

150 63M-4-602. Definitions.151 As used in this part:152 (1) "Applicant" means a person that conducts business in the state that applies for a tax
153 credit under this part.154 (2) "High cost infrastructure project" means a project:155 (a) (i) that involves new or expanded industrial, mining, manufacturing, distribution, or
156 business services in the state, not including a retail business; or157 (ii) that involves new investment of at least \$50,000,000 in an existing industrial,
158 mining, manufacturing, distribution, or business service entity;159 (b) that requires or is facilitated by infrastructure construction; and160 (c) for which the infrastructure construction cost is greater than:161 (i) 10% of the total cost of the project; or162 (ii) \$10,000,000.163 (3) "Infrastructure" means:164 (a) an energy delivery project as defined in Section [63H-2-102](#);165 (b) a railroad as defined in Section [54-2-1](#);166 (c) a water self-supply project;167 (d) a water management project; ~~§→~~ [or] ~~←§~~168 (e) a project that is designed to:169 (i) increase the capacity for water delivery to a water user in the state; or170 (ii) increase the capability of an existing water delivery system or related facility to
171 deliver water to a water user in the state ~~§→~~ [;] ; or171a **(f) a road improvement project. ←§**172 (4) (a) "Infrastructure cost-burdened entity" means an applicant that enters into an
173 agreement with the office that qualifies the applicant to receive a tax credit as provided in this
174 part.175 (b) "Infrastructure cost-burdened entity" includes a pass-through entity taxpayer, as
176 defined in Section [59-10-1402](#), of a person described in Subsection (4)(a).177 (5) "Infrastructure-related revenue" means an amount of tax revenue in a taxable year
178 that is attributable to a high cost infrastructure project, under:179 (a) Title 59, Chapter 7, Corporate Franchise and Income Taxes;180 (b) Title 59, Chapter 10, Individual Income Tax Act; and