

**"CHAPTER 42F
GRANTS**

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Note

Chapter heading amended by L 2014, c 96, §4.
Pacific-Asia institute for resilience and sustainability,
eligibility for grants. L 2014, c 229, §3(c).

Cross References

Purchases of health and human services, see chapter 103F.

" **§42F-101 Definitions.** As used in this [chapter], unless the context clearly requires otherwise:

"Grant" means an award of state funds by the legislature, by an appropriation to a specified recipient, to support the activities of the recipient and permit the community to benefit from those activities.

"Recipient" means any organization or person receiving a grant. [L 1997, c 190, pt of §3; am L 2014, c 96, §5]

" **§42F-102 Applications for grants.** Requests for grants shall be submitted to the appropriate standing committees of the legislature at the start of each regular session of the legislature. Each request shall state:

- (1) The name of the requesting organization or individual;
- (2) The public purpose for the grant;
- (3) The services to be supported by the grant;
- (4) The target group; and
- (5) The cost of the grant and the budget. [L 1997, c 190, pt of §3; am L 2014, c 96, §6]

" **§42F-103 Standards for the award of grants.** (a) Grants shall be awarded only to individuals who, and organizations that:

- (1) Are licensed or accredited, in accordance with federal, state, or county statutes, rules, or ordinances, to conduct the activities or provide the services for which a grant is awarded;
- (2) Comply with all applicable federal and state laws prohibiting discrimination against any person on the basis of race, color, national origin, religion, creed, sex, age, sexual orientation, or disability;
- (3) Agree not to use state funds for entertainment or lobbying activities; and
- (4) Allow the state agency to which funds for the grant were appropriated for expenditure, legislative

committees and their staff, and the auditor full access to their records, reports, files, and other related documents and information for purposes of monitoring, measuring the effectiveness, and ensuring the proper expenditure of the grant.

(b) In addition, a grant may be made to an organization only if the organization:

- (1) Is incorporated under the laws of the State; and
- (2) Has bylaws or policies that describe the manner in which the activities or services for which a grant is awarded shall be conducted or provided.

(c) Further, a grant may be awarded to a nonprofit organization only if the organization:

- (1) Has been determined and designated to be a nonprofit organization by the Internal Revenue Service; and
- (2) Has a governing board whose members have no material conflict of interest and serve without compensation.

(d) If a grant is used by an organization for the acquisition of land, when the organization discontinues the activities or services on the land acquired for which the grant was awarded and disposes of the land in fee simple or by lease, the organization shall negotiate with the expending agency for a lump sum or installment repayment to the State of the amount of the grant used for the acquisition of the land. This restriction shall be registered, recorded, and indexed in the bureau of conveyances or with the assistant registrar of the land court as an encumbrance on the property. Amounts received from the repayment of a grant under this subsection shall be deposited into the general fund. [L 1997, c 190, pt of §3; am L 2007, c 184, §1; am L 2014, c 96, §7]

" **§42F-104 Contracts for grants.** An appropriation for a grant shall be disbursed by a contract between the state agency designated the expending agency for the appropriation by the legislature, and the recipient of the grant. The contract shall be effective as of the first day of the fiscal year for which the funds for the grant are appropriated; provided that up to one-fourth of the total amount appropriated may be disbursed prior to the execution of the contract. [L 1997, c 190, pt of §3; am L 2014, c 96, §8]

" **§42F-105 Allotment.** Contracts to disburse and appropriations for grants shall be subject to the allotment system generally applicable to all appropriations made by the legislature. [L 1997, c 190, pt of §3; am L 2014, c 96, §9]

" **§42F-106 Monitoring and evaluation.** Every grant shall be monitored by the expending agency to ensure compliance with this chapter and the public purpose and legislative intent of the grant. [L 1997, c 190, pt of §3; am L 2014, c 96, §10]

" **[§42F-107] Grants; release by the governor.** If a grant awarded by the legislature pursuant to this chapter is not allocated or released by the governor within ninety days of the effective date of the legislation awarding the grant, the governor shall notify, in the manner prescribed in section 1-28.5, the recipient of the unreleased grant on the status of whether the grant is still pending or will not be released. The governor shall provide the notice once every quarterly allotment period (as the periods are defined in section 37-32), beginning on the ninety-first day after the effective date of the legislation awarding the grant and until a final determination is made on the status of the grant. [L 2005, c 195, §1]