

1 **HOMELESSNESS AND VULNERABLE POPULATIONS AMENDMENTS**
2024 GENERAL SESSION
STATE OF UTAH
Chief Sponsor: Steve Eliason
Senate Sponsor: Kirk A. Cullimore

2
3 **LONG TITLE**

4 **General Description:**

5 This bill modifies provisions related to the oversight and provision of services for
6 individuals experiencing homelessness and other vulnerable populations.

7 **Highlighted Provisions:**

8 This bill:

- 9 ▶ authorizes the Utah State Hospital to contract for certain services;
- 10 ▶ establishes the HOME Court Pilot Program to provide for comprehensive,
11 court-supervised treatment and services to individuals in Salt Lake County with mental illness;
- 12 ▶ provides for the duty of the executive committee of the Utah Homelessness Council
13 (council) to serve in an advisory capacity for the council;
- 14 ▶ requires the council to establish standards for prioritizing beds in homeless shelters;
- 15 ▶ prohibits a homeless shelter from receiving funds from the Office of Homeless Services
16 (office) upon failing to comply with the council's prioritization standards;
- 17 ▶ allows a homeless shelter to receive grants from the council upon providing any amount
18 of matching funds;
- 19 ▶ requires the council to consider the amount of matching grants provided by a homeless
20 shelter in awarding grants;
- 21 ▶ allows the Department of Public Safety to receive Homeless Shelter Cities Mitigation
22 Restricted Account funds (mitigation funds) under certain circumstances;
- 23 ▶ clarifies that mitigation funds are nonlapsing and allows the office to disburse
24 uncommitted mitigation funds to municipalities in the following year;
- 25 ▶ prohibits a municipality from receiving mitigation funds unless the municipality
26 enforces certain prohibitions and demonstrates improvement in reducing certain conduct;
- 27 ▶ exempts certain counties from winter response plan requirements if a county develops a

28 year-round plan for addressing the needs of individuals experiencing homelessness;
 29 ▸ increases the temperature for a code blue alert to take effect;
 30 ▸ allows a municipality to implement emergency measures to assist individuals
 31 experiencing homelessness during dangerous weather conditions;
 32 ▸ amends provisions concerning how a health care provider submits a request for an
 33 individual who voluntarily requests to be restricted from purchasing or possessing firearms;
 34 and
 35 ▸ makes technical and conforming changes.

36 **Money Appropriated in this Bill:**

37 None

38 **Other Special Clauses:**

39 This bill provides a special effective date.

40 This bill provides retrospective operation.

41 **Utah Code Sections Affected:**

42 AMENDS:

43 **35A-16-203 (Effective 05/01/24)**, as last amended by Laws of Utah 2023, Chapter 302

44 **35A-16-205 (Effective 05/01/24)**, as last amended by Laws of Utah 2022, Chapter 403

45 **35A-16-302 (Effective 05/01/24)**, as last amended by Laws of Utah 2023, Chapter 302

46 **35A-16-401 (Effective 05/01/24)**, as last amended by Laws of Utah 2023, Chapter 302

47 **35A-16-402 (Effective 05/01/24)**, as last amended by Laws of Utah 2023, Chapter 302

48 **35A-16-403 (Effective 05/01/24)**, as last amended by Laws of Utah 2023, Chapter 302

49 **35A-16-502 (Effective 05/01/24)**, as repealed and reenacted by Laws of Utah 2023,
 50 Chapter 302

51 **35A-16-701 (Effective 05/01/24)**, as enacted by Laws of Utah 2023, Chapter 302

52 **35A-16-702 (Effective 05/01/24)**, as enacted by Laws of Utah 2023, Chapter 302

53 **53-5c-301 (Effective 05/01/24)**, as last amended by Laws of Utah 2023, Chapter 405

54 **53-5c-302 (Effective 05/01/24)**, as enacted by Laws of Utah 2023, Chapter 405

55 **59-12-205 (Effective upon governor's approval)**, as last amended by Laws of Utah 2023,
 56 Chapters 302, 471 and 492

57 **63J-1-602.1 (Effective 05/01/24)**, as last amended by Laws of Utah 2023, Chapters 26,
 58 33, 34, 194, 212, 330, 419, 434, 448, and 534

59 ENACTS:

60 **26B-5-381 (Effective 05/01/24)**, Utah Code Annotated 1953

61 **26B-5-382 (Effective 05/01/24)**, Utah Code Annotated 1953

62 **35A-16-205.1 (Effective 05/01/24)**, Utah Code Annotated 1953

63

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

65 Section 1. Section **26B-5-381** is enacted to read:

66 **26B-5-381 (Effective 05/01/24). Contracted state hospital services.**

67 (1) In accordance with the authority, responsibilities, and duties granted to the division and
68 state hospital under this part, the state hospital may contract with any willing provider to:

69 (a) supervise and treat a patient with a mental illness who has been committed to the
70 state hospital's custody; or

71 (b) facilitate the reentry of a discharged patient into the community.

72 (2) A provider who enters into a contract with the state hospital under Subsection (1) shall
73 provide a level of supervision and security that is equal to or greater than the level of
74 supervision and security that:

75 (a) is necessary to treat the patient with a mental illness; and

76 (b) would be offered at or recommended by the state hospital.

77 (3) In collaboration with the Division of Integrated Healthcare, the superintendent and
78 clinical director shall provide a report to the Health and Human Services Interim
79 Committee at or before the committee's 2024 November interim meeting that includes
80 information and recommendations on:

81 (a) the number of patients with a mental illness served through a state hospital contract
82 in accordance with Subsection (1), and the nature of the services rendered;

83 (b) addressing the needs of patients with complex legal and mental health statuses who
84 are expected to have significantly long stays at the state hospital and who are not able
85 to be discharged into the community;

86 (c) the creation of a low-acuity step-down facility to assist patients described in
87 Subsection (3)(b); and

88 (d) opportunities for collaboration with local mental health authorities and other willing
89 providers to provide low-acuity step-down services to assist patients described in
90 Subsection (3)(b).

91 Section 2. Section **26B-5-382** is enacted to read:

92 **26B-5-382 (Effective 05/01/24). HOME Court Pilot Program -- Requirements --**
93 **Funding -- Reporting.**

94 (1) As used in this section, "pilot program" means the HOME Court Pilot Program
95 established in Subsection (2).

- 96 (2) Subject to appropriations from the Legislature and the assignment of a judge to preside
97 over the proceedings, the Third Judicial District Court of Salt Lake County shall
98 establish and administer a HOME Court Pilot Program beginning October 1, 2024, and
99 ending June 30, 2029, that provides for comprehensive and individualized,
100 court-supervised treatment and services to individuals with mental illness.
- 101 (3) The pilot program shall:
- 102 (a) allow a person to petition the court for an order requiring an individual's participation
103 in the pilot program;
- 104 (b) require the court to substitute the local mental health authority as the petitioner if the
105 initial petitioner is not the local mental health authority;
- 106 (c) provide an opportunity for the parties to enter into an agreement regarding an
107 individual's participation in the pilot program, including a treatment plan, prior to a
108 court order under Subsection (3)(e);
- 109 (d) provide for a hearing at which information is presented to determine whether an
110 individual qualifies for court-ordered participation in the pilot program as provided in
111 Subsection (3)(e);
- 112 (e) require the court to order an individual to participate in the pilot program if, upon
113 completion of the hearing described in Subsection (3)(d), the court finds by clear and
114 convincing evidence that:
- 115 (i) the individual resides or may be presently found within Salt Lake County;
116 (ii) the individual has a mental illness;
117 (iii) because of the individual's mental illness, the individual:
- 118 (A) is unlikely to survive or remain safe without supervision, assistance, or
119 services; or
- 120 (B) meets the criteria described in Subsection 26B-5-351(14)(c)(i) or (ii);
- 121 (iv) there is no appropriate less-restrictive alternative to a court order for participation
122 in the pilot program;
- 123 (v) the individual is likely to benefit from participation in the pilot program; and
124 (vi) there is adequate capacity within the pilot program to meet the individual's need
125 for services described in Subsection (3)(f);
- 126 (f) upon the court's order for an individual to participate in the pilot program, require the
127 local mental health authority to prepare a comprehensive and individualized
128 treatment plan, for approval by the court, that includes the following components for
129 the individual to successfully achieve the purposes of the pilot program:

- 130 (i) mental health services;
131 (ii) housing resources;
132 (iii) social services;
133 (iv) case management;
134 (v) peer support;
135 (vi) exit or transition services; and
136 (vii) individualized goals for the successful completion of the pilot program;
137 (g) upon the court's approval of a treatment plan prepared by the local mental health
138 authority:
139 (i) require the local mental health authority to coordinate services required for
140 participation in the pilot program; and
141 (ii) require the court to conduct regular review hearings as deemed necessary to
142 evaluate the individual's progress in completing the treatment plan; and
143 (h) operate in a manner that is consistent with the procedures for ordering assisted
144 outpatient treatment under Section 26B-5-351.
145 (4) (a) (i) If a individual participating in the pilot program has an outstanding warrant
146 or pending criminal matter in another Utah court, the Third Judicial District Court
147 of Salt Lake County may notify the other court in which the individual has an
148 outstanding warrant or pending criminal matter regarding the individual's
149 participation in the pilot program.
150 (ii) Upon receiving notice of an individual's participation in the pilot program under
151 Subsection (4)(a)(i), the other court may, if deemed appropriate, recall the warrant
152 or stay the case in which the individual is involved unless the warrant or case
153 involves a felony charge.
154 (iii) In determining whether to recall a warrant or stay a case under Subsection
155 (4)(a)(ii), the other court shall consider the likelihood of the individual's
156 successful completion of the pilot program, the severity of the pending charges,
157 the impact on victims' rights, and the impact on the government's ability and right
158 to prosecute the case.
159 (b) (i) If an individual described in Subsection (4)(a)(i) successfully completes the
160 pilot program, the Third Judicial District Court of Salt Lake County may notify
161 the other court in which the individual has an outstanding warrant or pending
162 criminal matter regarding the individual's successful completion of the pilot
163 program.

164 (ii) Upon receiving notice of an individual's successful completion of the pilot
165 program under Subsection (4)(b)(i), the other court shall consider the effect of the
166 individual's completion of the pilot program on the case pending before that court,
167 including the dismissal of criminal charges if deemed appropriate.

168 (5) (a) Costs of all services provided under the pilot program, including the costs
169 incurred by the multidisciplinary team described in Subsection (5)(b)(ii)(B), shall be
170 paid by Salt Lake County.

171 (b) If the Legislature appropriates money to the division for implementation of the pilot
172 program, the division shall:

173 (i) require the local mental health authority, as part of the plan required under
174 Subsection 17-43-301(6)(a)(ii), to submit to the division a proposal for
175 implementation of the pilot program on or before May 15 of each year;

176 (ii) review the proposal described in Subsection (5)(b)(i) to ensure that the proposal:

177 (A) meets the requirements of this section; and

178 (B) establishes a multidisciplinary team, with a sufficient number of stakeholders,
179 to adequately address the provision of treatment and services under the pilot
180 program;

181 (iii) upon approval of the proposal described in Subsection (5)(b)(i), contract funds
182 appropriated for the pilot program with the local mental health authority; and

183 (iv) conduct an annual audit and review of the local mental health authority, and any
184 contracted provider, regarding the use of funds appropriated for the pilot program.

185 (c) The matching requirement in Subsection 17-41-301(6)(a)(x) does not apply to funds
186 appropriated by the Legislature for the pilot program.

187 (d) Subject to appropriation by the Legislature, Salt Lake County may:

188 (i) apply to the division to receive funds to cover the county's costs under the pilot
189 program; and

190 (ii) pay county contributions to the nonfederal share of Medicaid expenditures with
191 funds appropriated for the pilot program.

192 (6) The department shall:

193 (a) establish and evaluate metrics for the success of the pilot program with input from
194 the local mental health authority, the Utah Homelessness Council created in Section
195 35A-16-204, and the Judicial Council; and

196 (b) in collaboration with the local mental health authority, submit to the Health and
197 Human Services Interim Committee a report on or before June 30 of each year,

- 198 beginning in calendar year 2025, regarding the outcomes of the pilot program.
- 199 Section 3. Section **35A-16-203** is amended to read:
- 200 **35A-16-203 (Effective 05/01/24). Powers and duties of the coordinator.**
- 201 (1) The coordinator shall:
- 202 (a) coordinate the provision of homeless services in the state;
- 203 (b) in cooperation with the homelessness council, develop and maintain a
- 204 comprehensive annual budget and overview of all homeless services available in the
- 205 state, which homeless services budget shall receive final approval by the
- 206 homelessness council;
- 207 (c) in cooperation with the homelessness council, create a statewide strategic plan to
- 208 minimize homelessness in the state, which strategic plan shall receive final approval
- 209 by the homelessness council;
- 210 (d) in cooperation with the homelessness council, oversee funding provided for the
- 211 provision of homeless services, which funding shall receive final approval by the
- 212 homelessness council, including funding from the:
- 213 (i) Pamela Atkinson Homeless Account created in Section 35A-16-301;
- 214 (ii) Homeless to Housing Reform Restricted Account created in Section 35A-16-303;
- 215 and
- 216 (iii) Homeless Shelter Cities Mitigation Restricted Account created in Section
- 217 35A-16-402;
- 218 (e) provide administrative support to and serve as a member of the homelessness council;
- 219 (f) at the governor's request, report directly to the governor on issues regarding
- 220 homelessness in the state and the provision of homeless services in the state; and
- 221 (g) report directly to the president of the Senate and the speaker of the House of
- 222 Representatives at least twice each year on issues regarding homelessness in the state
- 223 and the provision of homeless services in the state.
- 224 (2) The coordinator, in cooperation with the homelessness council, shall ensure that the
- 225 homeless services budget described in Subsection (1)(b) includes an overview and
- 226 coordination plan for all funding sources for homeless services in the state, including
- 227 from state agencies, Continuum of Care organizations, housing authorities, local
- 228 governments, federal sources, and private organizations.
- 229 (3) The coordinator, in cooperation with the homelessness council, shall ensure that the
- 230 strategic plan described in Subsection (1)(c):
- 231 (a) outlines specific goals and measurable benchmarks for minimizing homelessness in

- 232 the state and for coordinating services for individuals experiencing homelessness
233 among all service providers in the state;
- 234 (b) identifies best practices and recommends improvements to the provision of services
235 to individuals experiencing homelessness in the state to ensure the services are
236 provided in a safe, cost-effective, and efficient manner;
- 237 (c) identifies best practices and recommends improvements in coordinating the delivery
238 of services to the variety of populations experiencing homelessness in the state,
239 including through the use of electronic databases and improved data sharing among
240 all service providers in the state; [and]
- 241 (d) identifies gaps and recommends solutions in the delivery of services to the variety of
242 populations experiencing homelessness in the state[.]; and
- 243 (e) takes into consideration the success of the HOME Court Pilot Program established in
244 Section 26B-5-382.
- 245 (4) In overseeing funding for the provision of homeless services as described in Subsection
246 (1)(d), the coordinator:
- 247 (a) shall prioritize the funding of programs and providers that have a documented history
248 of successfully reducing the number of individuals experiencing homelessness,
249 reducing the time individuals spend experiencing homelessness, moving individuals
250 experiencing homelessness to permanent housing, or reducing the number of
251 individuals who return to experiencing homelessness; and
- 252 (b) except for a program or provider providing services to victims of domestic violence,
253 may not approve funding to a program or provider that does not enter into a written
254 agreement with the office to collect and share HMIS data regarding the provision of
255 services to individuals experiencing homelessness so that the provision of services
256 can be coordinated among state agencies, local governments, and private
257 organizations.
- 258 (5) In cooperation with the homelessness council, the coordinator shall update the annual
259 statewide budget and the strategic plan described in this section on an annual basis.
- 260 (6) (a) On or before October 1, the coordinator shall provide a written report to the
261 department for inclusion in the department's annual written report described in
262 Section 35A-1-109.
- 263 (b) The written report shall include:
- 264 (i) the homeless services budget;
- 265 (ii) the strategic plan;

- 266 (iii) recommendations regarding improvements to coordinating and providing
267 services to individuals experiencing homelessness in the state; and
268 (iv) in coordination with the homelessness council, a complete accounting of the
269 office's disbursement of funds during the previous fiscal year from:
270 (A) the Pamela Atkinson Homeless Account created in Section 35A-16-301;
271 (B) the Homeless to Housing Reform Restricted Account created in Section
272 35A-16-303;
273 (C) the Homeless Shelter Cities Mitigation Restricted Account created in Section
274 35A-16-402;
275 (D) the COVID-19 Homeless Housing and Services Grant Program created in
276 Section 35A-16-602; and
277 (E) any other grant program created in statute that is administered by the office.

278 Section 4. Section **35A-16-205** is amended to read:

279 **35A-16-205 (Effective 05/01/24). Duties of the homelessness council and**
280 **executive committee.**

281 (1) The homelessness council:

282 [~~(1)~~] (a) shall provide final approval for:

283 [~~(a)~~] (i) the homeless services budget;

284 [~~(b)~~] (ii) the strategic plan; and

285 [~~(c)~~] (iii) the awarding of funding for the provision of homeless services as described
286 in Subsection 35A-16-203(1)(d);

287 [~~(2)~~] (b) in cooperation with the coordinator, shall:

288 [~~(a)~~] (i) develop and maintain the homeless services budget;

289 [~~(b)~~] (ii) develop and maintain the strategic plan; and

290 [~~(c)~~] (iii) review applications and approve funding for the provision of homeless
291 services in the state as described in Subsection 35A-16-203(1)(d);

292 [~~(3)~~] (c) shall review local and regional plans for providing services to individuals
293 experiencing homelessness;

294 [~~(4)~~] (d) shall cooperate with local homeless councils to:

295 [~~(a)~~] (i) develop a common agenda and vision for reducing homelessness in each local
296 oversight body's respective region;

297 [~~(b)~~] (ii) as part of the homeless services budget, develop a spending plan that
298 coordinates the funding supplied to local stakeholders; and

299 [~~(c)~~] (iii) align local funding to projects that improve outcomes and target specific

300 needs in each community;

301 ~~[(5)]~~ (e) shall coordinate gap funding with private entities for providing services to

302 individuals experiencing homelessness;

303 ~~[(6)]~~ (f) shall recommend performance and accountability measures for service providers,

304 including the support of collecting consistent and transparent data; ~~[and]~~

305 ~~[(7)]~~ (g) when reviewing and giving final approval for requests as described in

306 Subsection 35A-16-203(1)(d):

307 ~~[(a)]~~ (i) may only recommend funding if the proposed recipient has a policy to share

308 client-level service information with other entities in accordance with state and

309 federal law to enhance the coordination of services for individuals who are

310 experiencing homelessness; and

311 ~~[(b)]~~ (ii) shall identify specific targets and benchmarks that align with the strategic

312 plan for each recommended award[-] ; and

313 (h) shall establish standards for the prioritization of beds located in homeless shelters in

314 accordance with Section 35A-16-205.1.

315 (2) The executive committee shall act in an advisory capacity for the homelessness council

316 and make recommendations regarding the homelessness council's duties under

317 Subsection (1).

318 Section 5. Section **35A-16-205.1** is enacted to read:

319 **35A-16-205.1 (Effective 05/01/24). Homelessness council to establish standards**

320 **for the prioritization of homeless shelter beds -- Dissemination -- Compliance with**

321 **standards required for receipt of state funds.**

322 (1) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the

323 homelessness council shall make rules establishing standards for the prioritization of

324 beds located in a homeless shelter.

325 (2) In establishing standards under Subsection (1), the homelessness council shall:

326 (a) assign highest priority for available beds to:

327 (i) individuals eligible for Temporary Assistance for Needy Families funds pursuant

328 to 42 U.S.C. Sec. 604; and

329 (ii) individuals discharged from the Utah State Hospital created in Section 26B-5-302;

330 and

331 (b) require a homeless shelter, if feasible, to allocate an average of 85% of the total

332 number of beds located in a homeless shelter to individuals described in Subsection

333 (2)(a)(i).

- 334 (3) The office shall disseminate the standards established by the homelessness council
335 under Subsection (1) to each homeless shelter located within the state.
- 336 (4) Notwithstanding any other provisions in this chapter, state funds may not be awarded
337 under this chapter directly to or for the benefit of a homeless shelter located within the
338 state unless the homeless shelter complies with the standards established by the
339 homelessness council under Subsection (1).

340 Section 6. Section **35A-16-302** is amended to read:

341 **35A-16-302 (Effective 05/01/24). Uses of Homeless to Housing Reform Restricted**
342 **Account.**

- 343 (1) The homelessness council may award ongoing or one-time grants or contracts funded
344 from the Homeless to Housing Reform Restricted Account created in Section
345 35A-16-303.
- 346 (2) As a condition of receiving money, including any ongoing money, from the restricted
347 account, an entity awarded a grant or contract under this section shall provide detailed
348 and accurate reporting on at least an annual basis to the homelessness council and the
349 coordinator that describes:
- 350 (a) how money provided from the restricted account has been spent by the entity; and
351 (b) the progress towards measurable outcome-based benchmarks agreed to between the
352 entity and the homelessness council before the awarding of the grant or contract.
- 353 (3) In determining the awarding of a grant or contract under this section, the homelessness
354 council and the coordinator shall:
- 355 (a) ensure that the services to be provided through the grant or contract will be provided
356 in a cost-effective manner;
- 357 (b) give priority to a project or contract that will include significant additional or
358 matching funds from a private organization, nonprofit organization, or local
359 government entity;
- 360 (c) ensure that the project or contract will target the distinct housing needs of one or
361 more at-risk or homeless subpopulations, which may include:
- 362 (i) families with children;
363 (ii) transitional-aged youth;
364 (iii) single men or single women;
365 (iv) veterans;
366 (v) victims of domestic violence;
367 (vi) individuals with behavioral health disorders, including mental health or

- 368 substance use disorders;
- 369 (vii) individuals who are medically frail or terminally ill;
- 370 (viii) individuals exiting prison or jail; or
- 371 (ix) individuals who are homeless without shelter;
- 372 (d) consider whether the project will address one or more of the following goals:
- 373 (i) diverting homeless or imminently homeless individuals and families from
- 374 emergency shelters by providing better housing-based solutions;
- 375 (ii) meeting the basic needs of homeless individuals and families in crisis;
- 376 (iii) providing homeless individuals and families with needed stabilization services;
- 377 (iv) decreasing the state's homeless rate;
- 378 (v) implementing a coordinated entry system with consistent assessment tools to
- 379 provide appropriate and timely access to services for homeless individuals and
- 380 families;
- 381 (vi) providing access to caseworkers or other individualized support for homeless
- 382 individuals and families;
- 383 (vii) encouraging employment and increased financial stability for individuals and
- 384 families being diverted from or exiting homelessness;
- 385 (viii) creating additional affordable housing for state residents;
- 386 (ix) providing services and support to prevent homelessness among at-risk
- 387 individuals and adults;
- 388 (x) providing services and support to prevent homelessness among at-risk children,
- 389 adolescents, and young adults;
- 390 (xi) preventing the reoccurrence of homelessness among individuals and families
- 391 exiting homelessness; and
- 392 (xii) providing medical respite care for homeless individuals where the homeless
- 393 individuals can access medical care and other supportive services; and
- 394 (e) address the needs identified in the strategic plan described in Section 35A-16-203 for
- 395 inclusion in the annual written report described in Section 35A-1-109.
- 396 (4) In addition to the other provisions of this section, in determining the awarding of a grant
- 397 or contract under this section to design, build, create, or renovate a facility that will
- 398 provide shelter or other resources for the homeless, of the homelessness council, with
- 399 the concurrence of the coordinator, may consider whether the facility will be:
- 400 (a) located near mass transit services;
- 401 (b) located in an area that meets or will meet all zoning regulations before a final

- 402 dispersal of funds;
- 403 (c) safe and welcoming both for individuals using the facility and for members of the
404 surrounding community; and
- 405 (d) located in an area with access to employment, job training, and positive activities.
- 406 (5) In accordance with Subsection (4), and subject to the approval the homelessness
407 council, with the concurrence of the coordinator, the following may recommend a site
408 location, acquire a site location, and hold title to real property, buildings, fixtures, and
409 appurtenances of a facility that provides or will provide shelter or other resources for the
410 homeless:
- 411 (a) the county executive of a county of the first class on behalf of the county of the first
412 class, if the facility is or will be located in the county of the first class in a location
413 other than Salt Lake City;
- 414 (b) the state;
- 415 (c) a nonprofit entity approved by the homelessness council, with the concurrence of the
416 coordinator; and
- 417 (d) a mayor of a municipality on behalf of the municipality where a facility is or will be
418 located.
- 419 (6) (a) If a homeless shelter commits to provide any amount of matching funds under
420 this Subsection (6), the homelessness council, with the concurrence of the
421 coordinator, may award a grant for the ongoing operations of the homeless shelter.
- 422 (b) In awarding a grant under this Subsection (6), the homelessness council, with the
423 concurrence of the coordinator, shall consider:
- 424 (i) the number of beds available at the homeless shelter [~~and~~] ;
- 425 (ii) the number and quality of the homeless services provided by the homeless shelter[.];
- 426 ; and
- 427 (iii) the amount of matching funds provided by the homeless shelter.
- 428 (7) The office may expend money from the restricted account to offset actual office and
429 homelessness council expenses related to administering this section.
- 430 Section 7. Section **35A-16-401** is amended to read:
- 431 **35A-16-401 (Effective 05/01/24). Definitions.**
- 432 As used in this part:
- 433 (1) "Account" means the Homeless Shelter Cities Mitigation Restricted Account created in
434 Section 35A-16-402.
- 435 (2) "Authorized provider" means a nonprofit provider of homeless services that is

436 authorized by a third-tier eligible municipality to operate a temporary winter response
437 shelter within the municipality in accordance with Part 5, Winter Response Plan
438 Requirements.

439 (3) "Eligible municipality" means:

440 (a) a first-tier eligible municipality;

441 (b) a second-tier eligible municipality; or

442 (c) a third-tier eligible municipality.

443 (4) "Eligible services" means any activities or services that mitigate the impacts of the
444 location of an eligible shelter, including direct services, public safety services, and
445 emergency services, as further defined by rule made by the office in accordance with
446 Title 63G, Chapter 3, Utah Administrative Rulemaking Act.

447 (5) "Eligible shelter" means:

448 (a) for a first-tier eligible municipality, a homeless shelter that:

449 (i) has the capacity to provide temporary shelter to at least 80 individuals per night,
450 as verified by the office;

451 (ii) operates year-round; and

452 (iii) is not subject to restrictions that limit the hours, days, weeks, or months of
453 operation;

454 (b) for a second-tier municipality, a homeless shelter that:

455 (i) has the capacity to provide temporary shelter to at least 25 individuals per night,
456 as verified by the office;

457 (ii) operates year-round; and

458 (iii) is not subject to restrictions that limit the hours, days, weeks, or months of
459 operation; and

460 (c) for a third-tier eligible municipality, a homeless shelter that:

461 (i) (A) has the capacity to provide temporary shelter to at least 50 individuals per
462 night, as verified by the office; and

463 (B) operates for no less than three months during the period beginning October 1
464 and ending April 30 of the following year; or

465 (ii) (A) meets the definition of a homeless shelter under Section 35A-16-501; and

466 (B) ~~[increases capacity during a winter response period, as defined in Section~~
467 ~~35A-16-501, in accordance with Subsection 35A-16-502(6)(a)] contains beds~~
468 that are utilized as part of a county's winter response plan under Section
469 35A-16-502.

- 470 (6) "First-tier eligible municipality" means a municipality that:
- 471 (a) is located within a county of the first or second class;
- 472 (b) as determined by the office, has or is proposed to have an eligible shelter within the
- 473 municipality's geographic boundaries within the following fiscal year;
- 474 (c) due to the location of an eligible shelter within the municipality's geographic
- 475 boundaries, requires eligible services; and
- 476 (d) is certified as a first-tier eligible municipality in accordance with Section 35A-16-404.
- 477 (7) "Homeless shelter" means a facility that provides or is proposed to provide temporary
- 478 shelter to individuals experiencing homelessness.
- 479 (8) "Municipality" means a city, town, or metro township.
- 480 (9) "Public safety services" means law enforcement, emergency medical services, or fire
- 481 protection.
- 482 (10) "Second-tier eligible municipality" means a municipality that:
- 483 (a) is located within a county of the third, fourth, fifth, or sixth class;
- 484 (b) as determined by the office, has or is proposed to have an eligible shelter within the
- 485 municipality's geographic boundaries within the following fiscal year;
- 486 (c) due to the location of an eligible shelter within the municipality's geographic
- 487 boundaries, requires eligible services; and
- 488 (d) is certified as a second-tier eligible municipality in accordance with Section
- 489 35A-16-404.
- 490 (11) "Third-tier eligible municipality" means a municipality that:
- 491 (a) as determined by the office, has or is proposed to have an eligible shelter within the
- 492 municipality's geographic boundaries within the following fiscal year; and
- 493 (b) due to the location of an eligible shelter within the municipality's geographic
- 494 boundaries, requires eligible services.
- 495 Section 8. Section **35A-16-402** is amended to read:
- 496 **35A-16-402 (Effective 05/01/24). Homeless Shelter Cities Mitigation Restricted**
- 497 **Account -- Formula for disbursing account funds to eligible municipalities.**
- 498 (1) There is created a restricted account within the General Fund known as the Homeless
- 499 Shelter Cities Mitigation Restricted Account.
- 500 (2) The account shall be funded by:
- 501 (a) local sales and use tax revenue deposited into the account in accordance with Section
- 502 59-12-205;
- 503 (b) interest earned on the account; and

- 504 (c) appropriations made to the account by the Legislature.
- 505 (3) The office shall administer the account.
- 506 (4) (a) Subject to appropriations, the office shall annually disburse funds from the
507 account as follows:
- 508 (i) 87.5% shall be disbursed to first-tier eligible municipalities that have been
509 approved to receive account funds under Section 35A-16-403, of which:
- 510 (A) 70% of the amount described in Subsection (4)(a)(i) shall be disbursed
511 proportionately among applicants based on the total number of individuals
512 experiencing homelessness who are served by eligible shelters within each
513 municipality, as determined by the office;
- 514 (B) 20% of the amount described in Subsection (4)(a)(i) shall be disbursed
515 proportionately among applicants based on the total number of individuals
516 experiencing homelessness who are served by eligible shelters within each
517 municipality as compared to the total population of the municipality, as
518 determined by the office; and
- 519 (C) 10% of the amount described in Subsection (4)(a)(i) shall be disbursed
520 proportionately among applicants based on the total year-round capacity of all
521 eligible shelters within each municipality, as determined by the office;
- 522 (ii) 2.5% shall be disbursed to second-tier eligible municipalities that have been
523 approved to receive account funds under Section 35A-16-403, of which:
- 524 (A) 70% of the amount described in Subsection (4)(a)(ii) shall be disbursed
525 proportionately among applicants based on the total number of individuals
526 experiencing homelessness who are served by eligible shelters within each
527 municipality, as determined by the office;
- 528 (B) 20% of the amount described in Subsection (4)(a)(ii) shall be disbursed
529 proportionately among applicants based on the total number of individuals
530 experiencing homelessness who are served by eligible shelters within each
531 municipality as compared to the total population of the municipality, as
532 determined by the office; and
- 533 (C) 10% of the amount described in Subsection (4)(a)(ii) shall be disbursed
534 proportionately among applicants based on the total year-round capacity of all
535 eligible shelters within each municipality, as determined by the office; and
- 536 (iii) 10% shall be disbursed to third-tier eligible municipalities that have been
537 approved to receive account funds under Section 35A-16-403, in accordance with

- 538 a formula established by the office and approved by the homelessness council.
- 539 (b) In disbursing funds to second-tier municipalities under Subsection (4)(a)(ii), the
540 maximum amount of funds that the office may disburse each year to a single
541 second-tier municipality may not exceed 50% of the total amount of funds disbursed
542 under Subsection (4)(a)(ii).
- 543 (c) The office may disburse funds under Subsection (4)(a)(iii) to an authorized provider
544 of a third-tier eligible municipality.
- 545 (d) The office may disburse funds to a third-tier municipality or an authorized provider
546 under Subsection (4)(a)(iii) regardless of whether the municipality receives funds
547 under Subsection (4)(a)(i) as a first-tier municipality or funds under Subsection
548 (4)(a)(ii) as a second-tier municipality.
- 549 (e) If any account funds are available to the office for disbursement under this section
550 after making the disbursements required in Subsection (4)(a), the office may disburse
551 the available account funds to third-tier municipalities that have been approved to
552 receive account funds under Section 35A-16-403.
- 553 (f) (i) Notwithstanding any other provision in this section, if an eligible municipality
554 requests account funds under Section 35A-16-403 and the request is denied for the
555 sole reason that the municipality has failed to comply with the requirements of
556 Subsection 35A-16-403(2)(g)(i), the office may disburse the account funds that
557 the municipality would otherwise have received to:
- 558 (A) eligible municipalities in accordance with the provisions of this Subsection
559 (4); or
- 560 (B) subject to Subsection (4)(f)(ii), the Department of Public Safety.
- 561 (ii) (A) The office may not disburse account funds to the Department of Public
562 Safety under Subsection (4)(f)(i) unless the disbursement is recommended and
563 approved by the homelessness council.
- 564 (B) The Department of Public Safety shall use any account funds received under
565 Subsection (4)(f)(i) to assist in the enforcement of state laws that promote the
566 safety or well-being of individuals experiencing homelessness.
- 567 (5) In disbursing account funds to municipalities under Subsection (4), the office may not
568 consider the capacity of an eligible shelter to qualify a municipality for multiple tiers of
569 funding.
- 570 [(5)] (6) The office may use up to 2.75% of any appropriations made to the account by the
571 Legislature to offset the office's administrative expenses under this part.

572 (7) In accordance with Section 63J-1-602.1, appropriations from the account are nonlapsing.

573 (8) The office may disburse any uncommitted account funds to municipalities under this
574 section in the following year.

575 Section 9. Section **35A-16-403** is amended to read:

576 **35A-16-403 (Effective 05/01/24). Eligible municipality application process for**
577 **Homeless Shelter Cities Mitigation Restricted Account funds.**

578 (1) An eligible municipality may apply for account funds to mitigate the impacts of the
579 location of an eligible shelter through the provision of eligible services within the
580 eligible municipality's boundaries.

581 (2) (a) The homelessness council shall set aside time on the agenda of a homelessness
582 council meeting that occurs before the beginning of the next fiscal year to allow an
583 eligible municipality to present a request for account funds for that next fiscal year.

584 (b) An eligible municipality may present a request for account funds by:

585 (i) sending an electronic copy of the request to the homelessness council before the
586 meeting; and

587 (ii) appearing at the meeting to present the request.

588 (c) The request described in Subsection [~~(2)(b)(ii)~~] (2)(b)(i) shall contain:

589 (i) a proposal outlining the need for eligible services, including a description of each
590 eligible service for which the eligible municipality requests account funds;

591 (ii) a description of the eligible municipality's proposed use of account funds;

592 (iii) a description of the outcomes that the funding would be used to achieve,
593 including indicators that would be used to measure progress toward the specified
594 outcomes; and

595 (iv) the amount of account funds requested.

596 (d) (i) On or before September 30, an eligible municipality that received account
597 funds during the previous fiscal year shall file electronically with the
598 homelessness council a report that includes:

599 (A) a summary of the amount of account funds that the eligible municipality
600 expended and the eligible municipality's specific use of those funds;

601 (B) an evaluation of the eligible municipality's effectiveness in using the account
602 funds to address the eligible municipality's needs due to the location of an
603 eligible shelter;

604 (C) an evaluation of the eligible municipality's progress regarding the outcomes
605 and indicators described in Subsection (2)(c)(iii); and

- 606 (D) any proposals for improving the eligible municipality's effectiveness in using
607 account funds that the eligible municipality may receive in future fiscal years.
- 608 (ii) The homelessness council may request additional information as needed to make
609 the evaluation described in Subsection (2)(e).
- 610 (e) The homelessness council shall evaluate a request made in accordance with this
611 Subsection (2) and may take the following factors into consideration in determining
612 whether to approve or deny the request:
- 613 (i) the strength of the proposal that the eligible municipality provided to support the
614 request;
- 615 (ii) if the eligible municipality received account funds during the previous fiscal year,
616 the efficiency with which the eligible municipality used any account funds during
617 the previous fiscal year;
- 618 (iii) the availability of funding for the eligible municipality under Subsection
619 35A-16-402(4);
- 620 (iv) the availability of alternative funding for the eligible municipality to address the
621 eligible municipality's needs due to the location of an eligible shelter; and
- 622 (v) any other considerations identified by the homelessness council.
- 623 (f) After making the evaluation described in Subsection (2)(e), and subject to Subsection
624 (2)(g), the homelessness council shall vote to either approve or deny an eligible
625 municipality's request for account funds.
- 626 (g) (i) [~~Except as provided in Subsection (2)(g)(ii), an eligible municipality may not~~]
627 In addition to the evaluation under Subsection (2)(e), the homelessness council
628 may not approve an eligible municipality's request to receive account funds under
629 this section unless the eligible municipality:
- 630 (A) enforces an ordinance that prohibits camping;
- 631 (B) enforces an ordinance or other applicable state law prohibiting conduct that
632 impedes or blocks traffic in violation of Subsection 41-6a-1009(4); and
- 633 (C) demonstrates improvement in reducing the conduct described in Subsections
634 (2)(g)(i)(A) and (B).
- 635 [(ii) ~~Subsection (2)(g)(i) does not apply if each homeless shelter located within the~~
636 ~~county in which the eligible municipality is located is at full capacity, as defined~~
637 ~~by rule made by the office in accordance with Title 63G, Chapter 3, Utah~~
638 ~~Administrative Rulemaking Act.]~~
- 639 (ii) In determining whether an eligible municipality has demonstrated improvement

- 640 under Subsection (2)(g)(i)(C), the homelessness council shall consider:
- 641 (A) the specific measures taken by the municipality to reduce the conduct
- 642 described in Subsections (2)(g)(i)(A) and (B), and the effectiveness of those
- 643 measures in reducing the conduct;
- 644 (B) the strategies utilized by the municipality in managing and improving public
- 645 spaces within the municipality, and the impact of these strategies on safety,
- 646 cleanliness, and the well-being of the community; and
- 647 (C) the gap between the number of individuals experiencing homelessness within
- 648 the municipality and the availability of beds at homeless shelters to which the
- 649 individuals experiencing homelessness have reasonable access, and any
- 650 changes to this gap over time.
- 651 (iii) The homelessness council may coordinate with the Department of Public Safety
- 652 for the receipt of quantitative and qualitative data to determine compliance with
- 653 applicable state and local laws.
- 654 (iv) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act,
- 655 and with the approval of the homelessness council, the office shall make rules
- 656 establishing standards for the information required by an eligible municipality to
- 657 demonstrate improvement under Subsection (2)(g)(i)(C).
- 658 (h) If the homelessness council approves an eligible municipality's request to receive
- 659 account funds under Subsection (2)(f), the office, subject to appropriation, shall
- 660 calculate the amount of funds for disbursement to the eligible municipality under
- 661 Subsection 35A-16-402(4).
- 662 (3) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the
- 663 office shall make rules governing the process for calculating the amount of funds that an
- 664 eligible municipality may receive under Subsection 35A-16-402(4).

665 Section 10. Section **35A-16-502** is amended to read:

666 **35A-16-502 (Effective 05/01/24). Winter response plan required -- Contents --**

667 **Review -- Consequences after determination of noncompliance.**

- 668 (1) (a) The task force for an applicable county that is a county of the first class shall
- 669 annually prepare and submit to the office a winter response plan on or before August
- 670 1 in calendar years 2023, 2024, and 2025.
- 671 (b) ~~[The]~~ Except as provided in Subsection (3), the task force for an applicable county
- 672 not described in Subsection (1)(a) shall annually prepare and submit to the office a
- 673 winter response plan on or before August 1 in calendar years 2024 and 2025.

- 674 (2) The winter response plan shall:
- 675 (a) provide assurances to the office that the applicable county will meet the applicable
- 676 county's targeted winter response bed count or other accommodations during the
- 677 subsequent winter response period by establishing plans for the requisite need during
- 678 the subsequent winter response period;
- 679 (b) ensure that any temporary winter response shelter planned for operation within the
- 680 applicable county will meet all local zoning requirements;
- 681 (c) include a detailed transportation plan, budget, revenue sources, including in-kind
- 682 sources, and any other component specified by the office under Subsection (3) as a
- 683 requirement for the applicable county to achieve compliance with this section;
- 684 (d) include a detailed county plan for a code blue event as defined in Section 35A-16-701,
- 685 including the number and location of available beds for individuals experiencing
- 686 homelessness for the duration of the code blue event; and
- 687 (e) be approved by the chief executive officer of:
- 688 (i) any municipality located within the applicable county in which a temporary winter
- 689 response shelter is planned for operation during the subsequent winter response
- 690 period; and
- 691 (ii) the applicable county, if a temporary winter response shelter is planned for
- 692 operation within an unincorporated area of the county.
- 693 (3) The requirements of Subsection (1)(b) do not apply to an applicable county if:
- 694 (a) on or before August 1, 2024, the applicable county submits to the office:
- 695 (i) documentation demonstrating that the applicable county is developing a plan to
- 696 address the needs of individuals experiencing homelessness within the county
- 697 throughout the entire year, as opposed to only during the winter response period;
- 698 and
- 699 (ii) a county plan for a code blue event as described in Subsection (2)(d);
- 700 (b) on or before August 1, 2025, the applicable county submits to the office the
- 701 year-round plan developed under Subsection (3)(a)(i); and
- 702 (c) the office determines that the applicable county's year-round plan meets the
- 703 requirements of a winter response plan as described in Subsection (2) for the entire
- 704 year.
- 705 [~~3~~] (4) To assist a task force in preparing a winter response plan, by no later than March 30
- 706 of the year in which the winter response plan is due, the applicable local homeless
- 707 council, in coordination with the office, shall provide the following information to the

708 task force:

- 709 (a) the targeted winter response bed count;
- 710 (b) the requirements for the plan described in Subsection (2)(d);
- 711 (c) the availability of funds that can be used to mitigate the winter response plan; and
- 712 (d) any component required for the winter response plan to achieve compliance that is
- 713 not described in Subsection (2).

714 [~~(4)~~] (5) In preparing the winter response plan, the task force shall coordinate with:

- 715 (a) the office;
- 716 (b) the applicable local homeless council;
- 717 (c) for Salt Lake County, the conference of mayors for Salt Lake County; and
- 718 (d) for an applicable county not described in Subsection [~~(4)~~](e)] (5)(c), the council of
- 719 governments for the applicable county.

720 [~~(5)~~] (6) In conducting site selection for a temporary winter response shelter under a winter

721 response plan, the task force shall prioritize:

- 722 (a) a site located more than one mile from any homeless shelter;
- 723 (b) a site located more than one mile from any permanent supportive housing, as verified
- 724 by the office; and
- 725 (c) a site located in a municipality or unincorporated area of the applicable county that
- 726 does not have a homeless shelter.

727 [~~(6)~~] (7) (a) On or before August 15 of the year in which a winter response plan is

728 submitted, the office shall:

- 729 (i) conduct a review of the winter response plan for compliance with this section; and
- 730 (ii) send a written notice of the office's determination regarding compliance to:
- 731 (A) the task force for the applicable county;
- 732 (B) the council of governments for the applicable county;
- 733 (C) the applicable local homeless council; and
- 734 (D) the legislative body of each municipality located within the applicable county.

735 (b) For purposes of Section 35A-16-502.5, an applicable county is in noncompliance

736 with this section if:

- 737 (i) the applicable county's task force fails to submit a timely winter response plan
- 738 under this section; or
- 739 (ii) the office determines that the winter response plan prepared for the applicable
- 740 county does not comply with this section.

741 [~~(7)~~] (8) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the

742 office may make rules establishing requirements for an applicable county's compliance
743 with this section.

744 Section 11. Section **35A-16-701** is amended to read:

745 **35A-16-701 (Effective 05/01/24). Definitions.**

746 As used in this part:

- 747 (1) "Affected county" means a county of the first, second, third, or fourth class in which a
748 code blue event is anticipated.
- 749 (2) "Applicable local homeless council" means the local homeless council that is
750 responsible for coordinating homeless response within an affected county.
- 751 (3) "Capacity limit" means a limit as to the number of individuals that a homeless shelter
752 may provide temporary shelter to under a conditional use permit.
- 753 (4) "Code blue alert" means a proclamation issued by the Department of Health and Human
754 Services under Section 35A-16-702 to alert the public of a code blue event.
- 755 (5) "Code blue event" means a weather event in which the National Weather Service
756 predicts temperatures of [45] 18 degrees Fahrenheit or less, including wind chill, or any
757 other extreme weather conditions established in rules made by the Department of Health
758 and Human Services under Subsection 35A-16-702(4), to occur in any county of the
759 first, second, third, or fourth class for two hours or longer within the next 24 to 48 hours.
- 760 (6) "Homeless shelter" means a facility that provides temporary shelter to individuals
761 experiencing homelessness.
- 762 (7) "Municipality" means a city, town, or metro township.

763 Section 12. Section **35A-16-702** is amended to read:

764 **35A-16-702 (Effective 05/01/24). Code blue alert -- Content -- Dissemination --**
765 **Rulemaking.**

- 766 (1) The Department of Health and Human Services shall:
- 767 (a) monitor and evaluate forecasts and advisories produced by the National Weather
768 Service;
- 769 (b) issue a code blue alert under this section if the Department of Health and Human
770 Services identifies a code blue event; and
- 771 (c) disseminate the code blue alert to:
- 772 (i) the public at large;
- 773 (ii) homeless shelters located within an affected county;
- 774 (iii) local government entities located within an affected county;
- 775 (iv) the office; and

- 776 (v) any other relevant public or private entities that provide services to individuals
 777 experiencing homelessness within an affected county.
- 778 (2) The code blue alert shall:
- 779 (a) identify each affected county;
- 780 (b) specify the duration of the code blue alert;
- 781 (c) describe the provisions that take effect for the duration of the code blue alert as
 782 described in Section 35A-16-703; and
- 783 (d) include the information prepared by the office under Subsection (3).
- 784 (3) (a) The office shall prepare and regularly update information to assist individuals
 785 experiencing homelessness during a code blue event, including:
- 786 (i) the location and availability of homeless shelters and other community resources
 787 and services for individuals experiencing homelessness;
- 788 (ii) information regarding public safety and emergency services; and
- 789 (iii) any other information considered relevant by the office.
- 790 (b) The office shall submit to the Department of Health and Human Services the
 791 information prepared and updated under Subsection (3)(a).
- 792 (4) (a) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act,
 793 the Department of Health and Human Services, in coordination with the office, shall
 794 make rules to implement this section.
- 795 (b) The rules under Subsection (4)(a) shall:
- 796 (i) establish any extreme weather conditions that warrant the issuance of a code blue
 797 alert; and
- 798 (ii) establish standards for:
- 799 (A) monitoring and evaluating National Weather Service forecasts and advisories
 800 to identify code blue events;
- 801 (B) issuing code blue alerts under this section, including the form, content, and
 802 dissemination of code blue alerts;
- 803 (C) the provisions that take effect within an affected county for the duration of a
 804 code blue alert~~[, as provided in]~~ under Section 35A-16-703; and
- 805 (D) coordinating with the office to receive the information described in
 806 Subsection (3).
- 807 (5) Nothing in this section prohibits a municipality from ~~[issuing a safety alert based on~~
 808 ~~other]~~ implementing emergency plans or other measures to assist individuals
 809 experiencing homelessness at times when environmental conditions ~~[that]~~ present a

810 substantial threat to the health or safety of individuals experiencing homelessness,
811 provided that the emergency plans or other measures implemented by the municipality
812 do not conflict with any applicable provisions that take effect during a code blue event
813 in accordance with Section 35A-16-703.

814 Section 13. Section **53-5c-301** is amended to read:

815 **53-5c-301 (Effective 05/01/24). Voluntary restrictions on firearm purchase and**
816 **possession.**

817 (1) An individual who is not a restricted person under Section 76-10-503 may voluntarily
818 request to be restricted from the purchase or possession of firearms.

819 (2) An individual requesting to be restricted under Subsection (1) may request placement on
820 one of the following restricted lists:

821 (a) a restricted list that:

822 (i) restricts the individual from purchasing or possessing a firearm for 180 days with
823 automatic removal of the individual from the restricted list at the end of the 180
824 days; and

825 (ii) allows the individual to request removal 30 days after the day on which the
826 individual is added to the restricted list; or

827 (b) a restricted list that:

828 (i) restricts the individual from purchasing or possessing a firearm indefinitely; and

829 (ii) allows the individual to request removal 90 days after the day on which the
830 individual is added to the restricted list.

831 (3) (a) Subject to Subsections (8) and (9), the bureau shall develop a process and forms
832 for inclusion on, and removal from, a restricted list as described in Subsection (2) to
833 be maintained by the bureau.

834 (b) The bureau shall make the forms for inclusion and removal available by download
835 through the bureau's website and require, at a minimum, the following information
836 for the individual described in Subsection (1):

837 (i) name;

838 (ii) address;

839 (iii) date of birth;

840 (iv) contact information;

841 (v) signature; and

842 (vi) (A) if the individual is entered on the restricted list as described in Subsection

843 (2)(a), an acknowledgment of the statement in Subsection (8)(a); or

- 844 (B) if the individual is entered on the restricted list as described in Subsection
845 (2)(b), an acknowledgment of the statement in Subsection (8)(b).
- 846 (4) (a) An individual requesting inclusion on a restricted list under Subsection (2) shall:
847 (i) deliver the completed form in person to a law enforcement agency; or
848 (ii) direct the individual's health care provider under Section 53-5c-302 to
849 electronically deliver the individual's [~~completed form~~] request to the bureau.
- 850 (b) The law enforcement agency described in Subsection (4)(a)(i):
851 (i) shall verify the individual's identity before accepting the form;
852 (ii) may not accept a form from someone other than the individual named on the
853 form; and
854 (iii) shall transmit the form electronically to the bureau through the Utah Criminal
855 Justice Information System.
- 856 (5) Upon receipt of a verified form provided under this section or Section 53-5c-302
857 requesting inclusion on a restricted list, the bureau shall, within 24 hours, add the
858 individual's name to the restricted list.
- 859 (6) (a) For an individual added to the restricted list described in Subsection (2)(a):
860 (i) the individual may not request removal from the restricted list unless the
861 individual has been on the restricted list for at least 30 days;
862 (ii) the bureau shall remove the individual from the restricted list 180 days after the
863 day on which the individual was added to the restricted list, unless the individual:
864 (A) requests to be removed from the restricted list after 30 days;
865 (B) requests to remain on the restricted list; or
866 (C) directs the individual's health care provider to request that the individual
867 remain on the restricted list;
868 (iii) a request for an extension shall be made in the same manner as the original
869 request; and
870 (iv) the individual may continue to request, or direct the individual's health care
871 provider to continue to request, extensions every 180 days.
- 872 (b) For an individual added to a restricted list under Subsection (2)(b), the individual:
873 (i) may not request removal from the restricted list unless the individual has been on
874 the restricted list for at least 90 days; and
875 (ii) shall remain on the restricted list, unless the bureau receives a request from the
876 individual to have the individual's name removed from the restricted list.
- 877 (7) If an individual restricted under this section is a concealed firearm permit holder, the

878 individual's permit shall be:

879 (a) suspended upon entry on the restricted list; and

880 (b) reinstated upon removal from the restricted list, unless:

881 (i) the permit has been revoked, been suspended for a reason other than under this
882 section, or has expired; or

883 (ii) the individual has become a restricted person under Section 76-10-503.

884 (8) (a) The form for an individual seeking to be placed on the restricted list described in

885 Subsection (2)(a) shall have the following language prominently displayed before the signature:

886

"ACKNOWLEDGMENT

887 ["]By presenting this completed form to a law enforcement agency, I understand that I am
888 requesting that my name be placed on a restricted list that restricts my ability to purchase or
889 possess firearms for a minimum of 30 days, and up to 6 months. I understand that by
890 voluntarily making myself a temporarily restricted person, I may not have a firearm in my
891 possession and any attempt to purchase a firearm while I am on the restricted list will be
892 declined. I also understand that any time after 30 days, I may request removal from the
893 restricted list and all previous rights will be restored. In addition, if I am in possession of a
894 valid concealed firearm permit, my permit will be suspended during the time I am on the
895 restricted list, but will be reinstated upon my removal, unless the permit has expired, been
896 revoked, been suspended for another reason, or I become ineligible to possess a firearm.
897 Additionally, I acknowledge that if I possess a firearm or attempt to purchase a firearm while
898 outside Utah, I will be subject to the law of that location regarding restricted persons."

899 (b) The form for an individual seeking to be placed on the restricted list described in

900 Subsection (2)(b) shall have the following language prominently displayed before the
901 signature:

902

"ACKNOWLEDGMENT

903 ["]By presenting this completed form to a law enforcement agency, I understand that I am
904 requesting that my name be placed on a restricted list that restricts my ability to purchase or
905 possess firearms indefinitely. I understand that by voluntarily making myself a temporarily
906 restricted person, I may not have a firearm in my possession and any attempt to purchase a
907 firearm while I am on the restricted list will be declined. I also understand that any time after
908 90 days, I may request removal from the restricted list and all previous rights will be restored.
909 In addition, if I am in possession of a valid concealed firearm permit, my permit will be

910 suspended during the time I am on the restricted list, but will be reinstated upon my removal,
911 unless the permit has expired, been revoked, been suspended for another reason, or I become
912 ineligible to possess a firearm. Additionally, I acknowledge that if I possess a firearm or
913 attempt to purchase a firearm while outside Utah, I will be subject to the law of that location
914 regarding restricted persons."

915 (9) (a) An individual requesting removal from a restricted list shall deliver a completed
916 removal form in person to:

917 (i) the law enforcement agency that processed the inclusion form if the individual
918 was placed on the restricted list under Subsection (4)(a)(i); or

919 (ii) the individual's local law enforcement agency if the individual was placed on the
920 restricted list under Subsection (4)(a)(ii).

921 (b) The law enforcement agency described in Subsection (9)(a):

922 (i) shall verify the individual's identity before accepting the form;

923 (ii) may not accept a removal form from someone other than the individual named on
924 the form; and

925 (iii) shall transmit the removal form electronically to the bureau through the Utah
926 Criminal Justice Information System.

927 (10) Upon receipt of a verified removal form, the bureau shall, after three business days,
928 remove the individual from the restricted list and remove the information from the
929 National Instant Criminal Background Check System.

930 (11) For an individual added to the restricted list under Subsection (2)(a), within 30 days
931 before the 180-day removal deadline, the bureau shall notify the individual at the
932 address listed on the inclusion form described in Subsection (4) and, if applicable, the
933 law enforcement agency that processed the inclusion form, that the individual is due to
934 be removed from the restricted list, and the date on which the removal will occur, unless
935 the individual requests an extension of up to 180 days.

936 (12) (a) A law enforcement agency that receives a request for inclusion under
937 Subsection (4)(a)(i) shall:

938 (i) maintain the completed form and all subsequent completed forms in a separate
939 file; and

940 (ii) for an individual added to the restricted list under Subsection (2)(a), destroy the
941 entire file within five days after the date indicated in the notification if the
942 individual does not request an extension after notification in accordance with
943 Subsection (11).

944 (b) A law enforcement agency that receives a removal request under Subsection (9) shall
945 destroy the entire file associated with the individual within five days after the day on
946 which the information is transmitted to the bureau.

947 (c) Upon removal of an individual from a restricted list, the bureau shall destroy all
948 records related to the inclusion and removal of the individual within five days after
949 the day on which the individual was removed.

950 (d) All forms and records created in accordance with this section are classified as private
951 records in accordance with Title 63G, Chapter 2, Government Records Access and
952 Management Act.

953 (13) The bureau may make rules in accordance with Title 63G, Chapter 3, Utah
954 Administrative Rulemaking Act, to develop the process and forms to implement this
955 section.

956 Section 14. Section **53-5c-302** is amended to read:

957 **53-5c-302 (Effective 05/01/24). Assistance from a health care provider --**

958 **Restricted list.**

959 (1) An individual who is not a restricted person under Section 76-10-503 and is seeking
960 inclusion on a restricted list under Section 53-5c-301 may direct the individual's health
961 care provider to electronically deliver the individual's inclusion [form] request described
962 in Section 53-5c-301 to the bureau.

963 (2) In addition to the inclusion form described in Section 53-5c-301, the bureau shall create
964 a form, available by download through the bureau's website, for:

965 (a) an individual who is directing a health care provider to electronically deliver the
966 individual's inclusion [form] request and require, at a minimum, the following
967 information:

968 (i) the individual's signature;

969 (ii) the name of the individual's health care provider; and

970 (iii) the individual's acknowledgment of the statement in Subsection (4)(a); and

971 (b) a health care provider who is delivering an individual's inclusion [forms] request and
972 require, at a minimum, the following information for the health care provider:

973 (i) the health care provider's name;

974 (ii) the name of the health care provider's organization;

975 (iii) the health care provider's license or certification, including the license or
976 certification number;

977 (iv) the health care provider's signature; and

978 (v) the health care provider's acknowledgment of the statement in Subsection (4)(b).

979 (3) (a) An individual who is directing a health care provider to electronically deliver the
 980 individual's [~~inclusion form~~] request to be included on a restricted list shall, in the
 981 presence of the health care provider, complete the forms described in Section
 982 53-5c-301 and Subsection (2)(a).

983 (b) The health care provider:

984 (i) shall verify the individual's identity before accepting the forms;

985 (ii) may not accept forms from someone other than the individual named on the
 986 forms;

987 (iii) shall complete the form described in Subsection (2)(b); and

988 (iv) shall deliver the [~~individual's and health care provider's forms electronically to~~
 989 ~~the bureau~~] request to the bureau electronically and maintain a copy of the
 990 completed request in the individual's health record.

991 (4) (a) The form described in Subsection (2)(a) shall have the following language prominently
 992 displayed before the signature:

993

"ACKNOWLEDGMENT

994 ["By presenting this completed form to my health care provider, I understand that I am
 995 requesting that my health care provider present my name to the Bureau of Criminal
 996 Identification to be placed on a restricted list that restricts my ability to purchase or possess
 997 firearms."

998 (b) The form described in Subsection (2)(b) shall have the following language prominently
 999 displayed before the signature:

1000

"ACKNOWLEDGMENT

1001 ["By presenting this completed form to the Bureau of Criminal Identification, I understand
 1002 that I am acknowledging that I have verified the identity of [name of individual seeking
 1003 inclusion on a restricted list] and have witnessed [name of individual] sign the form requesting
 1004 that [name of individual] be placed on a restricted list that restricts [name of individual]'s
 1005 ability to purchase or possess firearms. I affirm that [name of individual] is currently my
 1006 patient, and I am a licensed health care provider acting within the scope of my license,
 1007 certification, practice, education, or training."

1008 (5) The bureau may make rules in accordance with Title 63G, Chapter 3, Utah

1009 Administrative Rulemaking Act, to develop the process and forms to implement this

1010 section.

1011 Section 15. Section **59-12-205** is amended to read:

1012 **59-12-205 (Effective upon governor's approval). Ordinances to conform with**
1013 **statutory amendments -- Distribution of tax revenue -- Determination of population.**

1014 (1) To maintain in effect sales and use tax ordinances adopted pursuant to Section

1015 59-12-204, a county, city, or town shall adopt amendments to the county's, city's, or

1016 town's sales and use tax ordinances:

1017 (a) within 30 days of the day on which the state makes an amendment to an applicable
1018 provision of Part 1, Tax Collection; and

1019 (b) as required to conform to the amendments to Part 1, Tax Collection.

1020 (2) (a) Except as provided in Subsections (3) and (4) and subject to Subsection (5):

1021 (i) 50% of each dollar collected from the sales and use tax authorized by this part
1022 shall be distributed to each county, city, and town on the basis of the percentage
1023 that the population of the county, city, or town bears to the total population of all
1024 counties, cities, and towns in the state; and

1025 (ii) (A) except as provided in Subsections (2)(a)(ii)(B), (C), and (D), 50% of each
1026 dollar collected from the sales and use tax authorized by this part shall be
1027 distributed to each county, city, and town on the basis of the location of the
1028 transaction as determined under Sections 59-12-211 through 59-12-215;

1029 (B) 50% of each dollar collected from the sales and use tax authorized by this part
1030 within a project area described in a project area plan adopted by the military
1031 installation development authority under Title 63H, Chapter 1, Military
1032 Installation Development Authority Act, shall be distributed to the military
1033 installation development authority created in Section 63H-1-201;

1034 (C) beginning July 1, 2022, 50% of each dollar collected from the sales and use
1035 tax authorized by this part within a project area under Title 11, Chapter 58,
1036 Utah Inland Port Authority Act, shall be distributed to the Utah Inland Port
1037 Authority, created in Section 11-58-201; and

1038 (D) 50% of each dollar collected from the sales and use tax authorized by this part
1039 within the lake authority boundary, as defined in Section 11-65-101, shall be
1040 distributed to the Utah Lake Authority, created in Section 11-65-201,
1041 beginning the next full calendar quarter following the creation of the Utah
1042 Lake Authority.

1043 (b) Subsection (2)(a)(ii)(C) does not apply to sales and use tax revenue collected before

- 1044 July 1, 2022.
- 1045 (3) (a) As used in this Subsection (3):
- 1046 (i) "Eligible county, city, or town" means a county, city, or town that:
- 1047 (A) for fiscal year 2012-13, received a tax revenue distribution under Subsection
- 1048 (3)(b) equal to the amount described in Subsection (3)(b)(ii); and
- 1049 (B) does not impose a sales and use tax under Section 59-12-2103 on or before
- 1050 July 1, 2016.
- 1051 (ii) "Minimum tax revenue distribution" means the total amount of tax revenue
- 1052 distributions an eligible county, city, or town received from a tax imposed in
- 1053 accordance with this part for fiscal year 2004-05.
- 1054 (b) An eligible county, city, or town shall receive a tax revenue distribution for a tax
- 1055 imposed in accordance with this part equal to the greater of:
- 1056 (i) the payment required by Subsection (2); or
- 1057 (ii) the minimum tax revenue distribution.
- 1058 (4) (a) For purposes of this Subsection (4):
- 1059 (i) "Annual local contribution" means the lesser of \$275,000 or an amount equal to
- 1060 2.55% of the participating local government's tax revenue distribution amount
- 1061 under Subsection (2)(a)(i) for the previous fiscal year.
- 1062 (ii) "Participating local government" means a county or municipality, as defined in
- 1063 Section 10-1-104, that is not an eligible municipality certified in accordance with
- 1064 Section 35A-16-404.
- 1065 (b) For revenue collected from the tax authorized by this part that is distributed on or
- 1066 after January 1, 2019, the commission, before making a tax revenue distribution
- 1067 under Subsection (2)(a)(i) to a participating local government, shall:
- 1068 (i) adjust a participating local government's tax revenue distribution under Subsection
- 1069 (2)(a)(i) by:
- 1070 (A) subtracting an amount equal to one-twelfth of the annual local contribution for
- 1071 each participating local government from the participating local government's
- 1072 tax revenue distribution; and
- 1073 (B) if applicable, reducing the amount described in Subsection (4)(b)(i)(A) by an
- 1074 amount equal to one-twelfth of \$250 for each bed that is available at all
- 1075 homeless shelters located within the boundaries of the participating local
- 1076 government, as reported to the commission by the Office of Homeless Services
- 1077 in accordance with Section 35A-16-405; and

- 1078 (ii) deposit the resulting amount described in Subsection (4)(b)(i) into the Homeless
1079 Shelter Cities Mitigation Restricted Account created in Section 35A-16-402.
- 1080 (c) For a participating local government that qualifies to receive a distribution described
1081 in Subsection (3), the commission shall apply the provisions of this Subsection (4)
1082 after the commission applies the provisions of Subsection (3).
- 1083 (5) (a) As used in this Subsection (5):
- 1084 (i) "Annual dedicated sand and gravel sales tax revenue" means an amount equal to
1085 the total revenue an establishment described in NAICS Code 327320, Ready-Mix
1086 Concrete Manufacturing, of the 2022 North American Industry Classification
1087 System of the federal Executive Office of the President, Office of Management
1088 and Budget, collects and remits under this part for a calendar year.
- 1089 (ii) "Sand and gravel" means sand, gravel, or a combination of sand and gravel.
- 1090 (iii) "Sand and gravel extraction site" means a pit, quarry, or deposit that:
- 1091 (A) contains sand and gravel; and
1092 (B) is assessed by the commission in accordance with Section 59-2-201.
- 1093 (iv) "Ton" means a short ton of 2,000 pounds.
- 1094 (v) "Tonnage ratio" means the ratio of:
- 1095 (A) the total amount of sand and gravel, measured in tons, sold during a calendar
1096 year from all sand and gravel extraction sites located within a county, city, or
1097 town; to
1098 (B) the total amount of sand and gravel, measured in tons, sold during the same
1099 calendar year from sand and gravel extraction sites statewide.
- 1100 (b) For purposes of calculating the ratio described in Subsection (5)(a)(v), the
1101 commission shall:
- 1102 (i) use the gross sales data provided to the commission as part of the commission's
1103 property tax valuation process; and
- 1104 (ii) if a sand and gravel extraction site operates as a unit across municipal or county
1105 lines, apportion the reported tonnage among the counties, cities, or towns based on
1106 the percentage of the sand and gravel extraction site located in each county, city,
1107 or town, as approximated by the commission.
- 1108 (c) (i) Beginning July 2023, and each July thereafter, the commission shall distribute
1109 from total collections under this part an amount equal to the annual dedicated sand
1110 and gravel sales tax revenue for the preceding calendar year to each county, city,
1111 or town in the same proportion as the county's, city's, or town's tonnage ratio for

- 1112 the preceding calendar year.
- 1113 (ii) The commission shall ensure that the revenue distributed under this Subsection
- 1114 (5)(c) is drawn from each jurisdiction's collections in proportion to the
- 1115 jurisdiction's share of total collections for the preceding 12-month period.
- 1116 (d) A county, city, or town shall use revenue described in Subsection (5)(c) for class B
- 1117 or class C roads.
- 1118 (6) (a) Population figures for purposes of this section shall be based on the most recent
- 1119 official census or census estimate of the United States Bureau of the Census.
- 1120 (b) If a needed population estimate is not available from the United States Bureau of the
- 1121 Census, population figures shall be derived from the estimate from the Utah
- 1122 Population Committee.
- 1123 (c) The population of a county for purposes of this section shall be determined only from
- 1124 the unincorporated area of the county.

1125 Section 16. Section **63J-1-602.1** is amended to read:

1126 **63J-1-602.1 (Effective 05/01/24). List of nonlapsing appropriations from**

1127 **accounts and funds.**

1128 Appropriations made from the following accounts or funds are nonlapsing:

- 1129 (1) The Native American Repatriation Restricted Account created in Section 9-9-407.
- 1130 (2) Certain money payable for expenses of the Pete Suazo Utah Athletic Commission, as
- 1131 provided under Title 9, Chapter 23, Pete Suazo Utah Athletic Commission Act.
- 1132 (3) Funds collected for directing and administering the C-PACE district created in Section
- 1133 11-42a-106.
- 1134 (4) Money received by the Utah Inland Port Authority, as provided in Section 11-58-105.
- 1135 (5) The Commerce Electronic Payment Fee Restricted Account created in Section 13-1-17.
- 1136 (6) The Division of Air Quality Oil, Gas, and Mining Restricted Account created in Section
- 1137 19-2a-106.
- 1138 (7) The Division of Water Quality Oil, Gas, and Mining Restricted Account created in
- 1139 Section 19-5-126.
- 1140 (8) State funds for matching federal funds in the Children's Health Insurance Program as
- 1141 provided in Section 26B-3-906.
- 1142 (9) Funds collected from the program fund for local health department expenses incurred in
- 1143 responding to a local health emergency under Section 26B-7-111.
- 1144 (10) The Technology Development Restricted Account created in Section 31A-3-104.
- 1145 (11) The Criminal Background Check Restricted Account created in Section 31A-3-105.

- 1146 (12) The Captive Insurance Restricted Account created in Section 31A-3-304, except to the
1147 extent that Section 31A-3-304 makes the money received under that section free revenue.
- 1148 (13) The Title Licensee Enforcement Restricted Account created in Section 31A-23a-415.
- 1149 (14) The Health Insurance Actuarial Review Restricted Account created in Section
1150 31A-30-115.
- 1151 (15) The State Mandated Insurer Payments Restricted Account created in Section
1152 31A-30-118.
- 1153 (16) The Insurance Fraud Investigation Restricted Account created in Section 31A-31-108.
- 1154 (17) The Underage Drinking Prevention Media and Education Campaign Restricted
1155 Account created in Section 32B-2-306.
- 1156 (18) The Drinking While Pregnant Prevention Media and Education Campaign Restricted
1157 Account created in Section 32B-2-308.
- 1158 (19) The School Readiness Restricted Account created in Section 35A-15-203.
- 1159 (20) Money received by the Utah State Office of Rehabilitation for the sale of certain
1160 products or services, as provided in Section 35A-13-202.
- 1161 (21) The Homeless Shelter Cities Mitigation Restricted Account created in Section
1162 35A-16-402.
- 1163 [~~(21)~~] (22) The Oil and Gas Administrative Penalties Account created in Section 40-6-11.
- 1164 [~~(22)~~] (23) The Oil and Gas Conservation Account created in Section 40-6-14.5.
- 1165 [~~(23)~~] (24) The Division of Oil, Gas, and Mining Restricted account created in Section
1166 40-6-23.
- 1167 [~~(24)~~] (25) The Electronic Payment Fee Restricted Account created by Section 41-1a-121 to
1168 the Motor Vehicle Division.
- 1169 [~~(25)~~] (26) The License Plate Restricted Account created by Section 41-1a-122.
- 1170 [~~(26)~~] (27) The Motor Vehicle Enforcement Division Temporary Permit Restricted Account
1171 created by Section 41-3-110 to the State Tax Commission.
- 1172 [~~(27)~~] (28) The State Disaster Recovery Restricted Account to the Division of Emergency
1173 Management, as provided in Section 53-2a-603.
- 1174 [~~(28)~~] (29) The Response, Recovery, and Post-disaster Mitigation Restricted Account
1175 created in Section 53-2a-1302.
- 1176 [~~(29)~~] (30) The Department of Public Safety Restricted Account to the Department of Public
1177 Safety, as provided in Section 53-3-106.
- 1178 [~~(30)~~] (31) The Utah Highway Patrol Aero Bureau Restricted Account created in Section
1179 53-8-303.

- 1180 [~~(31)~~] (32) The DNA Specimen Restricted Account created in Section 53-10-407.
- 1181 [~~(32)~~] (33) The Technical Colleges Capital Projects Fund created in Section 53B-2a-118.
- 1182 [~~(33)~~] (34) The Higher Education Capital Projects Fund created in Section 53B-22-202.
- 1183 [~~(34)~~] (35) A certain portion of money collected for administrative costs under the School
1184 Institutional Trust Lands Management Act, as provided under Section 53C-3-202.
- 1185 [~~(35)~~] (36) The Public Utility Regulatory Restricted Account created in Section 54-5-1.5,
1186 subject to Subsection 54-5-1.5(4)(d).
- 1187 [~~(36)~~] (37) Funds collected from a surcharge fee to provide certain licensees with access to
1188 an electronic reference library, as provided in Section 58-3a-105.
- 1189 [~~(37)~~] (38) Certain fines collected by the Division of Professional Licensing for violation of
1190 unlawful or unprofessional conduct that are used for education and enforcement
1191 purposes, as provided in Section 58-17b-505.
- 1192 [~~(38)~~] (39) Funds collected from a surcharge fee to provide certain licensees with access to
1193 an electronic reference library, as provided in Section 58-22-104.
- 1194 [~~(39)~~] (40) Funds collected from a surcharge fee to provide certain licensees with access to
1195 an electronic reference library, as provided in Section 58-55-106.
- 1196 [~~(40)~~] (41) Funds collected from a surcharge fee to provide certain licensees with access to
1197 an electronic reference library, as provided in Section 58-56-3.5.
- 1198 [~~(41)~~] (42) Certain fines collected by the Division of Professional Licensing for use in
1199 education and enforcement of the Security Personnel Licensing Act, as provided in
1200 Section 58-63-103.
- 1201 [~~(42)~~] (43) The Relative Value Study Restricted Account created in Section 59-9-105.
- 1202 [~~(43)~~] (44) The Cigarette Tax Restricted Account created in Section 59-14-204.
- 1203 [~~(44)~~] (45) Funds paid to the Division of Real Estate for the cost of a criminal background
1204 check for a mortgage loan license, as provided in Section 61-2c-202.
- 1205 [~~(45)~~] (46) Funds paid to the Division of Real Estate for the cost of a criminal background
1206 check for principal broker, associate broker, and sales agent licenses, as provided in
1207 Section 61-2f-204.
- 1208 [~~(46)~~] (47) Certain funds donated to the Department of Health and Human Services, as
1209 provided in Section 26B-1-202.
- 1210 [~~(47)~~] (48) Certain funds donated to the Division of Child and Family Services, as provided
1211 in Section 80-2-404.
- 1212 [~~(48)~~] (49) Funds collected by the Office of Administrative Rules for publishing, as
1213 provided in Section 63G-3-402.

- 1214 [~~(49)~~] (50) The Immigration Act Restricted Account created in Section 63G-12-103.
- 1215 [~~(50)~~] (51) Money received by the military installation development authority, as provided
1216 in Section 63H-1-504.
- 1217 [~~(51)~~] (52) The Computer Aided Dispatch Restricted Account created in Section 63H-7a-303.
- 1218 [~~(52)~~] (53) The Unified Statewide 911 Emergency Service Account created in Section
1219 63H-7a-304.
- 1220 [~~(53)~~] (54) The Utah Statewide Radio System Restricted Account created in Section
1221 63H-7a-403.
- 1222 [~~(54)~~] (55) The Utah Capital Investment Restricted Account created in Section 63N-6-204.
- 1223 [~~(55)~~] (56) The Motion Picture Incentive Account created in Section 63N-8-103.
- 1224 [~~(56)~~] (57) Funds collected by the housing of state probationary inmates or state parole
1225 inmates, as provided in Subsection 64-13e-104(2).
- 1226 [~~(57)~~] (58) Certain forestry and fire control funds utilized by the Division of Forestry, Fire,
1227 and State Lands, as provided in Section 65A-8-103.
- 1228 [~~(58)~~] (59) The Amusement Ride Safety Restricted Account, as provided in Section
1229 72-16-204.
- 1230 [~~(59)~~] (60) Certain funds received by the Office of the State Engineer for well drilling fines
1231 or bonds, as provided in Section 73-3-25.
- 1232 [~~(60)~~] (61) The Water Resources Conservation and Development Fund, as provided in
1233 Section 73-23-2.
- 1234 [~~(61)~~] (62) Award money under the State Asset Forfeiture Grant Program, as provided under
1235 Section 77-11b-403.
- 1236 [~~(62)~~] (63) Funds donated or paid to a juvenile court by private sources, as provided in
1237 Subsection 78A-6-203(1)(c).
- 1238 [~~(63)~~] (64) Fees for certificate of admission created under Section 78A-9-102.
- 1239 [~~(64)~~] (65) Funds collected for adoption document access as provided in Sections 78B-6-141,
1240 78B-6-144, and 78B-6-144.5.
- 1241 [~~(65)~~] (66) Funds collected for indigent defense as provided in Title 78B, Chapter 22, Part 4,
1242 Utah Indigent Defense Commission.
- 1243 [~~(66)~~] (67) The Utah Geological Survey Oil, Gas, and Mining Restricted Account created in
1244 Section 79-3-403.
- 1245 [~~(67)~~] (68) Revenue for golf user fees at the Wasatch Mountain State Park, Palisades State
1246 Park, and Green River State Park, as provided under Section 79-4-403.
- 1247 [~~(68)~~] (69) Certain funds received by the Division of State Parks from the sale or disposal of

1248 buffalo, as provided under Section 79-4-1001.

1249 Section 17. **Effective date.**

1250 (1) Except as provided in Subsection (2), this bill takes effect on May 1, 2024.

1251 (2) (a) Except as provided in Subsection (2)(b), if approved by two-thirds of all the
1252 members elected to each house, the actions affecting Section 59-12-205 take effect
1253 upon approval by the governor, or the day following the constitutional time limit of
1254 Utah Constitution, Article VII, Section 8, without the governor's signature, or in the
1255 case of a veto, the date of veto override.

1256 (b) If this bill is not approved by two-thirds of all members elected to each house, the
1257 actions affecting Section 59-12-205 take effect on May 1, 2024.

1258 Section 18. **Retrospective operation.**

1259 Section 59-12-205 has retrospective operation to January 1, 2024.