

41-22-19.5 Off-highway Access and Education Restricted Account -- Creation -- Funding -- Distribution of funds by the Board of Parks and Recreation.

- (1) There is created in the General Fund a restricted account known as the Off-highway Access and Education Restricted Account.
- (2) The account shall be funded by:
 - (a) contributions deposited into the Off-highway Access and Education Restricted Account in accordance with Section 41-1a-230.6;
 - (b) private contributions; and
 - (c) donations or grants from public or private entities.
- (3) The Legislature shall appropriate money in the account to the board.
- (4)
 - (a) The state treasurer shall invest money in the account according to Title 51, Chapter 7, State Money Management Act.
 - (b) The Division of Finance shall deposit interest or other earnings derived from investment of account money into the General Fund.
- (5) The board may expend up to 10% of the money appropriated under Subsection (3) to:
 - (a) administer account distributions in accordance with Subsections (6) through (9); and
 - (b) administer off-highway vehicle provisions under this chapter.
- (6) The board shall distribute the funds to a charitable organization that:
 - (a) qualifies as being tax exempt under Section 501(c)(3) of the Internal Revenue Code;
 - (b) has at least one full-time employee; and
 - (c) has as a primary part of its mission to:
 - (i) protect access to public lands by motor vehicle and off-highway vehicle operators; and
 - (ii) educate the public about appropriate off-highway vehicle use.
- (7) The board may only consider proposals that are:
 - (a) proposed by a charitable organization under Subsection (6); and
 - (b) designed to:
 - (i) protect access to public lands by motor vehicle and off-highway vehicle operators; and
 - (ii) educate the public about appropriate off-highway vehicle use.
- (8) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the board shall make rules providing procedures for an organization to apply to receive funds under this section.
- (9) The board may not:
 - (a) require matching funds from a charitable organization as a condition of receiving funds; or
 - (b) prohibit the use of funds to cover litigation expenses incurred in protecting access to public lands by motor vehicle and off-highway vehicle operators.

Amended by Chapter 303, 2011 General Session