INTERGENERATIONAL WELFARE REFORM

2013 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Stuart C. Reid

House Sponsor: Jeremy A. Peterson

LONG TITLE

General Description:

This bill modifies the Intergenerational Poverty Mitigation Act by creating the Utah Intergenerational Welfare Reform Commission and the Intergenerational Poverty Advisory Committee.

Highlighted Provisions:

This bill:

- creates and provides for the membership of the Utah Intergenerational Welfare Reform Commission and the Intergenerational Poverty Advisory Committee;
- describes the commission's and the advisory committee's purpose, duties, and meeting requirements;
- describes the commission's reporting requirements; and
- provides for expenses of commission and advisory committee members.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

ENACTS:

35A-9-301, Utah Code Annotated 1953

35A-9-302, Utah Code Annotated 1953
Be it enacted by the Legislature of the state of Utah:

Section 1. Section 35A-9-301 is enacted to read:

Part 3. Utah Intergenerational Welfare Reform Commission

35A-9-301. Creation.
There is created the Utah Intergenerational Welfare Reform Commission composed of:
(1) the following five voting members:
(a) the executive director of the Department of Workforce Services or the deputy director if designated by the executive director;
(b) the executive director of the Department of Health or the deputy director if designated by the executive director;
(c) the executive director of the Department of Human Services or the deputy director if designated by the executive director;
(d) the state superintendent of public education or the deputy state superintendent if designated by the superintendent; and
(e) the state juvenile court administrator; and
(2) the chair of the Intergenerational Poverty Advisory Committee created by Section 35A-9-304, as a nonvoting member.

Section 2. Section 35A-9-302 is enacted to read:

35A-9-302. Chair of commission -- Meetings.
(1) The executive director of the Department of Workforce Services, or the deputy director of the Department of Workforce Services if designated by the executive director, shall serve as chair of the commission.
(2) The chair:
(a) is responsible for the call and conduct of meetings;
(b) shall call and hold meetings of the commission at least quarterly; and
(c) shall call additional meetings upon request by a majority of the commission's voting
members.

(3) A majority of the voting members of the commission constitutes a quorum of the commission at any meeting and the action of the majority of voting members present is the action of the commission.

(4) The Department of Workforce Services shall provide staff support to the commission.

Section 3. Section 35A-9-303 is enacted to read:


(1) The commission's purpose is to:

(a) collaborate in sharing and analyzing data and information regarding intergenerational poverty in the state with a primary focus on data and information regarding children who are at risk of continuing the cycle of poverty and welfare dependency unless outside intervention is made;

(b) examine and analyze shared data and information regarding intergenerational poverty, including the data provided by the intergenerational poverty report described in Section 35A-9-201, to identify and develop effective and efficient plans, programs, and recommendations to help at-risk children in the state escape the cycle of poverty and welfare dependency;

(c) implement data-driven policies and programs addressing poverty, public assistance, education, and other areas as needed to measurably reduce the incidence of children in the state who remain in the cycle of poverty and welfare dependency as they become adults;

(d) establish and facilitate improved cooperation between state agencies down to the case worker level in rescuing children from intergenerational poverty and welfare dependency; and

(e) encourage participation and input from the Intergenerational Poverty Advisory Committee established in Subsection 35A-9-304 and other community resources, including academic experts, advocacy groups, nonprofit corporations, local governments, and religious institutions in exploring strategies and solutions to help children in the state who are victims of intergenerational poverty escape the cycle of poverty and welfare dependency.

(2) The commission shall:

(a) fulfill the commission's purposes as listed in Subsection (1);
(b) study, evaluate, and report on the status and effectiveness of policies, procedures, and programs that provide services to children in the state affected by intergenerational poverty and welfare dependency;

(c) study and evaluate the policies, procedures, and programs implemented by other states and nongovernmental entities that address the needs of children affected by intergenerational poverty and welfare dependency;

(d) (i) identify policies, procedures, and programs, including any lack of interagency data sharing, lack of policy coordination, or current federal requirements, that are impeding efforts to help children in the state affected by intergenerational poverty escape the poverty cycle and welfare dependency; and

(ii) implement and recommend changes to those policies and procedures;

(e) create an ongoing five and ten-year plan, which is updated annually, containing:

(i) measurable goals and benchmarks, including future action needed to attain those goals and benchmarks, for decreasing the incidence of intergenerational poverty among the state's children and increasing the number of the state's children who escape the poverty cycle and welfare dependency;

(ii) implement policy, procedure, and program changes to address the needs of children affected by intergenerational poverty and help those children escape the poverty cycle and welfare dependency, including, as available over time, data to track the effectiveness of each change; and

(iii) recommend policy, procedure, and program changes to address the needs of children affected by intergenerational poverty and to help those children escape the poverty cycle and welfare dependency, including the steps that will be required to make the recommended changes and whether further action is required by the Legislature or the federal government;

(f) ensure that each change and recommended change to a policy, procedure, or program, which is made by the commission, is supported by verifiable data;

(g) protect the privacy of individuals living in poverty by using and distributing the data it collects or examines in compliance with:

(i) federal requirements; and

(ii) the provisions of Title 63G, Chapter 2, Government Records Access and Management Act; and
(h) provide a forum for public comment and participation in efforts to help children in the state escape the cycle of poverty and welfare dependency.

(3) To accomplish its duties, the commission may:

(a) request and receive from any state or local governmental agency or institution, information relating to poverty in the state, including:

(i) reports;

(ii) audits;

(iii) data;

(iv) projections; and

(v) statistics; and

(b) appoint special committees, in addition to the advisory committee described in Section 35A-9-304, to advise and assist the commission.

(4) (a) Members of a special committee described in Subsection (3)(b):

(i) shall be appointed by the commission;

(ii) may be:

(A) members of the commission; or

(B) individuals from the private or public sector; and

(iii) notwithstanding Section 35A-9-305, may not receive reimbursement or pay for work done in relation to the special committee.

(b) A special committee described in Subsection (3)(b) shall report to the commission on the progress of the special committee.

Section 4. Section 35A-9-304 is enacted to read:


(1) To assist the commission, there is created the Intergenerational Poverty Advisory Committee,

(2) The advisory committee shall be composed of no more than 11 members,

(3) Members of the advisory committee shall be appointed by the chair of the commission, with the approval of the commission, and shall include at least one member from each of the following groups:

(a) advocacy groups that focus on childhood poverty issues;

(b) advocacy groups that focus on education issues;
(c) academic experts in childhood poverty or education issues;
(d) faith-based organizations that address childhood poverty or education issues; and
(e) local government representatives that address childhood poverty or education
issues.

(4) Subject to Subsection (5), each member of the advisory committee shall be
appointed for a four-year term unless a member is appointed to complete an unexpired term.

(5) The commission chair may adjust the length of term at the time of appointment or
reappointment so that approximately half of the advisory committee is appointed every two
years.

(6) The commission chair may remove an advisory committee member:
(a) if the member is unable or unwilling to carry out the member's assigned
responsibilities; or
(b) for good cause.

(7) If a vacancy occurs in the advisory committee membership for any reason, a
replacement may be appointed for the unexpired term.

(8) The commission chair shall select a chair of the advisory committee on an annual
basis.

(9) A majority of the advisory committee constitutes a quorum of the advisory
committee at any meeting and the action of the majority of members present are the action of
the advisory committee.

(10) The advisory committee shall:
(a) meet at least twice a year at the request of the commission chair or the chair of the
advisory committee;
(b) make recommendations to the commission on how the commission and the state
can effectively address the needs of children affected by intergenerational poverty and achieve
the purposes and duties of the commission as described in Section 35A-9-303; and
(c) ensure that the advisory committee's recommendations to the commission are
supported by verifiable data.

(11) The Department of Workforce Services shall provide staff support to the advisory
committee.

Section 5. Section 35A-9-305 is enacted to read:
35A-9-305. Annual report by the commission.

(1) The commission shall submit, before November 1, an annual written report to:

(a) the governor;
(b) the Legislative Management Committee;
(c) the Economic Development and Workforce Services Interim Committee;
(d) the Education Interim Committee;
(e) the Health and Human Services Interim Committee;
(f) the Judiciary Interim Committee; and
(g) the Law Enforcement and Criminal Justice Interim Committee.

(2) The report described in Subsection (1) shall:

(a) include the five and 10-year plans described in Subsection 35A-9-303(2)(e);
(b) describe how the commission fulfilled its statutory purposes and duties during the year;
(c) describe policies, procedures, and programs that have been implemented or modified to help break the cycle of poverty and end welfare dependency for children in the state affected by intergenerational poverty; and
(d) contain recommendations on how the state should act to address issues relating to breaking the cycle of poverty and ending welfare dependency for children in the state affected by intergenerational poverty.

Section 6. Section 35A-9-306 is enacted to read:


A member of the commission or the advisory committee may not receive compensation or benefits for the member's service, but may receive per diem and travel expenses in accordance with:

(1) Section 63A-3-106;
(2) Section 63A-3-107; and
(3) rules by the Division of Finance pursuant to Sections 63A-3-106 and 63A-3-107.
Legislative Review Note
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Office of Legislative Research and General Counsel