

Effective 5/12/2015

63N-6-102 Findings -- Purpose.

- (1) The Legislature finds that:
- (a) fundamental changes have occurred in national and international financial markets and in the state's financial markets;
 - (b) a critical shortage of seed, venture capital, and private equity resources exists in the state, and that shortage is impairing the growth of commerce in the state;
 - (c) a need exists to increase the availability of venture capital and private equity for emerging, expanding, and restructuring enterprises in Utah, including enterprises in the life sciences, advanced manufacturing, and information technology;
 - (d) increased venture and private equity capital investments in emerging, expanding, and restructuring enterprises in Utah will:
 - (i) create new jobs in the state; and
 - (ii) help to diversify the state's economic base; and
 - (e) a well-trained work force is critical for the maintenance and development of Utah's economy.
- (2) This part is enacted to:
- (a) mobilize private investment in a broad variety of venture capital and private equity partnerships in diversified industries and locales;
 - (b) retain the private-sector culture of focusing on rate of return in the investing process;
 - (c) secure the services of the best managers in the venture capital and private equity industries, regardless of location;
 - (d) facilitate the organization of the Utah fund of funds to seek private investments and to serve as a catalyst in those investments by offering state incentives for private persons to make investments in the Utah fund of funds;
 - (e) enhance the culture and infrastructure in the state to increase venture capital and private equity investment within the state;
 - (f) accomplish the purposes referred to in Subsections (2)(a) through (e) in a manner that would maximize the direct economic impact for the state; and
 - (g) authorize the issuance and use of contingent tax credits to accomplish the purposes referred to in Subsections (2)(a) through (e) while protecting the interests of the state by limiting the manner in which contingent tax credits are issued, registered, transferred, claimed as an offset to the payment of state income tax, and redeemed.

Renumbered and Amended by Chapter 283, 2015 General Session
Amended by Chapter 420, 2015 General Session