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### Title 49 Chapter 07-10: Governor's and Legislative Service Pension Act - 1994

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(2) A member may elect to increase the surviving spouse's monthly allowance up to 75% of a monthly allowance computed on the basis of the service retirement allowance formula under Section 49-6-402. The amount payable to the member upon retirement would be reduced to an amount payable monthly for life, which would reflect the actuarial equivalent necessary to fund the increased percentage for the surviving spouse above 65%.

**History:** C. 1953, 49-6-702, enacted by L. 1987, ch. 168, § 5.

**Compiler's Notes.** — Laws 1987, ch. 1, § 144 also enacted a § 49-6-702; Laws 1987, ch. 168, § 6 provides: "In the event of a conflict

between the provisions of this act and Senate Bill 50 [Laws 1987, Chapter 1] enacted during the 1987 Annual General Session, the provisions of this act supersede the provisions of Senate Bill 50."

## CHAPTER 7

# GOVERNOR'S AND LEGISLATIVE SERVICE PENSION ACT

<p style="text-align: center;"><b>Part 1</b></p> <p style="text-align: center;"><b>General Provisions</b></p> <p>Section 49-7-101. Short title. 49-7-102. Purpose.</p> <p style="text-align: center;"><b>Part 2</b></p> <p style="text-align: center;"><b>The System and Fund</b></p> <p>49-7-201. Creation of plan. 49-7-202. Creation of trust fund. 49-7-203. Eligibility for membership in this plan.</p>	<p style="text-align: center;"><b>Part 3</b></p> <p style="text-align: center;"><b>Contributions</b></p> <p>Section 49-7-301. Contribution rate — Annual legislative appropriation.</p> <p style="text-align: center;"><b>Part 4</b></p> <p style="text-align: center;"><b>Benefits</b></p> <p>49-7-401. Eligibility for retirement benefit — Governor — Legislator — Eligible legislative employees. 49-7-402. Cost-of-living adjustment. 49-7-403. Death of member or retiree — Surviving spouse benefit.</p>
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## PART 1

### GENERAL PROVISIONS

#### 49-7-101. Short title.

This chapter is known as the "Governor's and Legislative Service Pension Act."

**History:** C. 1953, 49-7-101, enacted by L. 1987, ch. 1, § 145.

#### COLLATERAL REFERENCES

**Utah Law Review.** — Implied Exceptions to the ERISA Prohibitions Against the Forfeiture and Alienation of Retirement Plan Interests, 1990 Utah L. Rev. 685.

**49-7-102. Purpose.**

The purpose of this chapter is to establish a pension plan for governors, legislators, and certain legislative employees which provides the following:

- (1) a uniform system of membership;
- (2) pension requirements;
- (3) benefits;
- (4) funding on an actuarially sound basis;
- (5) contributions made through annual legislative appropriations; and
- (6) economy and efficiency in public service.

History: C. 1953, 49-7-102, enacted by L.  
1987, ch. 1, § 146.

## PART 2

### THE SYSTEM AND FUND

**49-7-201. Creation of plan.**

There is created for governors, legislators, and legislative employees enumerated under this chapter the "Governor's and Legislative Service Pension Plan."

History: C. 1953, 49-7-201, enacted by L.  
1987, ch. 1, § 147.

**49-7-202. Creation of trust fund.**

There is created the "Governor's and Legislative Service Pension Trust Fund" for the purpose of paying the benefits and costs of administering this pension plan. The fund shall consist of all money paid into it in accordance with this chapter, whether in the form of cash, securities, or other assets, and of all money received from any other source. Custody, management, and investment of the fund shall be governed by Title 49, Chapter 1.

History: C. 1953, 49-7-202, enacted by L.  
1987, ch. 1, § 148.

**49-7-203. Eligibility for membership in this plan.**

The following persons are eligible for benefits from this pension plan:

- (1) former governors of the state who reach age 65, who serve at least one term, and who apply for the pension benefit to the retirement office;
- (2) legislators with four or more years of service in the Utah Legislature; and
- (3) employees of the Senate or House who have served as secretary of the Senate, chief clerk of the House, a minute clerk of the Senate or House, or a docket clerk of the Senate or House for ten or more sessions.

History: C. 1953, 49-7-203, enacted by L.  
1987, ch. 1, § 149.

### PART 3 CONTRIBUTIONS

#### 49-7-301. Contribution rate — Annual legislative appropriation.

(1) The pension plan shall be maintained on a financially and actuarially sound basis by means of annual appropriations by the Legislature.

(2) The board shall certify to the director of the Division of Finance the amount necessary to fund the cost of the pension provided under this chapter, plus any liability which may have accrued. The director of the Division of Finance shall then pay the trust fund the certified and appropriated amount.

History: C. 1953, 49-7-301, enacted by L.  
1987, ch. 1, § 150.

Cross-References. — Division of Finance,  
§ 63A-3-101 et seq.

### PART 4 BENEFITS

#### 49-7-401. Eligibility for retirement benefit — Governor — Legislator — Eligible legislative employees.

(1) Upon reaching age 65, each former governor of Utah is eligible, upon application, to receive a lifetime monthly pension of \$500 per month if the governor has served one term, or \$1,000 per month if the governor has served two or more terms. Payments under this lifetime pension cease during any period that a former governor holds an office of profit or trust with the government of United States, this state, or a political subdivision of the state paying more than the retirant is entitled to receive per month under this section.

(2) Upon reaching age 65, and upon application, a legislative pension shall be paid to a member who has four or more years of service as a legislator in the Utah Legislature. The pension is \$10 per month for each year of service as a member of the Legislature. If the retired member is elected to another term in the Legislature or continues to serve in the Legislature after reaching age 65, the legislative allowance ceases at the beginning of each session under rules established by the board, but is restored at the same amount at the end of the session. Members receiving an allowance while serving as legislators are eligible for additional service credits and allowance adjustments at the end of each two-year term of office if they continue as contributing members during their service as legislators.

(3) Eligible legislative employees under Subsection 49-7-203(3) shall receive \$10 a month for each session served prior to July 1, 1976.

(4) A member of a system administered by the board who is eligible for a pension under this section, may apply for an allowance at age 62, if the member has ten or more years of service credit, and receive a reduced allowance as provided under the system which covers the member.

(5) The allowance provided for former governors, legislators, legislative employees as defined under Subsection 49-7-203(3), and their beneficiaries shall include any normal retirement benefits accrued in any system administered by the board by reason of their contributions and service as a governor, legislator, or legislative employee in the system. A withdrawal of contributions by a governor, legislator, or legislative employee shall forfeit all pensions and allowances provided under this chapter.

**History:** C. 1953, 49-7-401, enacted by L. 1987, ch. 1, § 151.

#### NOTES TO DECISIONS

##### **Legislators' eligibility.**

Not all former legislators who had four or more years of legislative service prior to July 1, 1967, and who were 65 years of age or older were eligible for retirement benefits under for-

mer § 49-10-36; for such past legislators to be eligible for benefits, they must have accumulated four or more years of "prior service credit" pursuant to former § 49-10-17. *Cannon v. McDonald*, 615 P.2d 1268 (Utah 1980).

##### **49-7-402. Cost-of-living adjustment.**

The administrator shall adjust the retirement benefit base an amount equal to the decrease in the purchasing power of the dollar during the preceding year, as measured by the Consumer Price Index, prepared by the United States Bureau of Labor Statistics. The adjustment shall be limited to a maximum of 4% of the retirant's or beneficiary's original retirement allowance. Decreases in the purchasing power of the dollar in excess of 4% annually shall be accumulated and used in subsequent allowances when the cost-of-living adjustment is less than 4%.

**History:** C. 1953, 49-7-402, enacted by L. 1987, ch. 1, § 152.

##### **49-7-403. Death of member or retiree — Surviving spouse benefit.**

Upon the death of a member or retiree having eight or more years of service as a governor or legislator, there is paid to the surviving spouse a monthly pension equal to 50% of the retirement allowance paid, or to which the retiree or member would have been entitled upon reaching age 65, if the deceased member or retiree and surviving spouse had been married at least six months.

**History:** C. 1953, 49-7-403, enacted by L. 1987, ch. 1, § 153.

## CHAPTER 8

# GROUP INSURANCE PROGRAM ACT

<b>Part 1</b>		<b>Part 3</b>	
<b>General Provisions</b>		<b>Contributions</b>	
Section		Section	
49-8-101.	Short title.	49-8-301.	Self-funded program — Contributions by employer and employee.
49-8-102.	Purpose.		
49-8-103.	Definitions.		
<b>Part 2</b>		<b>Part 4</b>	
<b>System and Fund</b>		<b>Miscellaneous</b>	
49-8-201.	Creation of insurance program.	49-8-401.	Group insurance division — Powers and duties.
49-8-202.	Creation of fund.	49-8-402.	Reserves to be held — Refunds.
49-8-203.	Eligibility for participation in program — Optional for certain groups.	49-8-403.	Assistance to members in purchase of life, health, and medical insurance after retirement — Employment of personnel to administer section.
49-8-204.	Group insurance division — Establishment of separate risk pools — Rules governing admission to program.	49-8-404.	Audit required by Insurance Department — Report to governor and Legislature.
		49-8-405.	Life insurance benefits for peace officers' beneficiaries.

## PART 1

### GENERAL PROVISIONS

#### 49-8-101. Short title.

This chapter is known as the "Group Insurance Program Act."

**History:** C. 1953, 49-8-101, enacted by L. 1987, ch. 1, § 154.

#### COLLATERAL REFERENCES

**Utah Law Review.** — Implied Exceptions to the ERISA Prohibitions Against the Forfeiture and Alienation of Retirement Plan Interests, 1990 Utah L. Rev. 685.

#### 49-8-102. Purpose.

The purpose of this chapter is to provide a mechanism whereby the state, its educational institutions, and political subdivisions may provide their employees with group health, dental, medical, disability, and life insurance in the most efficient and economical manner.

**History:** C. 1953, 49-8-102, enacted by L. 1987, ch. 1, § 155.

**49-8-103. Definitions.**

As used in this chapter, "employee group benefit plans" means any group health, dental, medical, disability, or life insurance program for employees administered by the board and approved by the Legislature.

History: C. 1953, 49-8-103, enacted by L.  
1987, ch. 1, § 156.

**PART 2  
SYSTEM AND FUND****49-8-201. Creation of insurance program.**

There is created for the employees of the state, its educational institutions, and political subdivisions the "Group Insurance Program."

History: C. 1953, 49-8-201, enacted by L.  
1987, ch. 1, § 157.

**49-8-202. Creation of fund.**

There is created the "Group Insurance Trust Fund" for the purpose of paying the benefits and the costs of administering this program. The fund shall consist of all money paid into it in accordance with this chapter, whether in the form of cash, securities, or other assets, and of all money received from any other source. Custody, management, and investment of the fund shall be governed by Title 49, Chapter 1.

History: C. 1953, 49-8-202, enacted by L.  
1987, ch. 1, 158.

**49-8-203. Eligibility for participation in program — Optional for certain groups.**

All employers of the state, its educational institutions, and political subdivisions are eligible to participate in this program, but this section does not require political subdivisions, school districts, or institutions of higher education, including technical colleges, to participate in the program.

History: C. 1953, 49-8-203, enacted by L.  
1987, ch. 1, § 159.

**49-8-204. Group insurance division — Establishment of separate risk pools — Rules governing admission to program.**

The group insurance division shall establish:

- (1) separate risk pools for state employees and for political subdivisions for purposes of providing the benefits permitted by this chapter; and

(2) rules and procedures governing the admission of political subdivisions to the program.

**History:** C. 1953, 49-8-204, enacted by L. 1988, ch. 200, § 1.

### PART 3 CONTRIBUTIONS

#### **49-8-301. Self-funded program — Contributions by employer and employee.**

The self-funded program shall be maintained on a financially and actuarially sound basis by means of contributions by the employer and the employee.

**History:** C. 1953, 49-8-301, enacted by L. 1987, ch. 1, § 160.

### PART 4 MISCELLANEOUS

#### **49-8-401. Group insurance division — Powers and duties.**

- (1) The group insurance division of the retirement office shall:
- (a) act as a self-insurer of employee group benefit plans and administer those plans;
  - (b) enter into contracts with private insurers to underwrite employee group benefit plans and to reinsure any appropriate self-insured plans;
  - (c) publish and disseminate descriptions of all employee benefit plans under this chapter in cooperation with the Department of Human Resource Management and political subdivisions;
  - (d) administer the process of claims administration of all employee benefit plans under this chapter or enter into contracts, after competitive bids are taken, with other benefit administrators to provide for the administration of the claims process;
  - (e) obtain an annual actuarial evaluation of all self-insured benefit plans and prepare an annual report for the governor and the Legislature describing the employee benefit plans being administered by the retirement office detailing historical and projected program costs and the status of reserve funds;
  - (f) consult with the Department of Human Resource Management and the executive bodies of other political subdivisions to evaluate employee benefit plans and develop recommendations for new or improved benefit plans;
  - (g) submit annually a budget which includes total projected benefit and administrative costs;
  - (h) maintain reserves sufficient to liquidate the unrevealed claims liability and other liabilities of the self-funded employee group benefit plans as estimated by the board's consulting actuary;



(i) submit its recommended benefit adjustments for state employees upon approval of the board to the director of the Department of Human Resource Management. The Department of Human Resource Management shall include the benefit adjustments in the total compensation plan recommended to the governor required by Subsection 67-19-12(6)(a);

(j) adjust benefits, upon approval of the board, and upon appropriate notice to the state, its educational institutions, and political subdivisions; and

(k) for the purposes of stimulating competition, establishing better geographical distribution of medical care services, and providing alternative health and dental plan coverage for both active and retired employees, request proposals for alternative health and dental coverage at least once every three years. Proposals which meet the criteria specified in the request shall be offered to active and retired state employees and may be offered to active and retired employees of political subdivisions at the option of the political subdivision.

(2) Funds budgeted and expended shall accrue from premiums paid by the various employers. Administrative costs may not exceed that percentage of premium income which is recommended by the board and approved by the governor and the Legislature.

**History:** C. 1953, 49-8-401, enacted by L. 1987, ch. 1, § 161; 1988, ch. 122, § 1; 1988, ch. 200, § 2; 1990, ch. 89, § 1.

**Amendment Notes.** — The 1990 amendment, effective July 1, 1990, inserted present Subsection (1)(i), redesignated former Subsec-

tions (1)(i) and (1)(j) as present Subsections (1)(j) and (1)(k), and made a series of minor punctuation changes throughout Subsection (1).

**Cross-References.** — Department of Human Resource Management, § 67-19-5.

### **49-8-402. Reserves to be held — Refunds.**

In no case may the average total reserves in a given fiscal year fall below the level of two months' premiums. If substantial excess reserves are accrued above those required by this chapter, and the board determines that a refund is appropriate, refunds shall be made to an employer and employee on the basis of the contribution of each to the plan. The board may make a full refund to any employer, other than the state, and the employer is responsible for refunding employee contributions in accordance with this section.

**History:** C. 1953, 49-8-402, enacted by L. 1987, ch. 1, § 162.

### **49-8-403. Assistance to members in purchase of life, health, and medical insurance after retirement — Employment of personnel to administer section.**

The board may assist active and retired members and beneficiaries and inactive members of the various retirement systems administered under its direction, to purchase life, health, and medical insurance on a group basis which can be continued after retirement under rules adopted by the board. The executive director may employ any personnel, including consultants, to administer this section.

**History:** C. 1953, 49-8-403, enacted by L. 1987, ch. 1, § 163.

### 49-8-404. Audit required by Insurance Department — Report to governor and Legislature.

The Insurance Department shall biennially audit all funds and programs authorized under this chapter and report its findings to the governor and the Legislature.

**History:** C. 1953, 49-8-404, enacted by L. 1987, ch. 1, § 164.

**Cross-References.** — Insurance Department, § 31A-2-101 et seq.

### 49-8-405. Life insurance benefits for peace officers' beneficiaries.

(1) The beneficiary of a peace officer under Title 77, Chapter 1a, who is employed by the state and who dies in the line of duty as defined under Subsection (3), shall receive the proceeds of a group term life insurance policy in the amount of \$50,000 to be purchased by the division and paid for by the employing unit.

(2) Any political subdivision which employs a peace officer under Title 77, Chapter 1a, may provide the benefit under Subsection (1).

(3) "Line of duty death" means a death resulting from external force or violence occasioned by an act of duty as a peace officer.

**History:** C. 1953, 49-8-405, enacted by L. 1988, ch. 85, § 1; 1990, ch. 84, § 1.

**Amendment Notes.** — The 1990 amendment, effective March 7, 1990, substituted "beneficiary" for "dependent spouse" in Subsection (1).

**Compiler's Notes.** — Laws 1988, ch. 85, § 3 provides that the act "applies to members of the public safety retirement system employed by the state whose death is in the line of duty and occurred since January 1, 1988."

## CHAPTER 9 UTAH PUBLIC EMPLOYEES' DISABILITY ACT

### Part 1

#### General Provisions

Section 49-9-101. 49-9-102. 49-9-103.	Short title. Purpose. Definitions.
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### Part 2

#### The Program and Fund

49-9-201. 49-9-202. 49-9-203.	Creation of program. Creation of trust fund. Eligibility for membership in the program.
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### Part 3

#### Contributions

Section 49-9-301.  49-9-302.	Contributions to fund program — Adjustment of premium rate. Rates established on basis of agency experience — Limitations — Annual report to governor and Legislature.
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### Part 4

#### Benefits

49-9-401.	Disability benefits — Proof required — Eligibility.
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# CHAPTER 10

## FEDERAL RETIREES LAWSUIT SETTLEMENT PROVISIONS

[Repealed effective July 1, 1995]

**Sunset.** — Laws 1993 (2nd S.S.), ch. 2, § 11 repeals this chapter effective July 1, 1995.

**Compiler's Notes.** — Laws 1993 (2nd S.S.), ch. 2, which enacted this chapter, provides in § 10: "The passage of this act does not constitute a waiver of any claims, cross claims, counter claims, affirmative defenses, or any other legal claims or rights that the state has asserted or may assert nor is the passage of this act an admission of any liability in the case entitled *Brumley v. Utah Tax Commission*, Third District Court, State of Utah, Civil Number 89-0903618."

<p style="text-align: center;"><b>Part 1</b></p> <p><b>General Provisions [Repealed effective July 1, 1995]</b></p> <p>Section 49-10-101.</p>	<p style="text-align: center;"><b>Part 2</b></p> <p><b>Definitions [Repealed effective July 1, 1995].</b></p> <p style="text-align: center;"><b>Part 2</b></p> <p style="text-align: center;"><b>Settlement</b></p> <p><b>[Repealed effective July 1, 1995]</b></p> <p>49-10-201. Governor may negotiate settlement [Repealed effective July 1, 1995].</p> <p>49-10-202. State Tax Commission to administer settlement [Repealed effective July 1, 1995].</p>	<p style="text-align: center;">Section</p> <p>49-10-203. Division of Finance to make transfers [Repealed effective July 1, 1995].</p> <p style="text-align: center;"><b>Part 3</b></p> <p style="text-align: center;"><b>Financial Structure [Repealed effective July 1, 1995]</b></p> <p>49-10-301. Federal Retirees Settlement Fund — Creation [Repealed effective July 1, 1995].</p> <p>49-10-302. Restricted Accounts [Repealed effective July 1, 1995].</p>
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### PART 1

#### GENERAL PROVISIONS [REPEALED EFFECTIVE JULY 1, 1995]

##### 49-10-101. Definitions [Repealed effective July 1, 1995].

As used in this chapter:

- (1) "Claimant" means a person entitled to receive payment from the state under the settlement agreement.
- (2) "Checkoff" means:
  - (a) one of the restricted accounts created by Section 49-10-302;
  - (b) the wildlife resources account created by Section 23-14-13 for use by the state Nongame Wildlife Program;
  - (c) the homeless trust account created by Section 9-4-803;
  - (d) a contribution to the State Board of Regents for libraries and library equipment authorized by Section 59-10-549;
  - (e) a contribution to the foundation of any school district or any chapter of the Utah Public Education Foundation authorized by Section 59-10-549;
  - (f) the Children's Organ Transplant Trust Account created by Section 26-18a-4; and

(g) a contribution to the General Fund for any general government purpose.

(3) "Documentation" means the forms, releases, waivers, transfers, and other written or printed agreements or conditions that must be signed by claimants in order to complete the terms of the settlement agreement.

(4) "Fund" means the Federal Retirees Settlement Fund created by Section 49-10-301.

(5) "Lawsuit" means the case entitled *Brumley, et al. v. Utah Tax Commission*, Third District Court, State of Utah, Civil Number 89-0903618.

(6) "Settlement Agreement" means the written contract executed by the governor under authority of this chapter to settle the lawsuit.

**History:** C. 1953, 49-10-101, enacted by L. 1993 (2nd S.S.), ch. 2, § 1.  
**Sunset.** — See note under chapter heading.

**Effective Dates.** — Laws 1993 (2nd S.S.), ch. 2, § 12 makes the act effective on October 12, 1993.

## PART 2

### SETTLEMENT

#### [REPEALED EFFECTIVE JULY 1, 1995]

#### 49-10-201. Governor may negotiate settlement [Repealed effective July 1, 1995].

(1) The governor may:

(a) conduct settlement negotiations on behalf of the state to settle the lawsuit; and

(b) until December 31, 1993, enter into a written settlement agreement on behalf of the state that settles all claims asserted by federal retirees against the state in that lawsuit.

(2) The governor shall ensure that in exchange for any benefit received by a claimant under the settlement, the claimant affirmatively releases the state from all claims arising out of the subject matter of the lawsuit.

(3) The governor may not authorize any payments as part of the settlement agreement that exceed \$50,000,000 plus any interest received by the state on the monies in the fund.

(4) Notwithstanding the provisions of Section 59-1-402 as amended by House Bill 7 [ch. 1], 1993 Second Special Session of the Utah Legislature, the governor may provide for payment of interest on the claimant's claims as part of the settlement agreement.

**History:** C. 1953, 49-10-201, enacted by L. 1993 (2nd S.S.), ch. 2, § 2.  
**Sunset.** — See note under chapter heading.

**Effective Dates.** — Laws 1993 (2nd S.S.), ch. 2, § 12 makes the act effective on October 12, 1993.

**49-10-202. State Tax Commission to administer settlement [Repealed effective July 1, 1995].**

The State Tax Commission shall:

- (1) administer any settlement agreement signed by the governor under this part;
- (2) make payments from the Federal Retirees Settlement Fund as required by the settlement agreement;
- (3) obtain waivers, releases, and other documentation from claimants as required by the settlement agreement;
- (4) develop printed documentation necessary to accomplish these requirements;
- (5) obtain approval from the governor's general counsel and the attorney general of the form and substance of all documentation;
- (6) include, as part of any written documentation, language allowing the claimant to direct that any amount owing to the claimant under the settlement agreement be deposited into a checkoff rather than being paid to the claimant; and
- (7) transfer monies from the Federal Retirees Settlement Fund to one or more of the checkoffs as directed by claimants.

**History:** C. 1953, 49-10-202, enacted by L. 1993 (2nd S.S.), ch. 2, § 3. ch. 2, § 12 makes the act effective on October 12, 1993.

**Sunset.** — See note under chapter heading. **Cross-References.** — State Tax Commission, § 59-1-201 et seq.

**49-10-203. Division of Finance to make transfers [Repealed effective July 1, 1995].**

(1) The Division of Finance may make appropriate transfers from the Federal Retirees Settlement Fund to other state funds if those transfers are necessary to comply with generally accepted accounting principles.

(2) In accounting for the financial transactions required by this act, the Division of Finance shall consider the \$50,000,000 as representing the state's estimate of its full liability under the lawsuit.

**History:** C. 1953, 49-10-203, enacted by L. 1993 (2nd S.S.), ch. 2, § 4. ch. 2, § 12 makes the act effective on October 12, 1993.

**Sunset.** — See note under chapter heading. **Cross-References.** — Division of Finance, § 63A-3-101 et seq.

**PART 3**  
**FINANCIAL STRUCTURE [REPEALED EFFECTIVE**  
**JULY 1, 1995]**

**49-10-301. Federal Retirees Settlement Fund — Creation**  
**[Repealed effective July 1, 1995].**

- (1) Beginning with fiscal year 1992-93, there is created a special revenue fund entitled the "Federal Retirees Settlement Fund."
- (2) The fund shall consist of monies appropriated to it by the Legislature.
- (3) (a) The fund shall earn interest.  
 (b) All interest earned on fund monies shall be deposited into the fund.
- (4) The State Tax Commission may use fund monies to pay any settlement agreement entered into by the governor to settle the lawsuit.
- (5) Any monies remaining in the fund on July 1, 1995, shall be deposited into the Budget Reserve Account created in Section 63-38-2.5.

**History:** C. 1953, 49-10-301, enacted by L. 1993 (2nd S.S.), ch. 2, § 5.

**Sunset.** — See note under chapter heading.

**Compiler's Notes.** — Laws 1993 (2nd S.S.), ch. 2, § 9 transfers \$50,000,000 from the General Fund to the Federal Retirees Settlement Fund for fiscal year 1992-93 and, to cover the

resulting operating deficit in the General Fund, transfers \$30,000,000 from the Budget Reserve Account to the General Fund.

**Effective Dates.** — Laws 1993 (2nd S.S.), ch. 2, § 12 makes the act effective on October 12, 1993.

**49-10-302. Restricted Accounts [Repealed effective July 1, 1995].**

- (1) (a) There is created a restricted account within the General Fund entitled the "Gang Prevention" restricted account.  
 (b) The State Tax Commission shall deposit all revenues designated by claimants for gang prevention into this restricted account.  
 (c) The Legislature may appropriate monies from this restricted account to fund programs and activities to address Utah's gang problems.
- (2) (a) There is created in Section 62A-4-409 a restricted account within the General Fund entitled the "Children's Trust" restricted account.  
 (b) The State Tax Commission shall deposit all revenues designated by claimants for child abuse prevention into this restricted account.
- (3) (a) There is created a restricted account within the General Fund entitled the "Public Education Class Size Reduction" restricted account.  
 (b) The State Tax Commission shall deposit all revenues designated by claimants for class size reduction in public education into this restricted account.  
 (c) The Legislature may appropriate monies from this restricted account to fund programs and activities to reduce class size in public schools.
- (4) Any monies remaining in any restricted accounts created by this section on July 1, 1995, shall be deposited into the Budget Reserve Account created in Section 63-38-2.5.

**History:** C. 1953, 49-10-302, enacted by L. 1993 (2nd S.S.), ch. 2, § 6.

**Sunset.** — See note under chapter heading.

**Effective Dates.** — Laws 1993 (2nd S.S.), ch. 2, § 12 makes the act effective on October 12, 1993.