

## SB0272S02 compared with SB0272

~~text~~ shows text that was in SB0272 but was deleted in SB0272S02.

text shows text that was not in SB0272 but was inserted into SB0272S02.

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Senator Don L. Ipson proposes the following substitute bill:

### FUNDS AMENDMENTS

2023 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Don L. Ipson**

House Sponsor: ~~\_\_\_\_\_~~ Robert M. Spendlove

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#### LONG TITLE

##### General Description:

This bill modifies provisions related to various funds and repeals contribution dependent accounts that have not received a sufficient level of contributions, together with those accounts' associated programs, where applicable.

##### Highlighted Provisions:

This bill:

- ▶ repeals the Utah Intracurricular Student Organization Support for Agricultural Education and Leadership Restricted Account;
- ▶ repeals the Survivors of Suicide Loss Account and makes technical amendments to the program;
- ▶ repeals the Psychiatric Consultation Program Account and makes technical adjustments to the program;

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- ▶ repeals the Choose Life Adoption Support Restricted Account;
- ~~{~~ → ~~repeals the Agricultural Water Optimization Account;~~
- ~~}~~ ▶ repeals the Mule Deer Protection Restricted Account ~~{ and the associated Mule Deer Protection Act};~~
- ▶ repeals the Automatic External Defibrillator Restricted Account;
- ▶ repeals the Children's Hearing Aid Program Restricted Account;
- ▶ repeals the Children with Cancer Support Restricted Account;
- ▶ repeals the Children with Heart Disease Support Restricted Account;
- ~~{~~ → ~~repeals the Emergency Medical Services System Account and the Emergency Medical Services Grant Program;~~
- ~~}~~ ▶ repeals the Drinking While Pregnant Prevention Media and Education Campaign Restricted Account and the Drinking While Pregnant Prevention Media and Education Campaign;
- ▶ repeals the West Traverse Sentinel Landscape Fund;
- ▶ repeals the Prison Development Restricted Account;
- ▶ repeals the State Capitol Fund;
- ~~{~~ → ~~repeals the Winter Sports Venue Grant Fund;~~
- ~~}~~ ▶ repeals the Child Care Fund;
- ▶ repeals the Invest More for Education Account and its associated tax return contribution option;
- ~~{~~ → ~~repeals the tax return contribution option for school districts and school district foundations;~~
- ~~}~~ ▶ modifies the purposes of the State Disaster Recovery Restricted Account to add payment of state earthquake deductibles as a permitted use;
- ▶ permits the State Employees' Annual Leave Trust Fund to be used for the purpose of reimbursing overpayments; and
- ▶ changes lapsing procedures for the Commerce Electronic Payment Fee Restricted Account.

### Money Appropriated in this Bill:

None

### Other Special Clauses:

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This bill provides a special effective date.

This bill provides a coordination clause.

### Utah Code Sections Affected:

AMENDS:

- ~~{~~ ~~4-18-106~~, as last amended by Laws of Utah 2022, Chapter 79
- ~~26-8a-104~~, as last amended by Laws of Utah 2021, Chapters 237, 265
- ~~26-8a-211~~, as enacted by Laws of Utah 2020, Chapter 215
- † 26-8b-102, as last amended by Laws of Utah 2015, Chapter 411
- 35A-3-205, as last amended by Laws of Utah 2016, Chapter 144
- ~~{41-1a-230.7}~~ 41-1a-418, as ~~{enacted}~~ last amended by Laws of Utah ~~{2021}~~ 2022,  
{Chapter 395} Chapters 19, 48, 68, and 451
- 41-1a-422, as last amended by Laws of Utah 2022, Chapters 19, 48, 68, 255, 259, 335, 451, and 456
- 53-2a-603, as last amended by Laws of Utah 2022, Chapters 111, 373
- 59-10-1304, as last amended by Laws of Utah 2020, Chapter 311
- 62A-15-1501, as last amended by Laws of Utah 2021, Chapter 277
- 62A-15-1502, as last amended by Laws of Utah 2021, Chapter 277
- 62A-15-1601, as last amended by Laws of Utah 2021, Chapter 278
- 62A-15-1602, as last amended by Laws of Utah 2021, Chapter 278
- 62A-15-1801, as enacted by Laws of Utah 2020, Chapter 304
- 63A-5b-1107, as last amended by Laws of Utah 2020, Chapter 354 and renumbered and amended by Laws of Utah 2020, Chapter 152
- 63C-9-501, as last amended by Laws of Utah 2014, Chapter 172
- 63I-1-263, as last amended by Laws of Utah 2022, Chapters 23, 34, 68, 153, 218, 236, 249, 274, 296, 313, 361, 362, 417, 419, and 472
- 63J-1-602.1, as last amended by Laws of Utah 2022, Chapters 48, 191, 255, 335, 415, and 451
- 63J-1-602.2, as last amended by Laws of Utah 2022, Chapters 59, 68, 154, 224, 236, 242, and 447 and last amended by Coordination Clause, Laws of Utah 2022, Chapter 154
- 63M-7-303, as last amended by Laws of Utah 2022, Chapter 211

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67-19f-201, as last amended by Laws of Utah 2021, Chapter 344

### REPEALS:

4-42-101, as enacted by Laws of Utah 2017, Chapter 194

4-42-102, as enacted by Laws of Utah 2017, Chapter 194

~~{ 23-30-101, as enacted by Laws of Utah 2012, Chapter 143~~

~~23-30-102, as enacted by Laws of Utah 2012, Chapter 143~~

‡ 23-30-103, as enacted by Laws of Utah 2012, Chapter 143

~~{ 23-30-104, as enacted by Laws of Utah 2012, Chapter 143~~

~~26-8a-108, as last amended by Laws of Utah 2021, Chapter 395~~

~~26-8a-207, as last amended by Laws of Utah 2020, Chapters 215, 230~~

‡ 26-8b-601, as enacted by Laws of Utah 2013, Chapter 99

26-8b-602, as last amended by Laws of Utah 2014, Chapter 109

26-10-11, as last amended by Laws of Utah 2021, Chapter 50

26-21a-304, as enacted by Laws of Utah 2016, Chapter 46

26-58-101, as enacted by Laws of Utah 2016, Chapter 71

26-58-102, as enacted by Laws of Utah 2016, Chapter 71

32B-2-308, as last amended by Laws of Utah 2022, Chapter 255

35A-3-206, as last amended by Laws of Utah 2015, Chapter 221

39A-8-105, as renumbered and amended by Laws of Utah 2022, Chapter 373

~~{ 51-11-101, as enacted by Laws of Utah 2018, Chapter 253~~

~~51-11-102, as last amended by Laws of Utah 2020, Chapters 152, 354~~

~~51-11-201, as enacted by Laws of Utah 2018, Chapter 253~~

‡ 53F-9-205, as renumbered and amended by Laws of Utah 2018, Chapter 2

~~{ 59-10-1307, as last amended by Laws of Utah 2018, Chapter 415~~

‡ 59-10-1318, as last amended by Laws of Utah 2018, Chapter 415

62A-15-403, as renumbered and amended by Laws of Utah 2022, Chapter 211

~~{ 62A-15-1501, as last amended by Laws of Utah 2021, Chapter 277~~

~~62A-15-1502, as last amended by Laws of Utah 2021, Chapter 277~~

~~62A-15-1601, as last amended by Laws of Utah 2021, Chapter 278~~

~~62A-15-1602, as last amended by Laws of Utah 2021, Chapter 278~~

‡ 63C-9-502, as last amended by Laws of Utah 2015, Chapter 314

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~~{ 73-10g-204, as last amended by Laws of Utah 2022, Chapter 79~~

~~{ 80-2-502, as renumbered and amended by Laws of Utah 2022, Chapter 334~~

### Utah Code Sections Affected by Coordination Clause:

13-1-17, Utah Code Annotated 1953

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

Section 1. Section ~~{4-18-106}~~26-8b-102 is amended to read:

~~{ 4-18-106. Agriculture Resource Development Fund -- Contents -- Use of fund money -- Advisory board.~~

~~—— (1) As used in this section:~~

~~—— (a) "Disaster" means an extraordinary circumstance, including a flood, drought, or fire, that results in:~~

~~—— (i) the president of the United States declaring an emergency or major disaster in the state;~~

~~—— (ii) the governor declaring a state of emergency under Title 53, Chapter 2a, Part 2, Disaster Response and Recovery Act; or~~

~~—— (iii) the chief executive officer of a local government declaring a local emergency under Title 53, Chapter 2a, Part 2, Disaster Response and Recovery Act.~~

~~—— (b) "Local government" means the same as that term is defined in Section 53-2a-602.~~

~~—— (2) There is created a revolving loan fund known as the Agriculture Resource Development Fund.~~

~~—— (3) The Agriculture Resource Development Fund shall consist of:~~

~~—— (a) money appropriated to the fund by the Legislature;~~

~~—— (b) sales and use tax receipts transferred to the fund in accordance with Section 59-12-103;~~

~~—— (c) money received for the repayment of loans made from the fund;~~

~~—— (d) money made available to the state for agriculture resource development from any source; and~~

~~—— (e) interest earned on the fund.~~

~~—— (4) The commission may make loans from the Agriculture Resource Development Fund for:~~

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- ~~—— (a) a rangeland improvement and management project;~~
- ~~—— (b) a watershed protection or flood prevention project;~~
- ~~—— (c) a soil and water conservation project;~~
- ~~—— (d) a program designed to promote energy efficient farming practices;~~
- ~~—— (e) an improvement program for agriculture product storage or program designed to protect a crop or animal resource;~~
- ~~—— (f) a hydroponic or aquaponic system;~~
- ~~—— (g) a project or program to improve water quality;~~
- ~~—— (h) a project to address other environmental issues; or~~
- ~~—— (i) subject to Subsection (5), a disaster relief program designed to aid the sustainability of agriculture during and immediately following a disaster.~~
- ~~—— (5) (a) Loans made through a disaster relief program described in Subsection (4)(i) may not comprise more than 10% of the funds appropriated by the Legislature to the Agriculture Resource Development Fund.~~
- ~~—— (b) Notwithstanding Subsection (5)(a), the department may use all money appropriated to the Agriculture Resource Development Fund by the Legislature or another source, without limitation, if the money is appropriated specifically for use in a disaster relief program.~~
- ~~—— [(c) (i) Until December 31, 2024, the department is authorized to borrow up to \$3,000,000 of General Fund appropriations from the Agricultural Water Optimization Account created in Section 73-10g-204 to be used in making loans through a disaster relief program described in Subsection (4)(i).]~~
- ~~—— [(ii) If the department borrows from the Agricultural Water Optimization Account under Subsection (5)(c)(i), the department shall deposit the repayment of principal and interest on loans made through a disaster relief program, regardless of the source of the funds used to make those loans, into the Agricultural Water Optimization Account, with preference over the repayment of any other source of funds, until the Agricultural Water Optimization Account is repaid in full.]~~
- ~~—— (6) The commission may appoint an advisory board to:~~
  - ~~—— (a) oversee the award process for loans, as described in this section;~~
  - ~~—— (b) approve loans; and~~
  - ~~—— (c) recommend policies and procedures for the Agriculture Resource Development~~

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~~Fund that are consistent with statute:~~

~~Section 2. Section **26-8a-104** is amended to read:~~

~~**26-8a-104. Committee advisory duties.**~~

~~The committee shall adopt rules, with the concurrence of the department, in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, that:~~

~~(1) establish licensure, certification, and reciprocity requirements under Section 26-8a-302;~~

~~(2) establish designation requirements under Section 26-8a-303;~~

~~(3) promote the development of a statewide emergency medical services system under Section 26-8a-203;~~

~~(4) establish insurance requirements for ambulance providers;~~

~~(5) provide guidelines for requiring patient data under Section 26-8a-203;~~

~~[(6) establish criteria for awarding grants under Section 26-8a-207;]~~

~~[(7)] ~~(6)~~ establish requirements for the coordination of emergency medical services and the medical supervision of emergency medical service providers under Section 26-8a-306;~~

~~[(8)] ~~(7)~~ select appropriate vendors to establish certification requirements for emergency medical dispatchers;~~

~~[(9)] ~~(8)~~ establish the minimum level of service for 911 ambulance services provided under Section 11-48-103; and~~

~~[(10)] ~~(9)~~ are necessary to carry out the responsibilities of the committee as specified in other sections of this chapter.~~

~~Section 3. Section **26-8a-211** is amended to read:~~

~~**26-8a-211. Report.**~~

~~The department shall report to the Health and Human Services Interim Committee before November 30, 2022, regarding:~~

~~(1) the activities and accomplishments of the regional medical services liaisons hired under Section 26-8a-210;~~

~~[(2) the efficacy of the emergency medical services grant program established in Section 26-8a-207, including grant distribution;]~~

~~[(3)] ~~(2)~~ the condition of emergency medical services within the state, including emergency medical services provider response times and personnel numbers; and~~

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~~[(4)] (3) the financial condition of the department, including department operational costs under this chapter.~~

~~Section 4. Section 26-8b-102 is amended to read:~~

### ~~†~~ **26-8b-102. Definitions.**

As used in this chapter:

~~[(1)] (1) "Account" means the Automatic External Defibrillator Restricted Account, created in Section 26-8b-602.]~~

~~[(2)] (1) "Automatic external defibrillator" or "AED" means an automated or automatic computerized medical device that:~~

(a) has received pre-market notification approval from the United States Food and Drug Administration, pursuant to 21 U.S.C. Sec. 360(k);

(b) is capable of recognizing the presence or absence of ventricular fibrillation or rapid ventricular tachycardia;

(c) is capable of determining, without intervention by an operator, whether defibrillation should be performed; and

(d) upon determining that defibrillation should be performed, automatically charges, enabling delivery of, or automatically delivers, an electrical impulse through the chest wall and to a person's heart.

~~[(3)] (2) "Bureau" means the Bureau of Emergency Medical Services, within the department.~~

~~[(4)] (3) "Cardiopulmonary resuscitation" or "CPR" means artificial ventilation or external chest compression applied to a person who is unresponsive and not breathing.~~

~~[(5)] (4) "Emergency medical dispatch center" means a public safety answering point, as defined in Section 63H-7a-103, that is designated as an emergency medical dispatch center by the bureau.~~

~~[(6)] (5) "Sudden cardiac arrest" means a life-threatening condition that results when a person's heart stops or fails to produce a pulse.~~

Section ~~(5)~~2. Section **35A-3-205** is amended to read:

### **35A-3-205. Creation of committee.**

(1) There is created a Child Care Advisory Committee.

(2) The committee shall counsel and advise the office in fulfilling its statutory



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obligations, including:

- (a) reviewing and providing recommendations on the office's annual budget;
- (b) providing recommendations on how the office might best respond to child care

needs throughout the state; and

(c) providing recommendations on the use of money [~~in the Child Care Fund and other money that comes into~~] that is provided to the office for the purpose of addressing child care needs.

(3) The committee is composed of the following members, with special attention given to insure diversity and representation from both urban and rural groups:

- (a) one expert in early childhood development;
- (b) one child care provider who operates a center;
- (c) one child care provider who operates a family child care business;
- (d) one parent who is representative of households receiving a child care subsidy from

the office;

- (e) one representative from the public at-large;
- (f) one representative selected by the State Board of Education;
- (g) one representative of the Department of Health;
- (h) one representative of the Department of Human Services;
- (i) two representatives from the corporate community, one who is a recent "Family Friendly" award winner and who received the award because of efforts related to child care;
- (j) two representatives from the small business community;
- (k) one representative from child care advocacy groups;
- (l) one representative of children with disabilities;
- (m) one representative from the state Head Start Association appointed by the

association;

- (n) one representative from each child care provider association; and
- (o) one representative of a child care resource and referral center appointed by the

organization representing child care resource and referral agencies.

(4) (a) The executive director shall appoint the members designated in Subsections (3)(a) through (e) and (j) through (n).

- (b) The head of the respective departments shall appoint the members referred to in

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Subsections (3)(f) through (i).

(c) Each child care provider association shall appoint its respective member referred to in Subsection (3)(o).

(5) (a) Except as required by Subsection (5)(b), as terms of current committee members expire, the appointing authority shall appoint each new member or reappointed member to a four-year term.

(b) Notwithstanding the requirements of Subsection (5)(a), the appointing authority shall, at the time of appointment or reappointment, adjust the length of terms to ensure that the terms of committee members are staggered so that approximately half of the committee is appointed every two years.

(6) When a vacancy occurs in the membership for any reason, including missing three consecutive meetings where the member has not been excused by the chair prior to or during the meeting, the replacement shall be appointed for the unexpired term.

(7) A majority of the members constitutes a quorum for the transaction of business.

(8) (a) The executive director shall select a chair from the committee membership.

(b) A chair may serve no more than two one-year terms as chair.

(9) A member may not receive compensation or benefits for the member's service, but may receive per diem and travel expenses as allowed in:

(a) Section 63A-3-106;

(b) Section 63A-3-107; and

(c) rules made by the Division of Finance according to Sections 63A-3-106 and 63A-3-107.

Section ~~{6}~~3. Section ~~{41-1a-230.7}~~41-1a-418 is amended to read:

~~{~~41-1a-230.7. Registration checkoff for supporting search and rescue operations.

~~—————~~(1) A person who applies for a motor vehicle registration or registration renewal may designate a voluntary contribution of \$3 for the purpose of supporting: (a) ~~the Emergency Medical Services Grant Program; and (b)] the Search and Rescue Financial Assistance Program.~~

~~—————~~(2) This contribution shall be:

~~—————~~(a) collected by the division;

~~—————~~(b) treated as a voluntary contribution and not as a motor vehicle or off-highway

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~~vehicle registration fee; and~~

~~—— (c) distributed [equally to the Emergency Medical Services System Account created in Section 26-8a-108 and] to the Search and Rescue Financial Assistance Program created in Section 53-2a-1102 at least monthly, less actual administrative costs associated with collecting and transferring the contributions.~~

~~—— (3) In addition to the administrative costs deducted under Subsection (2)(c), the division may deduct the first \$1,000 collected to cover costs incurred to change the registration form.~~

### ‡ **41-1a-418. Authorized special group license plates.**

(1) The division shall only issue special group license plates in accordance with this section through Section 41-1a-422 to a person who is specified under this section within the categories listed as follows:

- (a) disability special group license plates issued in accordance with Section 41-1a-420;
- (b) honor special group license plates, as in a war hero, which plates are issued for a:
  - (i) survivor of the Japanese attack on Pearl Harbor;
  - (ii) former prisoner of war;
  - (iii) recipient of a Purple Heart;
  - (iv) disabled veteran;
  - (v) recipient of a gold star award issued by the United States Secretary of Defense; or
  - (vi) recipient of a campaign or combat theater award determined by the Department of

Veterans and Military Affairs;

(c) unique vehicle type special group license plates, as for historical, collectors value, or other unique vehicle type, which plates are issued for:

- (i) a special interest vehicle;
- (ii) a vintage vehicle;
- (iii) a farm truck; or
- (iv) (A) until Subsection (1)(c)(iv)(B) or (4) applies, a vehicle powered by clean fuel as defined in Section 59-13-102; or

(B) beginning on the effective date of rules made by the Department of Transportation authorized under Subsection 41-6a-702(5)(b) and until Subsection (4) applies, a vehicle powered by clean fuel that meets the standards established by the Department of Transportation

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in rules authorized under Subsection 41-6a-702(5)(b);

(d) recognition special group license plates, which plates are issued for:

- (i) a current member of the Legislature;
- (ii) a current member of the United States Congress;
- (iii) a current member of the National Guard;
- (iv) a licensed amateur radio operator;
- (v) a currently employed, volunteer, or retired firefighter until June 30, 2009;
- (vi) an emergency medical technician;
- (vii) a current member of a search and rescue team;
- (viii) a current honorary consulate designated by the United States Department of

State;

(ix) an individual supporting commemoration and recognition of women's suffrage;

(x) an individual supporting a fraternal, initiatic order for those sharing moral and metaphysical ideals, and designed to teach ethical and philosophical matters of brotherly love, relief, and truth;

(xi) an individual supporting the Utah Wing of the Civil Air Patrol; or

(xii) an individual supporting the recognition and continuation of the work and life of Dr. Martin Luther King, Jr.; or

(e) support special group license plates, as for a contributor to an institution or cause, which plates are issued for a contributor to:

- (i) an institution's scholastic scholarship fund;
- (ii) the Division of Wildlife Resources;
- (iii) the Department of Veterans and Military Affairs;
- (iv) the Division of Outdoor Recreation;
- (v) the Department of Agriculture and Food;
- (vi) the Guardian Ad Litem Services Account and the Children's Museum of Utah;
- (vii) the Boy Scouts of America;
- (viii) spay and neuter programs through No More Homeless Pets in Utah;
- (ix) the Boys and Girls Clubs of America;
- (x) Utah public education;
- (xi) programs that provide support to organizations that create affordable housing for

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those in severe need through the Division of Real Estate;

(xii) the Department of Public Safety;

(xiii) programs that support Zion National Park;

(xiv) beginning on July 1, 2009, programs that provide support to firefighter organizations;

(xv) programs that promote bicycle operation and safety awareness;

(xvi) programs that conduct or support cancer research;

(xvii) programs that create or support autism awareness;

(xviii) programs that create or support humanitarian service and educational and cultural exchanges;

(xix) until September 30, 2017, programs that conduct or support prostate cancer awareness, screening, detection, or prevention;

~~[(xx) programs that support and promote adoptions;]~~

~~[(xxi)]~~ [(xx)] programs that support issues affecting women and children through an organization affiliated with a national professional men's basketball organization;

~~[(xxii)]~~ [(xxi)] programs that strengthen youth soccer, build communities, and promote environmental sustainability through an organization affiliated with a professional men's soccer organization;

~~[(xxiii) programs that support children with heart disease;]~~

~~[(xxiv)]~~ [(xxii)] programs that support the operation and maintenance of the Utah Law Enforcement Memorial;

~~[(xxv) programs that provide assistance to children with cancer;]~~

~~[(xxvi) programs that promote leadership and career development through agricultural education;]~~

~~[(xxvii)]~~ [(xxiii)] the Utah State Historical Society;

~~[(xxviii)]~~ [(xxiv)] programs that promote motorcycle safety awareness;

~~[(xxix)]~~ [(xxv)] organizations that promote clean air through partnership, education, and awareness;

~~[(xxx)]~~ [(xxvi)] programs dedicated to strengthening the state's Latino community through education, mentoring, and leadership opportunities;

~~[(xxxi)]~~ [(xxvii)] organizations dedicated to facilitating, connecting, registering, and

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advocating for organ donors and donor families;

~~[(xxxii)]~~ [(xxviii)] public education on behalf of the Kiwanis International clubs;

~~[(xxxiii)]~~ [(xxix)] the Live On suicide prevention campaign; or

~~[(xxxiv)]~~ [(xxx)] the Division of State Parks to advance the Utah State Parks dark sky initiative.

(2) (a) The division may not issue a new type of special group license plate or decal unless the division receives:

(i) (A) a private donation for the start-up fee established under Section 63J-1-504 for the production and administrative costs of providing the new special group license plates or decals; or

(B) a legislative appropriation for the start-up fee provided under Subsection (2)(a)(i)(A); and

(ii) beginning on January 1, 2012, and for the issuance of a support special group license plate authorized in Section 41-1a-422, at least 500 completed applications for the new type of support special group license plate or decal to be issued with all fees required under this part for the support special group license plate or decal issuance paid by each applicant.

(b) (i) Beginning on January 1, 2012, each participating organization shall collect and hold applications for support special group license plates or decals authorized in Section 41-1a-422 on or after January 1, 2012, until it has received at least 500 applications.

(ii) Once a participating organization has received at least 500 applications, it shall submit the applications, along with the necessary fees, to the division for the division to begin working on the design and issuance of the new type of support special group license plate or decal to be issued.

(iii) Beginning on January 1, 2012, the division may not work on the issuance or design of a new support special group license plate or decal authorized in Section 41-1a-422 until the applications and fees required under this Subsection (2) have been received by the division.

(iv) The division shall begin issuance of a new support special group license plate or decal authorized in Section 41-1a-422 on or after January 1, 2012, no later than six months after receiving the applications and fees required under this Subsection (2).

(c) (i) Beginning on July 1, 2009, the division may not renew a motor vehicle registration of a motor vehicle that has been issued a firefighter recognition special group

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license plate unless the applicant is a contributor as defined in Subsection 41-1a-422(1)(a)(ii)(D) to the Firefighter Support Restricted Account.

(ii) A registered owner of a vehicle that has been issued a firefighter recognition special group license plate prior to July 1, 2009, upon renewal of the owner's motor vehicle registration shall:

(A) be a contributor to the Firefighter Support Restricted Account as required under Subsection (2)(c)(i); or

(B) replace the firefighter recognition special group license plate with a new license plate.

(3) Beginning on July 1, 2011, if a support special group license plate or decal type authorized in Section 41-1a-422 and issued on or after January 1, 2012, has fewer than 500 license plates issued each year for a three consecutive year time period that begins on July 1, the division may not issue that type of support special group license plate or decal to a new applicant beginning on January 1 of the following calendar year after the three consecutive year time period for which that type of support special group license plate or decal has fewer than 500 license plates issued each year.

(4) Beginning on July 1, 2011, the division may not issue to an applicant a unique vehicle type license plate for a vehicle powered by clean fuel under Subsection (1)(c)(iv).

(5) (a) Beginning on October 1, 2017, the division may not issue a new prostate cancer support special group license plate.

(b) A registered owner of a vehicle that has been issued a prostate cancer support special group license plate before October 1, 2017, may renew the owner's motor vehicle registration, with the contribution allocated as described in Section 41-1a-422.

Section ~~7~~4. Section **41-1a-422** is amended to read:

**41-1a-422. Support special group license plates -- Contributor -- Voluntary contribution collection procedures.**

(1) As used in this section:

(a) (i) except as provided in Subsection (1)(a)(ii), "contributor" means a person who has donated or in whose name at least \$25 has been donated to:

(A) a scholastic scholarship fund of a single named institution;

(B) the Department of Veterans and Military Affairs for veterans programs;

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(C) the Division of Wildlife Resources for the Wildlife Resources Account created in Section 23-14-13, for conservation of wildlife and the enhancement, preservation, protection, access, and management of wildlife habitat;

(D) the Department of Agriculture and Food for the benefit of conservation districts;

(E) the Division of Outdoor Recreation for the benefit of snowmobile programs;

(F) the Guardian Ad Litem Services Account and the Children's Museum of Utah, with the donation evenly divided between the two;

(G) the Boy Scouts of America for the benefit of a Utah Boy Scouts of America council as specified by the contributor;

(H) No More Homeless Pets in Utah for distribution to organizations or individuals that provide spay and neuter programs that subsidize the sterilization of domestic animals;

(I) the Utah Alliance of Boys and Girls Clubs, Inc. to provide and enhance youth development programs;

(J) the Utah Association of Public School Foundations to support public education;

(K) the Utah Housing Opportunity Restricted Account created in Section 61-2-204 to assist people who have severe housing needs;

(L) the Public Safety Honoring Heroes Restricted Account created in Section 53-1-118 to support the families of fallen Utah Highway Patrol troopers and other Department of Public Safety employees;

(M) the Division of Outdoor Recreation for distribution to organizations that provide support for Zion National Park;

(N) the Firefighter Support Restricted Account created in Section 53-7-109 to support firefighter organizations;

(O) the Share the Road Bicycle Support Restricted Account created in Section 72-2-127 to support bicycle operation and safety awareness programs;

(P) the Cancer Research Restricted Account created in Section 26-21a-302 to support cancer research programs;

(Q) Autism Awareness Restricted Account created in Section 53F-9-401 to support autism awareness programs;

(R) Humanitarian Service and Educational and Cultural Exchange Restricted Account created in Section 9-17-102 to support humanitarian service and educational and cultural



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programs;

(S) Upon renewal of a prostate cancer support special group license plate, to the Cancer Research Restricted Account created in Section 26-21a-302 to support cancer research programs;

~~[(T) the Choose Life Adoption Support Restricted Account created in Section 80-2-502 to support programs that promote adoption;]~~

~~[(U)]~~ (T) the National Professional Men's Basketball Team Support of Women and Children Issues Restricted Account created in Section 26B-1-302;

~~[(V)]~~ (U) the Utah Law Enforcement Memorial Support Restricted Account created in Section 53-1-120;

~~[(W) the Children with Cancer Support Restricted Account created in Section 26-21a-304 for programs that provide assistance to children with cancer;]~~

~~[(X)]~~ (V) the National Professional Men's Soccer Team Support of Building Communities Restricted Account created in Section 9-19-102;

~~[(Y) the Children with Heart Disease Support Restricted Account created in Section 26-58-102;]~~

~~[(Z) the Utah Intracurricular Student Organization Support for Agricultural Education and Leadership Restricted Account created in Section 4-42-102;]~~

~~[(AA)]~~ (W) the Division of Wildlife Resources for the Support for State-Owned Shooting Ranges Restricted Account created in Section 23-14-13.5, for the creation of new, and operation and maintenance of existing, state-owned firearm shooting ranges;

~~[(BB)]~~ (X) the Utah State Historical Society to further the mission and purpose of the Utah State Historical Society;

~~[(CC)]~~ (Y) the Motorcycle Safety Awareness Support Restricted Account created in Section 72-2-130;

~~[(DD)]~~ (Z) clean air support causes, with half of the donation deposited into the Clean Air Support Restricted Account created in Section 19-1-109, and half of the donation deposited into the Clean Air Fund created in Section 59-10-1319;

~~[(EE)]~~ (AA) the Latino Community Support Restricted Account created in Section 13-1-16;

~~[(FF)]~~ (BB) the Allyson Gamble Organ Donation Contribution Fund created in Section

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26-18b-101;

~~[(GG)]~~ (CC) public education on behalf of the Kiwanis International clubs, with the amount of the donation required to cover the costs of issuing, ordering, or reordering Kiwanis support special group plates, as determined by the State Tax Commission, deposited into the Kiwanis Education Support Fund created in Section 53F-9-403, and all remaining donation amounts deposited into the Uniform School Fund;

~~[(HH)]~~ (DD) the Governor's Suicide Prevention Fund created in Section 62A-15-1103 to support the Live On suicide prevention campaign administered by the Division of Integrated Healthcare; or

~~[(H)]~~ (EE) the State Park Fees Restricted Account created in Section 79-4-402 to support the Division of State Parks' dark sky initiative.

(ii) (A) For a veterans special group license plate described in Subsection (4) or 41-1a-421(1)(a)(v), "contributor" means a person who has donated or in whose name at least a \$25 donation at the time of application and \$10 annual donation thereafter has been made.

(B) For a Utah Housing Opportunity special group license plate, "contributor" means a person who:

(I) has donated or in whose name at least \$30 has been donated at the time of application and annually after the time of application; and

(II) is a member of a trade organization for real estate licensees that has more than 15,000 Utah members.

(C) For an Honoring Heroes special group license plate, "contributor" means a person who has donated or in whose name at least \$35 has been donated at the time of application and annually thereafter.

(D) For a firefighter support special group license plate, "contributor" means a person who:

(I) has donated or in whose name at least \$15 has been donated at the time of application and annually after the time of application; and

(II) is a currently employed, volunteer, or retired firefighter.

(E) For a cancer research special group license plate, "contributor" means a person who has donated or in whose name at least \$35 has been donated at the time of application and annually after the time of application.

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(F) For a Utah Law Enforcement Memorial Support special group license plate, "contributor" means a person who has donated or in whose name at least \$35 has been donated at the time of application and annually thereafter.

(b) "Institution" means a state institution of higher education as defined under Section 53B-3-102 or a private institution of higher education in the state accredited by a regional or national accrediting agency recognized by the United States Department of Education.

(2) (a) An applicant for original or renewal collegiate special group license plates under Subsection (1)(a)(i) must be a contributor to the institution named in the application and present the original contribution verification form under Subsection (2)(b) or make a contribution to the division at the time of application under Subsection (3).

(b) An institution with a support special group license plate shall issue to a contributor a verification form designed by the commission containing:

- (i) the name of the contributor;
- (ii) the institution to which a donation was made;
- (iii) the date of the donation; and
- (iv) an attestation that the donation was for a scholastic scholarship.

(c) The state auditor may audit each institution to verify that the money collected by the institutions from contributors is used for scholastic scholarships.

(d) After an applicant has been issued collegiate license plates or renewal decals, the commission shall charge the institution whose plate was issued, a fee determined in accordance with Section 63J-1-504 for management and administrative expenses incurred in issuing and renewing the collegiate license plates.

(e) If the contribution is made at the time of application, the contribution shall be collected, treated, and deposited as provided under Subsection (3).

(3) (a) (i) Except as provided in Subsection (3)(a)(ii), an applicant for original or renewal support special group license plates under this section must be a contributor to the sponsoring organization associated with the license plate.

(ii) An applicant for a historical special group license plate is not required to make a donation to the Utah State Historical Society if the historical special group license plate is for a vintage vehicle that has a model year of 1980 or older.

(b) This contribution shall be:

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- (i) unless collected by the named institution under Subsection (2), collected by the division;
  - (ii) considered a voluntary contribution for the funding of the activities specified under this section and not a motor vehicle registration fee;
  - (iii) deposited into the appropriate account less actual administrative costs associated with issuing the license plates; and
  - (iv) for a firefighter special group license plate, deposited into the appropriate account less:
    - (A) the costs of reordering firefighter special group license plate decals; and
    - (B) the costs of replacing recognition special group license plates with new license plates under Subsection 41-1a-1211(13).
  - (c) The donation described in Subsection (1)(a) must be made in the 12 months before registration or renewal of registration.
  - (d) The donation described in Subsection (1)(a) shall be a one-time donation made to the division when issuing original:
    - (i) snowmobile license plates; or
    - (ii) conservation license plates.
  - (4) Veterans license plates shall display one of the symbols representing the Army, Navy, Air Force, Marines, Coast Guard, or American Legion.
- Section ~~8~~5. 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

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(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 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 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

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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;

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

(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)~~[-]; and~~

(f) to pay the state's deductible in the event of an earthquake.

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

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(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 ~~9~~6. Section **59-10-1304** is amended to read:

**59-10-1304. Removal of designation and prohibitions on collection for certain contributions on income tax return -- Conditions for removal and prohibitions on collection -- Commission publication requirements.**

(1) (a) If a contribution or combination of contributions described in Subsection (1)(b) generate less than \$30,000 per year for three consecutive years, the commission shall remove the designation for the contribution from the individual income tax return and may not collect the contribution from a resident or nonresident individual beginning two taxable years after the three-year period for which the contribution generates less than \$30,000 per year.

(b) The following contributions apply to Subsection (1)(a):

(i) the contribution provided for in Section 59-10-1306;

~~(ii)~~(ii) the sum of the contributions provided for in Subsection 59-10-1307(1);~~(ii)~~

~~(iii)~~~~(ii)~~ the contribution provided for in Section 59-10-1308;

~~(iv)~~~~(iii)~~ the contribution provided for in Section 59-10-1315;

~~(v) the contribution provided for in Section 59-10-1318;~~

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~~[(vi)]~~ ~~(~~five~~v)~~ the contribution provided for in Section 59-10-1319; or

~~[(vii)]~~ ~~(~~five~~vi)~~ the contribution provided for in Section 59-10-1320.

(2) If the commission removes the designation for a contribution under Subsection (1), the commission shall report to the Revenue and Taxation Interim Committee by electronic means that the commission removed the designation on or before the November interim meeting of the year in which the commission determines to remove the designation.

(3) (a) Within a 30-day period after making the report required by Subsection (2), the commission shall publish a list in accordance with Subsection (3)(b) stating each contribution that the commission will remove from the individual income tax return.

(b) The list shall:

(i) be published on:

(A) the commission's website; and

(B) the public legal notice website in accordance with Section 45-1-101;

(ii) include a statement that the commission:

(A) is required to remove the contribution from the individual income tax return; and

(B) may not collect the contribution;

(iii) state the taxable year for which the removal described in Subsection (3)(a) takes effect; and

(iv) remain available for viewing and searching until the commission publishes a new list in accordance with this Subsection (3).

Section 7. Section 62A-15-1501 is amended to read:

### **62A-15-1501. Definitions.**

As used in this part:

~~[(1)]~~ "Account" means the Survivors of Suicide Loss Account created in Section ~~62A-15-1502.~~

~~[(2)]~~ [(1)] (a) "Cohabitant" means an individual who lives with another individual.

(b) "Cohabitant" does not include a relative.

~~[(3)]~~ [(2)] "Relative" means father, mother, husband, wife, son, daughter, sister, brother, grandfather, grandmother, uncle, aunt, nephew, niece, grandson, granddaughter, first cousin, mother-in-law, father-in-law, brother-in-law, sister-in-law, son-in-law, or daughter-in-law.

Section 8. Section 62A-15-1502 is amended to read:



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### 62A-15-1502. Survivors of Suicide Loss ~~{Account}~~ Assistance.

~~[(1) There is created a restricted account within the General Fund known as the "Survivors of Suicide Loss Account."]~~

~~[(2) The division shall administer the account in accordance with this part.]~~

~~[(3) The account shall consist of:]~~

~~[(a) money appropriated to the account by the Legislature; and]~~

~~[(b) interest earned on money in the account.]~~

~~[(4)]~~ [(1)] Upon appropriation, the division shall award grants from the [account] appropriation to a person who provides, for no or minimal cost:

(a) clean-up of property affected or damaged by an individual's suicide, as reimbursement for the costs incurred for the clean-up; and

(b) bereavement services to a relative, legal guardian, or cohabitant of an individual who dies by suicide.

~~[(5)]~~ [(2)] Before November 30 of each year, the division shall report to the Health and Human Services Interim Committee regarding ~~[the status of the account and]~~ expenditures made ~~[from the account]~~ in accordance with this section.

### Section 9. Section 62A-15-1601 is amended to read:

#### **62A-15-1601. Definitions.**

As used in this part:

~~[(1) "Account" means the Psychiatric and Psychotherapeutic Consultation Program Account created in Section 62A-15-1602.]~~

~~[(2)]~~ [(1)] "Child care" means the child care services defined in Section 35A-3-102 for a child during early childhood.

~~[(3)]~~ [(2)] "Child care provider" means a person who provides child care or mental health support or interventions to a child during early childhood.

~~[(4)]~~ [(3)] "Child mental health therapist" means a mental health therapist who:

(a) is knowledgeable and trained in early childhood mental health; and

(b) provides mental health services to children during early childhood.

~~[(5)]~~ [(4)] "Child mental health care facility" means a facility that provides licensed mental health care programs and services to children and families and employs a child mental health therapist.

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~~[(6)]~~1(5) "Early childhood" means the time during which a child is zero to six years old.

~~[(7)]~~1(6) "Early childhood psychotherapeutic telehealth consultation" means a consultation regarding a child's mental health care during the child's early childhood between a child care provider or a mental health therapist and a child mental health therapist that is focused on psychotherapeutic and psychosocial interventions and is completed through the use of electronic or telephonic communication.

~~[(8)]~~1(7) "Health care facility" means a facility that provides licensed health care programs and services and employs at least two psychiatrists, at least one of whom is a child psychiatrist.

~~[(9)]~~1(8) "Mental health therapist" means the same as that term is defined in Section 58-60-102.

~~[(10)]~~1(9) "Nurse practitioner" means an individual who is licensed to practice as an advanced practice registered nurse under Title 58, Chapter 31b, Nurse Practice Act.

~~[(11)]~~1(10) "Physician" means an individual licensed to practice as a physician or osteopath under Title 58, Chapter 67, Utah Medical Practice Act, or Title 58, Chapter 68, Utah Osteopathic Medical Practice Act.

~~[(12)]~~1(11) "Physician assistant" means an individual who is licensed to practice as a physician assistant under Title 58, Chapter 70a, Utah Physician Assistant Act.

~~[(13)]~~1(12) "Primary care provider" means a nurse practitioner, physician, or physician assistant.

~~[(14)]~~1(13) "Psychiatrist" means an individual who:

(a) is licensed as a physician under Title 58, Chapter 67, Utah Medical Practice Act, or Title 58, Chapter 68, Utah Osteopathic Medical Practice Act; and

(b) is board eligible for a psychiatry specialization recognized by the American Board of Medical Specialists or the American Osteopathic Association's Bureau of Osteopathic Specialists.

~~[(15)]~~1(14) "Telehealth psychiatric consultation" means a consultation regarding a patient's mental health care, including diagnostic clarification, medication adjustment, or treatment planning, between a primary care provider and a psychiatrist that is completed through the use of electronic or telephonic communication.

Section 10. Section 62A-15-1602 is amended to read:

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### 62A-15-1602. Psychiatric and Psychotherapeutic Consultation Program ~~Account~~.

~~[(1) There is created a restricted account within the General Fund known as the "Psychiatric and Psychotherapeutic Consultation Program Account."]~~

~~[(2) The division shall administer the account in accordance with this part.]~~

~~[(3) The account shall consist of:]~~

~~[(a) money appropriated to the account by the Legislature; and]~~

~~[(b) interest earned on money in the account.]~~

~~[(4)]~~ [(1)] Upon appropriation, the division shall award grants from the [account] appropriation to:

(a) at least one health care facility to implement a program that provides a primary care provider access to a telehealth psychiatric consultation when the primary care provider is evaluating a patient for or providing a patient mental health treatment; and

(b) at least one child mental health care facility to implement a program that provides access to an early childhood psychotherapeutic telehealth consultation to:

(i) a mental health therapist when the mental health therapist is evaluating a child for or providing a child mental health treatment; or

(ii) a child care provider when the child care provider is providing child care to a child.

~~[(5)]~~ [(2)] The division may award and distribute grant money to a health care facility or child mental health care facility only if the health care facility or child mental health care facility:

(a) is located in the state; and

(b) submits an application in accordance with Subsection (6).

~~[(6)]~~ [(3)] An application for a grant under this section shall include:

(a) the number of psychiatrists employed by the health care facility or the number of child mental health therapists employed by the child mental health care facility;

(b) the health care facility's or child mental health care facility's plan to implement the telehealth psychiatric consultation program or the early childhood psychotherapeutic telehealth consultation program described in Subsection (4);

(c) the estimated cost to implement the telehealth psychiatric consultation program or the early childhood psychotherapeutic telehealth consultation program described in Subsection

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(4);

(d) any plan to use one or more funding sources in addition to a grant under this section to implement the telehealth psychiatric consultation program or the early childhood psychotherapeutic telehealth consultation program described in Subsection (4);

(e) the amount of grant money requested to fund the telehealth psychiatric consultation program or the early childhood psychotherapeutic telehealth consultation program described in Subsection (4); and

(f) any existing or planned contract or partnership between the health care facility and another person to implement the telehealth psychiatric consultation program or the early childhood psychotherapeutic telehealth consultation program described in Subsection (4).

~~[(7)]~~ (4) A health care facility or child mental health care facility that receives grant money under this section shall file a report with the division before October 1 of each year that details for the immediately preceding calendar year:

(a) the type and effectiveness of each service provided in the telehealth psychiatric program or the early childhood psychotherapeutic telehealth consultation program;

(b) the utilization of the telehealth psychiatric program or the early childhood psychotherapeutic telehealth consultation program based on metrics or categories determined by the division;

(c) the total amount expended from the grant money; and

(d) the intended use for grant money that has not been expended.

~~[(8)]~~ (5) Before November 30 of each year, the division shall report to the Health and Human Services Interim Committee regarding:

(a) ~~the status of the account and~~ expenditures made ~~from the account~~ in accordance with this section; and

(b) a summary of any report provided to the division under Subsection (7).

Section ~~(10)~~ 11. Section **62A-15-1801** is amended to read:

### **62A-15-1801. Definitions.**

As used in this part:

(1) "ACT team personnel" means a licensed psychiatrist or mental health therapist, or another individual, as determined by the division, who is part of an ACT team.

(2) "Assertive community treatment team" or "ACT team" means a mobile team of

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medical and mental health professionals that provides assertive community outreach treatment and, based on the individual circumstances of each case, coordinates with other medical providers and appropriate community resources.

(3) (a) "Assertive community treatment" means mental health services and on-site intervention that a person renders to an individual with a mental illness.

(b) "Assertive community treatment" includes the provision of assessment and treatment plans, rehabilitation, support services, and referrals to other community resources.

(4) "Mental health therapist" means the same as that term is defined in Section 58-60-102.

(5) "Mental illness" means the same as that term is defined in Section 62A-15-602.

(6) "Psychiatrist" means [~~the same as that term is defined in Section 62A-15-1601~~] an individual who:

(a) is licensed as a physician under Title 58, Chapter 67, Utah Medical Practice Act, or Title 58, Chapter 68, Utah Osteopathic Medical Practice Act; and

(b) is board eligible for a psychiatry specialization recognized by the American Board of Medical Specialists or the American Osteopathic Association's Bureau of Osteopathic Specialists.

Section ~~{11}~~12. Section **63A-5b-1107** is amended to read:

### **63A-5b-1107. Development of new correctional facilities.**

(1) As used in this section:

(a) "Committee" means the Legislative Management Committee created in Section 36-12-6.

(b) "New correctional facilities" means a new prison and related facilities to be constructed to replace the state prison located in Draper.

(c) "Prison project" means all aspects of a project for the design and construction of new correctional facilities on the selected site, including:

(i) the acquisition of land, interests in land, easements, or rights-of-way;

(ii) site improvement; and

(iii) the acquisition, construction, equipping, or furnishing of facilities, structures, infrastructure, roads, parking facilities, utilities, and improvements, whether on or off the selected site, that are necessary, incidental, or convenient to the development of new

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correctional facilities on the selected site.

(d) "Selected site" means the site selected as the site for new correctional facilities.

(2) In consultation with the committee, the division shall oversee the prison project, as provided in this section.

(3) (a) In accordance with Title 63G, Chapter 6a, Utah Procurement Code, and this section, the division shall:

(i) enter into contracts with persons providing professional and construction services for the prison project;

(ii) provide reports to the committee regarding the prison project, as requested by the committee; and

(iii) consider input from the committee on the prison project, subject to Subsection (3)(b).

(b) The division may not consult with or receive input from the committee regarding:

(i) the evaluation of proposals from persons seeking to provide professional and construction services for the prison project; or

(ii) the selection of persons to provide professional and construction services for the prison project.

(c) A contract with a project manager or person with a comparable position on the prison project shall include a provision that requires the project manager or other person to provide reports to the committee regarding the prison project, as requested by the committee.

(4) All contracts associated with the design or construction of new correctional facilities shall be awarded and managed by the division in accordance with Title 63G, Chapter 6a, Utah Procurement Code, and this section.

(5) The division shall coordinate with the Department of Corrections, created in Section 64-13-2, and the State Commission on Criminal and Juvenile Justice, created in Section 63M-7-201, during the prison project to help ensure that the design and construction of new correctional facilities are conducive to and consistent with, and help to implement any reforms of or changes to, the state's corrections system and corrections programs.

~~[(6)(a) There is created within the General Fund a restricted account known as the "Prison Development Restricted Account."]~~

~~[(b) The account created in Subsection (6)(a) is funded by legislative appropriations.]~~

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~~[(c) (i) The account shall earn interest or other earnings.]~~

~~[(ii) The Division of Finance shall deposit interest or other earnings derived from the investment of account funds into the account.]~~

~~[(d) Upon appropriation from the Legislature, money from the account shall be used to fund the Prison Project Fund created in Subsection (7).]~~

~~[(7)]~~ (6) (a) There is created a capital projects fund known as the "Prison Project Fund."

(b) The fund consists of:

(i) money appropriated to the fund by the Legislature; and

(ii) proceeds from the issuance of bonds authorized in Section 63B-25-101 to provide funding for the prison project.

(c) (i) The fund shall earn interest or other earnings.

(ii) The Division of Finance shall deposit interest or other earnings derived from the investment of fund money into the fund.

(d) Money in the fund shall be used by the division to fund the prison project.

Section ~~{12}~~ 13. Section **63C-9-501** is amended to read:

### **63C-9-501. Soliciting donations.**

(1) The executive director, under the direction of the board, shall:

(a) develop plans and programs to solicit gifts, money, and items of value from private persons, foundations, or organizations; and

(b) actively solicit donations from those persons and entities.

(2) (a) Property provided by those entities is the property of the state and is under the control of the board.

(b) Subsection (2)(a) does not apply to temporary exhibits or to the personal property of persons having an office in a building on capitol hill.

(3) The board:

(a) shall deposit money donated to the board into the State Capitol [~~Fund established by this part~~] Preservation Board budget as expendable receipts;

(b) shall use gifts of money made to the board for the purpose specified by the grantor, if any; and

(c) may return to the donor any gift or money donated to the board if a majority of the

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board determines that use of the gift or money is unfeasible, or will otherwise not be placed or used on capitol hill.

Section ~~13~~14. Section **63I-1-263** is amended to read:

### **63I-1-263. Repeal dates: Titles 63A to 63N.**

- (1) Subsection 63A-5b-405(5), relating to prioritizing and allocating capital improvement funding, is repealed July 1, 2024.
- (2) Section 63A-5b-1003, State Facility Energy Efficiency Fund, is repealed July 1, 2023.
- (3) Sections 63A-9-301 and 63A-9-302, related to the Motor Vehicle Review Committee, are repealed July 1, 2023.
- (4) In relation to the Utah Transparency Advisory Board, on January 1, 2025:
  - (a) Section 63A-18-102 is repealed;
  - (b) Section 63A-18-201 is repealed; and
  - (c) Section 63A-18-202 is repealed.
- (5) Title 63C, Chapter 4a, Constitutional and Federalism Defense Act, is repealed July 1, 2028.
- (6) Title 63C, Chapter 6, Utah Seismic Safety Commission, is repealed January 1, 2025.
- (7) Title 63C, Chapter 12, Snake Valley Aquifer Advisory Council, is repealed July 1, 2024.
- (8) Title 63C, Chapter 17, Point of the Mountain Development Commission Act, is repealed July 1, 2023.
- (9) Title 63C, Chapter 18, Behavioral Health Crisis Response Commission, is repealed July 1, 2023.
- (10) Title 63C, Chapter 23, Education and Mental Health Coordinating Council, is repealed July 1, 2026.
- (11) Title 63C, Chapter 27, Cybersecurity Commission, is repealed July 1, 2032.
- (12) Title 63C, Chapter 28, Ethnic Studies Commission, is repealed July 1, 2026.
- (13) Section 63G-6a-805, which creates the Purchasing from Persons with Disabilities Advisory Board, is repealed July 1, 2026.
- (14) Title 63G, Chapter 21, Agreements to Provide State Services, is repealed July 1,



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2028.

(15) Title 63H, Chapter 4, Heber Valley Historic Railroad Authority, is repealed July 1, 2024.

(16) Title 63H, Chapter 8, Utah Housing Corporation Act, is repealed July 1, 2026.

~~[(17) Subsection 63J-1-602.1(17), relating to the Nurse Home Visiting Restricted Account, is repealed July 1, 2026.]~~

~~[(18) (17) Subsection [63J-1-602.2(6)] 63J-1-602.2(7), referring to dedicated credits to the Utah Marriage Commission, is repealed July 1, 2023.]~~

~~[(19) Subsection 63J-1-602.2(7), referring to the Trip Reduction Program, is repealed July 1, 2022.]~~

~~[(20) (18) Subsection [63J-1-602.2(26)] 63J-1-602.2(25), related to the Utah Seismic Safety Commission, is repealed January 1, 2025.]~~

~~[(21) (19) Title 63L, Chapter 11, Part 4, Resource Development Coordinating Committee, is repealed July 1, 2027.]~~

~~[(22) (20) In relation to the Utah Substance Use and Mental Health Advisory Council, on January 1, 2033:~~

~~(a) Sections 63M-7-301, 63M-7-302, 63M-7-303, 63M-7-304, and 63M-7-306 are repealed;~~

~~(b) Section 63M-7-305, the language that states "council" is replaced with "commission";~~

~~(c) Subsection 63M-7-305(1)(a) is repealed and replaced with:~~

~~"(1) "Commission" means the Commission on Criminal and Juvenile Justice."; and~~

~~(d) Subsection 63M-7-305(2) is repealed and replaced with:~~

~~"(2) The commission shall:~~

~~(a) provide ongoing oversight of the implementation, functions, and evaluation of the Drug-Related Offenses Reform Act; and~~

~~(b) coordinate the implementation of Section 77-18-104 and related provisions in Subsections 77-18-103(2)(c) and (d)."~~

~~[(23) (21) The Crime Victim Reparations and Assistance Board, created in Section 63M-7-504, is repealed July 1, 2027.]~~

~~[(24) (22) Title 63M, Chapter 11, Utah Commission on Aging, is repealed July 1,~~

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2026.

~~[(25)]~~ (23) Title 63N, Chapter 1b, Part 4, Women in the Economy Subcommittee, is repealed January 1, 2025.

~~[(26)]~~ (24) Title 63N, Chapter 2, Part 2, Enterprise Zone Act, is repealed July 1, 2028.

~~[(27)]~~ (25) Section 63N-2-512, related to the Hotel Impact Mitigation Fund, is repealed July 1, 2028.

~~[(28)]~~ (26) Title 63N, Chapter 3, Part 9, Strategic Innovation Grant Pilot Program, is repealed July 1, 2027.

~~[(29)]~~ (27) Title 63N, Chapter 3, Part 11, Manufacturing Modernization Grant Program, is repealed July 1, 2025.

~~[(30)]~~ (28) In relation to the Rural Employment Expansion Program, on July 1, 2023:

(a) Title 63N, Chapter 4, Part 4, Rural Employment Expansion Program, is repealed;  
and

(b) Subsection 63N-4-805(5)(b), referring to the Rural Employment Expansion Program, is repealed.

~~[(31)]~~ (29) In relation to the Board of Tourism Development, on July 1, 2025:

(a) Subsection 63N-2-511(1)(b), which defines "tourism board," is repealed;

(b) Subsections 63N-2-511(3)(a) and (5), the language that states "tourism board" is repealed and replaced with "Utah Office of Tourism";

(c) Subsection 63N-7-101(1), which defines "board," is repealed;

(d) Subsection 63N-7-102(3)(c), which requires the Utah Office of Tourism to receive approval from the Board of Tourism Development, is repealed; and

(e) Title 63N, Chapter 7, Part 2, Board of Tourism Development, is repealed.

~~[(32)]~~ (30) Subsection 63N-8-103(3)(c), which allows the Governor's Office of Economic Opportunity to issue an amount of tax credit certificates only for rural productions, is repealed on July 1, 2024.

Section ~~{14}~~15. 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.]~~

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~~[(2)]~~ (1) The Native American Repatriation Restricted Account created in Section 9-9-407.

~~[(3)]~~ (2) The Martin Luther King, Jr. Civil Rights Support Restricted Account created in Section 9-18-102.

~~[(4)]~~ (3) The National Professional Men's Soccer Team Support of Building Communities Restricted Account created in Section 9-19-102.

~~[(5)]~~ (4) Funds collected for directing and administering the C-PACE district created in Section 11-42a-106.

~~[(6)]~~ (5) Money received by the Utah Inland Port Authority, as provided in Section 11-58-105.

~~[(7)]~~ (6) The "Latino Community Support Restricted Account" created in Section 13-1-16.

~~[(8)]~~ (7) The Clean Air Support Restricted Account created in Section 19-1-109.

~~[(9)]~~ (8) The Division of Air Quality Oil, Gas, and Mining Restricted Account created in Section 19-2a-106.

~~[(10)]~~ (9) The Division of Water Quality Oil, Gas, and Mining Restricted Account created in Section 19-5-126.

~~[(11)]~~ (10) The "Support for State-Owned Shooting Ranges Restricted Account" created in Section 23-14-13.5.

~~[(12)]~~ (11) Award money under the State Asset Forfeiture Grant Program, as provided under Section 24-4-117.

~~[(13)]~~ (12) 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)]~~ (13) 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)]~~ (14) The Technology Development Restricted Account created in Section 31A-3-104.

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~~[(18)]~~ (15) The Criminal Background Check Restricted Account created in Section 31A-3-105.

~~[(19)]~~ (16) 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)]~~ (17) The Title Licensee Enforcement Restricted Account created in Section 31A-23a-415.

~~[(21)]~~ (18) The Health Insurance Actuarial Review Restricted Account created in Section 31A-30-115.

~~[(22)]~~ (19) The Insurance Fraud Investigation Restricted Account created in Section 31A-31-108.

~~[(23)]~~ (20) The Underage Drinking Prevention Media and Education Campaign Restricted Account created in Section 32B-2-306.

~~[(24)]~~ (21) The Drinking While Pregnant Prevention Media and Education Campaign Restricted Account created in Section 32B-2-308.

~~[(25)]~~ (22) The School Readiness Restricted Account created in Section 35A-15-203.

~~[(26)]~~ (23) 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)]~~ (24) The Oil and Gas Administrative Penalties Account created in Section 40-6-11.

~~[(28)]~~ (25) The Oil and Gas Conservation Account created in Section 40-6-14.5.

~~[(29)]~~ (26) The Division of Oil, Gas, and Mining Restricted account created in Section 40-6-23.

~~[(30)]~~ (27) The Electronic Payment Fee Restricted Account created by Section 41-1a-121 to the Motor Vehicle Division.

~~[(31)]~~ (28) The Motor Vehicle Enforcement Division Temporary Permit Restricted Account created by Section 41-3-110 to the State Tax Commission.

~~[(32)]~~ (29) The Utah Law Enforcement Memorial Support Restricted Account created in Section 53-1-120.

~~[(33)]~~ (30) The State Disaster Recovery Restricted Account to the Division of Emergency Management, as provided in Section 53-2a-603.

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~~[(34)]~~ (31) The Post Disaster Recovery and Mitigation Restricted Account created in Section 53-2a-1302.

~~[(35)]~~ (32) The Department of Public Safety Restricted Account to the Department of Public Safety, as provided in Section 53-3-106.

~~[(36)]~~ (33) The Utah Highway Patrol Aero Bureau Restricted Account created in Section 53-8-303.

~~[(37)]~~ (34) The DNA Specimen Restricted Account created in Section 53-10-407.

~~[(38)]~~ (35) The Canine Body Armor Restricted Account created in Section 53-16-201.

~~[(39)]~~ (36) The Technical Colleges Capital Projects Fund created in Section 53B-2a-118.

~~[(40)]~~ (37) The Higher Education Capital Projects Fund created in Section 53B-22-202.

~~[(41)]~~ (38) 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)]~~ (39) The Public Utility Regulatory Restricted Account created in Section 54-5-1.5, subject to Subsection 54-5-1.5(4)(d).

~~[(43)]~~ (40) 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)]~~ (41) 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)]~~ (42) 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)]~~ (43) 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)]~~ (44) 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)]~~ (45) 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)]~~ (46) The Relative Value Study Restricted Account created in Section 59-9-105.

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~~[(50)]~~ (47) The Cigarette Tax Restricted Account created in Section 59-14-204.

~~[(51)]~~ (48) 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)]~~ (49) 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)]~~ (50) Certain funds donated to the Department of Health and Human Services, as provided in Section 26B-1-202.

~~[(54)]~~ (51) The National Professional Men's Basketball Team Support of Women and Children Issues Restricted Account created in Section 26B-1-302.

~~[(55)]~~ (52) Certain funds donated to the Division of Child and Family Services, as provided in Section 80-2-404.

~~[(56)]~~ (53) The Choose Life Adoption Support Restricted Account created in Section 80-2-502.

~~[(57)]~~ (54) Funds collected by the Office of Administrative Rules for publishing, as provided in Section 63G-3-402.

~~[(58)]~~ (55) The Immigration Act Restricted Account created in Section 63G-12-103.

~~[(59)]~~ (56) Money received by the military installation development authority, as provided in Section 63H-1-504.

~~[(60)]~~ (57) The Computer Aided Dispatch Restricted Account created in Section 63H-7a-303.

~~[(61)]~~ (58) The Unified Statewide 911 Emergency Service Account created in Section 63H-7a-304.

~~[(62)]~~ (59) The Utah Statewide Radio System Restricted Account created in Section 63H-7a-403.

~~[(63)]~~ (60) The Utah Capital Investment Restricted Account created in Section 63N-6-204.

~~[(64)]~~ (61) The Motion Picture Incentive Account created in Section 63N-8-103.

~~[(65)]~~ (62) Certain money payable for expenses of the Pete Suazo Utah Athletic Commission, as provided under Section 63N-10-301.

~~[(66)]~~ (63) Funds collected by the housing of state probationary inmates or state parole

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inmates, as provided in Subsection 64-13e-104(2).

~~[(67)]~~ (64) Certain forestry and fire control funds utilized by the Division of Forestry, Fire, and State Lands, as provided in Section 65A-8-103.

~~[(68)]~~ (65) The Amusement Ride Safety Restricted Account, as provided in Section 72-16-204.

~~[(69)]~~ (66) Certain funds received by the Office of the State Engineer for well drilling fines or bonds, as provided in Section 73-3-25.

~~[(70)]~~ (67) The Water Resources Conservation and Development Fund, as provided in Section 73-23-2.

~~[(71)]~~ (68) Funds donated or paid to a juvenile court by private sources, as provided in Subsection 78A-6-203(1)(c).

~~[(72)]~~ (69) Fees for certificate of admission created under Section 78A-9-102.

~~[(73)]~~ (70) Funds collected for adoption document access as provided in Sections 78B-6-141, 78B-6-144, and 78B-6-144.5.

~~[(74)]~~ (71) Funds collected for indigent defense as provided in Title 78B, Chapter 22, Part 4, Utah Indigent Defense Commission.

~~[(75)]~~ (72) The Utah Geological Survey Oil, Gas, and Mining Restricted Account created in Section 79-3-403.

~~[(76)]~~ (73) 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)]~~ (74) 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)]~~ (75) Certain funds received by the Division of State Parks from the sale or disposal of buffalo, as provided under Section 79-4-1001.

Section ~~[(15)]~~16. Section **63J-1-602.2** is amended to read:

### **63J-1-602.2. List of nonlapsing appropriations to programs.**

Appropriations made to the following programs are nonlapsing:

- (1) The Legislature and the Legislature's committees.
- (2) The State Board of Education, including all appropriations to agencies, line items, and programs under the jurisdiction of the State Board of Education, in accordance with

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Section 53F-9-103.

~~(3)~~ (3) The Rangeland Improvement Act created in Section 4-20-101.

~~[(3)]~~ (4) The Percent-for-Art Program created in Section 9-6-404.

~~[(4)]~~ (5) The LeRay McAllister Critical Land Conservation Program created in Section 4-46-301.

~~[(5)]~~ (6) The Utah Lake Authority created in Section 11-65-201.

~~[(6)]~~ (7) Dedicated credits accrued to the Utah Marriage Commission as provided under Subsection 17-16-21(2)(d)(ii).

~~[(7)]~~ (8) The Division of Wildlife Resources for the appraisal and purchase of lands under the Pelican Management Act, as provided in Section 23-21a-6.

~~[(8)]~~ (9) The Emergency Medical Services Grant Program in Section 26-8a-207. ~~[(9)]~~

~~[(9)]~~ (10) The primary care grant program created in Section 26-10b-102.

~~[(10)]~~ (11) Sanctions collected as dedicated credits from Medicaid providers under Subsection 26-18-3(7).

~~[(11)]~~ (12) The Utah Health Care Workforce Financial Assistance Program created in Section 26-46-102.

~~[(12)]~~ (13) The Rural Physician Loan Repayment Program created in Section 26-46a-103.

~~[(13)]~~ (14) The Opiate Overdose Outreach Pilot Program created in Section 26-55-107.

~~[(14)]~~ (15) The Utah Medical Education Council for the:

(a) administration of the Utah Medical Education Program created in Section 26-69-403;

(b) provision of medical residency grants described in Section 26-69-407; and

(c) provision of the forensic psychiatric fellowship grant described in Section 26-69-408.

~~[(15)]~~ (16) Funds that the Department of Alcoholic Beverage Services retains in accordance with Subsection 32B-2-301(8)(a) or (b).

~~[(16)]~~ (17) The General Assistance program administered by the Department of Workforce Services, as provided in Section 35A-3-401.

~~[(17)]~~ (18) The Utah National Guard, created in Title 39, Militia and Armories.

~~[(18)]~~ (19) The State Tax Commission under Section 41-1a-1201 for the:



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- (a) purchase and distribution of license plates and decals; and
- (b) administration and enforcement of motor vehicle registration requirements.

~~[(19)]~~ [(20)] The Search and Rescue Financial Assistance Program, as provided in Section 53-2a-1102.

~~[(20)]~~ [(21)] The Motorcycle Rider Education Program, as provided in Section 53-3-905.

~~[(21)]~~ [(22)] The Utah Board of Higher Education for teacher preparation programs, as provided in Section 53B-6-104.

~~[(22)]~~ [(23)] Innovation grants under Section 53G-10-608, except as provided in Subsection 53G-10-608(6).

~~[(23)]~~ [(24)] The Division of Services for People with Disabilities, as provided in Section 62A-5-102.

~~[(24)]~~ [(25)] The Division of Fleet Operations for the purpose of upgrading underground storage tanks under Section 63A-9-401.

~~[(25)]~~ [(26)] The Utah Seismic Safety Commission, as provided in Section 63C-6-104.

~~[(26)]~~ [(27)] The Division of Technology Services for technology innovation as provided under Section 63A-16-903.

~~[(27)]~~ [(28)] The State Capitol Preservation Board created by Section 63C-9-201.

~~[(27)]~~ ~~[(28)]~~ [(29)] The Office of Administrative Rules for publishing, as provided in Section 63G-3-402.

~~[(28)]~~ ~~[(29)]~~ [(30)] The Colorado River Authority of Utah, created in Title 63M, Chapter 14, Colorado River Authority of Utah Act.

~~[(29)]~~ ~~[(30)]~~ [(31)] The Governor's Office of Economic Opportunity to fund the Enterprise Zone Act, as provided in Title 63N, Chapter 2, Part 2, Enterprise Zone Act.

~~[(30)]~~ ~~[(31)]~~ [(32)] The Governor's Office of Economic Opportunity's Rural Employment Expansion Program, as described in Title 63N, Chapter 4, Part 4, Rural Employment Expansion Program.

~~[(31)]~~ ~~[(32)]~~ [(33)] Programs for the Jordan River Recreation Area as described in Section 65A-2-8.

~~[(32)]~~ ~~[(33)]~~ [(34)] The Division of Human Resource Management user training program, as provided in Section 63A-17-106.

~~[(33)]~~ ~~[(34)]~~ [(35)] A public safety answering point's emergency telecommunications

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service fund, as provided in Section 69-2-301.

~~[(34)]~~ ~~(~~35~~;36)~~ The Traffic Noise Abatement Program created in Section 72-6-112.

~~[(35)]~~ ~~(~~36~~;37)~~ The money appropriated from the Navajo Water Rights Negotiation Account to the Division of Water Rights, created in Section 73-2-1.1, for purposes of participating in a settlement of federal reserved water right claims.

~~[(36)]~~ ~~(~~37~~;38)~~ The Judicial Council for compensation for special prosecutors, as provided in Section 77-10a-19.

~~[(37)]~~ ~~(~~38~~;39)~~ A state rehabilitative employment program, as provided in Section 78A-6-210.

~~[(38)]~~ ~~(~~39~~;40)~~ The Utah Geological Survey, as provided in Section 79-3-401.

~~[(39)]~~ ~~(~~40~~;41)~~ The Bonneville Shoreline Trail Program created under Section 79-5-503.

~~[(40)]~~ ~~(~~41~~;42)~~ Adoption document access as provided in Sections 78B-6-141, 78B-6-144, and 78B-6-144.5.

~~[(41)]~~ ~~(~~42~~;43)~~ Indigent defense as provided in Title 78B, Chapter 22, Part 4, Utah Indigent Defense Commission.

~~[(42)]~~ ~~(~~43~~;44)~~ The program established by the Division of Facilities Construction and Management under Section 63A-5b-703 under which state agencies receive an appropriation and pay lease payments for the use and occupancy of buildings owned by the Division of Facilities Construction and Management.

~~[(43)]~~ ~~(~~44~~;45)~~ The State Tax Commission for reimbursing counties for deferred property taxes in accordance with Section 59-2-1802.

Section ~~(~~16~~)~~ 17. Section **63M-7-303** is amended to read:

### **63M-7-303. Duties of council.**

(1) The Utah Substance Use and Mental Health Advisory Council shall:

(a) provide leadership and generate unity for Utah's ongoing efforts to reduce and eliminate the impact of substance use and mental health disorders in Utah through a comprehensive and evidence-based prevention, treatment, and justice strategy;

(b) recommend and coordinate the creation, dissemination, and implementation of statewide policies to address substance use and mental health disorders;

(c) facilitate planning for a balanced continuum of substance use and mental health

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disorder prevention, treatment, and justice services;

(d) promote collaboration and mutually beneficial public and private partnerships;

(e) coordinate recommendations made by any committee created under Section 63M-7-302;

(f) analyze and provide an objective assessment of all proposed legislation concerning substance use, mental health, and related issues;

(g) coordinate the implementation of Section 77-18-104 and related provisions in Subsections 77-18-103(2)(c) and (d), as provided in Section 63M-7-305;

(h) comply with [~~Sections 32B-2-306 and 62A-15-403~~] Section 32B-2-306; and

(i) oversee coordination for the funding, implementation, and evaluation of suicide prevention efforts described in Section 62A-15-1101.

(2) The council shall meet quarterly or more frequently as determined necessary by the chair.

(3) The council shall report the council's recommendations annually to the commission, governor, the Legislature, and the Judicial Council.

Section ~~{17}~~18. Section ~~67-19f-201~~ is amended to read:

### **67-19f-201. State Employees Annual Leave Trust Fund -- Creation -- Oversight -- Dissolution.**

(1) There is created a trust fund entitled the "State Employees' Annual Leave Trust Fund."

(2) The trust fund consists of:

(a) ongoing revenue provided from a state agency set aside for accrued annual leave II required under Section 63A-17-510;

(b) appropriations made to the trust fund by the Legislature, if any;

(c) transfers from the termination pool described in Subsection 63A-17-510(6) made by the Division of Finance to the trust fund for annual leave liabilities accrued before the change date established under Section 63A-17-510;

(d) income; and

(e) revenue received from other sources.

(3) (a) The Division of Finance shall account for the receipt and expenditures of trust fund money.

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(b) The Division of Finance shall make the necessary adjustments to the amount of set aside costs required under Subsection 63A-17-510(4)(a) to provide that upon the trust fund's accrual of funding equal to 10% of the annual leave liability, year-end trust fund balances remain equal to at least 10% of the total state employee annual leave liability.

(4) (a) The state treasurer shall invest trust fund money by following the procedures and requirements of Part 3, Investment of Trust Funds.

(b) (i) The trust fund shall earn interest.

(ii) The state treasurer shall deposit all interest or other income earned from investment of the trust fund back into the trust fund.

(5) The board of trustees created in Section 67-19f-202 may expend money from the trust fund for:

(a) reimbursement to the employer of the costs paid to the trust fund in accordance with Section 63A-17-510 as annual leave II is used by an employee;

(b) payments based on accrued annual leave and on accrued annual leave II that are made upon termination of an employee; ~~and~~

(c) refunds for overpayments; and

~~(c)~~ (d) reasonable administrative costs that the board of trustees incurs in performing its duties as trustee of the trust fund.

(6) The board of trustees shall ensure that:

(a) money deposited into the trust fund is irrevocable and is expended only for the costs described in Subsection (5); and

(b) assets of the trust fund are dedicated to providing annual leave and annual leave II established by statute and rule.

(7) A creditor of the board of trustees or a state agency liable for annual leave benefits may not seize, attach, or otherwise obtain assets of the trust fund.

Section ~~18~~19. **Repealer.**

This bill repeals:

Section ~~4-42-101~~, Title.

Section ~~4-42-102~~, Utah Intracurricular Student Organization Support for Agricultural Education and Leadership Restricted Account.

~~Section 23-30-101, Title.~~

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~~Section 23-30-102, Definitions.~~

‡ Section 23-30-103, Mule Deer Protection Account -- Contents -- Use of Funds.

~~Section 23-30-104, Rulemaking authority, coordination, and administration for predator control.~~

~~Section 26-8a-108, Emergency Medical Services System Account.~~

~~Section 26-8a-207, Emergency Medical Services Grant Program.~~

‡ Section 26-8b-601, Title.

Section 26-8b-602, Automatic External Defibrillator Restricted Account.

Section 26-10-11, Children's Hearing Aid Program -- Advisory Committee --

**Restricted Account -- Rulemaking.**

Section 26-21a-304, Children with Cancer Support Restricted Account.

Section 26-58-101, Title.

Section 26-58-102, Children with Heart Disease Support Restricted Account.

Section 32B-2-308, Drinking while pregnant prevention media and education campaign restricted account.

Section 35A-3-206, Child Care Fund -- Use of money -- Committee and director duties -- Restrictions.

Section 39A-8-105, West Traverse Sentinel Landscape Fund.

~~Section 51-11-101, Title.~~

~~Section 51-11-102, Definitions.~~

~~Section 51-11-201, Winter Sports Venue Grant Fund.~~

‡ Section 53F-9-205, Invest More for Education Account.

~~Section 59-10-1307, Contributions for education.~~

‡ Section 59-10-1318, Contribution to Invest More for Education Account.

Section 62A-15-403, Drinking while pregnant prevention media and education campaign.

~~Section 62A-15-1501, Definitions.~~

~~Section 62A-15-1502, Survivors of Suicide Loss Account.~~

~~Section 62A-15-1601, Definitions.~~

~~Section 62A-15-1602, Psychiatric and Psychotherapeutic Consultation Program Account.~~

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† Section 63C-9-502, Fund created -- Donations.

{~~Section 73-10g-204, Agricultural Water Optimization Account.~~

† Section 80-2-502, Choose Life Adoption Support Restricted Account.

Section 20. Effective date.

This bill takes effect on July 1, 2023.

Section ~~{19}~~21. Coordinating S.B. 272 with H.B. 12 -- Superseding amendments -- ~~{Omitting}~~omitting substantive changes.

If this S.B. 272 and H.B. 12, Department of Commerce Electronic Payment Fees, both pass and become law, it is the intent of the Legislature that the Office of Legislative Research and General Counsel, in preparing the Utah Code database for publication:

(1) amend Subsection 31-1-17(5) of H.B. 12 to read:

"(5) (a) ~~††~~The account balance may not exceed \$1,000,000 at the end of each fiscal year.

(b) At the end of each fiscal year, the Division of Finance shall transfer into the General Fund any funds in the account that exceed an account balance of ~~††~~\$1,000,000."; and

(2) not make the changes in H.B. 12 Section 3.