

**EMERGENCY RESPONSE FUNDING**

2023 FIRST SPECIAL SESSION

STATE OF UTAH

**Chief Sponsor: Val L. Peterson**

Senate Sponsor: Jerry W. Stevenson

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**LONG TITLE**

**General Description:**

This bill supplements or reduces appropriations otherwise provided for the support and operation of state government for the fiscal year beginning July 1, 2022 and ending June 30, 2023 and for the fiscal year beginning July 1, 2023 and ending June 30, 2024.

**Highlighted Provisions:**

This bill:

- ▶ provides funding for flood related expenses;
- ▶ provides funding for other purposes, as indicated; and
- ▶ provides intent language.

**Money Appropriated in this Bill:**

This bill appropriates \$5,000,000 in operating and capital budgets for fiscal year 2023, all of which is from the General Fund.

This bill appropriates (\$5,000,000) in expendable funds and accounts for fiscal year 2023, all of which is from the General Fund.

This bill appropriates \$8,000,000 in operating and capital budgets for fiscal year 2024, including:

- ▶ \$5,000,000 from the General Fund; and
- ▶ \$3,000,000 from various sources as detailed in this bill.

This bill appropriates (\$5,000,000) in expendable funds and accounts for fiscal year 2024, all of which is from the General Fund.

**Other Special Clauses:**

Section 1 of this bill takes effect immediately. Section 2 of this bill takes effect on July 1, 2023.

**Utah Code Sections Affected:**

ENACTS UNCODIFIED MATERIAL

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

35 Section 1. **FY 2023 Appropriations.** The following sums of money are appropriated for the  
36 fiscal year beginning July 1, 2022 and ending June 30, 2023. These are additions to amounts  
37 otherwise appropriated for fiscal year 2023.

38 Subsection 1(a). **Operating and Capital Budgets.** Under the terms and conditions of  
39 Title 63J, Chapter 1, Budgetary Procedures Act, the Legislature appropriates the following sums of  
40 money from the funds or accounts indicated for the use and support of the government of the state of  
41 Utah.

42 EXECUTIVE OFFICES AND CRIMINAL JUSTICE

43 DEPARTMENT OF PUBLIC SAFETY

44 ITEM 1 To Department of Public Safety - Division of Homeland Security -  
45 Emergency and Disaster Management

46 From General Fund, One-Time 5,000,000

47 Schedule of Programs:

48 Emergency and Disaster Management 5,000,000

49 The Legislature intends that:

50 1. the funds provided by this item only be used for  
51 reimbursement of infrastructure improvement costs associated  
52 with spring/summer 2023 flooding;

53 2. the funds provided by this item not be used for response,  
54 protective action, or maintenance costs;

55 3. the funds provided by this item not be used to reimburse  
56 private parties or governments for financial losses;

57 4. the Department of Public Safety report to the Legislative  
58 Fiscal Analyst proposed uses of the funds provided by this item  
59 before expending or committing to expend the funds;

60 5. under Section 63J-1-603 of the Utah Code, the  
61 appropriation provided by this item not lapse at the close of  
62 fiscal year 2023; and

63 6. any nonlapsing funds be restricted to the uses identified  
64 in paragraphs 1 through 3 above.

65 INFRASTRUCTURE AND GENERAL GOVERNMENT

66 TRANSPORTATION

67 ITEM 2 To Transportation - Highway System Construction

68 From Transportation Fund, One-Time (20,000,000)

69 Schedule of Programs:

70 Rehabilitation/Preservation (20,000,000)

71 ITEM 3 To Transportation - Operations/Maintenance Management

72 From Transportation Fund, One-Time 20,000,000

73 Schedule of Programs:

74 Maintenance Administration 20,000,000

75 Under Section 63J-1-603 of the Utah Code, the Legislature  
76 intends that up to \$20,000,000 provided by this item not lapse  
77 at the close of fiscal year 2023 and may be used for costs  
78 associated with snow removal, avalanche control, slide  
79 mitigation, and other flood emergency impacts.

80 Subsection 1(b). **Expendable Funds and Accounts.** The Legislature has reviewed the  
81 following expendable funds. The Legislature authorizes the State Division of Finance to transfer  
82 amounts between funds and accounts as indicated. Outlays and expenditures from the funds or  
83 accounts to which the money is transferred may be made without further legislative action, in  
84 accordance with statutory provisions relating to the funds or accounts.

85 NATURAL RESOURCES, AGRICULTURE, AND ENVIRONMENTAL QUALITY

86 DEPARTMENT OF NATURAL RESOURCES

87 ITEM 4 To Department of Natural Resources - Wildland Fire Suppression  
88 Fund

89 From General Fund, One-Time (5,000,000)

90 Schedule of Programs:

91 Wildland Fire Suppression Fund (5,000,000)

92 Section 2. **FY 2024 Appropriations.** The following sums of money are appropriated for the  
93 fiscal year beginning July 1, 2023 and ending June 30, 2024. These are additions to amounts  
94 otherwise appropriated for fiscal year 2024.

95 Subsection 2(a). **Operating and Capital Budgets.** Under the terms and conditions of  
96 Title 63J, Chapter 1, Budgetary Procedures Act, the Legislature appropriates the following sums of  
97 money from the funds or accounts indicated for the use and support of the government of the state of  
98 Utah.

99 EXECUTIVE OFFICES AND CRIMINAL JUSTICE

100 DEPARTMENT OF PUBLIC SAFETY

101 ITEM 5 To Department of Public Safety - Division of Homeland Security -  
102 Emergency and Disaster Management

103 From General Fund Restricted - State Disaster Recovery Restr Acct, One-Time  
104 3,000,000

105 Schedule of Programs:

106 Emergency and Disaster Management 3,000,000

107 In accordance with Section 53-6a-606 of the Utah Code, the  
108 Legislature intends that the Department of Public Safety report

109 to the Executive Appropriations Committee before expending  
110 or committing to expend the funds provided by this item.

111 INFRASTRUCTURE AND GENERAL GOVERNMENT

112 DEPARTMENT OF GOVERNMENT OPERATIONS

113 ITEM 6 To Department of Government Operations - Finance - Mandated  
114 From General Fund, One-Time

5,000,000

115 Schedule of Programs:

116 Emergency Response 5,000,000

117 The Legislature intends that:

- 118 1. the funds provided by this item be used to address
- 119 infrastructure improvement costs associated with the
- 120 spring/summer 2023 flood emergency, if necessary; and
- 121 2. if the Governor's Office of Planning and Budget (GOPB)
- 122 and Department of Public Safety (DPS) identify a need for this
- 123 appropriation, before expending or committing to expend the
- 124 funds provided by this item, and prior to November 30, 2023,
- 125 GOPB and DPS submit to the Executive Appropriations
- 126 Committee a report that includes proposed uses as well as
- 127 recommendations for reallocating funds provided by this item
- 128 to impacted budget line items as a fiscal year 2024
- 129 supplemental appropriation.

130 Subsection 2(b). **Expendable Funds and Accounts.** The Legislature has reviewed the  
131 following expendable funds. The Legislature authorizes the State Division of Finance to transfer  
132 amounts between funds and accounts as indicated. Outlays and expenditures from the funds or  
133 accounts to which the money is transferred may be made without further legislative action, in  
134 accordance with statutory provisions relating to the funds or accounts.

135 NATURAL RESOURCES, AGRICULTURE, AND ENVIRONMENTAL QUALITY

136 DEPARTMENT OF NATURAL RESOURCES

137 ITEM 7 To Department of Natural Resources - Wildland Fire Suppression  
138 Fund

139 From General Fund, One-Time (5,000,000)

140 Schedule of Programs:

141 Wildland Fire Suppression Fund (5,000,000)

142 Section 3. **Effective Date.**

143 If approved by two-thirds of all the members elected to each house, Section 1 of this bill  
144 takes effect upon approval by the Governor, or the day following the constitutional time limit of  
145 Utah Constitution Article VII, Section 8 without the Governor's signature, or in the case of a veto,

146 the date of override. Section 2 of this bill takes effect on July 1, 2023.