

**Senator Ronald M. Winterton** proposes the following substitute bill:

**DISASTER AMENDMENTS**

2023 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Ronald M. Winterton**

House Sponsor: \_\_\_\_\_

**LONG TITLE**

**General Description:**

This bill concerns funding for a disaster.

**Highlighted Provisions:**

This bill:

- ▶ creates and modifies definitions;
- ▶ modifies provisions related to the State Disaster Recovery Restricted Account

including to:

- allow for certain emergency management expenses under certain conditions;

and

- provide funding for the Local Response, Recovery, and Post-disaster Mitigation

Restricted Account;

▶ renames the Post Disaster and Mitigation Restricted Account as Local Response, Recovery, and Post-disaster Mitigation Restricted Account;

▶ modifies the procedures and requirements for funds in the Local Response, Recovery, and Post-disaster Mitigation Restricted Account;

▶ modifies standards and requirements for receiving a grant from funds originating from the Local Response, Recovery, and Post-disaster Mitigation Restricted Account;



- 26 ▶ grants rulemaking authority to the Division of Emergency Management; and
- 27 ▶ makes technical and conforming changes.

28 **Money Appropriated in this Bill:**

29 This bill appropriates in fiscal year 2023:

- 30 ▶ to Local Response, Recovery, and Post-disaster Mitigation Restricted Account:
  - 31 • from State Disaster Recovery Restricted Account, One-time, \$10,000,000.
- 32 ▶ to Department of Public Safety - Emergency Management:
  - 33 • from Local Response, Recovery, and Post-disaster Mitigation Restricted
  - 34 Account, One-time, \$10,000,000.

35 This bill appropriates in fiscal year 2024:

- 36 ▶ to Department of Public Safety - Emergency Management:
  - 37 • from State Disaster Recovery Restricted Account, \$750,000.

38 **Other Special Clauses:**

39 This bill provides a special effective date.

40 **Utah Code Sections Affected:**

41 AMENDS:

- 42 **53-2a-603**, as last amended by Laws of Utah 2022, Chapters 111, 373
- 43 **53-2a-1301**, as enacted by Laws of Utah 2019, Chapter 306
- 44 **53-2a-1302**, as enacted by Laws of Utah 2019, Chapter 306
- 45 **53-2a-1303**, as enacted by Laws of Utah 2019, Chapter 306
- 46 **53-2a-1305**, as enacted by Laws of Utah 2019, Chapter 306
- 47 **63J-1-314**, as last amended by Laws of Utah 2017, Chapter 210
- 48 **63J-1-602.1**, as last amended by Laws of Utah 2022, Chapters 48, 191, 255, 335, 415,
- 49 and 451

50 REPEALS AND REENACTS:

- 51 **53-2a-1304**, as enacted by Laws of Utah 2019, Chapter 306



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

54 Section 1. Section **53-2a-603** is amended to read:

55 **53-2a-603. State Disaster Recovery Restricted Account.**

56 (1) (a) There is created a restricted account in the General Fund known as the "State

57 Disaster Recovery Restricted Account."

58 (b) The disaster recovery account consists of:

59 (i) money deposited into the disaster recovery account in accordance with Section  
60 [63J-1-314](#);

61 (ii) money appropriated to the disaster recovery account by the Legislature; and

62 (iii) any other public or private money received by the division that is:

63 (A) given to the division for purposes consistent with this section; and

64 (B) deposited into the disaster recovery account at the request of:

65 (I) the division; or

66 (II) the person or entity giving the money.

67 (c) The Division of Finance shall deposit interest or other earnings derived from  
68 investment of account money into the General Fund.

69 (2) [~~Subject to being appropriated by the Legislature, money~~] Money in the disaster  
70 recovery account may only be expended or committed to be expended as follows:

71 (a) (i) subject to Section [53-2a-606](#), in any fiscal year the division may expend or  
72 commit to expend an amount that does not exceed \$500,000, in accordance with Section  
73 [53-2a-604](#), to fund costs to the state of emergency disaster services in response to a declared  
74 disaster;

75 (ii) subject to Section [53-2a-606](#), in any fiscal year the division may expend or commit  
76 to expend an amount that exceeds \$500,000, but does not exceed \$3,000,000, in accordance  
77 with Section [53-2a-604](#), to fund costs to the state of emergency disaster services in response to  
78 a declared disaster if the division:

79 (A) before making the expenditure or commitment to expend, obtains approval for the  
80 expenditure or commitment to expend from the governor;

81 (B) subject to Subsection (5), provides written notice of the expenditure or  
82 commitment to expend to the speaker of the House of Representatives, the president of the  
83 Senate, the Division of Finance, the Executive Offices and Criminal Justice Appropriations  
84 Subcommittee, the Legislative Management Committee, and the Office of the Legislative  
85 Fiscal Analyst no later than 72 hours after making the expenditure or commitment to expend;  
86 and

87 (C) makes the report required by Subsection [53-2a-606\(2\)](#);

88 (iii) subject to Section 53-2a-606, in any fiscal year the division may expend or commit  
89 to expend an amount that exceeds \$3,000,000, but does not exceed \$5,000,000, in accordance  
90 with Section 53-2a-604, to fund costs to the state of emergency disaster services in response to  
91 a declared disaster if, before making the expenditure or commitment to expend, the division:

92 (A) obtains approval for the expenditure or commitment to expend from the governor;  
93 and

94 (B) submits the expenditure or commitment to expend to the Executive Appropriations  
95 Committee in accordance with Subsection 53-2a-606(3); ~~and~~

96 (iv) in any fiscal year the division may expend or commit to expend an amount that  
97 does not exceed \$500,000 to fund expenses incurred by the National Guard if:

98 (A) in accordance with Section 39A-3-103, the governor orders into active service the  
99 National Guard in response to a declared disaster; and

100 (B) the money is not used for expenses that qualify for payment as emergency disaster  
101 services; and

102 (v) in any fiscal year, the division may expend an amount that does not exceed  
103 \$750,000 to fund expenses incurred to develop or enhance emergency management capabilities  
104 if:

105 (A) the money is used for personnel, equipment, supplies, contracts, training, exercises,  
106 or other expenses deemed reasonable and necessary to:

107 (I) promote and strengthen the state's level of resiliency through mitigation,  
108 preparedness, response, or recovery activities; or

109 (II) meet federal grant matching requirements; and

110 (B) the disaster recovery account has a balance of funds available to be utilized while  
111 maintaining a minimum balance of \$5,000,000;

112 (b) money not described in Subsections (2)(a)(i), (ii), and (iii) may be expended or  
113 committed to be expended to fund costs to the state directly related to a declared disaster that  
114 are not costs related to:

115 (i) emergency disaster services;

116 (ii) emergency preparedness; or

117 (iii) notwithstanding whether a county participates in the Wildland Fire Suppression  
118 Fund created in Section 65A-8-204, any fire suppression or presuppression costs that may be

119 paid for from the Wildland Fire Suppression Fund if the county participates in the Wildland  
120 Fire Suppression Fund;

121 (c) to fund;

122 (i) the Local Government Emergency Response Loan Fund created in Section

123 [53-2a-607](#); and

124 (ii) the Local Response, Recovery, and Post-disaster Mitigation Restricted Account  
125 created in Section [53-2a-1302](#);

126 (d) the division may provide advanced funding from the disaster recovery account to  
127 recognized agents of the state when:

128 (i) Utah has agreed, through the division, to enact the Emergency Management  
129 Assistance Compact with another member state that has requested assistance during a declared  
130 disaster;

131 (ii) Utah agrees to provide resources to the requesting member state;

132 (iii) the agent of the state who represents the requested resource has no other funding  
133 source available at the time of the Emergency Management Assistance Compact request; and

134 (iv) the disaster recovery account has a balance of funds available to be utilized while  
135 maintaining a minimum balance of \$5,000,000; and

136 (e) to fund up to \$500,000 for the governor's emergency appropriations described in  
137 Subsection [63J-1-217](#)(4).

138 (3) All funding provided in advance to an agent of the state and subsequently  
139 reimbursed shall be credited to the account.

140 (4) The state treasurer shall invest money in the disaster recovery account according to  
141 Title 51, Chapter 7, State Money Management Act.

142 (5) (a) Except as provided in Subsections (1) and (2), the money in the disaster  
143 recovery account may not be diverted, appropriated, expended, or committed to be expended  
144 for a purpose that is not listed in this section.

145 (b) Notwithstanding Section [63J-1-410](#), the Legislature may not appropriate money  
146 from the disaster recovery account to eliminate or otherwise reduce an operating deficit if the  
147 money appropriated from the disaster recovery account is expended or committed to be  
148 expended for a purpose other than one listed in this section.

149 (c) The Legislature may not amend the purposes for which money in the disaster

150 recovery account may be expended or committed to be expended except by the affirmative vote  
151 of two-thirds of all the members elected to each house.

152 (6) The division:

153 (a) shall provide the notice required by Subsection (2)(a)(ii) using the best available  
154 method under the circumstances as determined by the division; and

155 (b) may provide the notice required by Subsection (2)(a)(ii) in electronic format.

156 Section 2. Section **53-2a-1301** is amended to read:

157 **Part 13. Local Response, Recovery, and Post-disaster Mitigation Restricted Account**

158 **53-2a-1301. Definitions.**

159 As used in the part:

160 (1) "Account" means the ~~[Post Disaster Recovery and]~~ Local Response, Recovery, and  
161 Post-disaster Mitigation Restricted Account created in Section [53-2a-1302](#).

162 (2) "Affected community" means a community directly affected by an ongoing or  
163 recent disaster.

164 (3) "Affected community member" means a resident, property owner, business,  
165 nonprofit, or other individual or entity that is:

166 (a) located within an affected community; and

167 (b) suffered damage due to the ongoing or recent disaster in the affected community.

168 ~~[(3) "Chief executive officer" means the same as that term is defined in Section~~  
169 ~~[53-2a-203](#).]~~

170 (4) "Community" means a county, municipality, local district, or special service  
171 district.

172 ~~[(5) "Costs not recoverable" include:]~~

173 ~~[(a) the county threshold; and]~~

174 ~~[(b) costs covered by insurance or federal government grants, including funding~~  
175 ~~provided to the state by FEMA's Public Assistance grant program described in 44 C.F.R.~~  
176 ~~Chapter 1, Subchapter D, Part 206.]~~

177 ~~[(6) "County threshold" means, for each county, the countywide per capita indicator~~  
178 ~~established by FEMA for the state, multiplied by the population of the county as determined by~~  
179 ~~the division.]~~

180 ~~[(7)]~~ (5) "Disaster response and recovery" means:

181 (a) action taken to respond to and recover from a disaster, including action taken to  
 182 remove debris, implement life-saving emergency protective measures, or repair, replace, or  
 183 restore facilities in response to a disaster; and;

184 (b) post-disaster hazard mitigation directly related to the recovery from the disaster  
 185 described in Subsection (5)(a).

186 ~~[(8)]~~ (6) "Disaster response and recovery grant" means money granted to an affected  
 187 community for disaster response and recovery [~~that amounts to not more than 75% of the~~  
 188 ~~difference between the cost of disaster recovery, as determined by the division after reviewing~~  
 189 ~~the official damage assessment, and costs not recoverable].~~

190 ~~[(9)]~~ "FEMA" means the Federal Emergency Management Agency.]

191 (7) "Minimum threshold payment amount" means the amount of costs that an affected  
 192 community or an affected community member shall pay before the affected community or  
 193 affected community member is eligible to receive money from a disaster response and recovery  
 194 grant.

195 ~~[(10)]~~ (8) "Post-disaster hazard mitigation" means action taken, after a natural disaster,  
 196 to reduce or eliminate risk to people or property that may occur as a result of the long-term  
 197 effects of the natural disaster or a subsequent natural disaster, including action to prevent  
 198 damage caused by flooding, earthquake, dam failure, wildfire, landslide, severe weather,  
 199 drought, and problem soil.

200 ~~[(11)]~~ "Post hazard mitigation grant" means money granted to a community for post  
 201 hazard mitigation that amounts to not more than 75% of the costs deemed necessary by the  
 202 division to complete the post hazard mitigation.]

203 ~~[(12)]~~ (9) "Official damage assessment" means a financial assessment of the damage to  
 204 an affected community, caused by a disaster, that is conducted under the direction of the  
 205 governing body of the affected community, in accordance with the rules described in Section  
 206 [53-2a-1305](#).

207 Section 3. Section **53-2a-1302** is amended to read:

208 **53-2a-1302. Local Response, Recovery, and Post-disaster Mitigation Restricted**  
 209 **Account.**

210 (1) There is created a restricted account in the General Fund known as the [~~Post~~  
 211 ~~Disaster Recovery and~~] "Local Response, Recovery, and Post-disaster Mitigation Restricted

212 Account."

213 (2) The account consists of:

214 (a) money appropriated to the account by the Legislature;

215 (b) money deposited into the account in accordance with Section 63J-1-314;

216 ~~[(b)]~~ (c) income and interest derived from the deposit and investment of money in the  
217 account; and

218 ~~[(c)]~~ (d) private donations, grants, gifts, bequests, or money made available from any  
219 other source to implement this section.

220 (3) (a) At the close of a fiscal year, money in the account exceeding [~~\$10,000,000~~]  
221 \$50,000,000, excluding money granted to the account under [~~Subsection (2)(c)]~~ Subsection  
222 (2)(d), shall be transferred to the [~~General Fund~~] State Disaster Recovery Restricted Account.

223 (b) Except as provided by Subsection (3)(a), money in the Local Response, Recovery,  
224 and Post-disaster Mitigation Restricted Account may only be used for the purposes set forth in  
225 this part.

226 (4) Subject to the requirements described in this part, and upon appropriation by the  
227 Legislature, the division may grant money appropriated from the account[?]

228 ~~[(a)]~~ to an affected community for the affected community's disaster response and  
229 recovery efforts as described in Section 53-2a-1303~~[? or]~~.

230 ~~[(b) to a community for post hazard mitigation as described in Section 53-2a-1304.]~~  
231 Section 4. Section **53-2a-1303** is amended to read:

232 **53-2a-1303. Disaster Response and Recovery Grant.**

233 (1) The division may grant money under Subsection [~~53-2a-1302(4)(a)]~~ 53-2a-1302(4)  
234 appropriated from the account after receiving an application from an affected community for a  
235 disaster response and recovery grant.

236 (2) An affected community is eligible to receive a disaster response and recovery grant  
237 appropriated from the account if:

238 (a) the affected community submits an application described in Subsection (1) that  
239 includes the information required by the rules described in Section 53-2a-1305;

240 (b) the occurrence of a disaster in the affected community results in:

241 (i) the president of the United States declaring an emergency or major disaster in the  
242 state; ~~[or]~~



- 243 (ii) the governor declaring a state of emergency under Section [53-2a-206](#); or
- 244 (iii) the local municipality or county declaring an emergency under Section [53-2a-208](#);
- 245 (c) the governing body of the affected community conducts an official damage
- 246 assessment of the disaster;

247 (d) [~~the cost of disaster recovery, as determined by~~] the division, after reviewing the

248 application described in Subsection (2)(a), the official damage assessment[~~, exceeds the county~~

249 ~~threshold for the county in which the affected community is located; and~~] described in

250 Subsection (2)(c), and other information relevant to the division's determination, determines

251 that a grant to the affected community would be an appropriate and necessary use of account

252 funds;

- 253 (e) the division [~~maintains~~] determines there is sufficient money for the grant[-]; and
- 254 (f) the affected community agrees to grant funding requirements as determined by the
- 255 division, including the affected community's minimum threshold payment amount and
- 256 cost-sharing requirements.

257 Section 5. Section [53-2a-1304](#) is repealed and reenacted to read:

258 **53-2a-1304. Allowed uses for disaster response and recovery grant funds.**

259 (1) An affected community may use or distribute grant funds provided under Section

260 [53-2a-1303](#) in accordance with funding guidelines provided by the division, which may include

261 providing funds for disaster response and recovery to:

- 262 (a) an affected community member;
- 263 (b) a publicly owned facility in the affected community; or
- 264 (c) publicly owned infrastructure in the affected community.

265 (2) The director may expend money from the account to pay necessary costs of

266 evaluating and administering grants under this part.

267 (3) In accordance with Section [53-2a-1305](#), the division shall establish standards and

268 procedures for the distribution of grant funds under this section, including standards and

269 procedures for determining:

- 270 (a) when an individual or entity described in Subsection (1) (a), (b), or (c) may receive
- 271 grant funds;
- 272 (b) which costs are eligible for grant funds, including administration costs; and
- 273 (c) minimum threshold payment amounts and cost-sharing requirements.

274 Section 6. Section **53-2a-1305** is amended to read:

275 **53-2a-1305. Rulemaking authority and division responsibilities.**

276 (1) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the  
277 division may make rules to:

278 (a) designate the requirements and procedures[?]

279 [(†)] for the governing body of an affected community to:

280 [~~(A)~~] (i) apply for a disaster response and recovery grant; and

281 [~~(B)~~] (ii) conduct an official damage assessment; [~~and~~]

282 [(ii) for the governing body of a community to apply for a post hazard mitigation grant;  
283 and]

284 (b) establish standards to determine:

285 (i) the categories of and criteria for entities and costs that are eligible for grant funds;

286 and

287 (ii) minimum threshold payment amounts and cost-sharing requirements; and

288 [~~(b)~~] (c) establish standards and procedures to ensure that [projects completed] funds

289 distributed in accordance with this [section are completed] part are distributed in a cost

290 effective and equitable manner, are reasonably necessary for disaster response and recovery [or

291 post hazard mitigation], are an appropriate and necessary use of public funds, and that all

292 receipts and invoices are documented.

293 (2) No later than December 31 of each year, the division shall provide the governor and  
294 the Criminal Justice Appropriations Subcommittee a written report of the division's activities  
295 under this part, including:

296 (a) an accounting of the money expended or committed to be expended under this part;

297 and

298 (b) the balance of the account.

299 Section 7. Section **63J-1-314** is amended to read:

300 **63J-1-314. Deposits related to the Wildland Fire Suppression Fund and the**  
301 **Disaster Recovery Funding Act.**

302 (1) As used in this section, "operating deficit" means that, at the end of the fiscal year,  
303 the unassigned fund balance in the General Fund is less than zero.

304 (2) Except as provided under Subsections (3) and (4), at the end of each fiscal year, the

305 Division of Finance shall, after the transfer of General Fund revenue surplus has been made to  
306 the Medicaid Growth Reduction and Budget Stabilization Account, as provided in Section  
307 63J-1-315, and the General Fund Budget Reserve Account, as provided in Section 63J-1-312,  
308 transfer:

309 (a) to the Wildland Fire Suppression Fund created in Section 65A-8-204 an amount  
310 equal to the lesser of:

311 (i) \$4,000,000; or

312 (ii) an amount necessary to make the balance in the Wildland Fire Suppression Fund  
313 equal to \$12,000,000; and

314 (b) an amount into the State Disaster Recovery Restricted Account, created in Section  
315 53-2a-603, from the General Fund revenue surplus as defined in Section 63J-1-312, calculated  
316 by:

317 (i) determining the amount of General Fund revenue surplus after the transfer to the  
318 Medicaid Growth Reduction and Budget Stabilization Account under Section 63J-1-315, the  
319 General Fund Budget Reserve Account under Section 63J-1-312, and the transfer to the  
320 Wildland Fire Suppression Fund as described in Subsection (2)(a);

321 (ii) calculating an amount equal to the lesser of:

322 (A) 25% of the amount determined under Subsection (2)(b)(i); or

323 (B) 6% of the total of the General Fund appropriation amount for the fiscal year in  
324 which the surplus occurs; and

325 (iii) adding to the amount calculated under Subsection (2)(b)(ii) an amount equal to the  
326 lesser of:

327 (A) 25% more of the amount described in Subsection (2)(b)(i); or

328 (B) the amount necessary to replace, in accordance with this Subsection (2)(b)(iii), any  
329 amount appropriated from the State Disaster Recovery Restricted Account within 10 fiscal  
330 years before the fiscal year in which the surplus occurs if:

331 (I) a surplus exists; and

332 (II) the Legislature appropriates money from the State Disaster Recovery Restricted  
333 Account that is not replaced by appropriation or as provided in this Subsection (2)(b)(iii).

334 (3) (a) Notwithstanding Subsection (2), if, at the end of a fiscal year, the Division of  
335 Finance determines that an operating deficit exists, the division shall reduce the transfer to the

336 State Disaster Recovery Restricted Account by an amount necessary to eliminate the operating  
337 deficit, up to the full amount of the transfer.

338 (b) If, after reducing the transfer to the State Disaster Recovery Account to zero under  
339 Subsection (3)(a), the Division of Finance determines that an operating deficit still exists, the  
340 division shall reduce the transfer to the Wildland Fire Suppression Fund by an amount  
341 necessary to eliminate the operating deficit, up to the full amount of the transfer.

342 (4) Notwithstanding Subsection (2):

343 (a) for the period beginning July 1, 2015, and ending June 30, 2020, the Division of  
344 Finance shall transfer to the Local Government Emergency Response Loan Fund 25% of the  
345 amount to be transferred into the State Disaster Recovery Restricted Account as provided in  
346 Subsection (2)(b)(ii); ~~and~~

347 (b) on and after July 1, 2020, the Division of Finance shall transfer to the Local  
348 Government Emergency Response Loan Fund 10% of the amount to be transferred into the  
349 State Disaster Recovery Restricted Account as provided in Subsection (2)(b); and

350 (c) on and after July 1, 2023, the Division of Finance shall transfer to the Local  
351 Response, Recovery, and Post-disaster Mitigation Restricted Account 25% of the amount to be  
352 transferred into the State Disaster Recovery Restricted Account as provided in Subsection  
353 (2)(b).

354 Section 8. Section **63J-1-602.1** is amended to read:

355 **63J-1-602.1. List of nonlapsing appropriations from accounts and funds.**

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

357 (1) The Utah Intracurricular Student Organization Support for Agricultural Education  
358 and Leadership Restricted Account created in Section [4-42-102](#).

359 (2) The Native American Repatriation Restricted Account created in Section [9-9-407](#).

360 (3) The Martin Luther King, Jr. Civil Rights Support Restricted Account created in  
361 Section [9-18-102](#).

362 (4) The National Professional Men's Soccer Team Support of Building Communities  
363 Restricted Account created in Section [9-19-102](#).

364 (5) Funds collected for directing and administering the C-PACE district created in  
365 Section [11-42a-106](#).

366 (6) Money received by the Utah Inland Port Authority, as provided in Section

367 11-58-105.

368 (7) The "Latino Community Support Restricted Account" created in Section 13-1-16.

369 (8) The Clean Air Support Restricted Account created in Section 19-1-109.

370 (9) The Division of Air Quality Oil, Gas, and Mining Restricted Account created in

371 Section 19-2a-106.

372 (10) The Division of Water Quality Oil, Gas, and Mining Restricted Account created in

373 Section 19-5-126.

374 (11) The "Support for State-Owned Shooting Ranges Restricted Account" created in

375 Section 23-14-13.5.

376 (12) Award money under the State Asset Forfeiture Grant Program, as provided under

377 Section 24-4-117.

378 (13) Funds collected from the program fund for local health department expenses

379 incurred in responding to a local health emergency under Section 26-1-38.

380 (14) The Children with Cancer Support Restricted Account created in Section

381 26-21a-304.

382 (15) State funds for matching federal funds in the Children's Health Insurance Program

383 as provided in Section 26-40-108.

384 (16) The Children with Heart Disease Support Restricted Account created in Section

385 26-58-102.

386 (17) The Technology Development Restricted Account created in Section 31A-3-104.

387 (18) The Criminal Background Check Restricted Account created in Section

388 31A-3-105.

389 (19) The Captive Insurance Restricted Account created in Section 31A-3-304, except

390 to the extent that Section 31A-3-304 makes the money received under that section free revenue.

391 (20) The Title Licensee Enforcement Restricted Account created in Section

392 31A-23a-415.

393 (21) The Health Insurance Actuarial Review Restricted Account created in Section

394 31A-30-115.

395 (22) The Insurance Fraud Investigation Restricted Account created in Section

396 31A-31-108.

397 (23) The Underage Drinking Prevention Media and Education Campaign Restricted

- 398 Account created in Section [32B-2-306](#).
- 399 (24) The Drinking While Pregnant Prevention Media and Education Campaign  
400 Restricted Account created in Section [32B-2-308](#).
- 401 (25) The School Readiness Restricted Account created in Section [35A-15-203](#).
- 402 (26) Money received by the Utah State Office of Rehabilitation for the sale of certain  
403 products or services, as provided in Section [35A-13-202](#).
- 404 (27) The Oil and Gas Administrative Penalties Account created in Section [40-6-11](#).
- 405 (28) The Oil and Gas Conservation Account created in Section [40-6-14.5](#).
- 406 (29) The Division of Oil, Gas, and Mining Restricted account created in Section  
407 [40-6-23](#).
- 408 (30) The Electronic Payment Fee Restricted Account created by Section [41-1a-121](#) to  
409 the Motor Vehicle Division.
- 410 (31) The Motor Vehicle Enforcement Division Temporary Permit Restricted Account  
411 created by Section [41-3-110](#) to the State Tax Commission.
- 412 (32) The Utah Law Enforcement Memorial Support Restricted Account created in  
413 Section [53-1-120](#).
- 414 (33) The State Disaster Recovery Restricted Account to the Division of Emergency  
415 Management, as provided in Section [53-2a-603](#).
- 416 (34) The [~~Post Disaster Recovery and~~] Local Response, Recovery, and Post-disaster  
417 Mitigation Restricted Account created in Section [53-2a-1302](#).
- 418 (35) The Department of Public Safety Restricted Account to the Department of Public  
419 Safety, as provided in Section [53-3-106](#).
- 420 (36) The Utah Highway Patrol Aero Bureau Restricted Account created in Section  
421 [53-8-303](#).
- 422 (37) The DNA Specimen Restricted Account created in Section [53-10-407](#).
- 423 (38) The Canine Body Armor Restricted Account created in Section [53-16-201](#).
- 424 (39) The Technical Colleges Capital Projects Fund created in Section [53B-2a-118](#).
- 425 (40) The Higher Education Capital Projects Fund created in Section [53B-22-202](#).
- 426 (41) A certain portion of money collected for administrative costs under the School  
427 Institutional Trust Lands Management Act, as provided under Section [53C-3-202](#).
- 428 (42) The Public Utility Regulatory Restricted Account created in Section [54-5-1.5](#),

429 subject to Subsection 54-5-1.5(4)(d).

430 (43) Funds collected from a surcharge fee to provide certain licensees with access to an  
431 electronic reference library, as provided in Section 58-3a-105.

432 (44) Certain fines collected by the Division of Professional Licensing for violation of  
433 unlawful or unprofessional conduct that are used for education and enforcement purposes, as  
434 provided in Section 58-17b-505.

435 (45) Funds collected from a surcharge fee to provide certain licensees with access to an  
436 electronic reference library, as provided in Section 58-22-104.

437 (46) Funds collected from a surcharge fee to provide certain licensees with access to an  
438 electronic reference library, as provided in Section 58-55-106.

439 (47) Funds collected from a surcharge fee to provide certain licensees with access to an  
440 electronic reference library, as provided in Section 58-56-3.5.

441 (48) Certain fines collected by the Division of Professional Licensing for use in  
442 education and enforcement of the Security Personnel Licensing Act, as provided in Section  
443 58-63-103.

444 (49) The Relative Value Study Restricted Account created in Section 59-9-105.

445 (50) The Cigarette Tax Restricted Account created in Section 59-14-204.

446 (51) Funds paid to the Division of Real Estate for the cost of a criminal background  
447 check for a mortgage loan license, as provided in Section 61-2c-202.

448 (52) Funds paid to the Division of Real Estate for the cost of a criminal background  
449 check for principal broker, associate broker, and sales agent licenses, as provided in Section  
450 61-2f-204.

451 (53) Certain funds donated to the Department of Health and Human Services, as  
452 provided in Section 26B-1-202.

453 (54) The National Professional Men's Basketball Team Support of Women and  
454 Children Issues Restricted Account created in Section 26B-1-302.

455 (55) Certain funds donated to the Division of Child and Family Services, as provided  
456 in Section 80-2-404.

457 (56) The Choose Life Adoption Support Restricted Account created in Section  
458 80-2-502.

459 (57) Funds collected by the Office of Administrative Rules for publishing, as provided

460 in Section [63G-3-402](#).

461 (58) The Immigration Act Restricted Account created in Section [63G-12-103](#).

462 (59) Money received by the military installation development authority, as provided in  
463 Section [63H-1-504](#).

464 (60) The Computer Aided Dispatch Restricted Account created in Section [63H-7a-303](#).

465 (61) The Unified Statewide 911 Emergency Service Account created in Section  
466 [63H-7a-304](#).

467 (62) The Utah Statewide Radio System Restricted Account created in Section  
468 [63H-7a-403](#).

469 (63) The Utah Capital Investment Restricted Account created in Section [63N-6-204](#).

470 (64) The Motion Picture Incentive Account created in Section [63N-8-103](#).

471 (65) Certain money payable for expenses of the Pete Suazo Utah Athletic Commission,  
472 as provided under Section [63N-10-301](#).

473 (66) Funds collected by the housing of state probationary inmates or state parole  
474 inmates, as provided in Subsection [64-13e-104\(2\)](#).

475 (67) Certain forestry and fire control funds utilized by the Division of Forestry, Fire,  
476 and State Lands, as provided in Section [65A-8-103](#).

477 (68) The Amusement Ride Safety Restricted Account, as provided in Section  
478 [72-16-204](#).

479 (69) Certain funds received by the Office of the State Engineer for well drilling fines or  
480 bonds, as provided in Section [73-3-25](#).

481 (70) The Water Resources Conservation and Development Fund, as provided in  
482 Section [73-23-2](#).

483 (71) Funds donated or paid to a juvenile court by private sources, as provided in  
484 Subsection [78A-6-203\(1\)\(c\)](#).

485 (72) Fees for certificate of admission created under Section [78A-9-102](#).

486 (73) Funds collected for adoption document access as provided in Sections [78B-6-141](#),  
487 [78B-6-144](#), and [78B-6-144.5](#).

488 (74) Funds collected for indigent defense as provided in Title 78B, Chapter 22, Part 4,  
489 Utah Indigent Defense Commission.

490 (75) The Utah Geological Survey Oil, Gas, and Mining Restricted Account created in



491 Section 79-3-403.

492 (76) Revenue for golf user fees at the Wasatch Mountain State Park, Palisades State  
493 Park, and Green River State Park, as provided under Section 79-4-403.

494 (77) Funds donated as described in Section 41-1a-422 for the State Park Fees  
495 Restricted Account created in Section 79-4-402 for support of the Division of State Parks' dark  
496 sky initiative.

497 (78) Certain funds received by the Division of State Parks from the sale or disposal of  
498 buffalo, as provided under Section 79-4-1001.

499 Section 9. **Appropriation.**

500 The following sums of money are appropriated for the fiscal year beginning July 1,  
501 2022, and ending June 30, 2023. These are additions to amounts previously appropriated for  
502 fiscal year 2023. Under the terms and conditions of Title 63J, Chapter 1, Budgetary Procedures  
503 Act, the Legislature appropriates the following sums of money from the funds or accounts  
504 indicated for the use and support of the government of the state of Utah.

505 ITEM 1

506 To Local Response, Recovery, and Post-disaster Mitigation Restricted Account

507 From State Disaster Recovery Restricted Account, One-time 10,000,000

508 Schedule of Programs:

509 Local Response, Recovery, and Post-disaster Mitigation Restricted Account  
510 10,000,000

511 ITEM 2

512 To Department of Public Safety - Emergency Management

513 From Local Response, Recovery, and Post-disaster Mitigation Restricted Account,  
514 One-time 10,000,000

515 Schedule of Programs:

516 Emergency Management 10,000,000

517 The following sums of money are appropriated for the fiscal year beginning July 1,  
518 2023, and ending June 30, 2024. These are additions to amounts previously appropriated for  
519 fiscal year 2024. Under the terms and conditions of Title 63J, Chapter 1, Budgetary Procedures  
520 Act, the Legislature appropriates the following sums of money from the funds or accounts  
521 indicated for the use and support of the government of the state of Utah.

522 ITEM 3

523 To Department of Public Safety - Emergency Management

524 From State Disaster Recovery Restricted Account 750,000

525 Schedule of Programs:

526 Emergency Management 750,000

527 Section 10. **Effective date and two-thirds majority required to pass.**

528 (1) If approved by two-thirds of all the members elected to each house, this bill takes  
529 effect on May 3, 2023.

530 (2) In accordance with Subsection [53-2a-603](#)(5)(c), if this bill is not approved by  
531 two-thirds of all the members elected to each house, this bill will not go into effect.