

1 **CONSUMER PROTECTION EDUCATION AND TRAINING**

2 **FUND AMENDMENTS**

3 2023 GENERAL SESSION

4 STATE OF UTAH

5 **Chief Sponsor: Michael K. McKell**

6 House Sponsor: Tyler Clancy

8 **LONG TITLE**

9 **General Description:**

10 This bill amends provisions related to the Consumer Protection Education and Training
11 Fund.

12 **Highlighted Provisions:**

13 This bill:

14 ▶ increases the maximum allowable balance held by the Consumer Protection
15 Education and Training Fund at the close of a fiscal year.

16 **Money Appropriated in this Bill:**

17 None

18 **Other Special Clauses:**

19 None

20 **Utah Code Sections Affected:**

21 AMENDS:

22 **13-2-8**, as last amended by Laws of Utah 2013, Chapters 124, 400

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

25 Section 1. Section **13-2-8** is amended to read:

26 **13-2-8. Consumer Protection Education and Training Fund.**

27 (1) There is created an expendable special revenue fund known as the "Consumer
28 Protection Education and Training Fund."

29 (2) (a) Unless otherwise provided by a chapter listed in Section **13-2-1**, all money not

30 distributed as consumer restitution that is received by the division from administrative fines
31 and settlements, from criminal restitution, or from civil damages, forfeitures, penalties, and
32 settlements when the division receives the money on its own behalf and not in a representative
33 capacity, shall be deposited into the fund.

34 (b) Any portion of the fund may be maintained in an interest-bearing account.

35 (c) All interest earned on fund money shall be deposited into the fund.

36 (3) Notwithstanding Title 63J, Chapter 1, Budgetary Procedures Act, the division may
37 use the fund with the approval of the executive director of the Department of Commerce in a
38 manner consistent with the duties of the division under this chapter for:

39 (a) consumer protection education for members of the public;

40 (b) equipment for and training of division personnel;

41 (c) publication of consumer protection brochures, laws, policy statements, or other
42 material relevant to the division's enforcement efforts; and

43 (d) investigation and litigation undertaken by the division.

44 (4) If the balance in the fund exceeds [~~\$500,000~~] \$1,000,000 at the close of any fiscal
45 year, the excess shall be transferred to the General Fund.