

**HUMAN SERVICES FUND AND ACCOUNT AMENDMENTS**

2023 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Michael K. McKell**

House Sponsor: Marsha Judkins

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**LONG TITLE**

**General Description:**

This bill creates a new fund and account related to human services.

**Highlighted Provisions:**

This bill:

- ▶ defines terms;
- ▶ creates the Licensed Provider Assessment Fund and describes how the fund is funded and how the fund may be used; and
- ▶ creates the Division of Services for People with Disabilities Restricted Account and describes how the fund is funded and how the fund may be used.

**Money Appropriated in this Bill:**

This bill appropriates in fiscal year 2024:

- ▶ to the Department of Health and Human Services -- Long-term Services & Support -- Services for People with Disabilities:
  - from Division of Services for People with Disabilities Restricted Account, \$3,904,800.

**Other Special Clauses:**

None

**Utah Code Sections Affected:**

ENACTS:

**62A-2-129**, Utah Code Annotated 1953

**62A-5-112**, Utah Code Annotated 1953

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

31 Section 1. Section **62A-2-129** is enacted to read:

32 **62A-2-129. Licensed Provider Assessment Fund -- Creation -- Deposits -- Uses.**

33 (1) There is created an expendable special revenue fund known as the "Licensed  
34 Provider Assessment Fund" consisting of:

35 (a) the assessments collected under, and any interest and penalties levied with the  
36 administration of:

37 (i) Title 26, Chapter 21, Health Care Facility Licensing and Inspection Act;

38 (ii) Title 26, Chapter 39, Utah Child Care Licensing Act; and

39 (iii) Title 62A, Chapter 2, Licensure of Programs and Facilities;

40 (b) money appropriated or otherwise made available by the Legislature; and

41 (c) any interest earned on the fund.

42 (2) Money in the fund may only be used by the department:

43 (a) for upgrades to and maintenance of licensing databases and applications;

44 (b) for training for providers and staff;

45 (c) to assist individuals during a facility shutdown; or

46 (d) for administrative expenses, if the administrative expenses for the fiscal year do not  
47 exceed 3% of the money deposited into the fund during the fiscal year.

48 Section 2. Section **62A-5-112** is enacted to read:

49 **62A-5-112. Division of Services for People with Disabilities Restricted Account.**

50 (1) As used in this section, "account" means the Division of Services for People with  
51 Disabilities Restricted Account created in Subsection (2).

52 (2) There is created in the General Fund an account known as the "Division of Services  
53 for People with Disabilities Restricted Account."

54 (3) The account consists of:

55 (a) carry forward funds from the division's budget; and

56 (b) unexpended balances lapsed to the account from the division's budget.

57 (4) Subject to appropriation, the Department of Health and Human Services may

