

73-10c-5 Water Development Security Fund created -- Water Quality Security and Drinking Water Security Subaccounts created -- Use -- Revolving loan funds -- Hardship grants.

- (1) There is established an enterprise fund known as the Water Development Security Fund which includes the Water Quality Security Subaccount and the Drinking Water Security Subaccount.
- (2) The Water Quality Security Subaccount consists of four subaccounts:
 - (a) the Utah Wastewater Loan Program Subaccount, which consists of:
 - (i) money appropriated to the subaccount by the Legislature;
 - (ii) money received from the repayment of the principal of loans made by the Water Quality Board under Sections 73-10c-4 and 73-10c-6 from the Utah Wastewater Loan Program Subaccount; and
 - (iii) money deposited in the subaccount under any other law;
 - (b) the Utah State Revolving Fund for Wastewater Projects Subaccount, which consists of:
 - (i) money appropriated to the subaccount by the Legislature;
 - (ii) money received from the Utah Wastewater Loan Program Subaccount applied to meet match requirements for federal funds under 33 U.S.C.A. 1251 et seq., federal Clean Water Act;
 - (iii) money received from the repayment of loans made by the Water Quality Board under Section 73-10c-4 from the Utah State Revolving Fund for Wastewater Projects Subaccount;
 - (iv) money received from the repayment of loans made by the Water Quality Board under Section 73-10c-4.5;
 - (v) money deposited in the subaccount under any other law;
 - (vi) money received under and subject to the restrictions of 33 U.S.C.A. 1251 et seq., federal Clean Water Act, and which is eligible for use in state revolving loan funds established to meet the requirements of the act; and
 - (vii) all investment income derived from money in the Utah State Revolving Fund for Wastewater Projects Subaccount;
 - (c) the Hardship Grant Program for Wastewater Projects Subaccount, which consists of:
 - (i) money appropriated to the subaccount by the Legislature;
 - (ii) money received as interest payments on loans made by the Water Quality Board under Sections 73-10c-4 and 73-10c-6, from the Utah Wastewater Loan Program Subaccount;
 - (iii) money deposited in the subaccount under any other law;
 - (iv) the Hardship Grant Assessment charged to State Revolving Fund loan recipients; and
 - (v) all investment income derived from money in the Utah Wastewater Loan Program Subaccount or the Hardship Grant Program for Wastewater Projects Subaccount; and
 - (d) the Water Quality Origination Fee Subaccount, which consists of the origination fee paid under Section 73-10c-10.
- (3) The Drinking Water Security Subaccount consists of four subaccounts:
 - (a) the Drinking Water Loan Program Subaccount, which consists of:
 - (i) money appropriated to the subaccount by the Legislature;
 - (ii) money received from the repayment of the principal of loans made by the Drinking Water Board under Sections 73-10c-4 and 73-10c-6, from the Drinking Water Loan Program Subaccount; and
 - (iii) money deposited in the subaccount under any other law;
 - (b) the State Revolving Fund for Drinking Water Projects Subaccount, which consists of:
 - (i) money appropriated to the subaccount by the Legislature;
 - (ii) money received from the Utah Drinking Water Loan Program Subaccount and applied to meet match requirements for federal funds under 42 U.S.C.A. 300f et seq., federal Safe Drinking Water Act;

- (iii) money received from the repayment of loans made by the Drinking Water Board under Section 73-10c-4 from the State Revolving Fund for Drinking Water Projects Subaccount;
 - (iv) money deposited in the subaccount under any other law;
 - (v) money received under and subject to the restrictions of 42 U.S.C.A. 300f et seq., federal Safe Drinking Water Act, and which is eligible for use in state revolving loan funds established to meet the requirements of the act; and
 - (vi) all investment income derived from money in the State Revolving Fund for Drinking Water Projects Subaccount;
- (c) the Hardship Grant Program for Drinking Water Projects Subaccount, which consists of:
- (i) money appropriated to the subaccount by the Legislature;
 - (ii) money received from interest payments on loans made by the Drinking Water Board under Sections 73-10c-4 and 73-10c-6, from the Drinking Water Loan Program Subaccount;
 - (iii) money deposited in the subaccount under any other law;
 - (iv) the Hardship Grant Assessment charged to State Revolving Fund loan recipients; and
 - (v) all investment income derived from money in the Drinking Water Loan Program Subaccount or the Hardship Grant Program for Drinking Water Projects Subaccount; and
- (d) the Drinking Water Origination Fee Subaccount, which consists of the origination fee paid under Section 73-10c-10.
- (4) State money in the Water Quality Security Subaccount and the Drinking Water Security Subaccount may be applied to meet match requirements for federal funds under the Clean Water Act, 33 U.S.C. Sec. 1251 et seq. and the Safe Drinking Water Act, 42 U.S.C. Sec. 300f et seq.
- (5) If the money in the security fund is insufficient for the purposes for which the security fund is established, the council shall ask the governor to request the Legislature to appropriate additional money to the account.
- (6)
- (a) The Drinking Water Board and Water Quality Board may use the money in the appropriate security fund subaccount only to the extent of the money available in the account, for the support of drinking water projects and wastewater projects in accordance with the terms of credit enhancement agreements, grant agreements, and loan agreements.
 - (b) Repayments to the security fund from loans made by the acting board, money allocated by the Legislature, and interest accrued on the money shall remain available for use by that board for further project funding.
 - (c) The Drinking Water Board and Water Quality Board may use the money in the origination fee subaccount to administer this chapter.
- (7) Funds received under the Safe Drinking Water Act, 42 U.S.C. Sec. 300f et seq. may be used for providing financial assistance to community water systems and nonprofit noncommunity water systems as defined and within the limits of that act.

Amended by Chapter 342, 2011 General Session