

**Renumbered 5/12/2015**

**63M-1-3003 Private Activity Bond Review Board.**

- (1) There is created within the office the Private Activity Bond Review Board, composed of 11 members as follows:
  - (a) five ex officio members who are:
    - (i) the director of the office or the director's designee;
    - (ii) the director of the Division of Business and Economic Development or the director's designee;
    - (iii) the state treasurer or the treasurer's designee;
    - (iv) the chair of the Board of Regents or the chair's designee; and
    - (v) the chair of the Utah Housing Corporation or the chair's designee; and
  - (b) six local government members who are:
    - (i) three elected or appointed county officials, nominated by the Utah Association of Counties and appointed by the governor with the consent of the Senate; and
    - (ii) three elected or appointed municipal officials, nominated by the Utah League of Cities and Towns and appointed by the governor with the consent of the Senate.
- (2)
  - (a) Except as required by Subsection (2)(b), the terms of office for the local government members of the board of review shall be four-year terms.
  - (b) Notwithstanding the requirements of Subsection (2)(a), the governor shall, at the time of appointment or reappointment, adjust the length of terms to ensure that the terms of board members are staggered so that approximately half of the board is appointed every two years.
  - (c) Members may be reappointed only once.
- (3)
  - (a) If a local government member ceases to be an elected or appointed official of the city or county the member is appointed to represent, that membership on the board of review terminates immediately and there shall be a vacancy in the membership.
  - (b) When a vacancy occurs in the membership for any reason, the replacement shall be appointed within 30 days in the manner of the regular appointment for the unexpired term, and until his successor is appointed and qualified.
- (4)
  - (a) The chair of the board of review is the director of the office or the director's designee.
  - (b) The chair is nonvoting except in the case of a tie vote.
- (5) Six members of the board of review constitute a quorum.
- (6) Formal action by the board of review requires a majority vote of a quorum.
- (7) A member may not receive compensation or benefits for the member's service, but may receive per diem and travel expenses in accordance with:
  - (a) Section 63A-3-106;
  - (b) Section 63A-3-107; and
  - (c) rules made by the Division of Finance pursuant to Sections 63A-3-106 and 63A-3-107.
- (8) The chair of the board of review serves as the state official designated under state law to make certifications required to be made under Section 146 of the code including the certification required by Section 149(e)(2)(F) of the code.