

SB0033S04 compared with SB0033

~~{deleted text}~~ shows text that was in SB0033 but was deleted in SB0033S04.

inserted text shows text that was not in SB0033 but was inserted into SB0033S04.

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Representative Jefferson S. Burton proposes the following substitute bill:

DISASTER AMENDMENTS

2023 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Ronald M. Winterton

House Sponsor: ~~{ }~~ Jefferson S. Burton

LONG TITLE

~~{Committee Note:~~

~~———— The Economic Development and Workforce Services Interim Committee recommended this bill.~~

~~———— Legislative Vote: 12 voting for 0 voting against ———— 4 absent~~

~~{General Description:~~

This bill concerns funding for a disaster.

Highlighted Provisions:

This bill:

- ▶ creates and modifies definitions;
- ▶ modifies provisions related to the State Disaster Recovery Restricted Account~~{ }~~ including to:
 - allow for certain emergency management expenses under certain conditions;

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and

- provide funding for the ~~{Local}~~ Response, Recovery, and Post-disaster Mitigation Restricted Account;
- ▶ renames the Post Disaster and Mitigation Restricted Account as ~~{Local}~~ Response, Recovery, and Post-disaster Mitigation Restricted Account;
- ▶ modifies the procedures and requirements for funds in the ~~{Local}~~ Response, Recovery, and Post-disaster Mitigation Restricted Account;
- ▶ modifies standards and requirements for receiving a grant from funds originating from the ~~{Local}~~ Response, Recovery, and Post-disaster Mitigation Restricted Account;
- ▶ grants rulemaking authority to the Division of Emergency Management; and
- ▶ makes technical and conforming changes.

Money Appropriated in this Bill:

~~{None}~~ This bill appropriates in fiscal year 2023:

- ▶ to Response, Recovery, and Post-disaster Mitigation Restricted Account:
 - from State Disaster Recovery Restricted Account, One-time, \$10,000,000.
- ▶ to Department of Public Safety - Emergency Management:
 - from Response, Recovery, and Post-disaster Mitigation Restricted Account, One-time, \$10,000,000.

This bill appropriates in fiscal year 2024:

- ▶ to Department of Public Safety - Emergency Management:
 - from State Disaster Recovery Restricted Account, \$750,000.

Other Special Clauses:

This bill provides a special effective date.

Utah Code Sections Affected:

AMENDS:

53-2a-603, as last amended by Laws of Utah 2022, Chapters 111, 373

53-2a-606, as last amended by Laws of Utah 2013, Chapter 117 and renumbered and amended by Laws of Utah 2013, Chapter 295

53-2a-1301, as enacted by Laws of Utah 2019, Chapter 306

53-2a-1302, as enacted by Laws of Utah 2019, Chapter 306

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53-2a-1303, as enacted by Laws of Utah 2019, Chapter 306

53-2a-1305, as enacted by Laws of Utah 2019, Chapter 306

63J-1-314, as last amended by Laws of Utah 2017, Chapter 210

63J-1-602.1, as last amended by Laws of Utah 2022, Chapters 48, 191, 255, 335, 415, and 451

REPEALS AND REENACTS:

53-2a-1304, as enacted by Laws of Utah 2019, Chapter 306

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

Section 1. Section **53-2a-603** is amended to read:

53-2a-603. State Disaster Recovery Restricted Account.

(1) (a) There is created a restricted account in the General Fund known as the "State Disaster Recovery Restricted Account."

(b) The disaster recovery account consists of:

(i) money deposited into the disaster recovery account in accordance with Section 63J-1-314;

(ii) money appropriated to the disaster recovery account by the Legislature; and

(iii) any other public or private money received by the division that is:

(A) given to the division for purposes consistent with this section; and

(B) deposited into the disaster recovery account at the request of:

(I) the division; or

(II) the person or entity giving the money.

(c) The Division of Finance shall deposit interest or other earnings derived from investment of account money into the General Fund.

(2) [~~Subject to being appropriated by the Legislature, money~~] Money in the disaster recovery account may only be expended or committed to be expended as follows:

(a) (i) subject to Section 53-2a-606, in any fiscal year the division may expend or commit to expend an amount that does not exceed \$500,000, in accordance with Section 53-2a-604, to fund costs to the state of emergency disaster services in response to a declared disaster;

(ii) subject to Section 53-2a-606, in any fiscal year the division may expend or commit

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to expend an amount that exceeds \$500,000, but does not exceed \$3,000,000, in accordance with Section 53-2a-604, to fund costs to the state of emergency disaster services in response to a declared disaster if the division:

(A) before making the expenditure or commitment to expend, obtains approval for the expenditure or commitment to expend from the governor;

(B) subject to Subsection (5), provides written notice of the expenditure or commitment to expend to the speaker of the House of Representatives, the president of the Senate, the Division of Finance, the Executive Offices and Criminal Justice Appropriations Subcommittee, the Legislative Management Committee, and the Office of the Legislative Fiscal Analyst no later than 72 hours after making the expenditure or commitment to expend; and

(C) makes the report required by Subsection 53-2a-606(2);

(iii) subject to Section 53-2a-606, in any fiscal year the division may expend or commit to expend an amount that exceeds \$3,000,000, but does not exceed \$5,000,000, in accordance with Section 53-2a-604, to fund costs to the state of emergency disaster services in response to a declared disaster if, before making the expenditure or commitment to expend, the division:

(A) obtains approval for the expenditure or commitment to expend from the governor; and

(B) submits the expenditure or commitment to expend to the Executive Appropriations Committee in accordance with Subsection 53-2a-606(3); and

(iv) in any fiscal year the division may expend or commit to expend an amount that does not exceed \$500,000 to fund expenses incurred by the National Guard if:

(A) in accordance with Section 39A-3-103, the governor orders into active service the National Guard in response to a declared disaster; and

(B) the money is not used for expenses that qualify for payment as emergency disaster services; and

(v) in any fiscal year, the division may expend an amount that does not exceed \$750,000 to fund expenses incurred to develop or enhance emergency management capabilities if:

(A) the money is used for personnel, equipment, supplies, contracts, training, exercises, or other expenses deemed reasonable and necessary to:

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(I) promote and strengthen the state's level of resiliency through mitigation, preparedness, response, or recovery activities; or
(II) meet federal grant matching requirements; and
(B) the disaster recovery account has a balance of funds available to be utilized while maintaining a minimum balance of \$5,000,000;

(b) money not described in Subsections (2)(a)(i), (ii), and (iii) may be expended or committed to be expended to fund costs to the state directly related to a declared disaster that are not costs related to:

(i) emergency disaster services;

(ii) emergency preparedness; or

(iii) notwithstanding whether a county participates in the Wildland Fire Suppression Fund created in Section 65A-8-204, any fire suppression or presuppression costs that may be paid for from the Wildland Fire Suppression Fund if the county participates in the Wildland Fire Suppression Fund;

(c) to fund:

(i) the Local Government Emergency Response Loan Fund created in Section 53-2a-607; and

(ii) the ~~Local~~ Response, Recovery, and Post-disaster Mitigation Restricted Account created in Section 53-2a-1302;

(d) the division may provide advanced funding from the disaster recovery account to recognized agents of the state when:

(i) Utah has agreed, through the division, to enact the Emergency Management Assistance Compact with another member state that has requested assistance during a declared disaster;

(ii) Utah agrees to provide resources to the requesting member state;

(iii) the agent of the state who represents the requested resource has no other funding source available at the time of the Emergency Management Assistance Compact request; and

(iv) the disaster recovery account has a balance of funds available to be utilized while maintaining a minimum balance of \$5,000,000; and

(e) to fund up to \$500,000 for the governor's emergency appropriations described in Subsection 63J-1-217(4).

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(3) All funding provided in advance to an agent of the state and subsequently reimbursed shall be credited to the account.

(4) The state treasurer shall invest money in the disaster recovery account according to Title 51, Chapter 7, State Money Management Act.

(5) (a) Except as provided in Subsections (1) and (2), the money in the disaster recovery account may not be diverted, appropriated, expended, or committed to be expended for a purpose that is not listed in this section.

(b) Notwithstanding Section 63J-1-410, the Legislature may not appropriate money from the disaster recovery account to eliminate or otherwise reduce an operating deficit if the money appropriated from the disaster recovery account is expended or committed to be expended for a purpose other than one listed in this section.

(c) The Legislature may not amend the purposes for which money in the disaster recovery account may be expended or committed to be expended except by the affirmative vote of two-thirds of all the members elected to each house.

(6) The division:

(a) shall provide the notice required by Subsection (2)(a)(ii) using the best available method under the circumstances as determined by the division; and

(b) may provide the notice required by Subsection (2)(a)(ii) in electronic format.

Section 2. Section 53-2a-606 is amended to read:

53-2a-606. Reporting.

(1) By no later than December 31 of each year, the division shall provide a written report to the governor and the Executive Offices and Criminal Justice Appropriations Subcommittee of:

(a) the division's activities under this part;

(b) money expended or committed to be expended in accordance with this part;

(c) the balances in the disaster recovery fund; and

(d) any unexpended balance of appropriations from the disaster recovery fund.

(2) (a) The governor and the Department of Public Safety shall report to the Legislative Management Committee an expenditure or commitment to expend made in accordance with Subsection 53-2a-603(2)(a)(ii) or 53-2a-1302(5)(b)(ii).

(b) The governor and the Department of Public Safety shall make the report required

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by this Subsection (2) on or before the sooner of:

- (i) the day on which the governor calls the Legislature into session; or
- (ii) 15 days after the division makes the expenditure or commitment to expend described in Subsection 53-2a-603(2)(a)(ii) or 53-2a-1302(5)(b)(ii).

(3) (a) Subject to Subsection (3)(b), before the division makes an expenditure or commitment to expend described in Subsection 53-2a-603(2)(a)(iii) or 53-5a-1302(5)(b)(iii), the governor and the Department of Public Safety shall submit the expenditure or commitment to expend to the Executive Appropriations Committee for its review and recommendations.

(b) The Executive Appropriations Committee shall review the expenditure or commitment to expend and may:

- (i) recommend that the division make the expenditure or commitment to expend;
 - (ii) recommend that the division not make the expenditure or commitment to expend;
- or
- (iii) recommend to the governor that the governor call a special session of the Legislature to review and approve or reject the expenditure or commitment to expend.

Section ~~{2}~~3. Section **53-2a-1301** is amended to read:

Part 13. ~~{Local}~~ Response, Recovery, and ~~{Post-Disaster}~~Post-disaster Mitigation

Restricted Account

53-2a-1301. Definitions.

As used in the part:

(1) "Account" means the [~~Post Disaster Recovery and~~ ~~{Local}~~ Response, Recovery, and Post-disaster Mitigation Restricted Account created in Section 53-2a-1302.

(2) "Affected community" means a community directly affected by an ongoing or recent disaster.

(3) "Affected community member" means a resident, property owner, business, nonprofit, or other individual or entity that is:

(a) located within an affected community; and

(b) suffered damage due to the ongoing or recent disaster in the affected community.

~~[(3) "Chief executive officer" means the same as that term is defined in Section 53-2a-203;]~~

(4) "Community" means a county, municipality, local district, or special service

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district.

~~[(5) "Costs not recoverable" include:]~~

~~[(a) the county threshold; and]~~

~~[(b) costs covered by insurance or federal government grants, including funding provided to the state by FEMA's Public Assistance grant program described in 44 C.F.R. Chapter 1, Subchapter D, Part 206.]~~

~~[(6) "County threshold" means, for each county, the countywide per capita indicator established by FEMA for the state, multiplied by the population of the county as determined by the division:]~~

~~[(7)] (5) "Disaster response and recovery" means:~~

~~(a) action taken to respond to and recover from a disaster, including action taken to remove debris, implement life-saving emergency protective measures, or repair, replace, or restore facilities in response to a disaster; and[:]~~

~~(b) post-disaster hazard mitigation directly related to the recovery from the disaster described in Subsection (5)(a).~~

~~[(8)] (6) "Disaster response and recovery grant" means money granted to an affected community for disaster response and recovery [that amounts to not more than 75% of the difference between the cost of disaster recovery, as determined by the division after reviewing the official damage assessment, and costs not recoverable].~~

~~[(9) "FEMA" means the Federal Emergency Management Agency.]~~

~~(7) "Minimum threshold payment amount" means the amount of costs that an affected community or an affected community member shall pay before the affected community or affected community member is eligible to receive money from a disaster response and recovery grant.~~

~~[(10)] (8) "Post-disaster hazard mitigation" means action taken, after a natural disaster, to reduce or eliminate risk to people or property that may occur as a result of the long-term effects of the natural disaster or a subsequent natural disaster, including action to prevent damage caused by flooding, earthquake, dam failure, wildfire, landslide, severe weather, drought, and problem soil.~~

~~[(11) "Post hazard mitigation grant" means money granted to a community for post hazard mitigation that amounts to not more than 75% of the costs deemed necessary by the~~

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~~division to complete the post hazard mitigation.]~~

~~[(12)]~~ (9) "Official damage assessment" means a financial assessment of the damage to an affected community, caused by a disaster, that is conducted under the direction of the governing body of the affected community, in accordance with the rules described in Section 53-2a-1305.

Section ~~(3)~~4. Section **53-2a-1302** is amended to read:

53-2a-1302. ~~{Local}~~Response, Recovery, and ~~{Post-Disaster}~~Post-disaster

Mitigation Restricted Account.

(1) There is created a restricted account in the General Fund known as the ~~["Post Disaster Recovery and]~~ "~~{Local}~~Response, Recovery, and ~~{Post-Disaster}~~Post-disaster Mitigation Restricted Account."

(2) The account consists of:

(a) money appropriated to the account by the Legislature;

(b) money deposited into the account in accordance with Section 63J-1-314;

~~[(b)]~~ (c) income and interest derived from the deposit and investment of money in the account; and

~~[(c)]~~ (d) private donations, grants, gifts, bequests, or money made available from any other source to implement this section.

(3) (a) At the close of a fiscal year, money in the account exceeding ~~[\$10,000,000]~~ \$50,000,000, excluding money granted to the account under ~~[Subsection (1) (2)(c)]~~ Subsection (2)(d), shall be transferred to the ~~[General Fund]~~ State Disaster Recovery Restricted Account.

(b) Except as provided by Subsection (3)(a), money in the ~~{Local}~~Response, Recovery, and Post-disaster Mitigation Restricted Account may only be used for the purposes set forth in this part.

(4) Subject to the requirements described in this part, and upon appropriation by the Legislature, the division may grant money appropriated from the account~~[:~~(1)~~]~~

~~[(a)]~~ (a) to an affected community for the affected community's disaster response and recovery efforts as described in Section 53-2a-1303~~[-or]~~.

~~[(b) to a community for post hazard mitigation as described in Section 53-2a-1304. { }]~~
~~Section 4]~~

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(5) (a) Money in the account may only be expended or committed to be expended as provided in Subsections (5)(b) and (5)(c).

(b) Subject to Section 53-2a-606, in any fiscal year the division may expend or commit to expend for disaster response and recovery efforts as described in Section 53-2a-1303:

(i) an amount that does not exceed \$500,000 in response to a disaster described in Subsection 53-2a-1303(2)(b);

(ii) an amount that exceeds \$500,000 but does not exceed \$3,000,000 for a disaster described in Subsection 53-2a-1303(2)(b) if the division:

(A) before making the expenditure or commitment to expend, obtains approval for the expenditure or commitment from the governor;

(B) provides written notice of the expenditure or commitment to expend to the speaker of the House of Representatives, the president of the Senate, the Division of Finance, the Executive Offices and Criminal Justice Appropriations Subcommittee, the Legislative Management Committee, and the Office of the Legislative Fiscal Analyst no later than 72 hours after making the expenditure or commitment to expend; and

(C) makes the report required by Subsection 53-2a-606(2); and

(iii) an amount that exceeds \$3,000,000 but does not exceed \$5,000,000, if, before making the expenditure or commitment to expend, the division:

(A) obtains approval for the expenditure or commitment from the governor; and

(B) submits the expenditure or commitment to expend to the Executive Appropriations Committee in accordance with Subsection 53-2a-606(3).

(c) Money paid by the division under this part to government entities and private persons providing emergency disaster services are subject to Title 63G, Chapter 6a, Utah Procurement Code.

Section 5. Section **53-2a-1303** is amended to read:

53-2a-1303. Disaster Response and Recovery Grant.

(1) The division may grant money under Subsection [~~53-2a-1302(4)(a)~~]
~~53-2a-1302(4)(a)~~ appropriated from the account after receiving an application from an affected community for a disaster response and recovery grant.

(2) An affected community is eligible to receive a disaster response and recovery grant appropriated from the account if:

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- (a) the affected community submits an application described in Subsection (1) that includes the information required by the rules described in Section 53-2a-1305;
- (b) the occurrence of a disaster in the affected community results in:
 - (i) the president of the United States declaring an emergency or major disaster in the state; ~~[or]~~
 - (ii) the governor declaring a state of emergency under Section 53-2a-206; or
 - (iii) the local municipality or county declaring an emergency under Section 53-2a-208;
- (c) the governing body of the affected community conducts an official damage assessment of the disaster;
- (d) ~~[the cost of disaster recovery, as determined by]~~ the division, after reviewing the application described in Subsection (2)(a), the official damage assessment~~[-exceeds the county threshold for the county in which the affected community is located; and]~~ described in Subsection (2)(c), and other information relevant to the division's determination, determines that a grant to the affected community would be an appropriate and necessary use of account funds;
- (e) the division ~~[maintains]~~ determines there is sufficient money for the grant~~[-]; and~~
- (f) the affected community agrees to grant funding requirements as determined by the division, including the affected community's minimum threshold payment amount and cost-sharing requirements.

Section ~~53-2a-1304~~⁵6. Section **53-2a-1304** is repealed and reenacted to read:

53-2a-1304. Allowed uses for disaster response and recovery grant funds.

- (1) An affected community may use or distribute grant funds provided under Section 53-2a-1303 in accordance with funding guidelines provided by the division, which may include providing funds for disaster response and recovery to:
 - (a) an affected community member;
 - (b) a publicly owned facility in the affected community; or
 - (c) publicly owned infrastructure in the affected community.
- (2) The director may expend money from the account to pay necessary costs of evaluating and administering grants under this part.
- (3) In accordance with Section 53-2a-1305, the division shall establish standards and procedures for the distribution of grant funds under this section, including standards and

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procedures for determining:

(a) when an individual or entity described in Subsection (1) (a), (b), or (c) may receive grant funds;

(b) which costs are eligible for grant funds, including administration costs; and

(c) minimum threshold payment amounts and cost-sharing requirements.

Section ~~63~~7. Section **53-2a-1305** is amended to read:

53-2a-1305. Rulemaking authority and division responsibilities.

(1) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the division may make rules to:

(a) designate the requirements and procedures~~[-]~~[-]

~~[(+)]~~[-] for the governing body of an affected community to:

~~[(A)]~~ (i) apply for a disaster response and recovery grant; and

~~[(B)]~~ (ii) conduct an official damage assessment; ~~[and]~~

~~[(ii) for the governing body of a community to apply for a post hazard mitigation grant;~~

~~and]~~

(b) establish standards to determine:

(i) the categories of and criteria for entities and costs that are eligible for grant funds;

and

(ii) minimum threshold payment amounts and cost-sharing requirements; and

~~[(b)]~~ (c) establish standards ~~[-]~~[-] and procedures to ensure that ~~[projects completed]~~ funds distributed in accordance with this ~~[section { } part] are { } completed]~~ part are distributed in a cost effective and equitable manner, are reasonably necessary for disaster ~~[-]~~[-] response and recovery ~~[or post hazard mitigation]~~, are an appropriate and necessary use of public funds, and that all receipts and invoices are documented.

(2) No later than December 31 of each year, the division shall provide the governor and the Criminal Justice Appropriations Subcommittee a written report of the division's activities under this part, including:

(a) an accounting of the money expended or committed to be expended under this part;
and

(b) the balance of the account.

Section ~~63~~78. Section **63J-1-314** is amended to read:

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63J-1-314. Deposits related to the Wildland Fire Suppression Fund and the Disaster Recovery Funding Act.

(1) As used in this section, "operating deficit" means that, at the end of the fiscal year, the unassigned fund balance in the General Fund is less than zero.

(2) Except as provided under Subsections (3) and (4), at the end of each fiscal year, the Division of Finance shall, after the transfer of General Fund revenue surplus has been made to the Medicaid Growth Reduction and Budget Stabilization Account, as provided in Section 63J-1-315, and the General Fund Budget Reserve Account, as provided in Section 63J-1-312, transfer:

(a) to the Wildland Fire Suppression Fund created in Section 65A-8-204 an amount equal to the lesser of:

(i) \$4,000,000; or

(ii) an amount necessary to make the balance in the Wildland Fire Suppression Fund equal to \$12,000,000; and

(b) an amount into the State Disaster Recovery Restricted Account, created in Section 53-2a-603, from the General Fund revenue surplus as defined in Section 63J-1-312, calculated by:

(i) determining the amount of General Fund revenue surplus after the transfer to the Medicaid Growth Reduction and Budget Stabilization Account under Section 63J-1-315, the General Fund Budget Reserve Account under Section 63J-1-312, and the transfer to the Wildland Fire Suppression Fund as described in Subsection (2)(a);

(ii) calculating an amount equal to the lesser of:

(A) 25% of the amount determined under Subsection (2)(b)(i); or

(B) 6% of the total of the General Fund appropriation amount for the fiscal year in which the surplus occurs; and

(iii) adding to the amount calculated under Subsection (2)(b)(ii) an amount equal to the lesser of:

(A) 25% more of the amount described in Subsection (2)(b)(i); or

(B) the amount necessary to replace, in accordance with this Subsection (2)(b)(iii), any amount appropriated from the State Disaster Recovery Restricted Account within 10 fiscal years before the fiscal year in which the surplus occurs if:

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(I) a surplus exists; and

(II) the Legislature appropriates money from the State Disaster Recovery Restricted Account that is not replaced by appropriation or as provided in this Subsection (2)(b)(iii).

(3) (a) Notwithstanding Subsection (2), if, at the end of a fiscal year, the Division of Finance determines that an operating deficit exists, the division shall reduce the transfer to the State Disaster Recovery Restricted Account by an amount necessary to eliminate the operating deficit, up to the full amount of the transfer.

(b) If, after reducing the transfer to the State Disaster Recovery Account to zero under Subsection (3)(a), the Division of Finance determines that an operating deficit still exists, the division shall reduce the transfer to the Wildland Fire Suppression Fund by an amount necessary to eliminate the operating deficit, up to the full amount of the transfer.

(4) Notwithstanding Subsection (2):

(a) for the period beginning July 1, 2015, and ending June 30, 2020, the Division of Finance shall transfer to the Local Government Emergency Response Loan Fund 25% of the amount to be transferred into the State Disaster Recovery Restricted Account as provided in Subsection (2)(b)(ii); ~~and~~

(b) on and after July 1, 2020, the Division of Finance shall transfer to the Local Government Emergency Response Loan Fund 10% of the amount to be transferred into the State Disaster Recovery Restricted Account as provided in Subsection (2)(b); and

(c) on and after July 1, 2023, the Division of Finance shall transfer to the ~~Local~~ Response, Recovery, and Post-disaster Mitigation Restricted Account 25% of the amount to be transferred into the State Disaster Recovery Restricted Account as provided in Subsection (2)(b).

Section 9. Section 63J-1-602.1 is amended to read:

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

Appropriations made from the following accounts or funds are nonlapsing:

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

(2) The Native American Repatriation Restricted Account created in Section 9-9-407.

(3) The Martin Luther King, Jr. Civil Rights Support Restricted Account created in Section 9-18-102.

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(4) The National Professional Men's Soccer Team Support of Building Communities Restricted Account created in Section 9-19-102.

(5) Funds collected for directing and administering the C-PACE district created in Section 11-42a-106.

(6) Money received by the Utah Inland Port Authority, as provided in Section 11-58-105.

(7) The "Latino Community Support Restricted Account" created in Section 13-1-16.

(8) The Clean Air Support Restricted Account created in Section 19-1-109.

(9) The Division of Air Quality Oil, Gas, and Mining Restricted Account created in Section 19-2a-106.

(10) The Division of Water Quality Oil, Gas, and Mining Restricted Account created in Section 19-5-126.

(11) The "Support for State-Owned Shooting Ranges Restricted Account" created in Section 23-14-13.5.

(12) Award money under the State Asset Forfeiture Grant Program, as provided under Section 24-4-117.

(13) Funds collected from the program fund for local health department expenses incurred in responding to a local health emergency under Section 26-1-38.

(14) The Children with Cancer Support Restricted Account created in Section 26-21a-304.

(15) State funds for matching federal funds in the Children's Health Insurance Program as provided in Section 26-40-108.

(16) The Children with Heart Disease Support Restricted Account created in Section 26-58-102.

(17) The Technology Development Restricted Account created in Section 31A-3-104.

(18) The Criminal Background Check Restricted Account created in Section 31A-3-105.

(19) The Captive Insurance Restricted Account created in Section 31A-3-304, except to the extent that Section 31A-3-304 makes the money received under that section free revenue.

(20) The Title Licensee Enforcement Restricted Account created in Section 31A-23a-415.

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(21) The Health Insurance Actuarial Review Restricted Account created in Section 31A-30-115.

(22) The Insurance Fraud Investigation Restricted Account created in Section 31A-31-108.

(23) The Underage Drinking Prevention Media and Education Campaign Restricted Account created in Section 32B-2-306.

(24) The Drinking While Pregnant Prevention Media and Education Campaign Restricted Account created in Section 32B-2-308.

(25) The School Readiness Restricted Account created in Section 35A-15-203.

(26) Money received by the Utah State Office of Rehabilitation for the sale of certain products or services, as provided in Section 35A-13-202.

(27) The Oil and Gas Administrative Penalties Account created in Section 40-6-11.

(28) The Oil and Gas Conservation Account created in Section 40-6-14.5.

(29) The Division of Oil, Gas, and Mining Restricted account created in Section 40-6-23.

(30) The Electronic Payment Fee Restricted Account created by Section 41-1a-121 to the Motor Vehicle Division.

(31) The Motor Vehicle Enforcement Division Temporary Permit Restricted Account created by Section 41-3-110 to the State Tax Commission.

(32) The Utah Law Enforcement Memorial Support Restricted Account created in Section 53-1-120.

(33) The State Disaster Recovery Restricted Account to the Division of Emergency Management, as provided in Section 53-2a-603.

(34) The [~~Post Disaster Recovery and~~] Response, Recovery, and Post-disaster Mitigation Restricted Account created in Section 53-2a-1302.

(35) The Department of Public Safety Restricted Account to the Department of Public Safety, as provided in Section 53-3-106.

(36) The Utah Highway Patrol Aero Bureau Restricted Account created in Section 53-8-303.

(37) The DNA Specimen Restricted Account created in Section 53-10-407.

(38) The Canine Body Armor Restricted Account created in Section 53-16-201.

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(39) The Technical Colleges Capital Projects Fund created in Section 53B-2a-118.

(40) The Higher Education Capital Projects Fund created in Section 53B-22-202.

(41) A certain portion of money collected for administrative costs under the School Institutional Trust Lands Management Act, as provided under Section 53C-3-202.

(42) The Public Utility Regulatory Restricted Account created in Section 54-5-1.5, subject to Subsection 54-5-1.5(4)(d).

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

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

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

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

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

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

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

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

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

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

(53) Certain funds donated to the Department of Health and Human Services, as provided in Section 26B-1-202.

(54) The National Professional Men's Basketball Team Support of Women and Children Issues Restricted Account created in Section 26B-1-302.

SB0033S04 compared with SB0033

(55) Certain funds donated to the Division of Child and Family Services, as provided in Section 80-2-404.

(56) The Choose Life Adoption Support Restricted Account created in Section 80-2-502.

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

(58) The Immigration Act Restricted Account created in Section 63G-12-103.

(59) Money received by the military installation development authority, as provided in Section 63H-1-504.

(60) The Computer Aided Dispatch Restricted Account created in Section 63H-7a-303.

(61) The Unified Statewide 911 Emergency Service Account created in Section 63H-7a-304.

(62) The Utah Statewide Radio System Restricted Account created in Section 63H-7a-403.

(63) The Utah Capital Investment Restricted Account created in Section 63N-6-204.

(64) The Motion Picture Incentive Account created in Section 63N-8-103.

(65) Certain money payable for expenses of the Pete Suazo Utah Athletic Commission, as provided under Section 63N-10-301.

(66) Funds collected by the housing of state probationary inmates or state parole inmates, as provided in Subsection 64-13e-104(2).

(67) Certain forestry and fire control funds utilized by the Division of Forestry, Fire, and State Lands, as provided in Section 65A-8-103.

(68) The Amusement Ride Safety Restricted Account, as provided in Section 72-16-204.

(69) Certain funds received by the Office of the State Engineer for well drilling fines or bonds, as provided in Section 73-3-25.

(70) The Water Resources Conservation and Development Fund, as provided in Section 73-23-2.

(71) Funds donated or paid to a juvenile court by private sources, as provided in Subsection 78A-6-203(1)(c).

(72) Fees for certificate of admission created under Section 78A-9-102.

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(73) Funds collected for adoption document access as provided in Sections 78B-6-141, 78B-6-144, and 78B-6-144.5.

(74) Funds collected for indigent defense as provided in Title 78B, Chapter 22, Part 4, Utah Indigent Defense Commission.

(75) The Utah Geological Survey Oil, Gas, and Mining Restricted Account created in Section 79-3-403.

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

(77) Funds donated as described in Section 41-1a-422 for the State Park Fees Restricted Account created in Section 79-4-402 for support of the Division of State Parks' dark sky initiative.

(78) Certain funds received by the Division of State Parks from the sale or disposal of buffalo, as provided under Section 79-4-1001.

Section 10. Appropriation.

The following sums of money are appropriated for the fiscal year beginning July 1, 2022, and ending June 30, 2023. These are additions to amounts previously appropriated for fiscal year 2023. Under the terms and conditions of Title 63J, Chapter 1, Budgetary Procedures Act, the Legislature appropriates the following sums of money from the funds or accounts indicated for the use and support of the government of the state of Utah.

ITEM 1

To Response, Recovery, and Post-disaster Mitigation Restricted Account

<u>From State Disaster Recovery Restricted Account, One-time</u>	<u>10,000,000</u>
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Schedule of Programs:

<u>Response, Recovery, and Post-disaster Mitigation</u>	
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<u>Restricted Account</u>	<u>10,000,000</u>
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ITEM 2

To Department of Public Safety - Emergency Management

<u>From Response, Recovery, and Post-disaster Mitigation</u>	
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<u>Restricted Account, One-time</u>	<u>10,000,000</u>
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Schedule of Programs:

<u>Emergency Management</u>	<u>10,000,000</u>
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SB0033S04 compared with SB0033

The following sums of money are appropriated for the fiscal year beginning July 1, 2023, and ending June 30, 2024. These are additions to amounts previously appropriated for fiscal year 2024. Under the terms and conditions of Title 63J, Chapter 1, Budgetary Procedures Act, the Legislature appropriates the following sums of money from the funds or accounts indicated for the use and support of the government of the state of Utah.

ITEM 3

To Department of Public Safety - Emergency Management

<u>From State Disaster Recovery Restricted Account</u>	<u>750,000</u>
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Schedule of Programs:

<u>Emergency Management</u>	<u>750,000</u>
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Section ~~{8}~~11. **Effective date and two-thirds majority required to pass.**

(1) If approved by two-thirds of all the members elected to each house, this bill takes effect on May 3, 2023.

(2) In accordance with Subsection 53-2a-603(5)(c), if this bill is not approved by two-thirds of all the members elected to each house, this bill will not go into effect.