

1 **INTERGENERATIONAL WELFARE REFORM**

2 2013 GENERAL SESSION

3 STATE OF UTAH

4 **Chief Sponsor: Stuart C. Reid**

5 House Sponsor: Jeremy A. Peterson

6

7 **LONG TITLE**

8 **General Description:**

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

12 **Highlighted Provisions:**

13 This bill:

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

20 **Money Appropriated in this Bill:**

21 None

22 **Other Special Clauses:**

23 None

24 **Utah Code Sections Affected:**

25 ENACTS:

26 **35A-9-301**, Utah Code Annotated 1953

27 **35A-9-302**, Utah Code Annotated 1953



- 28 **35A-9-303**, Utah Code Annotated 1953
- 29 **35A-9-304**, Utah Code Annotated 1953
- 30 **35A-9-305**, Utah Code Annotated 1953
- 31 **35A-9-306**, Utah Code Annotated 1953



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

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

35 **Part 3. Utah Intergenerational Welfare Reform Commission**

36 **35A-9-301. Creation.**

37 There is created the Utah Intergenerational Welfare Reform Commission composed of:

38 (1) the following five voting members:

39 (a) the executive director of the Department of Workforce Services or the deputy
40 director if designated by the executive director;

41 (b) the executive director of the Department of Health or the deputy director if
42 designated by the executive director;

43 (c) the executive director of the Department of Human Services or the deputy director
44 if designated by the executive director;

45 (d) the state superintendent of public education or the deputy state superintendent if
46 designated by the superintendent; and

47 (e) the state juvenile court administrator; and

48 (2) the chair of the Intergenerational Poverty Advisory Committee created by Section
49 35A-9-304, as a nonvoting member.

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

51 **35A-9-302. Chair of commission -- Meetings.**

52 (1) The executive director of the Department of Workforce Services, or the deputy
53 director of the Department of Workforce Services if designated by the executive director, shall
54 serve as chair of the commission.

55 (2) The chair:

56 (a) is responsible for the call and conduct of meetings;

57 (b) shall call and hold meetings of the commission at least quarterly; and

58 (c) shall call additional meetings upon request by a majority of the commission's voting

59 members.

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

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

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

66 **35A-9-303. Purpose and duties of commission.**

67 (1) The commission's purpose is to:

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

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

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

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

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

88 (2) The commission shall:

89 (a) fulfill the commission's purposes as listed in Subsection (1);

90 (b) study, evaluate, and report on the status and effectiveness of policies, procedures,
91 and programs that provide services to children in the state affected by intergenerational poverty
92 and welfare dependency;

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

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

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

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

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

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

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

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

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

118 (i) federal requirements; and

119 (ii) the provisions of Title 63G, Chapter 2, Government Records Access and
120 Management Act; and

121 (h) provide a forum for public comment and participation in efforts to help children in
122 the state escape the cycle of poverty and welfare dependency.

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

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

126 (i) reports;

127 (ii) audits;

128 (iii) data;

129 (iv) projections; and

130 (v) statistics; and

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

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

134 (i) shall be appointed by the commission;

135 (ii) may be:

136 (A) members of the commission; or

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

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

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

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

143 **35A-9-304. Intergenerational Poverty Advisory Committee -- Creation -- Duties.**

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

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

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

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

151 (b) advocacy groups that focus on education issues;

152 (c) academic experts in childhood poverty or education issues;
153 (d) faith-based organizations that address childhood poverty or education issues; and
154 (e) local government representatives that address childhood poverty or education
155 issues.

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

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

161 (6) The commission chair may remove an advisory committee member:

162 (a) if the member is unable or unwilling to carry out the member's assigned
163 responsibilities; or

164 (b) for good cause.

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

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

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

172 (10) The advisory committee shall:

173 (a) meet at least twice a year at the request of the commission chair or the chair of the
174 advisory committee;

175 (b) make recommendations to the commission on how the commission and the state
176 can effectively address the needs of children affected by intergenerational poverty and achieve
177 the purposes and duties of the commission as described in Section 35A-9-303; and

178 (c) ensure that the advisory committee's recommendations to the commission are
179 supported by verifiable data.

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

182 Section 5. Section **35A-9-305** is enacted to read:

183 **35A-9-305. Annual report by the commission.**

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

185 (a) the governor;

186 (b) the Legislative Management Committee;

187 (c) the Economic Development and Workforce Services Interim Committee;

188 (d) the Education Interim Committee;

189 (e) the Health and Human Services Interim Committee;

190 (f) the Judiciary Interim Committee; and

191 (g) the Law Enforcement and Criminal Justice Interim Committee.

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

193 (a) include the five and 10-year plans described in Subsection 35A-9-303(2)(e);

194 (b) describe how the commission fulfilled its statutory purposes and duties during the

195 year;

196 (c) describe policies, procedures, and programs that have been implemented or
197 modified to help break the cycle of poverty and end welfare dependency for children in the
198 state affected by intergenerational poverty; and

199 (d) contain recommendations on how the state should act to address issues relating to
200 breaking the cycle of poverty and ending welfare dependency for children in the state affected
201 by intergenerational poverty.

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

203 **35A-9-306. Members serve without pay -- Reimbursement for expenses.**

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

207 (1) Section 63A-3-106;

208 (2) Section 63A-3-107; and

209 (3) rules by the Division of Finance pursuant to Sections 63A-3-106 and 63A-3-107.

Legislative Review Note
as of 1-29-13 2:54 PM

Office of Legislative Research and General Counsel