

Effective 7/1/2015

**Part 8
Arts and Culture Business Alliance Act**

9-6-801 Title.

This part is known as the "Arts and Culture Business Alliance Act."

Enacted by Chapter 350, 2015 General Session

9-6-802 Definitions.

As used in this part:

- (1) "Account" means the Arts and Culture Business Alliance Account created in Section 9-6-806.
- (2) "Alliance" means the Arts and Culture Business Alliance created in Section 9-6-803.
- (3)
 - (a) "Arts" means the various branches of creative human activity.
 - (b) "Arts" includes visual arts, film, performing arts, sculpture, literature, music, theater, dance, digital arts, video-game arts, and cultural vitality.
- (4) "Arts development" or "development of the arts" means:
 - (a) constructing, expanding, or repairing facilities that house arts presentations;
 - (b) providing for public information, preservation, or access to the arts; or
 - (c) supporting the professional development of artists within the state.

Enacted by Chapter 350, 2015 General Session

9-6-803 Arts and Culture Business Alliance -- Creation -- Members -- Vacancies.

- (1) There is created within the division the Arts and Culture Business Alliance.
- (2)
 - (a) The alliance shall consist of seven members.
 - (b) The six members described in Subsections (2)(d) and (e) shall be appointed by the governor to four-year terms of office with the consent of the Senate.
 - (c) Notwithstanding the requirements of Subsection (2)(b), the governor shall, at the time of appointment or reappointment, adjust the length of terms to ensure that the terms of the members described in Subsections (2)(d) and (e) are staggered so that approximately half of the members are appointed every two years.
 - (d) Five members shall be citizens with an interest in supporting and advancing the arts and arts development in the state.
 - (e) One member shall have expertise in business or finance.
 - (f) One member is the executive director of the Department of Heritage and Arts, or the executive director's designee.
- (3) When a vacancy occurs in the membership for any reason, the replacement shall be appointed for the unexpired term in the same manner as the original member.
- (4) Four members of the board constitute a quorum for the transaction of business.
- (5) The governor shall annually select one of the board members as chair.
- (6) Except for the executive director, 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 in accordance with Sections 63A-3-106 and 63A-3-107.
(7) A member may not receive a gift, prize, or award of money from the division or the account.

Enacted by Chapter 350, 2015 General Session

9-6-804 Alliance duties.

The alliance shall:

- (1) promote and encourage the development of the arts in the state;
- (2) support the efforts of state and local government and nonprofit arts organizations to encourage the development of the arts in the state;
- (3) recommend policies, priorities, and objectives to the division regarding development of the arts in the state; and
- (4) approve the use of account funds for arts development.

Enacted by Chapter 350, 2015 General Session

9-6-805 Staff support -- Rulemaking.

The division shall:

- (1) provide staff support for the alliance; and
- (2) in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, make rules, in consultation with the alliance, for a process for the alliance to accept and consider applications for arts development projects, and to distribute account money, under this part.

Enacted by Chapter 350, 2015 General Session

9-6-806 Arts and Culture Business Alliance Account -- Funding.

- (1) There is created within the General Fund a restricted account known as the Arts and Culture Business Alliance Account.
- (2) The account shall be administered by the division for the purposes listed in Subsection (5).
- (3)
 - (a) The account shall earn interest.
 - (b) All interest earned on account money shall be deposited into the account.
- (4) The account shall be funded by:
 - (a) appropriations made to the account by the Legislature; and
 - (b) private donations and grants.
- (5) Subject to appropriation, the director shall use account funds to pay for:
 - (a) the statewide advancement and development of the arts in accordance with the recommendation of the alliance; and
 - (b) actual administrative costs associated with administering this part.
- (6) The division shall submit an annual written report to the department that gives a complete accounting of the use of money from the account for inclusion in the annual report described in Section 9-1-208.

Enacted by Chapter 350, 2015 General Session