

88 [22] (23) "Public funds" means any money or payment collected or received by an
89 interlocal entity, including money or payment for services or goods provided by the interlocal
90 entity.

91 [23] (24) "Retained earnings" has the meaning provided in generally accepted
92 accounting principles.

93 [24] (25) "Special fund" means an interlocal entity fund other than the interlocal
94 entity general fund.

95 Section 2. Section 11-13a-101 is enacted to read:

96 **CHAPTER 13. GOVERNMENTAL NONPROFIT CORPORATIONS ACT**

97 **11-13a-101. Title.**

98 This chapter is known as the "Governmental Nonprofit Corporations Act."

99 Section 3. Section 11-13a-102 is enacted to read:

100 **11-13a-102. Definitions.**

101 As used in this chapter:

102 (1) "Controlling interest" means that one or more governmental entities collectively
103 represent a majority of the board's voting power as outlined in the nonprofit corporation's
104 governing documents.

105 (2) (a) "Governing board" means the body that governs a governmental nonprofit
106 corporation.

107 (b) "Governing board" includes a board of directors.

108 (3) "Governmental entity" means the state, a county, a municipality, a local district, a
109 special service district, a school district, a state institution of higher education, or any other
110 political subdivision or administrative unit of the state.

111 (4) (a) "Governmental nonprofit corporation" means:

112 (i) a nonprofit corporation that is wholly owned or wholly controlled by one or more
113 governmental entities ~~H~~→ , unless the nonprofit corporation receives no operating funding or
113a other financial support from any governmental entity ←~~H~~ ; or

114 (ii) a nonprofit corporation in which one or more governmental entities exercise a
115 controlling interest and:

116 (A) that exercises taxing authority;

117 (B) that imposes a mandatory fee for association or participation with the nonprofit
118 corporation where that association or participation is mandated by law; or

491 administrative, legal, fiscal, or historical purposes and when each record series should be
 492 transferred to the state archives or destroyed.

493 (27) "Sponsored research" means research, training, and other sponsored activities as
 494 defined by the federal Executive Office of the President, Office of Management and Budget:

495 (a) conducted:

496 (i) by an institution within the state system of higher education defined in Section
 497 53B-1-102; and

498 (ii) through an office responsible for sponsored projects or programs; and

499 (b) funded or otherwise supported by an external:

500 (i) person that is not created or controlled by the institution within the state system of
 501 higher education; or

502 (ii) federal, state, or local governmental entity.

503 (28) "State archives" means the Division of Archives and Records Service created in
 504 Section 63A-12-101.

505 (29) "State archivist" means the director of the state archives.

506 (30) "Summary data" means statistical records and compilations that contain data
 507 derived from private, controlled, or protected information but that do not disclose private,
 508 controlled, or protected information.

509 Section 10. Section **63I-2-211** is amended to read:

510 **63I-2-211. Repeal dates -- Title 11.**

511 (1) (a) On July 1, 2019, Subsection 11-13a-102 ~~H~~→ [(3)] (4) ←~~H~~ (b) is repealed.

512 (b) When repealing Subsection 11-13a-102 ~~H~~→ [(3)] (4) ←~~H~~ (b), the Office of
 512a Legislative Research

513 and General Counsel shall, in addition to the office's authority under Subsection 36-12-12(3),

514 make necessary changes to subsection numbering and cross references.

515 (2) Title 11, Chapter 53, Residential Property Reimbursement, is repealed on January
 516 1, 2020.