

1 **WINTER SPORTS VENUES**

2 2018 GENERAL SESSION

3 STATE OF UTAH

4 **Chief Sponsor: Eric K. Hutchings**

5 Senate Sponsor: Wayne A. Harper

7 **LONG TITLE**

8 **General Description:**

9 This bill establishes the "Winter Sports Venue Grant Fund."

10 **Highlighted Provisions:**

11 This bill:

- 12 ▶ defines terms;
- 13 ▶ establishes the "Winter Sports Venue Grant Fund" to provide grants to certain
- 14 entities to assist in funding improvements to winter sports venues in the state;
- 15 ▶ establishes certain application and reporting requirements relating to the fund
- 16 money; and
- 17 ▶ requires the Division of Facilities Construction and Management to review grant
- 18 proposals and distribute grant money.

19 **Money Appropriated in this Bill:**

20 None

21 **Other Special Clauses:**

22 None

23 **Utah Code Sections Affected:**

24 ENACTS:

25 **51-11-101**, Utah Code Annotated 1953

26 **51-11-102**, Utah Code Annotated 1953

27 **51-11-201**, Utah Code Annotated 1953

29 *Be it enacted by the Legislature of the state of Utah:*

30 Section 1. Section **51-11-101** is enacted to read:

31 **CHAPTER 11. WINTER SPORTS VENUE GRANT FUND**

32 **Part 1. General Provisions**

33 **51-11-101. Title.**

34 This chapter is known as the "Winter Sports Venue Grant Fund."

35 Section 2. Section **51-11-102** is enacted to read:

36 **51-11-102. Definitions.**

37 As used in this chapter:

38 (1) "Division" means the Division of Facilities Construction and Management created
39 in Section [63A-5-201](#).

40 (2) "Fund" means the Winter Sports Venue Grant Fund.

41 (3) "Improve" or "improvements" means the replacement or addition to infrastructure,
42 buildings, building components, or facility equipment.

43 (4) "Venue" means a facility:

44 (a) designed and currently approved under standards developed by a generally
45 recognized sports federation to host world-class level, international winter sports competitions;
46 and

47 (b) used for recreational, developmental, and competitive athletic training.

48 (5) "Venue operator" means a person who:

49 (a) (i) operates a venue; and

50 (ii) the venue is exempt from federal income taxation under Section 501(c)(3), Internal
51 Revenue Code; or

52 (b) owns a venue or operates a venue under contract with the public owner of the
53 venue.

54 Section 3. Section **51-11-201** is enacted to read:

55 **Part 2. Winter Sports Venue Grant Fund**

56 **51-11-201. Winter Sports Venue Grant Fund.**

57 (1) (a) There is created an expendable special revenue fund known as the "Winter
58 Sports Venue Grant Fund."

59 (b) The fund shall consist of:

60 (i) money appropriated to the fund by the Legislature;

61 (ii) money donated to the fund from public or private individuals or entities; and

62 (iii) interest on fund money.

63 (2) The division shall award grants from the fund to a venue operator to provide
64 funding for construction, repairs, and improvements to a venue.

65 (3) A venue operator's application for a grant under this section shall include:

66 (a) the number of venues the venue operator plans to construct, repair, or improve;

67 (b) the venue operator's proposed improvements, repairs, or construction plans for a
68 venue;

69 (c) the estimated cost of the venue operator's proposed improvements, repairs, or
70 construction plans for a venue;

71 (d) any plan to use funding sources in addition to a grant under this section to improve,
72 repair, or construct a venue;

73 (e) the amount of grant money requested to fund the improvements, repairs, or
74 construction for each venue; and

75 (f) existing or planned contracts or partnerships between the venue operator and other
76 individuals or entities to complete venue improvements, repairs, or construction.

77 (4) The division may only award and distribute fund money to a venue operator that
78 submits an application in accordance with Subsection (3).

79 (5) (a) As a condition of an award of grant money, the venue operator shall sign an
80 agreement with the division governing:

81 (i) the venue operator's responsibilities for expending the grant money; and

82 (ii) the division's and state's right to review and audit the venue operator's use of grant

83 money and the venue operator's performance under the grant.

84 (b) The division shall ensure that the agreement contains:

85 (i) a requirement for an annual report and the required contents of that report in
86 accordance with Subsection (6)(b);

87 (ii) a right for the division or its designee to visit and inspect the venue as often as
88 needed before, during, and after construction, repairs, or improvements begin or are complete;
89 and

90 (iii) an absolute right for the division, the state auditor, and the legislative auditor to
91 access and audit all financial records relevant to the grant.

92 (6) (a) A venue operator that receives fund money under this section may only use the
93 grant money to improve, repair, or construct a venue.

94 (b) A venue operator that receives fund money under this section shall file a report
95 with the division before October 1, 2019, and each year thereafter, that details for the
96 immediately preceding calendar year:

97 (i) the construction, improvements, and repairs, in process or completed, that were
98 wholly or partially funded by a grant under this section;

99 (ii) the total dollar amount expended from the grant;

100 (iii) an itemized accounting that describes how the venue operator expended the grant
101 money;

102 (iv) the intended use for grant money that has not been expended; and

103 (v) the results of any evaluations of venue construction, improvements, or repairs.