

COVID-19 GRANT PROGRAM AMENDMENTS

2021 FIRST SPECIAL SESSION

STATE OF UTAH

Chief Sponsor: Mike Schultz

Senate Sponsor: Kirk A. Cullimore

LONG TITLE

General Description:

This bill addresses grant programs responding to COVID-19.

Highlighted Provisions:

This bill:

▶ amends the grant program that allows the Governor's Office of Economic Development to respond to the COVID-19 pandemic by directing financial grants to institutions of higher education by:

- modifying certain reporting and expenditure requirements; and
- repealing the sunset date;

▶ creates a grant program within the Governor's Office of Management and Budget for local governments to receive grants for certain purposes related to COVID-19 recovery if the local government provides matching funds;

▶ requires the Governor's Office of Management and Budget to report information about the grant program to the Executive Appropriations Committee on an annual basis;

▶ establishes a review committee to make recommendations to the Governor's Office of Management and Budget regarding the allocation of grant funds and certain procedures, criteria, and requirements for the grant program; and

▶ provides for the appointment of review committee members.

Money Appropriated in this Bill:

None

29 **Other Special Clauses:**

30 This bill provides a special effective date.

31 **Utah Code Sections Affected:**

32 AMENDS:

33 **63I-2-263 (Effective 07/01/21)**, as last amended by Laws of Utah 2021, Chapters 64,
34 84, 205, 280, 282, 330, 382, and 401

35 **63N-1b-307 (Effective 07/01/21)**, as renumbered and amended by Laws of Utah 2021,
36 Chapter 282

37 **63N-12-508 (Superseded 07/01/21)**, as last amended by Laws of Utah 2020, Sixth
38 Special Session, Chapter 19

39 ENACTS:

40 **63J-4-801**, Utah Code Annotated 1953

41 **63J-4-802**, Utah Code Annotated 1953

42 **63J-4-803**, Utah Code Annotated 1953

43

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

45 Section 1. Section **63I-2-263 (Effective 07/01/21)** is amended to read:

46 **63I-2-263 (Effective 07/01/21). Repeal dates, Title 63A to Title 63N.**

47 (1) Section **63A-3-111** is repealed June 30, 2021.

48 (2) Title 63C, Chapter 19, Higher Education Strategic Planning Commission is
49 repealed July 1, 2021.

50 (3) Title 63C, Chapter 22, Digital Wellness, Citizenship, and Safe Technology
51 Commission is repealed July 1, 2023.

52 (4) Section **63G-1-502** is repealed July 1, 2022.

53 (5) The following sections regarding the World War II Memorial Commission are
54 repealed on July 1, 2022:

55 (a) Section **63G-1-801**;

- 56 (b) Section [63G-1-802](#);
- 57 (c) Section [63G-1-803](#); and
- 58 (d) Section [63G-1-804](#).
- 59 (6) Section [63H-7a-303](#) is repealed July 1, 2024.
- 60 (7) Subsection [63J-1-206\(3\)\(c\)](#), relating to coronavirus, is repealed July 1, 2021.
- 61 (8) Sections [63M-7-213](#) and [63M-7-213.5](#) are repealed on January 1, 2023.
- 62 (9) Section [63M-7-217](#) is repealed on July 1, 2022.

63 ~~[(10) Subsection [63N-1b-307\(3\)](#), which allows the Governor's Office of Economic~~
 64 ~~Opportunity to respond to the COVID-19 pandemic by directing financial grants to institutions~~
 65 ~~of higher education, is repealed December 31, 2021.]~~

66 ~~[(H)]~~ (10) Title 63N, Chapter 13, Part 3, Facilitating Public-private Partnerships Act,
 67 is repealed January 1, 2024.

68 ~~[(I2)]~~ (11) Title 63N, Chapter 15, COVID-19 Economic Recovery Programs, is
 69 repealed December 31, 2021.

70 Section 2. Section [63J-4-801](#) is enacted to read:

71 **Part 8. COVID-19 Local Assistance Matching Grant Program**

72 **[63J-4-801](#). Definitions.**

73 As used in this part:

74 (1) "American Rescue Plan Act" means the American Rescue Plan Act, Pub. L. 117-2.

75 (2) "COVID-19" means:

76 (a) severe acute respiratory syndrome coronavirus 2; or

77 (b) the disease caused by severe acute respiratory syndrome coronavirus 2.

78 (3) "COVID-19 emergency" means the spread of COVID-19 that the World Health
 79 Organization declared a pandemic on March 11, 2020.

80 (4) "Grant program" means the COVID-19 Local Assistance Matching Grant Program
 81 established in Section [63J-4-802](#).

82 (5) "Local government" means a county, city, town, metro township, local district, or

83 special service district.

84 (6) "Review committee" means the COVID-19 Local Assistance Matching Grant
85 Program Review Committee established in Section 63J-4-803.

86 Section 3. Section 63J-4-802 is enacted to read:

87 **63J-4-802. Creation of COVID-19 Local Assistance Matching Grant Program --**
88 **Eligibility -- Duties of the office.**

89 (1) There is established a grant program known as COVID-19 Local Assistance
90 Matching Grant Program that is administered by the office.

91 (2) The office shall award financial grants to local governments that meet the
92 qualifications described in Subsection (3) to provide support for:

93 (a) projects or services that address the economic impacts of the COVID-19 emergency
94 on housing insecurity, lack of affordable housing, or homelessness;

95 (b) costs incurred in addressing public health challenges resulting from the COVID-19
96 emergency;

97 (c) necessary investments in water and sewer infrastructure; or

98 (d) any other purpose authorized under the American Rescue Plan Act.

99 (3) To be eligible for a grant under this part, a local government shall:

100 (a) provide matching funds in an amount determined by the office; and

101 (b) certify that the local government will spend grant funds:

102 (i) on a purpose described in Subsection (2);

103 (ii) within the time period determined by the office; and

104 (iii) in accordance with the American Rescue Plan Act.

105 (4) As soon as is practicable, but on or before September 15, 2021, the office shall,
106 with recommendations from the review committee, establish:

107 (a) procedures for applying for and awarding grants under this part, using an online
108 grants management system that:

109 (i) manages each grant throughout the duration of the grant;

- 110 (ii) allows for:
- 111 (A) online submission of grant applications; and
- 112 (B) auditing and reporting for a local government that receives grant funds; and
- 113 (iii) generates reports containing information about each grant;
- 114 (b) criteria for awarding grants; and
- 115 (c) reporting requirements for grant recipients.
- 116 (5) Subject to appropriation, the office shall award grant funds on a competitive basis

117 until December 31, 2024.

118 (6) Before November 30 of each year, ending November 30, 2025, the office shall
119 submit a report to the Executive Appropriations Committee that includes:

120 (a) a summary of the procedures, criteria, and requirements established under
121 Subsection (4);

122 (b) a summary of the recommendations of the review committee under Section
123 63J-4-803;

124 (c) the number of applications submitted under the grant program during the previous
125 year;

126 (d) the number of grants awarded under the grant program during the previous year;

127 (e) the aggregate amount of grant funds awarded under the grant program during the
128 previous year; and

129 (f) any other information the office considers relevant to evaluating the success of the
130 grant program.

131 (7) The office may use funds appropriated by the Legislature for the grant program to
132 pay for administrative costs.

133 Section 4. Section **63J-4-803** is enacted to read:

134 **63J-4-803. COVID-19 Local Assistance Matching Grant Program Review**

135 **Committee.**

136 (1) There is created the COVID-19 Local Assistance Matching Grant Program Review

137 Committee composed of the following five members:

138 (a) one member of the Senate, appointed by the president of the Senate;

139 (b) one member of the House of Representatives, appointed by the speaker of the

140 House of Representatives;

141 (c) one individual representing the office, appointed by the executive director;

142 (d) one individual representing the Utah Association of Counties, appointed by the

143 Utah Association of Counties; and

144 (e) one individual representing the Utah League of Cities and Towns, appointed by the

145 Utah League of Cities and Towns.

146 (2) The review committee shall make recommendations to the office for:

147 (a) the allocation of grant funds under this part; and

148 (b) the procedures, criteria, and requirements established under Subsection

149 [63J-4-802\(4\)](#).

150 (3) (a) A member serves an indeterminate term and may be removed from the review

151 committee by the appointing authority at any time.

152 (b) A vacancy may be filled in the same manner as an appointment under Subsection

153 (1).

154 (4) (a) The salary and expenses of review committee members who are legislators shall

155 be paid in accordance with Section [36-2-2](#) and Legislative Joint Rules, Title 5, Legislative

156 Compensation and Expenses.

157 (b) A review committee member who is not a legislator may not receive compensation

158 or benefits for the member's service on the review committee, but may receive per diem and

159 reimbursement for travel expenses incurred as a review committee member at the rates

160 established by the Division of Finance under:

161 (i) Sections [63A-3-106](#) and [63A-3-107](#); and

162 (ii) rules made by the Division of Finance pursuant to Sections [63A-3-106](#) and

163 [63A-3-107](#).

164 (5) The office shall provide any necessary staff support to the review committee.

165 Section 5. Section **63N-1b-307 (Effective 07/01/21)** is amended to read:

166 **63N-1b-307 (Effective 07/01/21). Utah Works Program.**

167 (1) There is created the Utah Works Program.

168 (2) The program, under the direction of the talent subcommittee, shall coordinate and
169 partner with the entities described below to develop short-term pre-employment training and
170 short-term early employment training for student and workforce participants that meet the
171 needs of businesses that are creating jobs and economic growth in the state by:

172 (a) partnering with the office, the Department of Workforce Services, and the Utah
173 system of higher education;

174 (b) partnering with businesses that have significant hiring demands for primarily newly
175 created jobs in the state;

176 (c) coordinating with the Department of Workforce Services, education agencies, and
177 employers to create effective recruitment initiatives to attract student and workforce
178 participants and business participants to the program;

179 (d) coordinating with the Utah system of higher education to develop educational and
180 training resources to provide student participants in the program qualifications to be hired by
181 business participants in the program; and

182 (e) coordinating with the State Board of Education and local education agencies when
183 appropriate to develop educational and training resources to provide student participants in the
184 program qualifications to be hired by business participants in the program.

185 (3) (a) Subject to appropriation, [~~beginning on August 5, 2020,~~] the office, in
186 consultation with the talent subcommittee, may respond to the COVID-19 pandemic by
187 directing financial grants to institutions of higher education described in Section **53B-2-101** to
188 offer short-term programs to:

189 (i) provide training to furloughed, laid off, dislocated, underserved, or other
190 populations affected by COVID-19 to fill employment gaps in the state;

- 191 (ii) provide training and education related to industry needs; and
- 192 (iii) provide students with certificates or other recognition after completion of training.

193 ~~[(b) (i) As soon as is practicable but on or before July 31, 2020, the office shall report~~
194 ~~to the director of the Division of Finance about the grant program under this Subsection (3);~~
195 ~~including:]~~

196 ~~[(A) the process by which the office shall determine which institutions of higher~~
197 ~~education shall receive financial grants; and]~~

198 ~~[(B) the formula for awarding financial grants.]~~

199 ~~[(ii) The office shall:]~~

200 ~~[(A) participate in the presentation that the director of the Division of Finance provides~~
201 ~~to the president of the Senate, the speaker of the House of Representatives, the minority leader~~
202 ~~of the Senate, and the minority leader of the House of Representatives under Section~~
203 ~~63A-3-111; and]~~

204 ~~[(B) consider any recommendations for adjustments to the grant program from the~~
205 ~~president of the Senate, the speaker of the House of Representatives, the minority leader of the~~
206 ~~Senate, and the minority leader of the House of Representatives.]~~

207 (b) The office shall include the following information in the annual written report
208 described in Section 63N-1-301:

209 (i) the process by which the office determines which institutions of higher education
210 shall receive financial grants; and

211 (ii) the formula for awarding financial grants.

212 (c) ~~[To implement Subsection (3)(a), an]~~ An institution of higher education that
213 receives grant funds under this Subsection (3):

214 (i) may use grant funds for:

215 (A) costs associated with developing a new program; or

216 (B) costs associated with expanding an existing program; and

217 (ii) shall demonstrate industry needs and opportunities for partnership with industry.

218 ~~[(d) (i) The office shall award grant funds:]~~
219 ~~[(A) after an initial application period that ends on or before August 31, 2020; and]~~
220 ~~[(B) if funds remain after the initial application period, on a rolling basis until the~~
221 ~~earlier of funds being exhausted or November 30, 2020.]~~
222 ~~[(ii) An institution of higher education that receives grant funds shall expend the grant~~
223 ~~funds on or before December 1, 2020.]~~
224 (d) The office shall award grant funds on a rolling basis, until the earlier of funds being
225 exhausted or June 30, 2022.
226 (e) The office shall conduct outreach, including education about career guidance,
227 training, and workforce programs, to the targeted populations.
228 (4) The office, in consultation with the talent subcommittee, may, in accordance with
229 Title 63G, Chapter 3, Utah Administrative Rulemaking Act, and in accordance with the
230 provisions of this section, make rules regarding the development and administration of the
231 Utah Works Program.
232 (5) The Utah Works Program shall report the following metrics to the office for
233 inclusion in the office's annual report described in Section [63N-1a-306](#):
234 (a) the number of participants in the program;
235 (b) how program participants learned about or were referred to the program, including
236 the number of participants who learned about or were referred to the program by:
237 (i) the Department of Workforce Services;
238 (ii) marketing efforts of the office or talent subcommittee;
239 (iii) a school counselor; and
240 (iv) other methods;
241 (c) the number of participants who have completed training offered by the program;
242 and
243 (d) the number of participants who have been hired by a business participating in the
244 program.

245 Section 6. Section **63N-12-508 (Superseded 07/01/21)** is amended to read:

246 **63N-12-508 (Superseded 07/01/21). Utah Works Program.**

247 (1) There is created within the center the Utah Works Program.

248 (2) The program, under the direction of the center and the talent ready board, shall
249 coordinate and partner with the entities described below to develop short-term pre-employment
250 training and short-term early employment training for student and workforce participants that
251 meet the needs of businesses that are creating jobs and economic growth in the state by:

252 (a) partnering with the office, the Department of Workforce Services, and the Utah
253 system of higher education;

254 (b) partnering with businesses that have significant hiring demands for primarily newly
255 created jobs in the state;

256 (c) coordinating with the Department of Workforce Services, education agencies, and
257 employers to create effective recruitment initiatives to attract student and workforce
258 participants and business participants to the program;

259 (d) coordinating with the Utah system of higher education to develop educational and
260 training resources to provide student participants in the program qualifications to be hired by
261 business participants in the program; and

262 (e) coordinating with the State Board of Education and local education agencies when
263 appropriate to develop educational and training resources to provide student participants in the
264 program qualifications to be hired by business participants in the program.

265 (3) (a) Subject to appropriation, [~~beginning on August 5, 2020,~~] the office, in
266 consultation with the talent ready board, may respond to the COVID-19 pandemic by directing
267 financial grants to institutions of higher education described in Section **53B-2-101** to offer
268 short-term programs to:

269 (i) provide training to furloughed, laid off, dislocated, underserved, or other
270 populations affected by COVID-19 to fill employment gaps in the state;

271 (ii) provide training and education related to industry needs; and

272 (iii) provide students with certificates or other recognition after completion of training.

273 ~~[(b) (i) As soon as is practicable but on or before July 31, 2020, the office shall report~~
274 ~~to the director of the Division of Finance about the grant program under this Subsection (3),~~
275 ~~including:]~~

276 ~~[(A) the process by which the office shall determine which institutions of higher~~
277 ~~education shall receive financial grants; and]~~

278 ~~[(B) the formula for awarding financial grants.]~~

279 ~~[(ii) The office shall:]~~

280 ~~[(A) participate in the presentation that the director of the Division of Finance provides~~
281 ~~to the president of the Senate, the speaker of the House of Representatives, the minority leader~~
282 ~~of the Senate, and the minority leader of the House of Representatives under Section~~
283 ~~63A-3-111; and]~~

284 ~~[(B) consider any recommendations for adjustments to the grant program from the~~
285 ~~president of the Senate, the speaker of the House of Representatives, the minority leader of the~~
286 ~~Senate, and the minority leader of the House of Representatives.]~~

287 (b) The office shall include the following information in the annual written report
288 described in Section 63N-1a-306:

289 (i) the process by which the office determines which institutions of higher education
290 shall receive financial grants; and

291 (ii) the formula for awarding financial grants.

292 (c) ~~[To implement Subsection (3)(a), an]~~ An institution of higher education that
293 receives grant funds under this Subsection (3):

294 (i) may use grant funds for:

295 (A) costs associated with developing a new program; or

296 (B) costs associated with expanding an existing program; and

297 (ii) shall demonstrate industry needs and opportunities for partnership with industry.

298 ~~[(d) (i) The office shall award grant funds:]~~

299 ~~[(A) after an initial application period that ends on or before August 31, 2020; and]~~

300 ~~[(B) if funds remain after the initial application period, on a rolling basis until the~~
301 ~~earlier of funds being exhausted or November 30, 2020.]~~

302 ~~[(ii) An institution of higher education that receives grant funds shall expend the grant~~
303 ~~funds on or before December 1, 2020.]~~

304 (d) The office shall award grant funds on a rolling basis, until the earlier of funds being
305 exhausted or June 30, 2022.

306 (e) The center shall conduct outreach, including education about career guidance,
307 training, and workforce programs, to the targeted populations.

308 (4) The office, in consultation with the talent ready board, may, in accordance with
309 Title 63G, Chapter 3, Utah Administrative Rulemaking Act, and in accordance with the
310 provisions of this section, make rules regarding the development and administration of the
311 Utah Works Program.

312 (5) The center shall report the following metrics to the office for inclusion in the
313 office's annual report described in Section [63N-1-301](#):

314 (a) the number of participants in the program;

315 (b) how program participants learned about or were referred to the program, including
316 the number of participants who learned about or were referred to the program by:

317 (i) the Department of Workforce Services;

318 (ii) marketing efforts of the center or talent ready board;

319 (iii) a school counselor; and

320 (iv) other methods;

321 (c) the number of participants who have completed training offered by the program;

322 and

323 (d) the number of participants who have been hired by a business participating in the
324 program.

325 Section 7. **Effective date.**

326 (1) Except as provided in Subsection (2), if approved by two-thirds of all the members
327 elected to each house, this bill takes effect upon approval by the governor, or the day following
328 the constitutional time limit of Utah Constitution, Article VII, Section 8, without the governor's
329 signature, or in the case of a veto, the date of veto override.

330 (2) (a) Section [63I-2-263](#) (Effective 07/01/21) takes effect on July 1, 2021.

331 (b) Section [63N-1b-307](#) (Effective 07/01/21) takes effect on July 1, 2021.