

SB0206S01 compared with SB0206

~~text~~ shows text that was in SB0206 but was deleted in SB0206S01.

text shows text that was not in SB0206 but was inserted into SB0206S01.

DISCLAIMER: This document is provided to assist you in your comparison of the two bills. Sometimes this automated comparison will NOT be completely accurate. Therefore, you need to read the actual bills. This automatically generated document could contain inaccuracies caused by: limitations of the compare program; bad input data; or other causes.

Senator Ann Millner proposes the following substitute bill:

YOUNG ADULT SERVICE FELLOWSHIP

2024 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: {} Ann Millner

House Sponsor: {} _____

LONG TITLE

General Description:

This bill creates the One Utah Service Fellowship Program.

Highlighted Provisions:

This bill:

- ▶ defines terms;
- ▶ creates the One Utah Service Fellowship Program;
- ▶ directs the Utah Commission on Service and Volunteerism to provide oversight and policy guidance to the One Utah Service Fellowship Program;
- ▶ authorizes the Department of Cultural and Community Engagement to enter into an agreement with a third-party administrator;
- ▶ requires a written report to the Education Interim Committee;
- ▶ provides a sunset date; and

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- ▶ makes technical changes.

Money Appropriated in this Bill:

This bill appropriates in fiscal year 2025:

- ▶ to Department of Cultural and Community Engagement - Commission on Service and Volunteerism - One Utah Service Fellowship Program as a one-time appropriation:
 - from the General Fund, One-time, \$2,000,000
- ▶ to Department of Cultural and Community Engagement - Commission on Service and Volunteerism - One Utah Service Fellowship Program as an ongoing appropriation:
 - from the General Fund, \$1,300,000

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

9-1-208, as enacted by Laws of Utah 2014, Chapter 371

9-20-205, as renumbered and amended by Laws of Utah 2019, Chapter 221

63I-1-209, as last amended by Laws of Utah 2020, Chapters 154, 232 and last amended by Coordination Clause, Laws of Utah 2020, Chapter 154

ENACTS:

9-20-301, Utah Code Annotated 1953

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

Section 1. Section **9-1-208** is amended to read:

9-1-208. Annual report -- Content -- Format.

(1) The department shall prepare and submit to the governor and the Legislature, by October 1 of each year, an annual written report of the operations, activities, programs, and services of the department, including its divisions, offices, boards, commissions, councils, and committees, for the preceding fiscal year.

(2) For each operation, activity, program, or service provided by the department, the annual report shall include:

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- (a) a description of the operation, activity, program, or service;
- (b) data selected and used by the department to measure progress, performance, and scope of the operation, activity, program, or service, including summary data;
- (c) budget data, including the amount and source of funding, expenses, and allocation of full-time employees for the operation, activity, program, or service;
- (d) historical data from previous years for comparison with data reported under Subsections (2)(b) and (c);
- (e) goals, challenges, and achievements related to the operation, activity, program, or service;
- (f) relevant federal and state statutory references and requirements;
- (g) contact information of officials knowledgeable and responsible for each operation, activity, program, or service; and
- (h) other information determined by the department that:
 - (i) may be needed, useful, or of historical significance; or
 - (ii) promotes accountability and transparency for each operation, activity, program, or service with the public and elected officials.

(3) The annual report shall be designed to provide clear, accurate, and accessible information to the public, the governor, and the Legislature.

(4) The department shall:

- (a) submit the annual report in accordance with Section 68-3-14; and
- (b) make the annual report, and previous annual reports, accessible to the public by placing a link to the reports on the department's website.

(5) Beginning in 2025, in addition to the annual report required by Subsection (1), the department shall provide a written report to the Education Interim Committee about the progress of the One Utah Service Fellowship Program, including the progress of the Utah Commission on Service and Volunteerism created in Section 9-20-201 on the duties described in Subsection 9-20-301(3), by October 1 of each year.

Section 2. Section **9-20-205** is amended to read:

9-20-205. Commission duties.

- (1) The commission shall:
 - (a) administer the selection, development, and oversight of programs funded and

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established by the act;

(b) pursue opportunities for sustainable and high-impact community service;

(c) develop and annually update a three-year community service plan for the state,

including the establishment of state priorities; ~~and~~

(d) provide policy guidance to the One Utah Service Fellowship Program described in Section 9-20-301; and

~~(d)~~ (e) stimulate increased community awareness of the impact of volunteer service in the state.

(2) (a) The commission may, subject to Title 63J, Chapter 5, Federal Funds Procedures Act, receive and accept federal funds, and may receive and accept private gifts, donations, or funds from any source.

(b) Money received under this Subsection (2) shall be deposited with the state and shall be available to the commission to carry out the purposes of this part.

Section 3. Section **9-20-301** is enacted to read:

Part 3. One Utah Service Fellowship Program

9-20-301. One Utah Service Fellowship Program.

(1) As used in this section:

(a) "Education expense" means:

(i) tuition or student fees at an institution of higher education that participates in the federal student assistance programs under the Higher Education Act of 1965, Title IV, 20 U.S.C. Sec. 1070 et seq.;

(ii) repayment of a student loan; or

(iii) other costs of attending an institution of higher education described in Subsection (1)(a)(i), as determined by the institution of higher education, for a degree or certificate program, including:

(A) books;

(B) supplies;

(C) transportation; and

(D) room and board.

(b) "Eligible recipient" means an individual who:

(i) is a resident of the state;

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(ii) successfully completes a fellowship under the program created in this section; and

(iii) is a citizen of the United States, a United States national, or a lawful permanent resident of the United States.

(c) "Federal requirements for the AmeriCorps program" means:

(i) relevant provisions of:

(A) the National and Community Service Act of 1990, as amended, 42 U.S.C. 12501 et seq. and corresponding federal regulations;

(B) the Domestic Volunteer Service Act of 1973, as amended, 42 U.S.C. 4950 et seq. and corresponding federal regulations;

(C) the Federal Grant and Cooperative Agreement Act, as amended, 31 U.S.C. Secs. 6301 through 6308, and corresponding federal regulations; and

(D) AmeriCorps' C.F.R. Chapters XII and XXV; and

(ii) any terms and conditions associated with AmeriCorps federal grant funding.

(d) "Institution of higher education" means an entity described in Section 53B-2-101.

(e) "Participant" means an individual who:

(i) is at least 17 years old;

(ii) has received a high school diploma or its equivalent; and

(iii) the program matches with a qualified partner organization to participate in a program fellowship.

(f) "Program" means the One Utah Service Fellowship Program created in Subsection (2).

(g) "Qualified partner organization" means a nonprofit organization or government entity that:

(i) agrees to supervise a participant for the total number of hours outlined in an agreement with the commission;

(ii) except as provided in Subsection (4)(d), agrees to provide the commission with a matching stipend amount, as described in Subsection (5); and

(iii) provides a valuable service to the community, as determined by the commission or commission rule.

(h) "Supervise" means the act of overseeing the work of an eligible recipient, including some component of in-person interaction.

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(i) "Third-party administrator" means an entity that:

(i) enters into an agreement with the department, as described in Subsection (7);

(ii) is a nonprofit organization or subsidiary or affiliate of an institution of higher education;

(iii) has experience managing programs and funds; and

(iv) operates under the direction of the commission.

(j) "Tuition award" means an amount of money to be used for an education expense, as described in Subsection (6).

(2) There is created a One Utah Service Fellowship Program to provide meaningful service opportunities to young adults in the state to:

(a) prepare young adults for additional educational, training, and career opportunities;

(b) address high-priority needs within the state; and

(c) provide a stipend to a participant and a tuition award to an eligible recipient in accordance with this section.

(3) (a) Subject to appropriations from the Legislature, the commission shall administer the program as described in this section.

(b) Except as otherwise provided in an agreement authorized by Subsection (7)(b), the commission:

(i) shall create and maintain a list of high-priority policy needs in the state where program service opportunities can provide the most value to the state;

(ii) shall receive an application from a potential participant;

(iii) shall match a participant to a qualified partner organization for participation in the program;

(iv) shall approve a potential qualified partner organization to participate in the program;

(v) shall prioritize the placement of participants with qualified partner organizations that address the high-priority policy needs identified under Subsection (3)(b)(i);

(vi) shall create and maintain, or contract with a third-party to create and maintain, an online portal that:

(A) provides information about the program, including required qualifications for participation, tuition awards, and stipends;

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(B) lists all service opportunities with qualified partner organizations that are available through the program; and

(C) allows a potential participant to apply for placement with a qualified partner organization;

(vii) shall determine the metrics of success of the program, including metrics regarding whether an eligible recipient:

(A) matriculates at an institution of higher education after completing a One Utah Service Fellowship; and

(B) graduates from, or otherwise completes a program at, an institution of higher education;

(viii) shall measure the success of the program according to the metrics determined under this Subsection (3);

(ix) shall coordinate with institutions of higher education to:

(A) connect an eligible recipient with additional educational, training, certification, and apprenticeship opportunities; and

(B) explore options to award an eligible recipient with academic credit for the completion of a One Utah Service Fellowship, in addition to the stipend and tuition award;

(x) may solicit private donations to supplement the program, including to offset a matching amount required of a qualified partner organization as described in Subsection (4)(d);

(xi) shall market and provide outreach for the program; and

(xii) shall ensure the program complies with federal requirements for the AmeriCorps program administered by the commission.

(c) The commission may make rules in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, to implement this section.

(4) (a) Before a participant begins providing service through the program, the commission or third-party administrator shall enter into an agreement with the participant that outlines the mutual expectations of the program and the participant.

(b) The agreement described in Subsection (4)(a) shall detail the requirements of the participant, including:

(i) the total number of hours of service required under the agreement;

(ii) the exact stipend amount promised to the participant in consideration of service, as

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described in Subsection (5):

(iii) the exact tuition award amount promised to the participant upon successful completion of a fellowship, as described in Subsection (6):

(iv) qualifications for and acceptable uses of the tuition award, as described in Subsection (6); and

(v) the circumstances under which the agreement may be amended, including for participant hardship or compelling personal circumstance.

(c) Before a qualified partner organization accepts service from a participant, the commission or third-party administrator shall enter into an agreement with the qualified partner organization that outlines the mutual expectations of the program and qualified partner organization, including the exact amount of matching funds the qualified partner organization shall provide to the commission to contribute to a participant's stipend.

(d) The agreement described in Subsection (4)(c) may include a provision that the program is reducing the qualified partner organization's matching fund requirement due to the receipt of private donations, as described in Subsection (5)(c)(ii)(B).

(5) (a) The commission may issue, and a participant may receive, a stipend ~~of up to \$8,500~~ for participating in the program.

(b) The commission or third-party administrator shall establish the exact stipend for a participant on a case-by-case basis in an agreement described in Subsection (4)(a) based on:

(i) available program funds; and

(ii) any matching funds provided by:

(A) the qualified partner organization with which the participant is paired; or

(B) private donations to the program.

(c) (i) The commission or third-party administrator ~~may fund up to 50% of the amount described in Subsection (5)(a)~~ shall contribute \$5 per hour of the stipend described in this Subsection (5), up to \$8,500 for the term of the agreement, from state funds.

(ii) The commission or third-party administrator shall supplement the remaining balance of a participant's exact stipend ~~, as described in Subsection (5)(b),~~ from non-state funds, including:

(A) matching funds provided to the commission by a qualified partner organization; or

(B) private donations to the program.

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(iii) The commission or third-party administrator shall prioritize a participant's placement with a qualified partner organization based on the amount of matching funds the qualified partner organization proposes to provide to the commission under Subsection (5)(c)(ii)(A), with preference going to qualified partner organizations that offer to provide a larger ~~{percentage of the }~~ stipend ~~{, up to the full stipend amount}~~.

(iv) The commission or third-party administrator shall disburse the stipend to a participant in installments, no less frequently than every three months.

(6) (a) The commission shall provide a tuition award to an eligible recipient, according to the terms of the agreement described in Subsection (4), upon the successful completion of a fellowship.

(b) The commission or third-party administrator shall establish the exact tuition award for an eligible recipient on a case-by-case basis in an agreement described in Subsection (4)(a) based on:

(i) federal requirements for the AmeriCorps program, including:

(A) a maximum tuition award for 1,700 hours of service during a one-year period; and

(B) a reduced tuition award for a reduced number of hours of service during a one-year period.

(c) An eligible recipient may use a tuition award:

(i) for an eligible education expense;

(ii) over a seven-year period beginning the day on which the eligible recipient receives the tuition award; and

(iii) subject to the requirements of Subsection (6)(d).

(d) If the program uses state funds to supplement a tuition award:

(i) the commission or third-party administrator shall detail that information in an agreement described in Subsection (4)(a); and

(ii) an eligible recipient may only use the state funded portion of the tuition award after the eligible recipient has exhausted any scholarship, education grant, or financial aid.

(7) The department:

(a) shall provide staff support to the commission to implement the program; and

(b) may enter into an agreement with one or more third-party administrators to administer and implement the program under the direction of the commission, including by

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fulfilling one or more of the responsibilities described in Subsection (3).

Section 4. Section **63I-1-209** is amended to read:

63I-1-209. Repeal dates: Title 9.

(1) Subsection 9-1-208(5), which creates a reporting requirement on the One Utah Service Fellowship Program, is repealed July 1, 2027.

(2) Section 9-6-303, which creates the Arts Collection Committee, is repealed July 1, 2027.

~~[(2)]~~ (3) Section 9-6-305, which creates the Utah Museums Advisory Board, is repealed July 1, 2027.

~~[(3)]~~ (4) Section 9-9-405, which creates the Native American Remains Review Committee, is repealed July 1, 2025.

~~[(4)]~~ (5) Title 9, Chapter 20, Utah Commission on Service and Volunteerism Act, is repealed July 1, ~~[2026]~~ 2027.

Section 5. **FY 2025 Appropriation.**

The following sums of money are appropriated for the fiscal year beginning July 1, 2024, and ending June 30, 2025. These are additions to amounts previously appropriated for fiscal year 2025.

Subsection 5(a). **Operating and Capital Budgets.**

Under the terms and conditions of Title 63J, Chapter 1, Budgetary Procedures Act, the Legislature appropriates the following sums of money from the funds or accounts indicated for the use and support of the government of the state of Utah.

ITEM 1 To Department of Cultural and Community Engagement - Commission on Service and Volunteerism

From General Fund, One-time	\$2,000,000
From General Fund	\$1,300,000
Schedule of Programs:	
One Utah Service Fellowship Program	\$3,300,000

Section 6. **Effective date.**

This bill takes effect on May 1, 2024.

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