **63J-4-802**, Utah Code Annotated 1953



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

41 Section 1. Section **63I-2-263 (Effective 07/01/21)** is amended to read:

42 **63I-2-263 (Effective 07/01/21). Repeal dates, Title 63A to Title 63N.**

43 (1) Section **63A-3-111** is repealed June 30, 2021.

44 (2) Title 63C, Chapter 19, Higher Education Strategic Planning Commission is  
45 repealed July 1, 2021.

46 (3) Title 63C, Chapter 22, Digital Wellness, Citizenship, and Safe Technology  
47 Commission is repealed July 1, 2023.

48 (4) Section **63G-1-502** is repealed July 1, 2022.

49 (5) The following sections regarding the World War II Memorial Commission are  
50 repealed on July 1, 2022:

51 (a) Section **63G-1-801**;

52 (b) Section **63G-1-802**;

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

54 (d) Section **63G-1-804**.

55 (6) Section **63H-7a-303** is repealed July 1, 2024.

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

57 (8) Sections **63M-7-213** and **63M-7-213.5** are repealed on January 1, 2023.

58 (9) Section **63M-7-217** is repealed on July 1, 2022.

59 ~~[(10) Subsection 63N-1b-307(3), which allows the Governor's Office of Economic~~  
60 ~~Opportunity to respond to the COVID-19 pandemic by directing financial grants to institutions~~  
61 ~~of higher education, is repealed December 31, 2021.]~~

62 ~~[(11)] (10) Title 63N, Chapter 13, Part 3, Facilitating Public-private Partnerships Act,~~  
63 ~~is repealed January 1, 2024.~~

64 ~~[(12)] (11) Title 63N, Chapter 15, COVID-19 Economic Recovery Programs, is~~  
65 ~~repealed December 31, 2021.~~

66 Section 2. Section **63J-4-801** is enacted to read:

67 **Part 8. COVID-19 Local Assistance Matching Grant Program**

68 **63J-4-801. Definitions.**

69 As used in this part:

70 (1) "American Rescue Plan Act" means the American Rescue Plan Act, Pub. L. 117-2.

71 (2) "COVID-19" means:

72 (a) severe acute respiratory syndrome coronavirus 2; or

73 (b) the disease caused by severe acute respiratory syndrome coronavirus 2.

74 (3) "COVID-19 emergency" means the spread of COVID-19 that the World Health  
75 Organization declared a pandemic on March 11, 2020.

76 (4) "Local government" means a county, city, town, or metro township.

77 Section 3. Section **63J-4-802** is enacted to read:

78 **63J-4-802. Creation of COVID-19 Local Assistance Matching Grant Program --**

79 **Eligibility -- Duties of the office.**

80 (1) There is established a grant program known as COVID-19 Local Assistance  
81 Matching Grant Program that is administered by the office.

82 (2) The office shall award financial grants to local governments that meet the  
83 qualifications described in Subsection (3) to provide support for:

84 (a) projects or services that address the economic impacts of the COVID-19 emergency  
85 on housing insecurity, lack of affordable housing, or homelessness;

86 (b) costs incurred in addressing public health challenges resulting from the COVID-19  
87 emergency;

88 (c) necessary investments in water and sewer infrastructure; or

89 (d) any other purpose authorized under the American Rescue Plan Act.

90           (3) To be eligible for a grant under this part, a local government shall:  
91           (a) commit to provide matching funds in an amount determined by the office; and  
92           (b) certify that the local government will spend grant funds:  
93           (i) on a purpose described in Subsection (2); and  
94           (ii) in accordance with the American Rescue Plan Act.  
95           (4) As soon as is practicable, but on or before September 15, 2021, the office shall  
96 establish:  
97           (a) procedures for applying for and awarding grants under this part, using an online  
98 grants management system that:  
99           (i) manages each grant throughout the duration of the grant;  
100           (ii) allows for:  
101           (A) online submission of grant applications;  
102           (B) automated disbursement of grant funds; and  
103           (C) auditing and reporting for a local government that receives grant funds; and  
104           (iii) generates reports containing information about each grant;  
105           (b) criteria for awarding grants; and  
106           (c) reporting requirements for grant recipients.  
107           (5) Subject to appropriation, the office shall award grant funds on a competitive basis  
108 until December 31, 2024.  
109           (6) Before November 30 of each year, ending November 30, 2025, the office shall  
110 submit a report to the Executive Appropriations Committee that includes:  
111           (a) the information described in Subsection (4);  
112           (b) the number of applications submitted under the grant program during the previous  
113 year;  
114           (c) the number of grants awarded under the grant program during the previous year;  
115           (d) the aggregate amount of grant funds awarded under the grant program during the  
116 previous year; and  
117           (e) any other information the office considers relevant to evaluating the success of the  
118 grant program.  
119           Section 4. Section **63N-1b-307 (Effective 07/01/21)** is amended to read:  
120           **63N-1b-307 (Effective 07/01/21). Utah Works Program.**

121 (1) There is created the Utah Works Program.

122 (2) The program, under the direction of the talent subcommittee, shall coordinate and  
123 partner with the entities described below to develop short-term pre-employment training and  
124 short-term early employment training for student and workforce participants that meet the  
125 needs of businesses that are creating jobs and economic growth in the state by:

126 (a) partnering with the office, the Department of Workforce Services, and the Utah  
127 system of higher education;

128 (b) partnering with businesses that have significant hiring demands for primarily newly  
129 created jobs in the state;

130 (c) coordinating with the Department of Workforce Services, education agencies, and  
131 employers to create effective recruitment initiatives to attract student and workforce  
132 participants and business participants to the program;

133 (d) coordinating with the Utah system of higher education to develop educational and  
134 training resources to provide student participants in the program qualifications to be hired by  
135 business participants in the program; and

136 (e) coordinating with the State Board of Education and local education agencies when  
137 appropriate to develop educational and training resources to provide student participants in the  
138 program qualifications to be hired by business participants in the program.

139 (3) (a) Subject to appropriation, [~~beginning on August 5, 2020,~~] the office, in  
140 consultation with the talent subcommittee, may respond to the COVID-19 pandemic by  
141 directing financial grants to institutions of higher education described in Section [53B-2-101](#) to  
142 offer short-term programs to:

143 (i) provide training to furloughed, laid off, dislocated, underserved, or other  
144 populations affected by COVID-19 to fill employment gaps in the state;

145 (ii) provide training and education related to industry needs; and

146 (iii) provide students with certificates or other recognition after completion of training.

147 [~~(b) (i) As soon as is practicable but on or before July 31, 2020, the office shall report  
148 to the director of the Division of Finance about the grant program under this Subsection (3),  
149 including:]~~

150 [~~(A) the process by which the office shall determine which institutions of higher  
151 education shall receive financial grants; and]~~

152 ~~[(B) the formula for awarding financial grants.]~~  
153 ~~[(ii) The office shall:]~~  
154 ~~[(A) participate in the presentation that the director of the Division of Finance provides~~  
155 ~~to the president of the Senate, the speaker of the House of Representatives, the minority leader~~  
156 ~~of the Senate, and the minority leader of the House of Representatives under Section~~  
157 ~~63A-3-111; and]~~  
158 ~~[(B) consider any recommendations for adjustments to the grant program from the~~  
159 ~~president of the Senate, the speaker of the House of Representatives, the minority leader of the~~  
160 ~~Senate, and the minority leader of the House of Representatives:]~~  
161 (b) The office shall include the following information in the annual written report  
162 described in Section 63N-1-301:  
163 (i) the process by which the office determines which institutions of higher education  
164 shall receive financial grants; and  
165 (ii) the formula for awarding financial grants.  
166 (c) ~~[To implement Subsection (3)(a), an]~~ An institution of higher education that  
167 receives grant funds under this Subsection (3):  
168 (i) may use grant funds for:  
169 (A) costs associated with developing a new program; or  
170 (B) costs associated with expanding an existing program; and  
171 (ii) shall demonstrate industry needs and opportunities for partnership with industry.  
172 ~~[(d) (i) The office shall award grant funds:]~~  
173 ~~[(A) after an initial application period that ends on or before August 31, 2020; and]~~  
174 ~~[(B) if funds remain after the initial application period, on a rolling basis until the~~  
175 ~~earlier of funds being exhausted or November 30, 2020.]~~  
176 ~~[(ii) An institution of higher education that receives grant funds shall expend the grant~~  
177 ~~funds on or before December 1, 2020.]~~  
178 (d) The office shall award grant funds on a rolling basis, until the earlier of funds being  
179 exhausted or June 30, 2022.  
180 (e) The office shall conduct outreach, including education about career guidance,  
181 training, and workforce programs, to the targeted populations.  
182 (4) The office, in consultation with the talent subcommittee, may, in accordance with

183 Title 63G, Chapter 3, Utah Administrative Rulemaking Act, and in accordance with the  
184 provisions of this section, make rules regarding the development and administration of the  
185 Utah Works Program.

186 (5) The Utah Works Program shall report the following metrics to the office for  
187 inclusion in the office's annual report described in Section [63N-1a-306](#):

188 (a) the number of participants in the program;

189 (b) how program participants learned about or were referred to the program, including  
190 the number of participants who learned about or were referred to the program by:

191 (i) the Department of Workforce Services;

192 (ii) marketing efforts of the office or talent subcommittee;

193 (iii) a school counselor; and

194 (iv) other methods;

195 (c) the number of participants who have completed training offered by the program;

196 and

197 (d) the number of participants who have been hired by a business participating in the  
198 program.

199 Section 5. Section **63N-12-508 (Superseded 07/01/21)** is amended to read:

200 **63N-12-508 (Superseded 07/01/21). Utah Works Program.**

201 (1) There is created within the center the Utah Works Program.

202 (2) The program, under the direction of the center and the talent ready board, shall  
203 coordinate and partner with the entities described below to develop short-term pre-employment  
204 training and short-term early employment training for student and workforce participants that  
205 meet the needs of businesses that are creating jobs and economic growth in the state by:

206 (a) partnering with the office, the Department of Workforce Services, and the Utah  
207 system of higher education;

208 (b) partnering with businesses that have significant hiring demands for primarily newly  
209 created jobs in the state;

210 (c) coordinating with the Department of Workforce Services, education agencies, and  
211 employers to create effective recruitment initiatives to attract student and workforce  
212 participants and business participants to the program;

213 (d) coordinating with the Utah system of higher education to develop educational and

214 training resources to provide student participants in the program qualifications to be hired by  
215 business participants in the program; and

216 (e) coordinating with the State Board of Education and local education agencies when  
217 appropriate to develop educational and training resources to provide student participants in the  
218 program qualifications to be hired by business participants in the program.

219 (3) (a) Subject to appropriation, [~~beginning on August 5, 2020,~~] the office, in  
220 consultation with the talent ready board, may respond to the COVID-19 pandemic by directing  
221 financial grants to institutions of higher education described in Section [53B-2-101](#) to offer  
222 short-term programs to:

223 (i) provide training to furloughed, laid off, dislocated, underserved, or other  
224 populations affected by COVID-19 to fill employment gaps in the state;

225 (ii) provide training and education related to industry needs; and

226 (iii) provide students with certificates or other recognition after completion of training.

227 [~~(b) (i) As soon as is practicable but on or before July 31, 2020, the office shall report  
228 to the director of the Division of Finance about the grant program under this Subsection (3),  
229 including:]~~

230 [~~(A) the process by which the office shall determine which institutions of higher  
231 education shall receive financial grants; and]~~

232 [~~(B) the formula for awarding financial grants.]~~

233 [~~(ii) The office shall:]~~

234 [~~(A) participate in the presentation that the director of the Division of Finance provides  
235 to the president of the Senate, the speaker of the House of Representatives, the minority leader  
236 of the Senate, and the minority leader of the House of Representatives under Section  
237 [63A-3-111](#); and]~~

238 [~~(B) consider any recommendations for adjustments to the grant program from the  
239 president of the Senate, the speaker of the House of Representatives, the minority leader of the  
240 Senate, and the minority leader of the House of Representatives.]~~

241 (b) The office shall include the following information in the annual written report  
242 described in Section [63N-1a-306](#):

243 (i) the process by which the office determines which institutions of higher education  
244 shall receive financial grants; and



245 (ii) the formula for awarding financial grants.

246 (c) ~~[To implement Subsection (3)(a), an]~~ An institution of higher education that  
247 receives grant funds under this Subsection (3):

248 (i) may use grant funds for:

249 (A) costs associated with developing a new program; or

250 (B) costs associated with expanding an existing program; and

251 (ii) shall demonstrate industry needs and opportunities for partnership with industry.

252 ~~[(d)(i) The office shall award grant funds:]~~

253 ~~[(A) after an initial application period that ends on or before August 31, 2020; and]~~

254 ~~[(B) if funds remain after the initial application period, on a rolling basis until the  
255 earlier of funds being exhausted or November 30, 2020.]~~

256 ~~[(ii) An institution of higher education that receives grant funds shall expend the grant  
257 funds on or before December 1, 2020.]~~

258 (d) The office shall award grant funds on a rolling basis, until the earlier of funds being  
259 exhausted or June 30, 2022.

260 (e) The center shall conduct outreach, including education about career guidance,  
261 training, and workforce programs, to the targeted populations.

262 (4) The office, in consultation with the talent ready board, may, in accordance with  
263 Title 63G, Chapter 3, Utah Administrative Rulemaking Act, and in accordance with the  
264 provisions of this section, make rules regarding the development and administration of the  
265 Utah Works Program.

266 (5) The center shall report the following metrics to the office for inclusion in the  
267 office's annual report described in Section [63N-1-301](#):

268 (a) the number of participants in the program;

269 (b) how program participants learned about or were referred to the program, including  
270 the number of participants who learned about or were referred to the program by:

271 (i) the Department of Workforce Services;

272 (ii) marketing efforts of the center or talent ready board;

273 (iii) a school counselor; and

274 (iv) other methods;

275 (c) the number of participants who have completed training offered by the program;

276 and

277 (d) the number of participants who have been hired by a business participating in the  
278 program.

279 Section 6. **Effective date.**

280 (1) Except as provided in Subsection (2), if approved by two-thirds of all the members  
281 elected to each house, this bill takes effect upon approval by the governor, or the day following  
282 the constitutional time limit of Utah Constitution, Article VII, Section 8, without the governor's  
283 signature, or in the case of a veto, the date of veto override.

284 (2) (a) Section [63I-2-263](#) (Effective 07/01/21) takes effect on July 1, 2021.

285 (b) Section [63N-1b-307](#) (Effective 07/01/21) takes effect on July 1, 2021.