COVID-19 ECONOMIC RECOVERY PROGRAM

2020 FIFTH SPECIAL SESSION

STATE OF UTAH

Chief Sponsor: Robert M. Spendlove

Senate Sponsor: Daniel Hemmert

LONG TITLE

General Description:

This bill creates economic recovery programs in response to COVID-19.

Highlighted Provisions:

This bill:

- creates grant programs (the grant programs) for:
  - certain entities eligible to receive funding from county Botanical, Cultural, Recreational, and Zoological Organizations or Facilities sales tax revenue and their for-profit equivalents if the entity provides activities to encourage travel and tourism in the state to benefit communities or artists affected by COVID-19;
  - institutions of higher education to provide education to employees displaced by COVID-19;
  - business entities with revenue declines due to COVID-19 if the business entity provides a financial incentive to customers; and
  - business entities to purchase supplies and materials to follow COVID-19 public health guidelines on safely returning employees to work;
- creates a public outreach and education program to encourage compliance with COVID-19 health guidelines and receipt of medical care;
- grants rulemaking authority to the Division of Arts and Museums and the Governor's Office of Economic Development to administer the grant programs;
- requires the Division of Arts and Museums, the Governor's Office of Economic Development, and the Division of Finance to report information about the grant programs to certain members of the Legislature;

- creates a subtraction from state income for funds received from the grant programs for state income tax purposes;
- provides for the repealer of the grant programs and the public outreach and education program; and
- makes technical changes.

Money Appropriated in this Bill:

This bill appropriates in fiscal year 2021:

- To Department of Administrative Services -- Finance Mandated, as a one-time appropriation:
  - from Federal Funds -- Coronavirus Relief Fund, $62,000,000.

Other Special Clauses:

This bill provides a special effective date.

This bill provides retrospective operation.

Utah Code Sections Affected:

AMENDS:

59-7-106, as last amended by Laws of Utah 2019, Chapter 412

59-10-114, as last amended by Laws of Utah 2019, Chapter 412

63I-2-259, as last amended by Laws of Utah 2020, Chapters 46 and 354

63I-2-263 (Effective 10/15/20), as last amended by Laws of Utah 2020, Chapters 116, 230, 231, 286, 322, 325, 354, 365, 368, 375, 405, 430, 433, 446 and last amended by Coordination Clause, Laws of Utah 2020, Chapter 231

63N-12-508 (Effective 07/01/20), as last amended by Laws of Utah 2020, Chapters 340 and 365

63N-12-508 (Superseded 07/01/20), as last amended by Laws of Utah 2020, Chapter 340

ENACTS:

9-6-901, Utah Code Annotated 1953

9-6-902, Utah Code Annotated 1953

9-6-903, Utah Code Annotated 1953

9-6-904, Utah Code Annotated 1953

63A-3-111, Utah Code Annotated 1953

63I-2-209, Utah Code Annotated 1953

63N-15-101, Utah Code Annotated 1953

63N-15-102, Utah Code Annotated 1953

63N-15-103, Utah Code Annotated 1953

63N-15-201, Utah Code Annotated 1953

63N-15-202, Utah Code Annotated 1953

63N-15-301, Utah Code Annotated 1953

63N-15-302, Utah Code Annotated 1953

63N-15-401, Utah Code Annotated 1953

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

Section 1. Section **9-6-901** is enacted to read:

Part 9. COVID-19 Cultural Assistance Grant Program

9-6-901. Definitions.

As used in this part:

(1) "COVID-19" means:

(a) severe acute respiratory syndrome coronavirus 2; or

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

(2) "Legislative committee" means:

(a) the president of the Senate;

(b) the speaker of the House of Representatives;

(c) the minority leader of the Senate; and

(d) the minority leader of the House of Representatives.

(3) "Qualified organization" means:

(a) an entity that is eligible to receive funding from the tax authorized under Title 59,

Chapter 12, Part 7, County Option Funding for Botanical, Cultural, Recreational, and Zoological Organizations or Facilities, regardless of whether the entity receives any funding; or

(b) a for-profit equivalent of an entity described in Subsection (3)(a).

Section 2. Section **9-6-902** is enacted to read:

9-6-902. COVID-19 Cultural Assistance Grant Program -- Eligibility -- Grant limit.

(1) There is established a grant program known as COVID-19 Cultural Assistance Grant Program that is administered by the division in accordance with this part.

(2) To be eligible to apply for a grant under this part, a qualified organization:

(a) shall offer or propose to offer, on or before December 30, 2020, a cultural, artistic, botanical, recreational, or zoological activity in this state that:

(i) promotes travel and tourism in this state; and

(ii) in aggregate has a cost that is estimated to equal or exceed 50% of the grant amount that the qualified organization requests;

(b) shall describe to the division how receipt of grant funds will benefit the communities or artists in this state affected by COVID-19;

(c) shall have an average three-year operational expenditure of $5,000,000 or more per year; and

(d) may not receive grant funds under Title 63N, Chapter 15, Part 2, COVID-19 Impacted Businesses Grant Program.

(3) The amount of a grant that the division awards to a qualified organization under this part may not exceed two times the net cost of the cultural, artistic, botanical, recreational, or zoological activity that the qualified organization offers or proposes to offer.

Section 3. Section **9-6-903** is enacted to read:

9-6-903. Duties of the division.

(1) As soon as is practicable but on or before July 31, 2020, the division shall:

(a) establish an application process by which a qualified organization may apply for a grant under this part, which application shall include:

(i) a declaration, signed under penalty of perjury, that the application is complete, true, and correct and any estimates about the net costs to provide the cultural, artistic, botanical, recreational, or zoological activity are made in good faith;

(ii) an acknowledgment that the qualified organization is subject to audit; and

(iii) a plan for providing the activity described in Subsection 9-6-902(2)(a);

(b) establish a method for the office, in consultation with the Governor's Office of Economic Development for recreational applicants, to determine which applicants are eligible to receive a grant;

(c) establish a formula to award grant funds; and

(d) report the information described in Subsections (1)(a) through (c) to the director of the Division of Finance.

(2) The division shall:

(a) participate in the presentation that the director of the Division of Finance provides to the legislative committee under Section 63A-3-111; and

(b) consider any recommendations for adjustments to the grant program from the legislative committee.

(3) Subject to appropriation, beginning on August 5, 2020, the division shall:

(a) collect applications for grant funds from qualified organizations;

(b) determine, in consultation with the Governor's Office of Economic Development for recreational applicants, which applicants meet the eligibility requirements for receiving a grant; and

(c) award the grant funds:

(i) (A) after an initial application period that ends on or before August 31, 2020; and

(B) if funds remain after the initial application period, on a rolling basis until the earlier of funds being exhausted or December 30, 2020; and

(ii) in accordance with the process established under Subsection (1) and the limit described in Subsection 9-6-902(3).

(4) The division shall encourage any qualified organization that receives grant funds to

commit to following best practices to protect the health and safety of the qualified organization's employees and customers.

(5) (a) The division may audit a qualified organization's reported net cost to provide a cultural, artistic, botanical, recreational, or zoological activity.

(b) The division may recapture grant funds if, after audit, the division determines that:

(i) if a qualified organization made representations about the qualified organization's actual net cost to provide the cultural, artistic, botanical, recreational, or zoological activity, the representations are not complete, true, and correct; or

(ii) if a qualified organization made representations about the qualified organization's estimated net cost to provide the cultural, artistic, botanical, recreational, or zoological activity, the representations are not made in good faith.

(c) (i) A qualified organization that is subject to recapture shall pay to the Division of Finance a penalty equal to the amount of the grant recaptured multiplied by the applicable income tax rate in Section 59-7-104 or 59-10-104.

(ii) The Division of Finance shall deposit the penalty into the Education Fund.

(6) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the division may make rules to administer the grant program.

Section 4. Section **9-6-904** is enacted to read:

9-6-904. Reporting.

(1) The division shall report the following information to the Economic Development and Workforce Services Interim Committee:

(a) the number of applications submitted under the grant program;

(b) the number of grants awarded under the grant program;

(c) the aggregate amount of grant funds awarded under the grant program; and

(d) any other information the division considers relevant to evaluating the success of the grant program.

(2) The division shall submit the report described in Subsection (1) in electronic format on or before October 1, 2020, and provide an update in electronic format on or before June 30,

2021.

Section 5. Section **59-7-106** is amended to read:

59-7-106. Subtractions from unadjusted income.

(1) In computing adjusted income, the following amounts shall be subtracted from unadjusted income:

(a) the foreign dividend gross-up included in gross income for federal income tax purposes under Section 78, Internal Revenue Code;

(b) subject to Subsection (2), the net capital loss, as defined for federal purposes, if the taxpayer elects to deduct the net capital loss on the return filed under this chapter for the taxable year for which the net capital loss is incurred;

(c) the decrease in salary expense deduction for federal income tax purposes due to claiming the federal work opportunity credit under Section 51, Internal Revenue Code;

(d) the decrease in qualified research and basic research expense deduction for federal income tax purposes due to claiming the federal credit for increasing research activities under Section 41, Internal Revenue Code;

(e) the decrease in qualified clinical testing expense deduction for federal income tax purposes due to claiming the federal credit for clinical testing expenses for certain drugs for rare diseases or conditions under Section 45C, Internal Revenue Code;

(f) any decrease in any expense deduction for federal income tax purposes due to claiming any other federal credit;

(g) the safe harbor lease adjustment required under Subsections 59-7-111(1)(b) and (2)(b);

(h) any income on the federal corporation income tax return that has been previously taxed by Utah;

(i) an amount included in federal taxable income that is due to a refund of a tax, including a franchise tax, an income tax, a corporate stock and business tax, or an occupation tax:

(i) if that tax is imposed for the privilege of:

(A) doing business; or

(B) exercising a corporate franchise;

(ii) if that tax is paid by the corporation to:

(A) Utah;

(B) another state of the United States;

(C) a foreign country;

(D) a United States possession; or

(E) the Commonwealth of Puerto Rico; and

(iii) to the extent that tax was added to unadjusted income under Section 59-7-105;

(j) a charitable contribution, to the extent the charitable contribution is allowed as a subtraction under Section 59-7-109;

(k) subject to Subsection (3), 50% of a dividend considered to be received or received from a subsidiary that:

(i) is a member of the unitary group;

(ii) is organized or incorporated outside of the United States; and

(iii) is not included in a combined report under Section 59-7-402 or 59-7-403;

(l) subject to Subsection (4) and Section 59-7-401, 50% of the adjusted income of a foreign operating company;

(m) the amount of gain or loss that is included in unadjusted income but not recognized for federal purposes on stock sold or exchanged by a member of a selling consolidated group as defined in Section 338, Internal Revenue Code, if an election has been made in accordance with Section 338(h)(10), Internal Revenue Code;

(n) the amount of gain or loss that is included in unadjusted income but not recognized for federal purposes on stock sold, exchanged, or distributed by a corporation in accordance with Section 336(e), Internal Revenue Code, if an election under Section 336(e), Internal Revenue Code, has been made for federal purposes;

(o) subject to Subsection (5), an adjustment to the following due to a difference between basis for federal purposes and basis as computed under Section 59-7-107:

(i) an amortization expense;

(ii) a depreciation expense;

(iii) a gain;

(iv) a loss; or

(v) an item similar to Subsections (1)(o)(i) through (iv);

(p) an interest expense that is not deducted on a federal corporation income tax return under Section 265(b) or 291(e), Internal Revenue Code;

(q) 100% of dividends received from a subsidiary that is an insurance company if that subsidiary that is an insurance company is:

(i) exempt from this chapter under Subsection 59-7-102(1)(c); and

(ii) under common ownership;

(r) subject to Subsection 59-7-105(10), for a corporation that is an account owner as defined in Section 53B-8a-102, the amount of a qualified investment as defined in Section 53B-8a-102.5:

(i) that the corporation or a person other than the corporation makes into an account owned by the corporation during the taxable year;

(ii) to the extent that neither the corporation nor the person other than the corporation described in Subsection (1)(r)(i) deducts the qualified investment on a federal income tax return; and

(iii) to the extent the qualified investment does not exceed the maximum amount of the qualified investment that may be subtracted from unadjusted income for a taxable year in accordance with Subsection 53B-8a-106(1);

(s) for a corporation that makes a donation, as that term is defined in Section 53B-8a-201, to the Student Prosperity Savings Program created in Section 53B-8a-202, the amount of the donation to the extent that the corporation did not deduct the donation on a federal income tax return;

(t) for purposes of income included in a combined report under Part 4, Combined Reporting, the entire amount of the dividends a member of a unitary group receives or is

considered to receive from a captive real estate investment trust;

(u) the increase in income for federal income tax purposes due to claiming a:

(i) qualified tax credit bond credit under Section 54A, Internal Revenue Code; or

(ii) qualified zone academy bond under Section 1397E, Internal Revenue Code;

(v) for a taxable year beginning on or after January 1, 2019, but beginning on or before December 31, 2019, only:

(i) the amount of any FDIC premium paid or incurred by the taxpayer that is disallowed as a deduction for federal income tax purposes under Section 162(r), Internal Revenue Code, on the taxpayer's 2018 federal income tax return; plus

(ii) the amount of any FDIC premium paid or incurred by the taxpayer that is disallowed as a deduction for federal income tax purposes under Section 162(r), Internal Revenue Code, for the taxable year; [~~and~~]

(w) for a taxable year beginning on or after January 1, 2020, the amount of any FDIC premium paid or incurred by the taxpayer that is disallowed as a deduction for federal income tax purposes under Section 162(r), Internal Revenue Code, for the taxable year[~~.~~]; and

(x) for a taxable year beginning on or after January 1, 2020, but beginning on or before December 31, 2020, the amount of any grant funds the taxpayer receives under Title 9, Chapter 6, Part 9, COVID-19 Cultural Assistance Grant Program, Subsection 63N-12-508(3), or Title 63N, Chapter 15, COVID-19 Economic Recovery Programs, to the extent that the grant funds are included in unadjusted income.

(2) For purposes of Subsection (1)(b):

(a) the subtraction shall be made by claiming the subtraction on a return filed:

(i) under this chapter for the taxable year for which the net capital loss is incurred; and

(ii) by the due date of the return, including extensions; and

(b) a net capital loss for a taxable year shall be:

(i) subtracted for the taxable year for which the net capital loss is incurred; or

(ii) carried forward as provided in Sections 1212(a)(1)(B) and (C), Internal Revenue Code.

(3) (a) For purposes of calculating the subtraction provided for in Subsection (1)(k), a taxpayer shall first subtract from a dividend considered to be received or received an expense directly attributable to that dividend.

(b) For purposes of Subsection (3)(a), the amount of an interest expense that is considered to be directly attributable to a dividend is calculated by multiplying the interest expense by a fraction:

(i) the numerator of which is the taxpayer's average investment in the dividend paying subsidiaries; and

(ii) the denominator of which is the taxpayer's average total investment in assets.

(c) (i) For purposes of calculating the subtraction allowed by Subsection (1)(k), in determining income apportionable to this state, a portion of the factors of a foreign subsidiary that has dividends that are partially subtracted under Subsection (1)(k) shall be included in the combined report factors as provided in this Subsection (3)(c).

(ii) For purposes of Subsection (3)(c)(i), the portion of the factors of a foreign subsidiary that has dividends that are partially subtracted under Subsection (1)(k) that shall be included in the combined report factors is calculated by multiplying each factor of the foreign subsidiary by a fraction:

(A) not to exceed 100%; and

(B) (I) the numerator of which is the amount of the dividend paid by the foreign subsidiary that is included in adjusted income; and

(II) the denominator of which is the current year earnings and profits of the foreign subsidiary as determined under the Internal Revenue Code.

(4) (a) For purposes of Subsection (1)(l), a taxpayer may not make a subtraction under Subsection (1)(l):

(i) if the taxpayer elects to file a worldwide combined report as provided in Section 59-7-403; or

(ii) for the following:

(A) income generated from intangible property; or

(B) a capital gain, dividend, interest, rent, royalty, or other similar item that is generated from an asset held for investment and not from a regular business trading activity.

(b) In calculating the subtraction provided for in Subsection (1)(l), a foreign operating company:

(i) may not subtract an amount provided for in Subsection (1)(k) or (l); and

(ii) prior to determining the subtraction under Subsection (1)(l), shall eliminate a transaction that occurs between members of a unitary group.

(c) For purposes of the subtraction provided for in Subsection (1)(l), in determining income apportionable to this state, the factors for a foreign operating company shall be included in the combined report factors in the same percentages as the foreign operating company's adjusted income is included in the combined adjusted income.

(d) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the commission may by rule define what constitutes:

(i) income generated from intangible property; or

(ii) a capital gain, dividend, interest, rent, royalty, or other similar item that is generated from an asset held for investment and not from a regular business trading activity.

(5) (a) For purposes of the subtraction provided for in Subsection (1)(o), the amount of a reduction in basis shall be allowed as an expense for the taxable year in which a federal tax credit is claimed if:

(i) there is a reduction in federal basis for a federal tax credit; and

(ii) there is no corresponding tax credit allowed in this state.

(b) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the commission may by rule define what constitutes an item similar to Subsections (1)(o)(i) through (iv).

Section 6. Section **59-10-114** is amended to read:

59-10-114. Additions to and subtractions from adjusted gross income of an individual.

(1) There shall be added to adjusted gross income of a resident or nonresident

individual:

(a) a lump sum distribution that the taxpayer does not include in adjusted gross income on the taxpayer's federal individual income tax return for the taxable year;

(b) the amount of a child's income calculated under Subsection (4) that:

(i) a parent elects to report on the parent's federal individual income tax return for the taxable year; and

(ii) the parent does not include in adjusted gross income on the parent's federal individual income tax return for the taxable year;

(c) (i) a withdrawal from a medical care savings account and any penalty imposed for the taxable year if:

(A) the resident or nonresident individual does not deduct the amounts on the resident or nonresident individual's federal individual income tax return under Section 220, Internal Revenue Code;

(B) the withdrawal is subject to Subsections 31A-32a-105(1) and (2); and

(C) the withdrawal is subtracted on, or used as the basis for claiming a tax credit on, a return the resident or nonresident individual files under this chapter;

(ii) a disbursement required to be added to adjusted gross income in accordance with Subsection 31A-32a-105(3); or

(iii) an amount required to be added to adjusted gross income in accordance with Subsection 31A-32a-105(5)(c);

(d) the amount withdrawn under Title 53B, Chapter 8a, Utah Educational Savings Plan, from the account of a resident or nonresident individual who is an account owner as defined in Section 53B-8a-102, for the taxable year for which the amount is withdrawn, if that amount withdrawn from the account of the resident or nonresident individual who is the account owner:

(i) is not expended for:

(A) higher education costs as defined in Section 53B-8a-102.5; or

(B) a payment or distribution that qualifies as an exception to the additional tax for

distributions not used for educational expenses provided in Sections 529(c) and 530(d), Internal Revenue Code; and

(ii) is:

(A) subtracted by the resident or nonresident individual:

(I) who is the account owner; and

(II) on the resident or nonresident individual's return filed under this chapter for a taxable year beginning on or before December 31, 2007; or

(B) used as the basis for the resident or nonresident individual who is the account owner to claim a tax credit under Section 59-10-1017;

(e) except as provided in Subsection (5), for bonds, notes, and other evidences of indebtedness acquired on or after January 1, 2003, the interest from bonds, notes, and other evidences of indebtedness:

(i) issued by one or more of the following entities:

(A) a state other than this state;

(B) the District of Columbia;

(C) a political subdivision of a state other than this state; or

(D) an agency or instrumentality of an entity described in Subsections (1)(e)(i)(A) through (C); and

(ii) to the extent the interest is not included in adjusted gross income on the taxpayer's federal income tax return for the taxable year;

(f) subject to Subsection (2)(c), any distribution received by a resident beneficiary of a resident trust of income that was taxed at the trust level for federal tax purposes, but was subtracted from state taxable income of the trust pursuant to Subsection 59-10-202(2)(b);

(g) any distribution received by a resident beneficiary of a nonresident trust of undistributed distributable net income realized by the trust on or after January 1, 2004, if that undistributed distributable net income was taxed at the trust level for federal tax purposes, but was not taxed at the trust level by any state, with undistributed distributable net income considered to be distributed from the most recently accumulated undistributed distributable net

income; and

(h) any adoption expense:

(i) for which a resident or nonresident individual receives reimbursement from another person; and

(ii) to the extent to which the resident or nonresident individual subtracts that adoption expense:

(A) on a return filed under this chapter for a taxable year beginning on or before December 31, 2007; or

(B) from federal taxable income on a federal individual income tax return.

(2) There shall be subtracted from adjusted gross income of a resident or nonresident individual:

(a) the difference between:

(i) the interest or a dividend on an obligation or security of the United States or an authority, commission, instrumentality, or possession of the United States, to the extent that interest or dividend is:

(A) included in adjusted gross income for federal income tax purposes for the taxable year; and

(B) exempt from state income taxes under the laws of the United States; and

(ii) any interest on indebtedness incurred or continued to purchase or carry the obligation or security described in Subsection (2)(a)(i);

(b) for taxable years beginning on or after January 1, 2000, if the conditions of Subsection (3)(a) are met, the amount of income derived by a Ute tribal member:

(i) during a time period that the Ute tribal member resides on homesteaded land diminished from the Uintah and Ouray Reservation; and

(ii) from a source within the Uintah and Ouray Reservation;

(c) an amount received by a resident or nonresident individual or distribution received by a resident or nonresident beneficiary of a resident trust:

(i) if that amount or distribution constitutes a refund of taxes imposed by:

(A) a state; or

(B) the District of Columbia; and

(ii) to the extent that amount or distribution is included in adjusted gross income for that taxable year on the federal individual income tax return of the resident or nonresident individual or resident or nonresident beneficiary of a resident trust;

(d) the amount of a railroad retirement benefit:

(i) paid:

(A) in accordance with The Railroad Retirement Act of 1974, 45 U.S.C. Sec. 231 et seq.;

(B) to a resident or nonresident individual; and

(C) for the taxable year; and

(ii) to the extent that railroad retirement benefit is included in adjusted gross income on that resident or nonresident individual's federal individual income tax return for that taxable year;

(e) an amount:

(i) received by an enrolled member of an American Indian tribe; and

(ii) to the extent that the state is not authorized or permitted to impose a tax under this part on that amount in accordance with:

(A) federal law;

(B) a treaty; or

(C) a final decision issued by a court of competent jurisdiction;

(f) an amount received:

(i) for the interest on a bond, note, or other obligation issued by an entity for which state statute provides an exemption of interest on its bonds from state individual income tax;

(ii) by a resident or nonresident individual;

(iii) for the taxable year; and

(iv) to the extent the amount is included in adjusted gross income on the taxpayer's federal income tax return for the taxable year;

(g) the amount of all income, including income apportioned to another state, of a nonmilitary spouse of an active duty military member if:

(i) both the nonmilitary spouse and the active duty military member are nonresident individuals;

(ii) the active duty military member is stationed in Utah;

(iii) the nonmilitary spouse is subject to the residency provisions of 50 U.S.C. Sec. 4001(a)(2); and

(iv) the income is included in adjusted gross income for federal income tax purposes for the taxable year;

(h) for a taxable year beginning on or after January 1, 2019, but beginning on or before December 31, 2019, only:

(i) the amount of any FDIC premium paid or incurred by the taxpayer that is disallowed as a deduction for federal income tax purposes under Section 162(r), Internal Revenue Code, on the taxpayer's 2018 federal income tax return; plus

(ii) the amount of any FDIC premium paid or incurred by the taxpayer that is disallowed as a deduction for federal income tax purposes under Section 162(r), Internal Revenue Code, for the taxable year; [~~and~~]

(i) for a taxable year beginning on or after January 1, 2020, the amount of any FDIC premium paid or incurred by the taxpayer that is disallowed as a deduction for federal income tax purposes under Section 162(r), Internal Revenue Code, for the taxable year[~~.~~]; and

(j) for a taxable year beginning on or after January 1, 2020, but beginning on or before December 31, 2020, the amount of any grant funds the resident or nonresident individual receives under Title 9, Chapter 6, Part 9, COVID-19 Cultural Assistance Grant Program, Subsection 63N-12-508(3), or Title 63N, Chapter 15, COVID-19 Economic Recovery Programs, to the extent that the grant funds are included in adjusted gross income.

(3) (a) A subtraction for an amount described in Subsection (2)(b) is allowed only if:

(i) the taxpayer is a Ute tribal member; and

(ii) the governor and the Ute tribe execute and maintain an agreement meeting the

requirements of this Subsection (3).

(b) The agreement described in Subsection (3)(a):

(i) may not:

(A) authorize the state to impose a tax in addition to a tax imposed under this chapter;

(B) provide a subtraction under this section greater than or different from the subtraction described in Subsection (2)(b); or

(C) affect the power of the state to establish rates of taxation; and

(ii) shall:

(A) provide for the implementation of the subtraction described in Subsection (2)(b);

(B) be in writing;

(C) be signed by:

(I) the governor; and

(II) the chair of the Business Committee of the Ute tribe;

(D) be conditioned on obtaining any approval required by federal law; and

(E) state the effective date of the agreement.

(c) (i) The governor shall report to the commission by no later than February 1 of each year regarding whether or not an agreement meeting the requirements of this Subsection (3) is in effect.

(ii) If an agreement meeting the requirements of this Subsection (3) is terminated, the subtraction permitted under Subsection (2)(b) is not allowed for taxable years beginning on or after the January 1 following the termination of the agreement.

(d) For purposes of Subsection (2)(b) and in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the commission may make rules:

(i) for determining whether income is derived from a source within the Uintah and Ouray Reservation; and

(ii) that are substantially similar to how adjusted gross income derived from Utah sources is determined under Section 59-10-117.

(4) (a) For purposes of this Subsection (4), "Form 8814" means:

(i) the federal individual income tax Form 8814, Parents' Election To Report Child's Interest and Dividends; or

(ii) (A) a form designated by the commission in accordance with Subsection (4)(a)(ii)(B) as being substantially similar to 2000 Form 8814 if for purposes of federal individual income taxes the information contained on 2000 Form 8814 is reported on a form other than Form 8814; and

(B) for purposes of Subsection (4)(a)(ii)(A) and in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the commission may make rules designating a form as being substantially similar to 2000 Form 8814 if for purposes of federal individual income taxes the information contained on 2000 Form 8814 is reported on a form other than Form 8814.

(b) The amount of a child's income added to adjusted gross income under Subsection (1)(b) is equal to the difference between:

(i) the lesser of:

(A) the base amount specified on Form 8814; and

(B) the sum of the following reported on Form 8814:

(I) the child's taxable interest;

(II) the child's ordinary dividends; and

(III) the child's capital gain distributions; and

(ii) the amount not taxed that is specified on Form 8814.

(5) Notwithstanding Subsection (1)(e), interest from bonds, notes, and other evidences of indebtedness issued by an entity described in Subsections (1)(e)(i)(A) through (D) may not be added to adjusted gross income of a resident or nonresident individual if, as annually determined by the commission:

(a) for an entity described in Subsection (1)(e)(i)(A) or (B), the entity and all of the political subdivisions, agencies, or instrumentalities of the entity do not impose a tax based on income on any part of the bonds, notes, and other evidences of indebtedness of this state; or

(b) for an entity described in Subsection (1)(e)(i)(C) or (D), the following do not

impose a tax based on income on any part of the bonds, notes, and other evidences of indebtedness of this state:

(i) the entity; or

(ii) (A) the state in which the entity is located; or

(B) the District of Columbia, if the entity is located within the District of Columbia.

Section 7. Section **63A-3-111** is enacted to read:

63A-3-111. COVID-19 economic recovery programs reports.

(1) As used in this section:

(a) "COVID-19 economic recovery programs" means the programs created in:

(i) Title 9, Chapter 6, Part 9, COVID-19 Cultural Assistance Grant Program;

(ii) Subsection 63N-12-508(3); and

(iii) Title 63N, Chapter 15, COVID-19 Economic Recovery Programs.

(b) "Legislative committee" means:

(i) the president of the Senate;

(ii) the speaker of the House of Representatives;

(iii) the minority leader of the Senate; and

(iv) the minority leader of the House of Representatives.

(2) Upon receiving the reports required by Sections 9-6-903, 63N-15-202, and 63N-15-302 and Subsection 63N-12-508(3), the director, in conjunction with the Division of Arts and Museums and the Governor's Office of Economic Development, shall present to the legislative committee the COVID-19 economic recovery programs.

(3) The legislative committee may make recommendations for adjustments to the COVID-19 economic recovery programs.

Section 8. Section **63I-2-209** is enacted to read:

63I-2-209. Repeal dates -- Title 9.

Title 9, Chapter 6, Part 9, COVID-19 Cultural Assistance Grant Program, is repealed June 30, 2021.

Section 9. Section **63I-2-259** is amended to read:

63I-2-259. Repeal dates -- Title 59.

(1) In Section 59-2-926, the language that states "applicable" and "or 53F-2-301.5" is repealed July 1, 2023.

(2) Subsection 59-7-106(1)(x) is repealed December 31, 2021.

[~~(2)~~] (3) Section 59-7-620 is repealed December 31, 2021.

(4) Subsection 59-10-114(2)(j) is repealed December 31, 2021.

Section 10. Section **63I-2-263 (Effective 10/15/20)** is amended to read:

63I-2-263 (Effective 10/15/20). Repeal dates, Title 63A to Title 63N.

(1) On July 1, 2020:

(a) Subsection 63A-1-203(5)(a)(i) is repealed; and

(b) in Subsection 63A-1-203(5)(a)(ii), the language that states "appointed on or after May 8, 2018," is repealed.

(2) Section 63A-3-111 is repealed June 30, 2021.

[~~(2)~~] (3) Title 63C, Chapter 19, Higher Education Strategic Planning Commission is repealed July 1, 2021.

[~~(3)~~] (4) Title 63C, Chapter 21, Digital Wellness, Citizenship, and Safe Technology Commission is repealed July 1, 2023.

[~~(4)~~] (5) The following sections regarding the World War II Memorial Commission are repealed on July 1, 2022:

(a) Section 63G-1-801;

(b) Section 63G-1-802;

(c) Section 63G-1-803; and

(d) Section 63G-1-804.

[~~(5)~~] (6) Subsections 63G-6a-802(1)(d) and 63G-6a-802(3)(b)(iii), regarding a procurement relating to a vice presidential debate, are repealed January 1, 2021.

[~~(6)~~] (7) In relation to the State Fair Park Committee, on January 1, 2021:

(a) Section 63H-6-104.5 is repealed; and

(b) Subsections 63H-6-104(8) and (9) are repealed.

[~~(7)~~] (8) Section 63H-7a-303 is repealed [~~on~~] July 1, 2024.

[~~(8)~~] (9) Subsection 63J-1-206(3)(c), relating to coronavirus, is repealed [~~on~~] July 1, 2021.

[~~(9)~~] (10) In relation to the Employability to Careers Program Board, on July 1, 2022:

(a) Subsection 63J-1-602.1 (57) is repealed;

(b) Subsection 63J-4-301(1)(h), related to the review of data and metrics, is repealed; and

(c) Title 63J, Chapter 4, Part 7, Employability to Careers Program, is repealed.

[~~(10)~~] (11) Title 63M, Chapter 4, Part 8, Voluntary Home Energy Information Pilot Program Act, is repealed January 1, 2022.

[~~(11)~~] (12) Sections 63M-7-213 and 63M-7-213.5 are repealed on January 1, 2023.

(13) Subsection 63N-12-508(3) is repealed December 31, 2021.

[~~(12)~~] (14) Title 63N, Chapter 13, Part 3, Facilitating Public-Private Partnerships Act, is repealed January 1, 2024.

(15) Title 63N, Chapter 15, COVID-19 Economic Recovery Programs, is repealed December 31, 2021.

Section 11. Section **63N-12-508 (Superseded 07/01/20)** is amended to read:

63N-12-508 (Superseded 07/01/20). Utah Works.

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

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

(a) partnering with the office, the Department of Workforce Services, the Utah System of Higher Education, and the Utah System of Technical Colleges;

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

(c) coordinating with the Department of Workforce Services, education agencies, and

employers to create effective recruitment initiatives to attract student and workforce participants and business participants to the program;

(d) coordinating with the Utah System of Higher Education and the Utah System of Technical Colleges to develop educational and training resources to provide student participants in the program qualifications to be hired by business participants in the program; and

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

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

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

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

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

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

(A) the process by which the office shall determine which institutions of public education shall receive financial grants; and

(B) the formula for awarding financial grants.

(ii) The office shall:

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

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

(c) To implement Subsection (3)(a), an institution of higher education that receives grant funds:

(i) may use grant funds for:

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

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

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

(d) (i) The office shall award grant funds:

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

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

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

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

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

[~~(4)~~] (5) The center shall report the following metrics to the office for inclusion in the office's annual report described in Section 63N-1-301:

(a) the number of participants in the program;

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

(i) the Department of Workforce Services;

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

(iii) a school counselor; and

(iv) other methods;

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

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

Section 12. Section **63N-12-508 (Effective 07/01/20)** is amended to read:

63N-12-508 (Effective 07/01/20). Utah Works.

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

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

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

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

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

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

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

(3) (a) Subject to appropriation, beginning on August 5, 2020, the office, in consultation with the talent ready board, may respond to the COVID-19 pandemic by directing

financial grants to institutions of higher education described in Section 53B-2-101 to offer short-term programs to:

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

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

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

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

(A) the process by which the office shall determine which institutions of public education shall receive financial grants; and

(B) the formula for awarding financial grants.

(ii) The office shall:

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

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

(c) To implement Subsection (3)(a), an institution of higher education that receives grant funds:

(i) may use grant funds for:

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

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

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

(d) (i) The office shall award grant funds:

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

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

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

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

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

[~~(4)~~] (5) The center shall report the following metrics to the office for inclusion in the office's annual report described in Section 63N-1-301:

(a) the number of participants in the program;

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

(i) the Department of Workforce Services;

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

(iii) a school counselor; and

(iv) other methods;

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

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

Section 13. Section **63N-15-101** is enacted to read:

CHAPTER 15. COVID-19 ECONOMIC RECOVERY PROGRAMS

Part 1. General Provisions

63N-15-101. Title.

This chapter is known as "COVID-19 Economic Recovery Programs."

Section 14. Section **63N-15-102** is enacted to read:

63N-15-102. Definitions.

As used in this chapter:

(1) (a) "Business entity" means a business that:

(i) was in operation in this state on March 1, 2020;

(ii) has employees who report to a physical location in this state; and

(iii) (A) is properly registered with the Division of Corporations and Commercial Code;

(B) is tax exempt under Section 501(c)(3), (6), or (19) of the Internal Revenue Code;

(C) is a Tribal business concern described in 15 U.S.C. Sec. 657a (b)(2)(C); or

(D) is an individual who operates under a sole proprietorship, operates as an independent contractor, or is self-employed.

(b) "Business entity" does not include a marketplace that connects travelers with private property owners offering accommodation for compensation.

(2) "COVID-19" means:

(a) severe acute respiratory syndrome coronavirus 2; or

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

(3) (a) "COVID-19 expenses" means the costs incurred by a business entity:

(i) on or after March 1, 2020, but on or before December 30, 2020; and

(ii) to comply with COVID-19 public health guidelines on safely returning employees to work.

(b) "COVID-19 expenses" includes:

(i) personal protection equipment for employees and customers;

(ii) cleaning and sanitizing supplies;

(iii) signage providing public health guidelines;

(iv) technology upgrades related to teleworking;

(v) costs for office redesign to provide adequate separation between employees or between employees and customers; or

(vi) other costs that the office approves as complying with Subsection (3)(a)(ii).

(4) "Legislative committee" means:

(a) the president of the Senate;

(b) the speaker of the House of Representatives;

(c) the minority leader of the Senate; and

(d) the minority leader of the House of Representatives.

(5) "Monthly revenue decline" means the amount of the business entity's revenue loss in this state for the month calculated by subtracting the month's revenue from:

(a) for a business entity that began operating in this state before July 1, 2019, the business entity's revenue for the same month in 2019; and

(b) for a business entity that began operating in this state on or after July 1, 2019, the business entity's revenue in this state for February 2020.

(6) "Revenue decline" means the sum of the monthly revenue declines for the months of March through June 2020.

(7) "Small business" means a business entity with 250 or fewer full-time equivalent employees.

Section 15. Section **63N-15-103** is enacted to read:

63N-15-103. Reporting.

The office shall include in the office's 2020 and 2021 annual reports to the governor and the Legislature under Section 63N-1-301 the following information about each of the grant programs established under this chapter:

(1) the number of applications submitted under the grant program;

(2) the number of grants awarded under the grant program;

(3) the aggregate amount of grant funds awarded under the grant program; and

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

Section 16. Section **63N-15-201** is enacted to read:

Part 2. COVID-19 Impacted Businesses Grant Program

63N-15-201. Creation of COVID-19 Impacted Businesses Grant Program -- Eligibility - Grant limits.

(1) There is established a grant program known as COVID-19 Impacted Businesses Grant Program that is administered by the office in accordance with this part.

(2) To be eligible to apply for a grant under this part, a business entity:

(a) shall have experienced a revenue decline in this state due to the public health emergency related to COVID-19;

(b) shall offer a financial incentive:

(i) for individuals or businesses to make purchases from the business entity; and

(ii) that in aggregate is estimated to equal or exceed 50% of the grant amount that the business entity requests;

(c) shall describe to the office how receipt of grant funds will benefit the state economy; and

(d) may not have received grant funds under Title 9, Chapter 6, Part 9, COVID-19 Cultural Assistance Grant Program.

(3) (a) The amount of a grant that the office awards to a business entity under this part may not exceed the amount of the business entity's revenue decline.

(b) For applications received on or before August 31, 2020, the office shall award at least 75% of the grant funds to small businesses that meet the eligibility requirements.

Section 17. Section **63N-15-202** is enacted to read:

63N-15-202. Duties of the office.

(1) As soon as is practicable but on or before July 31, 2020, the office shall:

(a) establish an application process by which a business entity may apply for a grant under this part, which application shall include:

(i) a declaration, signed under penalty of perjury, that the application is complete, true, and correct;

(ii) an acknowledgment that the business entity is subject to audit; and

(iii) a plan for providing the financial incentive described in Subsection

63N-15-201(2)(b);

(b) establish a method for the office to determine which applicants are eligible to receive a grant;

(c) establish a formula to award grant funds; and

(d) report the information described in Subsections (1)(a) through (c) to the director of the Division of Finance.

(2) The office shall:

(a) participate in the presentation that the director of the Division of Finance provides to the legislative committee under Section 63A-3-111; and

(b) consider any recommendations for adjustments to the grant program from the legislative committee.

(3) Subject to appropriation, beginning on August 5, 2020, the office shall:

(a) collect applications for grant funds from business entities;

(b) determine which applicants meet the eligibility requirements for receiving a grant; and

(c) award the grant funds:

(i) (A) after an initial application period that ends on or before August 31, 2020; and

(B) if funds remain after the initial application period, on a rolling basis until the earlier of funds being exhausted or December 30, 2020; and

(ii) in accordance with the process established under Subsection (1) and the limits described in Subsection 63N-15-201(3).

(4) (a) The office may audit a business entity to ensure that a business entity experienced the revenue decline reported in the application.

(b) The office may recapture grant funds if, after audit, the office determines that a business entity made representations to the office about the business entity's revenue decline that are not complete, true, and correct.

(c) (i) A business entity that is subject to recapture shall pay to the Division of Finance a penalty equal to the amount of the grant recaptured multiplied by the applicable income tax

rate in Section 59-7-104 or 59-10-104.

(ii) The Division of Finance shall deposit the penalty into the Education Fund.

(5) The office shall encourage any business entity that receives grant funds to commit to following best practices to protect the health and safety of the business entity's employees and customers.

(6) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the office may make rules to administer the grant program.

(7) As part of any advertisement of the COVID-19 Impacted Businesses Grant Program, the office:

(a) shall encourage economically disadvantaged business entities, including minority-owned and woman-owned business entities, that meet the eligibility requirements to apply for grant funds; and

(b) may feature any business entity that:

(i) shows evidence of a commitment to following best practices to protect the health and safety of the business entity's employees and customers; and

(ii) consents to being featured.

Section 18. Section **63N-15-301** is enacted to read:

Part 3. COVID-19 PPE Support Grant Program

63N-15-301. Creation of COVID-19 PPE Support Grant Program -- Eligibility - Grant limits.

(1) There is established a grant program known as COVID-19 PPE Support Grant Program that is administered by the office in accordance with this part.

(2) To be eligible to apply for a grant under this part, the business entity shall:

(a) (i) demonstrate that the business entity has incurred COVID-19 expenses; or

(ii) certify that the business entity will spend grant funds on COVID-19 expenses; and

(b) describe to the office the business entity's actual or anticipated cost to comply with public health guidelines on safely returning employees to work.

(3) (a) The amount of a grant that the office awards to a business entity under this part

may not exceed the lesser of:

(i) the amount of the business entity's COVID-19 expenses; or

(ii) $100 per full-time equivalent employee.

(b) For applications received on or before August 31, 2020, the office shall award at least 75% of grant funds to small businesses that meet the eligibility requirements.

Section 19. Section **63N-15-302** is enacted to read:

63N-15-302. Duties of the office.

(1) As soon as is practicable but on or before July 31, 2020, the office shall:

(a) establish an application process by which a business entity may apply for a grant under this part, which application shall include:

(i) a declaration, signed under penalty of perjury, that the application is complete, true, and correct and any estimates about COVID-19 expenses are made in good faith; and

(ii) an acknowledgment that the business entity is subject to audit;

(b) establish a method for the office to determine which applicants are eligible to receive a grant;

(c) establish a formula to award grant funds;

(d) establish requirements for grant recipients to retain records of COVID-19 expenses; and

(e) report the information described in Subsections (1)(a) through (d) to the director of the Division of Finance.

(2) The office shall:

(a) participate in the presentation that the director of the Division of Finance provides to the legislative committee under Section 63A-3-111; and

(b) consider any recommendations for adjustments to the grant program from the legislative committee.

(3) Subject to appropriation, beginning on August 5, 2020, the office shall:

(a) collect applications for grant funds from business entities;

(b) determine which applicants meet the eligibility requirements for receiving a grant;

and

(c) award the grant funds:

(i) (A) after an initial application period that ends on or before August 31, 2020; and

(B) if funds remain after the initial application period, on a rolling basis until the earlier of funds being exhausted or December 30, 2020; and

(ii) in accordance with the process established under Subsection (1) and the limits described in Subsection 63N-15-301(3).

(4) (a) The office may audit a business entity to ensure that the business entity incurred COVID-19 expenses reported or estimated in the application.

(b) The office may recapture grant funds if, after audit, the office determines that:

(i) if the business entity made representations about incurred COVID-19 expenses, the representations are not complete, true, and correct; or

(ii) if the business entity made representations about estimated COVID-19 expenses, the representations are not made in good faith.

(c) (i) A business entity that is subject to recapture shall pay to the Division of Finance a penalty equal to the amount of the grant recaptured multiplied by the applicable income tax rate in Section 59-7-104 or 59-10-104.

(ii) The Division of Finance shall deposit the penalty into the Education Fund.

(5) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the office may make rules to administer the grant program.

(6) As part of any advertisement of the COVID-19 PPE Support Grant Program, the office shall encourage economically disadvantaged business entities, including minority-owned and woman-owned business entities, that meet the eligibility requirements to apply for grant funds.

Section 20. Section **63N-15-401** is enacted to read:

Part 4. COVID-19 Outreach and Education Program

63N-15-401. COVID-19 Outreach and Education Program.

(1) The office shall develop and implement for the state a public outreach and

education program regarding health related to COVID-19.

(2) The outreach and education program shall:

(a) emphasize that, to keep themselves and others healthy, Utah residents should follow recommended COVID-19 related health guidelines, including, when applicable:

(i) physical distancing;

(ii) mask wearing; and

(iii) increased hygiene practices;

(b) explain the precautions that Utah medical providers have taken to provide safe medical care in light of the COVID-19 pandemic; and

(c) encourage Utah residents during the COVID-19 pandemic not to defer treatment from medical providers, including:

(i) urgent care;

(ii) preventative care; and

(iii) vaccinations.

Section 21. **Appropriation.**

FY 2021 Appropriations. Operating and Capital Budgets.

The following sums of money are appropriated for the fiscal year beginning July 1, 2020, and ending June 30, 2021. These are additions to amounts previously appropriated for fiscal year 2021. 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 Administrative Services -- Finance Mandated

From Federal Funds -- Coronavirus Relief Fund, One-time $62,000,000

Schedule of Programs:

Emergency Disease Response $62,000,000

The Legislature intends that the Division of Finance partner with state agencies and institutions of higher education to implement the programs authorized in this bill as follows:

COVID-19 Cultural Assistance Grant Program, with the Division of Arts and Museums, $9,000,000; COVID-19 Displaced Worker Grant Program: with the Utah System of Higher Education, $4,462,500; the Department of Workforce Services, $75,000; and the Governor's Office of Economic Development, $4,462,500; COVID-19 Impacted Businesses Grant Program, with the Governor's Office of Economic Development, $25,000,000; COVID-19 PPE Support Grant Program, with the Governor's Office of Economic Development, $5,000,000; and COVID-19 Outreach and Education Program, with the Governor's Office of Economic Development, $1,000,000.

The Legislature further intends that the Division of Finance use $1,000,000 to partner with the Department of Heritage and Arts - Pass Through to provide for digital equipment and basic needs assistance grants, including needs such as utilities, rent, transportation, and food assistance, as identified by the Multicultural Subcommittee of the COVID-19 Task Force, and for translation services related to providing information and guidance about COVID-19.

The Legislature further intends that the Division of Finance use $12,000,000 to partner with the Governor's Office of Economic Development -- Office of Tourism to respond to the COVID-19 health emergency through:

(1) state and regional marketing intended to increase tourism to national parks in the state and the surrounding communities;

(2) transportation to and within national parks in the state to facilitate visitor access; and

(3) other costs intended to stimulate tourism throughout the state.

Section 22. **Effective date.**

(1) Except as provided in Subsections (2) and (3), if approved by two-thirds of all the members elected to each house, this bill takes effect upon approval by the governor, or the day following the constitutional time limit of Utah Constitution, Article VII, Section 8, without the governor's signature, or in the case of a veto, the date of veto override.

(2) Section 63N-12-508 (Effective 07/01/20) takes effect on July 1, 2020.

(3) Section 63I-2-263 (Effective 10/15/20) takes effect on October 15, 2020.

Section 23. **Retrospective operation.**

The amendments to Sections 59-7-106 and 59-10-114 have retrospective operation for a taxable year beginning on or after January 1, 2020.