

1                   **ROCKY MOUNTAIN CENTER FOR OCCUPATIONAL AND**  
2                   **ENVIRONMENTAL HEALTH AMENDMENTS**

3                                   2022 GENERAL SESSION

4                                   STATE OF UTAH

5                                   **Chief Sponsor: Karen Mayne**

6                                   House Sponsor: Val L. Peterson

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8                   **LONG TITLE**

9                   **General Description:**

10                   This bill amends provisions related to donations to the Rocky Mountain Center for  
11                   Occupational and Environmental Health (center).

12                   **Highlighted Provisions:**

13                   This bill:

14                   ▶ modifies certain donations that a workers' compensation insurer may make to the  
15                   center to offset against certain workers' compensation-related assessments to  
16                   include donations supporting undergraduate level education and training.

17                   **Money Appropriated in this Bill:**

18                   None

19                   **Other Special Clauses:**

20                   None

21                   **Utah Code Sections Affected:**

22                   AMENDS:

23                   **59-9-102.5**, as last amended by Laws of Utah 2021, Chapter 425

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

26                   Section 1. Section **59-9-102.5** is amended to read:

27                   **59-9-102.5. Offset for occupational health and safety related donations.**

28                   (1) As used in this section:

29                   (a) "Occupational health and safety center" means the Rocky Mountain Center for

30 Occupational and Environmental Health created in Title 53B, Chapter 30, Part 2, Rocky  
31 Mountain Center for Occupational and Environmental Health.

32 (b) "Qualified donation" means a donation that is:

33 (i) cash;

34 (ii) given directly to an occupational health and safety center; and

35 (iii) given exclusively for the purpose of:

36 (A) supporting undergraduate or graduate level education and training in fields of:

37 (I) safety and ergonomics;

38 (II) industrial hygiene;

39 (III) occupational health nursing;

40 (IV) occupational injury prevention; and

41 (V) occupational medicine;

42 (B) providing continuing education programs for employers designed to promote  
43 workplace safety; and

44 (C) paying reasonable administrative, personnel, equipment, and overhead costs of the  
45 occupational health and safety center.

46 (c) "Workers' compensation insurer" means an admitted insurer writing workers'  
47 compensation insurance in this state that is required to pay the premium assessment imposed  
48 under Subsection 59-9-101(2).

49 (2) (a) A workers' compensation insurer may offset against the premium assessment  
50 imposed under Subsection 59-9-101(2) an amount equal to the lesser of:

51 (i) the total of qualified donations made by the workers' compensation insurer in the  
52 calendar year for which the premium assessment is calculated; and

53 (ii) .20% of the workers' compensation insurer's total workers' compensation premium  
54 income as defined in Subsection 59-9-101(2)(b) in the calendar year for which the premium  
55 assessment is calculated.

56 (b) The offset provided under this Subsection (2) shall be allocated in proportion to the  
57 percentages provided in Subsection 59-9-101(2)(c).

- 58           (3) An occupational health and safety center shall:
- 59           (a) provide a workers' compensation insurer a receipt for any qualified donation made
- 60 by the workers' compensation insurer to the occupational health and safety center;
- 61           (b) expend money received by a qualified donation:
- 62           (i) for the purposes described in Subsection (1)(b)(iii); and
- 63           (ii) in a manner that can be audited to ensure that the money is expended for the
- 64 purposes described in Subsection (1)(b)(iii); and
- 65           (c) in conjunction with the report required by Section [34A-2-202.5](#), report to the Office
- 66 of the Legislative Fiscal Analyst for review by the Higher Education Appropriations
- 67 Subcommittee by no later than August 15 of each year:
- 68           (i) the qualified donations received by the occupational health and safety center in the
- 69 previous calendar year; and
- 70           (ii) the expenditures during the previous calendar year of qualified donations received
- 71 by the occupational health and safety center.