

803 17B-1-103, a public transit district may:

804 (a) provide a public transit system for the transportation of passengers and their
805 incidental baggage;

806 (b) notwithstanding Subsection 17B-1-103(2)(g) and subject to Section 17B-2a-817,
807 levy and collect property taxes only for the purpose of paying:

808 (i) principal and interest of bonded indebtedness of the public transit district; or

809 (ii) a final judgment against the public transit district if:

810 (A) the amount of the judgment exceeds the amount of any collectable insurance or
811 indemnity policy; and

812 (B) the district is required by a final court order to levy a tax to pay the judgment;

813 (c) insure against:

814 (i) loss of revenues from damage to or destruction of some or all of a public transit
815 system from any cause;

816 (ii) public liability;

817 (iii) property damage; or

818 (iv) any other type of event, act, or omission;

819 (d) acquire, contract for, lease, construct, own, operate, control, or use:

820 (i) a right-of-way, rail line, monorail, bus line, station, platform, switchyard, terminal,
821 parking lot, or any other facility necessary or convenient for public transit service; or

822 (ii) any structure necessary for access by persons and vehicles;

823 (e) (i) hire, lease, or contract for the supplying or management of a facility, operation,
824 equipment, service, employee, or management staff of an operator; and

825 (ii) provide for a sublease or subcontract by the operator upon terms that are in the
826 public interest;

827 (f) operate feeder bus lines and other feeder or ridesharing services as necessary;

828 (g) accept a grant, contribution, or loan, directly through the sale of securities or
829 equipment trust certificates or otherwise, from the United States, or from a department,

830 instrumentality, or agency of the United States ~~§→ [; to:] ; ←§~~

831 ~~§→ [(i) sell or lease property;~~

832 ~~— [(ii) assist in or operate transit-oriented or transit-supportive developments;~~

833 ~~— [(i) (iii) establish, finance, participate as a limited partner or member in a development ←§~~

834 ~~§→with limited liabilities in accordance with Subsection (1)(l), construct, improve, maintain, or~~
835 ~~operate transit facilities, equipment, and transit-oriented developments or transit-supportive~~
836 ~~developments; or~~
837 ~~———[(ii)] (iv)] (h) ←§~~ study and plan transit facilities in accordance with any legislation passed
837a by
838 Congress;
839 ~~§→ [(tr)] (i) ←§~~ cooperate with and enter into an agreement with the state or an agency of
839a the state
840 or otherwise contract to finance to establish transit facilities and equipment or to study or plan
841 transit facilities;
842 ~~§→ [(t)] (j) ←§~~ issue bonds as provided in and subject to Chapter 1, Part 11, Local District
842a Bonds,
843 to carry out the purposes of the district;
844 ~~§→ [(t)] (k) ←§~~ from bond proceeds or any other available funds, reimburse the state or an
844a agency of
845 the state for an advance or contribution from the state or state agency;
846 ~~§→ [(t)] (l) ←§~~ do anything necessary to avail itself of any aid, assistance, or cooperation
846a available
847 under federal law, including complying with labor standards and making arrangements for
848 employees required by the United States or a department, instrumentality, or agency of the
849 United States; ~~§→ [and]~~
849a (m) sell or lease property;
849b (n) assist in or operate transit-oriented or transit-supportive developments;
849c (o) establish, finance, participate as a limited partner or member in a development with
849d limited liabilities in accordance with Subsection (1)(p), construct, improve, maintain, or
849e operate transit facilities, equipment, and transit-oriented developments or transit-supportive
849f developments; and ←§
850 ~~§→ [(t)] (p) ←§~~ subject to the restriction in Subsection (2), assist in a transit-oriented
850a development
851 or a transit-supportive development in connection with ~~[the]~~ economic development ~~[of areas~~
852 ~~in proximity to a right-of-way, rail line, station, platform, switchyard, terminal, or parking lot,]~~
853 by:
854 (i) investing in a project as a limited partner or a member, with limited liabilities; or
855 (ii) subordinating an ownership interest in real property owned by the public transit

856 district.

857 (2) (a) A public transit district may only assist in the economic development of areas
858 under Subsection (1) ~~§~~ ~~(p)~~ :

859 (i) in the manner described in Subsection (1) ~~§~~ ~~(p)~~ (i) or (ii); and

860 (ii) on ~~§~~ ~~(p)~~ no more than ~~§~~ ~~(p)~~ 10 ~~(p)~~ ~~(p)~~ transit-oriented developments or
860a transit-supportive
861 developments selected by the board of trustees.

862 (b) A public transit district may not invest in a transit-oriented development or
863 transit-supportive development as a limited partner or other limited liability entity under the
864 provisions of Subsection (1) ~~§~~ ~~(p)~~ (i), unless the partners, developer, or other investor in
the entity,

865 makes an equity contribution equal to no less than 25% of the appraised value of the property
866 to be contributed by the public transit district.

867 (c) A current board member of a public transit district to which the board member is
868 appointed may not have any interest in the transactions engaged in by the public transit district
869 pursuant to Subsection (1) ~~§~~ ~~(f)~~ ~~(p)~~ ~~§~~ (i) or (ii), except as may be required by the board
869a member's
870 fiduciary duty as a board member.

871 (3) A public transit district may be funded from any combination of federal, state, ~~[or]~~
872 local, or private funds.

873 (4) A public transit district may not acquire property by eminent domain.

874 Section 14. Section ~~17B-2a-807~~ is amended to read:

875 **17B-2a-807. Public transit district board of trustees -- Appointment --**
876 **Apportionment -- Qualifications -- Quorum -- Compensation -- Terms.**

877 (1) (a) If 200,000 people or fewer reside within the boundaries of a public transit
878 district, the board of trustees shall consist of members appointed by the legislative bodies of
879 each municipality, county, or unincorporated area within any county on the basis of one
880 member for each full unit of regularly scheduled passenger routes proposed to be served by the
881 district in each municipality or unincorporated area within any county in the following calendar
882 year.

883 (b) For purposes of determining membership under Subsection (1)(a), the number of
884 service miles comprising a unit shall be determined jointly by the legislative bodies of the
885 municipalities or counties comprising the district.

886 (c) The board of trustees of a public transit district under this Subsection (1) may
887 include a member that is a commissioner on the Transportation Commission created in Section
888 ~~72-1-301~~ and appointed as provided in Subsection (11), who shall serve as a nonvoting, ex
889 officio member.

890 (d) Members appointed under this Subsection (1) shall be appointed and added to the
891 board or omitted from the board at the time scheduled routes are changed, or as municipalities,
892 counties, or unincorporated areas of counties annex to or withdraw from the district using the
893 same appointment procedures.

894 (e) For purposes of appointing members under this Subsection (1), municipalities,
895 counties, and unincorporated areas of counties in which regularly scheduled passenger routes

1423 (1) Dissemination of information from a criminal history record or warrant of arrest
1424 information from division files is limited to:

1425 (a) criminal justice agencies for purposes of administration of criminal justice and for
1426 employment screening by criminal justice agencies;

1427 (b) noncriminal justice agencies or individuals for any purpose authorized by statute,
1428 executive order, court rule, court order, or local ordinance;

1429 (c) agencies or individuals for the purpose of obtaining required clearances connected
1430 with foreign travel or obtaining citizenship;

1431 (d) (i) agencies or individuals pursuant to a specific agreement with a criminal justice
1432 agency to provide services required for the administration of criminal justice; and

1433 (ii) the agreement shall specifically authorize access to data, limit the use of the data to
1434 purposes for which given, and ensure the security and confidentiality of the data;

1435 (e) agencies or individuals for the purpose of a preplacement adoptive study, in
1436 accordance with the requirements of Sections 78B-6-128 and 78B-6-130;

1437 (f) (i) agencies and individuals as the commissioner authorizes for the express purpose
1438 of research, evaluative, or statistical activities pursuant to an agreement with a criminal justice
1439 agency; and

1440 (ii) private security agencies through guidelines established by the commissioner for
1441 employment background checks for their own employees and prospective employees;

1442 (g) a qualifying entity for employment background checks for their own employees and
1443 persons who have applied for employment with the qualifying entity; ~~§~~→ [[] and []] ←~~§~~

1444 ~~§~~→ ~~[(h) a public transit district for purposes of complying with background check~~
1445 ~~provisions in Subsection 62A-5-103.5(7); and]~~ ←~~§~~

1446 ~~§~~→ [[] (h) []~~(h)~~] ←~~§~~ other agencies and individuals as the commissioner authorizes and
1446a finds
1447 necessary for protection of life and property and for offender identification, apprehension, and
1448 prosecution pursuant to an agreement.

1449 (2) An agreement under Subsection (1)(f) or (1)(h) shall specifically authorize access
1450 to data, limit the use of data to research, evaluative, or statistical purposes, preserve the
1451 anonymity of individuals to whom the information relates, and ensure the confidentiality and
1452 security of the data.

1453 (3) (a) Before requesting information under Subsection (1)(g), a qualifying entity must

1454 obtain a signed waiver from the person whose information is requested.

1455 (b) The waiver must notify the signee:

1456 (i) that a criminal history background check will be conducted;

1457 (ii) who will see the information; and

1458 (iii) how the information will be used.

1459 (c) Information received by a qualifying entity under Subsection (1)(g) may only be:

1460 (i) available to persons involved in the hiring or background investigation of the
1461 employee; and

1462 (ii) used for the purpose of assisting in making an employment or promotion decision.

1463 (d) A person who disseminates or uses information obtained from the division under
1464 Subsection (1)(g) for purposes other than those specified under Subsection (3)(c), in addition to
1465 any penalties provided under this section, is subject to civil liability.

1466 (e) A qualifying entity that obtains information under Subsection (1)(g) shall provide
1467 the employee or employment applicant an opportunity to:

1468 (i) review the information received as provided under Subsection (8); and

1469 (ii) respond to any information received.

1470 (f) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the
1471 division may make rules to implement this Subsection (3).

1472 (g) (i) The applicant fingerprint card fee under Subsection (1)(g) is \$20.

1473 (ii) The name check fee under Subsection (1)(g) is \$15.

1474 (iii) These fees remain in effect until changed by the division through the process under
1475 Section [63J-1-504](#).

1476 (iv) Funds generated under Subsections (3)(g)(i), (3)(g)(ii), and (8)(b) shall be
1477 deposited in the General Fund as a dedicated credit by the department to cover the costs
1478 incurred in providing the information.

1479 (h) The division or its employees are not liable for defamation, invasion of privacy,
1480 negligence, or any other claim in connection with the contents of information disseminated
1481 under Subsection (1)(g).

1482 (4) (a) Any criminal history record information obtained from division files may be
1483 used only for the purposes for which it was provided and may not be further disseminated,
1484 except under ~~§~~ **[Subsections]** Subsection ~~§~~ (4)(b) ~~§~~ **[and]** , ~~§~~ (c) ~~§~~ **[or]** (d) ~~§~~ .

1485 (b) A criminal history provided to an agency pursuant to Subsection (1)(e) may be
1486 provided by the agency to the person who is the subject of the history, another licensed
1487 child-placing agency, or the attorney for the adoptive parents for the purpose of facilitating an
1488 adoption.

1489 (c) A criminal history of a defendant provided to a criminal justice agency under
1490 Subsection (1)(a) may also be provided by the prosecutor to a defendant's defense counsel,
1491 upon request during the discovery process, for the purpose of establishing a defense in a
1492 criminal case.

1492a **§→ (d) A public transit district, as described in Title 17B, Chapter 2a, Part 8, Public Transit**
1492b **District Act, that is under contract with a state agency to provide services may, for the**
1492c **purposes of complying with Subsection 62A-5-103.5(7), provide a criminal history record to**
1492d **the state agency or the agency's designee. ←§**

1493 (5) If an individual has no prior criminal convictions, criminal history record
1494 information contained in the division's computerized criminal history files may not include
1495 arrest or disposition data concerning an individual who has been acquitted, the person's charges
1496 dismissed, or when no complaint against the person has been filed.

1497 (6) (a) This section does not preclude the use of the division's central computing
1498 facilities for the storage and retrieval of criminal history record information.

1499 (b) This information shall be stored so it cannot be modified, destroyed, or accessed by
1500 unauthorized agencies or individuals.

1501 (7) Direct access through remote computer terminals to criminal history record
1502 information in the division's files is limited to those agencies authorized by the commissioner
1503 under procedures designed to prevent unauthorized access to this information.

1504 (8) (a) The commissioner shall establish procedures to allow an individual right of
1505 access to review and receive a copy of the individual's criminal history report.

1506 (b) A processing fee for the right of access service, including obtaining a copy of the
1507 individual's criminal history report under Subsection (8)(a) is \$15. This fee remains in effect
1508 until changed by the commissioner through the process under Section [63J-1-504](#).

1509 (c) (i) The commissioner shall establish procedures for an individual to challenge the
1510 completeness and accuracy of criminal history record information contained in the division's
1511 computerized criminal history files regarding that individual.

1512 (ii) These procedures shall include provisions for amending any information found to
1513 be inaccurate or incomplete.

1514 (9) The private security agencies as provided in Subsection (1)(f)(ii):

1515 (a) shall be charged for access; and