

1                                   **REFUGEE SERVICES FUND AMENDMENTS**

2   2013 GENERAL SESSION

3   STATE OF UTAH

4                                   **Chief Sponsor: Jeremy A. Peterson**

5                                   Senate Sponsor: Wayne A. Harper

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7 **LONG TITLE**

8 **General Description:**

9           This bill modifies the Employment Support Act by amending provisions related to the  
10 Refugee Services Fund.

11 **Highlighted Provisions:**

12           This bill:

13           ▶ provides that the restricted special revenue fund known as the Refugee Services  
14 Fund is administered with input from the Department of Workforce Services instead  
15 of the department's Housing and Community Development Division; and

16           ▶ makes technical changes.

17 **Money Appropriated in this Bill:**

18           None

19 **Other Special Clauses:**

20           None

21 **Utah Code Sections Affected:**

22 AMENDS:

23           **35A-3-116**, as last amended by Laws of Utah 2012, Chapters 212 and 246

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

26           Section 1. Section **35A-3-116** is amended to read:

27           **35A-3-116. Restricted special revenue fund -- Use of money -- Committee and**  
28 **director duties -- Restrictions.**

29           (1) There is created a restricted special revenue fund, known as the "Refugee Services

30 Fund[, " hereafter referred to in this section as "the fund]."

31 (2) The director [~~or the director's designee, hereafter referred to in this section as the~~  
32 ~~director,~~] shall administer the fund with input from [~~the Housing and Community Development~~  
33 ~~Division, including any advisory committees within the Housing and Community Development~~  
34 ~~Division that deal with refugee services issues]~~ the department and any advisory committee  
35 involved with the provision of refugee services within the department.

36 (3) (a) Money shall be deposited into the fund from [~~numerous sources, including~~  
37 legislative appropriations, federal grants, private foundations, and individual donors.

38 (b) The director shall encourage a refugee who receives services [~~from activities~~  
39 funded under Subsection (8) to [~~become~~] be a donor to the fund [~~once~~] when the refugee's  
40 financial situation improves [~~to the point where the refugee is capable of making~~] sufficiently  
41 to make a donation.

42 (4) [~~The~~] Except for money restricted to a specific use under federal law or by a donor,  
43 the director may not [~~expend~~] spend money [~~in~~] from the fund [~~that is not restricted to a~~  
44 ~~specific use under federal law or by donors~~] without the input [~~from the Housing and~~  
45 ~~Community Development Division, either directly or through an advisory committee~~  
46 ~~identified~~] described in Subsection (2).

47 (5) The state treasurer shall invest the money in the fund under Title 51, Chapter 7,  
48 State Money Management Act, and all interest or other earnings derived from the fund money  
49 shall be deposited in the fund.

50 (6) [~~The money~~] Money in the fund may not be used by the director for administrative  
51 expenses.

52 (7) If the [~~Housing and Community Development Division~~] department establishes a  
53 refugee services advisory committee [~~referred to~~] referenced in Subsection (2), [~~that~~] the  
54 committee may:

55 (a) advise the director on refugee services needs in the state and on relevant operational  
56 aspects of any grant or revenue collection program established under this part;

57 (b) recommend specific refugee projects to the director;

- 58 (c) recommend policies and procedures for administering the fund;
- 59 (d) make recommendations on grants made from the fund for ~~[any of the]~~ refugee  
60 services activities authorized under this section;
- 61 (e) advise the director on the criteria by which grants ~~[shall be made]~~ from the fund  
62 shall be made;
- 63 (f) recommend the order ~~[in which]~~ approved projects ~~[would]~~ should be funded;
- 64 (g) make recommendations regarding the distribution of money from the fund in  
65 accordance with ~~[the procedures, conditions, and restrictions placed upon money in the fund by~~  
66 ~~donors]~~ federal or donor restrictions; and
- 67 (h) have joint responsibility to solicit public and private funding for the fund.
- 68 (8) The director may use fund money to:
  - 69 (a) train an existing refugee organization to develop its capacity to operate  
70 professionally and effectively and to become an independent, viable organization; or
  - 71 (b) provide grants to ~~[an existing]~~ refugee ~~[organization]~~ organizations and other  
72 entities identified in Subsection (9) to assist them:
    - 73 (i) with case management;
    - 74 (ii) in meeting emergency housing needs for refugees;
    - 75 (iii) in providing English language services;
    - 76 (iv) in providing interpretive services;
    - 77 (v) in finding and maintaining employment for refugees;
    - 78 (vi) in collaborating with the state's public education system to improve the  
79 involvement of refugee parents in assimilating their children into public schools;
    - 80 (vii) in meeting the health and mental health needs of refugees;
    - 81 (viii) in providing or arranging for child care services; or
    - 82 (ix) in administering refugee services.
  - 83 (9) ~~[In addition to Subsection (8), the director with advice from the Housing and~~  
84 ~~Community Development Division or its refugee services advisory committee, if one is~~  
85 ~~created]~~ The director, with the input described in Subsection (2), may grant fund money for

86 refugee services outlined in Subsection (8) through a request for proposal process to:

87 (a) local governments;

88 (b) nonprofit community, charitable, or neighborhood-based organizations or private  
89 for-profit organizations [~~that deal solely or in part~~] involved with providing or arranging for the  
90 provision of refugee services; or

91 (c) regional or statewide nonprofit organizations.

92 (10) (a) The director shall enter into a written agreement with each successful grant  
93 applicant [~~that has~~].

94 (b) The agreement shall include specific terms for each grant consistent with the  
95 provisions of this section [~~that includes~~], including the structure, amount, and nature of the  
96 grant.

97 (11) The director shall monitor the activities of the recipients of grants issued from the  
98 fund on an annual basis to ensure compliance with the terms and conditions imposed on the  
99 recipient by the fund.

100 (12) [~~An entity receiving a grant shall provide the director with~~] The director shall  
101 require an entity that receives a grant under this section to provide periodic accounting of how  
102 the money [~~it received from the fund was spent~~] was used.

103 (13) The director shall submit an annual written report to the Economic Development  
104 and Workforce Services Interim Committee before November 1 regarding the status of the fund  
105 and [~~the~~] of programs and services funded by the fund.