

1 **POINT OF THE MOUNTAIN DEVELOPMENT COMMISSION**

2 **ACT MODIFICATIONS**

3 2021 GENERAL SESSION

4 STATE OF UTAH

5 **Chief Sponsor: V. Lowry Snow**

6 Senate Sponsor: Jerry W. Stevenson

7

LONG TITLE

8 **Committee Note:**

9 The Transportation Interim Committee recommended this bill.

10 Legislative Vote: 15 voting for 0 voting against 3 absent

11 **General Description:**

12 This bill revises the role of the Point of the Mountain Development Commission and
13 extends the repeal date of the Point of the Mountain Development Commission Act.

14 **Highlighted Provisions:**

15 This bill:

- 16 ▶ revises the Commission's role; and
- 17 ▶ extends the sunset date for the Point of the Mountain Development Commission

18 Act from July 1, 2021, to July 1, 2023.

19 **Money Appropriated in this Bill:**

20 None

21 **Other Special Clauses:**

22 None

23 **Utah Code Sections Affected:**

24 AMENDS:

25 **63C-17-104**, as enacted by Laws of Utah 2016, Chapter 156

26 **63I-1-263**, as last amended by Laws of Utah 2020, Chapters 82, 152, 154, 199, 230,



28 303, 322, 336, 354, 360, 375, 405 and last amended by Coordination Clause, Laws of Utah
29 2020, Chapter 360



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

32 Section 1. Section **63C-17-104** is amended to read:

33 **63C-17-104. Commission duties.**

34 (1) The commission shall evaluate, study, prepare one or more reports, and make
35 recommendations concerning the future planning and development of the project area. The
36 study shall focus on the three key areas described in Subsections (2), (3), and (4).

37 (2) The commission shall study and develop strategies to engage the public and
38 collaborate with stakeholders, including:

39 (a) facilitating cooperation and transportation planning between:

40 (i) local governments;

41 (ii) the Wasatch Front Regional Council;

42 (iii) the Mountainland Association of Governments;

43 (iv) the Utah Department of Transportation; and

44 (v) the Utah Transit Authority;

45 [~~(a)~~] (b) providing a public forum to gather insight from citizens; and

46 [~~(b)~~] (c) evaluating the costs and benefits of growth, land use, and economic
47 development strategies in the project area and the impacts of those strategies on residents of the
48 project area and the state.

49 (3) (a) The commission shall study and make recommendations regarding future
50 transportation and infrastructure needs within the project area, including:

51 (i) evaluation of projected population, housing, and employment growth;

52 (ii) identification of transportation infrastructure needs, including:

53 (A) development, construction, operation, and maintenance of highways and streets, on
54 both the local and state jurisdictional levels;

55 (B) development, construction, operation, and maintenance of public transit; and

56 (C) development, construction, operation, and maintenance of active transportation
57 facilities, including trails; and

58 (iii) evaluation of projected costs related to transportation and other infrastructure

59 needs.

60 (b) In performing the study described in Subsection (3)(a), the commission shall
61 coordinate with transportation agencies, including:

- 62 (i) the Wasatch Front Regional Council;
- 63 (ii) the Mountainland Association of Governments;
- 64 (iii) the Utah Department of Transportation; and
- 65 (iv) the Utah Transit Authority.

66 (4) The commission shall study and make recommendations regarding financing
67 economic development of, and the infrastructure investment in, the project area, including:

- 68 (a) evaluation of economic growth projections; [~~and~~]
- 69 (b) evaluation of financing tools to encourage and facilitate economic growth in the
70 project area, including:

- 71 (i) property tax increment financing, with the requirement that the property tax
72 increment remain within the jurisdiction in which the property tax increment is created;
- 73 (ii) assessment districts;
- 74 (iii) bonding;
- 75 (iv) partnerships between public and private entities;
- 76 (v) excise taxes, including transient room taxes and taxes on community resorts;
- 77 (vi) redevelopment agency funds;
- 78 (vii) federal funding;
- 79 (viii) private capital;
- 80 (ix) investment strategies used by other governmental entities for purposes of
81 economic development; and

82 (x) other innovative financing strategies[~~-~~]; and

83 (c) exploring and recommending alternative methods for funding infrastructure needs
84 in the project area.

85 (5) The commission may hire or direct the hiring of one or more consultants, or enter
86 into agreements and otherwise collaborate with governmental entities and other stakeholders,
87 with experience or expertise in a subject under consideration by the commission, to assist the
88 commission in fulfilling the commission's duties under this part.

89 (6) In carrying out the study, the commission shall consider the following objectives

90 for the project area and the state as a whole:

- 91 (a) maximizing job creation;
- 92 (b) ensuring a high quality of life for residents in and surrounding the project area;
- 93 (c) strategic residential and commercial growth;
- 94 (d) preservation of natural lands and expansion of recreational opportunities;
- 95 (e) provision of a variety of community and housing types that match workforce needs;

96 and

- 97 (f) planning for future transportation infrastructure and other investments to enhance
- 98 mobility and protect the environment.

99 (7) The commission shall report the commission's interim findings and
100 recommendations to the Transportation Interim Committee, the Economic Development and
101 Workforce Services Interim Committee, the Revenue and Taxation Interim Committee, the
102 Executive Appropriations Committee, and the governor before December 1, 2016.

103 (8) The commission's recommendations under this section are advisory only.

104 Section 2. Section **63I-1-263** is amended to read:

105 **63I-1-263. Repeal dates, Titles 63A to 63N.**

106 (1) In relation to the Utah Transparency Advisory Board, on January 1, 2025:

- 107 (a) Subsection **63A-1-201**(1) is repealed;
- 108 (b) Subsection **63A-1-202**(2)(c), the language "using criteria established by the board"
109 is repealed;
- 110 (c) Section **63A-1-203** is repealed;

111 (d) Subsections **63A-1-204**(1) and (2), the language "After consultation with the board,
112 and" is repealed; and

113 (e) Subsection **63A-1-204**(1)(b), the language "using the standards provided in
114 Subsection **63A-1-203**(3)(c)" is repealed.

115 (2) Subsection **63A-5b-405**(5), relating to prioritizing and allocating capital
116 improvement funding, is repealed July 1, 2024.

117 (3) Section **63A-5b-1003**, State Facility Energy Efficiency Fund, is repealed July 1,
118 2023.

119 (4) Sections **63A-9-301** and **63A-9-302**, related to the Motor Vehicle Review
120 Committee, are repealed July 1, 2023.

121 (5) Title 63C, Chapter 4a, Constitutional and Federalism Defense Act, is repealed July
122 1, 2028.

123 (6) Title 63C, Chapter 6, Utah Seismic Safety Commission, is repealed January 1,
124 2025.

125 (7) Title 63C, Chapter 12, Snake Valley Aquifer Advisory Council, is repealed July 1,
126 2024.

127 (8) Title 63C, Chapter 17, Point of the Mountain Development Commission Act, is
128 repealed July 1, [~~2024~~] 2023.

129 (9) Title 63C, Chapter 18, Behavioral Health Crisis Response Commission, is repealed
130 July 1, 2023.

131 (10) Title 63C, Chapter 21, Outdoor Adventure Commission, is repealed July 1, 2025.

132 (11) Title 63F, Chapter 2, Data Security Management Council, is repealed July 1,
133 2025.

134 (12) Section [63G-6a-805](#), which creates the Purchasing from Persons with Disabilities
135 Advisory Board, is repealed July 1, 2026.

136 (13) Title 63G, Chapter 21, Agreements to Provide State Services, is repealed July 1,
137 2025.

138 (14) Title 63H, Chapter 4, Heber Valley Historic Railroad Authority, is repealed July 1,
139 2024.

140 (15) Title 63H, Chapter 8, Utah Housing Corporation Act, is repealed July 1, 2026.

141 (16) Subsection [63J-1-602.1\(14\)](#), Nurse Home Visiting Restricted Account is repealed
142 July 1, 2026.

143 (17) (a) Subsection [63J-1-602.1\(58\)](#), relating to the Utah Statewide Radio System
144 Restricted Account, is repealed July 1, 2022.

145 (b) When repealing Subsection [63J-1-602.1\(58\)](#), the Office of Legislative Research and
146 General Counsel shall, in addition to the office's authority under Subsection [36-12-12\(3\)](#), make
147 necessary changes to subsection numbering and cross references.

148 (18) Subsection [63J-1-602.2\(4\)](#), referring to dedicated credits to the Utah Marriage
149 Commission, is repealed July 1, 2023.

150 (19) Subsection [63J-1-602.2\(5\)](#), referring to the Trip Reduction Program, is repealed
151 July 1, 2022.

152 (20) Subsection 63J-1-602.2(25), related to the Utah Seismic Safety Commission, is
153 repealed January 1, 2025.

154 (21) Title 63J, Chapter 4, Part 5, Resource Development Coordinating Committee, is
155 repealed July 1, 2027.

156 (22) Subsection 63J-4-608(3), which creates the Federal Land Application Advisory
157 Committee, is repealed on July 1, 2021.

158 (23) In relation to the Utah Substance Use and Mental Health Advisory Council, on
159 January 1, 2023:

160 (a) Sections 63M-7-301, 63M-7-302, 63M-7-303, 63M-7-304, and 63M-7-306 are
161 repealed;

162 (b) Section 63M-7-305, the language that states "council" is replaced with
163 "commission";

164 (c) Subsection 63M-7-305(1) is repealed and replaced with:

165 "(1) "Commission" means the Commission on Criminal and Juvenile Justice."; and

166 (d) Subsection 63M-7-305(2) is repealed and replaced with:

167 "(2) The commission shall:

168 (a) provide ongoing oversight of the implementation, functions, and evaluation of the
169 Drug-Related Offenses Reform Act; and

170 (b) coordinate the implementation of Section 77-18-1.1 and related provisions in
171 Subsections 77-18-1(5)(b)(iii) and (iv).".

172 (24) The Crime Victim Reparations and Assistance Board, created in Section
173 63M-7-504, is repealed July 1, 2027.

174 (25) Title 63M, Chapter 7, Part 6, Utah Council on Victims of Crime, is repealed July
175 1, 2022.

176 (26) Title 63M, Chapter 11, Utah Commission on Aging, is repealed July 1, 2021.

177 (27) Subsection 63N-1-301(4)(c), related to the Talent Ready Utah Board, is repealed
178 January 1, 2023.

179 (28) Title 63N, Chapter 1, Part 5, Governor's Economic Development Coordinating
180 Council, is repealed July 1, 2024.

181 (29) Title 63N, Chapter 2, Part 2, Enterprise Zone Act, is repealed July 1, 2028.

182 (30) Section 63N-2-512 is repealed July 1, 2021.

183 (31) (a) Title 63N, Chapter 2, Part 6, Utah Small Business Jobs Act, is repealed
184 January 1, 2021.

185 (b) Section 59-9-107 regarding tax credits against premium taxes is repealed for
186 calendar years beginning on or after January 1, 2021.

187 (c) Notwithstanding Subsection (31)(b), an entity may carry forward a tax credit in
188 accordance with Section 59-9-107 if:

189 (i) the person is entitled to a tax credit under Section 59-9-107 on or before December
190 31, 2020; and

191 (ii) the qualified equity investment that is the basis of the tax credit is certified under
192 Section 63N-2-603 on or before December 31, 2023.

193 (32) Subsections 63N-3-109(2)(e) and 63N-3-109(2)(f)(i) are repealed July 1, 2023.

194 (33) Title 63N, Chapter 4, Part 4, Rural Employment Expansion Program, is repealed
195 July 1, 2023.

196 (34) Title 63N, Chapter 7, Part 1, Board of Tourism Development, is repealed July 1,
197 2025.

198 (35) Title 63N, Chapter 9, Part 2, Outdoor Recreational Infrastructure Grant Program,
199 is repealed January 1, 2023.

200 (36) Title 63N, Chapter 12, Part 5, Talent Ready Utah Center, is repealed January 1,
201 2023.