

**TRANSPORTATION FUNDING REVISIONS**

2023 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Wayne A. Harper**

House Sponsor: Ashlee Matthews

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**LONG TITLE**

**Committee Note:**

The Transportation Interim Committee recommended this bill.

Legislative Vote: 14 voting for 0 voting against 4 absent

**General Description:**

This bill repeals certain restricted accounts that are outdated or no longer needed.

**Highlighted Provisions:**

This bill:

- ▶ repeals the following outdated and no longer necessary accounts:
  - the Impacted Communities Transportation Development Restricted Account;
- and
- the Motorcycle Safety Awareness Support Restricted Account; and
- ▶ makes technical changes.

**Money Appropriated in this Bill:**

None

**Other Special Clauses:**

None

**Utah Code Sections Affected:**

AMENDS:

**41-1a-422**, as last amended by Laws of Utah 2022, Chapters 19, 48, 68, 255, 259, 335, 451, and 456



28 [59-21-2](#), as last amended by Laws of Utah 2022, Chapter 68

29 REPEALS:

30 [72-2-128](#), as enacted by Laws of Utah 2016, Chapter 184

31 [72-2-130](#), as enacted by Laws of Utah 2019, Chapter 38



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

34 Section 1. Section **41-1a-422** is amended to read:

35 **41-1a-422. Support special group license plates -- Contributor -- Voluntary**  
36 **contribution collection procedures.**

37 (1) As used in this section:

38 (a) (i) except as provided in Subsection (1)(a)(ii), "contributor" means a person who  
39 has donated or in whose name at least \$25 has been donated to:

40 (A) a scholastic scholarship fund of a single named institution;

41 (B) the Department of Veterans and Military Affairs for veterans programs;

42 (C) the Division of Wildlife Resources for the Wildlife Resources Account created in  
43 Section [23-14-13](#), for conservation of wildlife and the enhancement, preservation, protection,  
44 access, and management of wildlife habitat;

45 (D) the Department of Agriculture and Food for the benefit of conservation districts;

46 (E) the Division of Outdoor Recreation for the benefit of snowmobile programs;

47 (F) the Guardian Ad Litem Services Account and the Children's Museum of Utah, with  
48 the donation evenly divided between the two;

49 (G) the Boy Scouts of America for the benefit of a Utah Boy Scouts of America  
50 council as specified by the contributor;

51 (H) No More Homeless Pets in Utah for distribution to organizations or individuals  
52 that provide spay and neuter programs that subsidize the sterilization of domestic animals;

53 (I) the Utah Alliance of Boys and Girls Clubs, Inc. to provide and enhance youth  
54 development programs;

55 (J) the Utah Association of Public School Foundations to support public education;

56 (K) the Utah Housing Opportunity Restricted Account created in Section [61-2-204](#) to  
57 assist people who have severe housing needs;

58 (L) the Public Safety Honoring Heroes Restricted Account created in Section [53-1-118](#)

59 to support the families of fallen Utah Highway Patrol troopers and other Department of Public  
60 Safety employees;

61 (M) the Division of Outdoor Recreation for distribution to organizations that provide  
62 support for Zion National Park;

63 (N) the Firefighter Support Restricted Account created in Section 53-7-109 to support  
64 firefighter organizations;

65 (O) the Share the Road Bicycle Support Restricted Account created in Section  
66 72-2-127 to support bicycle operation and safety awareness programs;

67 (P) the Cancer Research Restricted Account created in Section 26-21a-302 to support  
68 cancer research programs;

69 (Q) Autism Awareness Restricted Account created in Section 53F-9-401 to support  
70 autism awareness programs;

71 (R) Humanitarian Service and Educational and Cultural Exchange Restricted Account  
72 created in Section 9-17-102 to support humanitarian service and educational and cultural  
73 programs;

74 (S) Upon renewal of a prostate cancer support special group license plate, to the  
75 Cancer Research Restricted Account created in Section 26-21a-302 to support cancer research  
76 programs;

77 (T) the Choose Life Adoption Support Restricted Account created in Section 80-2-502  
78 to support programs that promote adoption;

79 (U) the National Professional Men's Basketball Team Support of Women and Children  
80 Issues Restricted Account created in Section 26B-1-302;

81 (V) the Utah Law Enforcement Memorial Support Restricted Account created in  
82 Section 53-1-120;

83 (W) the Children with Cancer Support Restricted Account created in Section  
84 26-21a-304 for programs that provide assistance to children with cancer;

85 (X) the National Professional Men's Soccer Team Support of Building Communities  
86 Restricted Account created in Section 9-19-102;

87 (Y) the Children with Heart Disease Support Restricted Account created in Section  
88 26-58-102;

89 (Z) the Utah Intracurricular Student Organization Support for Agricultural Education

90 and Leadership Restricted Account created in Section 4-42-102;

91 (AA) the Division of Wildlife Resources for the Support for State-Owned Shooting  
92 Ranges Restricted Account created in Section 23-14-13.5, for the creation of new, and  
93 operation and maintenance of existing, state-owned firearm shooting ranges;

94 (BB) the Utah State Historical Society to further the mission and purpose of the Utah  
95 State Historical Society;

96 [~~(CC)~~] the Motorcycle Safety Awareness Support Restricted Account created in Section  
97 72-2-130;

98 [~~(DD)~~] (CC) clean air support causes, with half of the donation deposited into the  
99 Clean Air Support Restricted Account created in Section 19-1-109, and half of the donation  
100 deposited into the Clean Air Fund created in Section 59-10-1319;

101 [~~(EE)~~] (DD) the Latino Community Support Restricted Account created in Section  
102 13-1-16;

103 [~~(FF)~~] (EE) the Allyson Gamble Organ Donation Contribution Fund created in Section  
104 26-18b-101;

105 [~~(GG)~~] (FF) public education on behalf of the Kiwanis International clubs, with the  
106 amount of the donation required to cover the costs of issuing, ordering, or reordering Kiwanis  
107 support special group plates, as determined by the State Tax Commission, deposited into the  
108 Kiwanis Education Support Fund created in Section 53F-9-403, and all remaining donation  
109 amounts deposited into the Uniform School Fund;

110 [~~(HH)~~] (GG) the Governor's Suicide Prevention Fund created in Section 62A-15-1103  
111 to support the Live On suicide prevention campaign administered by the Division of Integrated  
112 Healthcare; or

113 [~~(II)~~] (HH) the State Park Fees Restricted Account created in Section 79-4-402 to  
114 support the Division of State Parks' dark sky initiative.

115 (ii) (A) For a veterans special group license plate described in Subsection (4) or  
116 41-1a-421(1)(a)(v), "contributor" means a person who has donated or in whose name at least a  
117 \$25 donation at the time of application and \$10 annual donation thereafter has been made.

118 (B) For a Utah Housing Opportunity special group license plate, "contributor" means a  
119 person who:

120 (I) has donated or in whose name at least \$30 has been donated at the time of

121 application and annually after the time of application; and

122 (II) is a member of a trade organization for real estate licensees that has more than  
123 15,000 Utah members.

124 (C) For an Honoring Heroes special group license plate, "contributor" means a person  
125 who has donated or in whose name at least \$35 has been donated at the time of application and  
126 annually thereafter.

127 (D) For a firefighter support special group license plate, "contributor" means a person  
128 who:

129 (I) has donated or in whose name at least \$15 has been donated at the time of  
130 application and annually after the time of application; and

131 (II) is a currently employed, volunteer, or retired firefighter.

132 (E) For a cancer research special group license plate, "contributor" means a person who  
133 has donated or in whose name at least \$35 has been donated at the time of application and  
134 annually after the time of application.

135 (F) For a Utah Law Enforcement Memorial Support special group license plate,  
136 "contributor" means a person who has donated or in whose name at least \$35 has been donated  
137 at the time of application and annually thereafter.

138 (b) "Institution" means a state institution of higher education as defined under Section  
139 [53B-3-102](#) or a private institution of higher education in the state accredited by a regional or  
140 national accrediting agency recognized by the United States Department of Education.

141 (2) (a) An applicant for original or renewal collegiate special group license plates under  
142 Subsection (1)(a)(i) must be a contributor to the institution named in the application and  
143 present the original contribution verification form under Subsection (2)(b) or make a  
144 contribution to the division at the time of application under Subsection (3).

145 (b) An institution with a support special group license plate shall issue to a contributor  
146 a verification form designed by the commission containing:

147 (i) the name of the contributor;

148 (ii) the institution to which a donation was made;

149 (iii) the date of the donation; and

150 (iv) an attestation that the donation was for a scholastic scholarship.

151 (c) The state auditor may audit each institution to verify that the money collected by the

152 institutions from contributors is used for scholastic scholarships.

153 (d) After an applicant has been issued collegiate license plates or renewal decals, the  
154 commission shall charge the institution whose plate was issued, a fee determined in accordance  
155 with Section 63J-1-504 for management and administrative expenses incurred in issuing and  
156 renewing the collegiate license plates.

157 (e) If the contribution is made at the time of application, the contribution shall be  
158 collected, treated, and deposited as provided under Subsection (3).

159 (3) (a) (i) Except as provided in Subsection (3)(a)(ii), an applicant for original or  
160 renewal support special group license plates under this section must be a contributor to the  
161 sponsoring organization associated with the license plate.

162 (ii) An applicant for a historical special group license plate is not required to make a  
163 donation to the Utah State Historical Society if the historical special group license plate is for a  
164 vintage vehicle that has a model year of 1980 or older.

165 (b) This contribution shall be:

166 (i) unless collected by the named institution under Subsection (2), collected by the  
167 division;

168 (ii) considered a voluntary contribution for the funding of the activities specified under  
169 this section and not a motor vehicle registration fee;

170 (iii) deposited into the appropriate account less actual administrative costs associated  
171 with issuing the license plates; and

172 (iv) for a firefighter special group license plate, deposited into the appropriate account  
173 less:

174 (A) the costs of reordering firefighter special group license plate decals; and

175 (B) the costs of replacing recognition special group license plates with new license  
176 plates under Subsection 41-1a-1211(13).

177 (c) The donation described in Subsection (1)(a) must be made in the 12 months before  
178 registration or renewal of registration.

179 (d) The donation described in Subsection (1)(a) shall be a one-time donation made to  
180 the division when issuing original:

181 (i) snowmobile license plates; or

182 (ii) conservation license plates.

183 (4) Veterans license plates shall display one of the symbols representing the Army,  
184 Navy, Air Force, Marines, Coast Guard, or American Legion.

185 Section 2. Section **59-21-2** is amended to read:

186 **59-21-2. Mineral Bonus Account created -- Contents -- Use of Mineral Bonus**  
187 **Account money -- Mineral Lease Account created -- Contents -- Appropriation of money**  
188 **from Mineral Lease Account.**

189 (1) (a) There is created a restricted account within the General Fund known as the  
190 "Mineral Bonus Account."

191 (b) The Mineral Bonus Account consists of federal mineral lease bonus payments  
192 deposited pursuant to Subsection [59-21-1\(3\)](#).

193 (c) The Legislature shall make appropriations from the Mineral Bonus Account in  
194 accordance with Section 35 of the Mineral Lands Leasing Act of 1920, 30 U.S.C. Sec. 191.

195 (d) The state treasurer shall:

196 (i) invest the money in the Mineral Bonus Account by following the procedures and  
197 requirements of Title 51, Chapter 7, State Money Management Act; and

198 (ii) deposit all interest or other earnings derived from the account into the Mineral  
199 Bonus Account.

200 (e) The Division of Finance shall, beginning on July 1, 2017, annually deposit 30% of  
201 mineral lease bonus payments deposited under Subsection (1)(b) from the previous fiscal year  
202 into the Wildland Fire Suppression Fund created in Section [65A-8-204](#), up to \$2,000,000 but  
203 not to exceed 20% of the amount expended in the previous fiscal year from the Wildland Fire  
204 Suppression Fund.

205 (2) (a) There is created a restricted account within the General Fund known as the  
206 "Mineral Lease Account."

207 (b) The Mineral Lease Account consists of federal mineral lease money deposited  
208 pursuant to Subsection [59-21-1\(1\)](#).

209 (c) The Legislature shall make appropriations from the Mineral Lease Account as  
210 provided in Subsection [59-21-1\(1\)](#) and this Subsection (2).

211 (d) [~~(i) Except as provided in Subsections (2)(d)(ii) and (iii), the~~] The Legislature shall  
212 annually appropriate 32.5% of all deposits made to the Mineral Lease Account to the  
213 Permanent Community Impact Fund established by Section [35A-8-303](#).

214           ~~[(ii) For fiscal year 2016-17 only and from the amount required to be deposited under~~  
215 ~~Subsection (2)(d)(i), the Legislature shall appropriate \$26,000,000 of the deposits made to the~~  
216 ~~Mineral Lease Account to the Impacted Communities Transportation Development Restricted~~  
217 ~~Account established by Section 72-2-128.]~~

218           ~~[(iii) For fiscal year 2017-18 only and from the amount required to be deposited under~~  
219 ~~Subsection (2)(d)(i), the Legislature shall appropriate \$27,000,000 of the deposits made to the~~  
220 ~~Mineral Lease Account to the Impacted Communities Transportation Development Restricted~~  
221 ~~Account established by Section 72-2-128.]~~

222           (e) The Legislature shall annually appropriate 2.25% of all deposits made to the  
223 Mineral Lease Account to the State Board of Education, to be used for education research and  
224 experimentation in the use of staff and facilities designed to improve the quality of education in  
225 Utah.

226           (f) The Legislature shall annually appropriate 2.25% of all deposits made to the  
227 Mineral Lease Account to the Utah Geological Survey, to be used for activities carried on by  
228 the survey having as a purpose the development and exploitation of natural resources in the  
229 state.

230           (g) The Legislature shall annually appropriate 2.25% of all deposits made to the  
231 Mineral Lease Account to the Water Research Laboratory at Utah State University, to be used  
232 for activities carried on by the laboratory having as a purpose the development and exploitation  
233 of water resources in the state.

234           (h) (i) The Legislature shall annually appropriate to the Division of Finance 40% of all  
235 deposits made to the Mineral Lease Account to be distributed as provided in Subsection  
236 (2)(h)(ii) to:

237           (A) counties;

238           (B) special service districts established:

239           (I) by counties;

240           (II) under Title 17D, Chapter 1, Special Service District Act; and

241           (III) for the purpose of constructing, repairing, or maintaining roads; or

242           (C) special service districts established:

243           (I) by counties;

244           (II) under Title 17D, Chapter 1, Special Service District Act; and



- 245 (III) for other purposes authorized by statute.
- 246 (ii) The Division of Finance shall allocate the funds specified in Subsection (2)(h)(i):
- 247 (A) in amounts proportionate to the amount of mineral lease money generated by each
- 248 county; and
- 249 (B) to a county or special service district established by a county under Title 17D,
- 250 Chapter 1, Special Service District Act, as determined by the county legislative body.
- 251 (i) (i) The Legislature shall annually appropriate 5% of all deposits made to the
- 252 Mineral Lease Account to the Department of Workforce Services to be distributed to:
- 253 (A) special service districts established:
- 254 (I) by counties;
- 255 (II) under Title 17D, Chapter 1, Special Service District Act; and
- 256 (III) for the purpose of constructing, repairing, or maintaining roads; or
- 257 (B) special service districts established:
- 258 (I) by counties;
- 259 (II) under Title 17D, Chapter 1, Special Service District Act; and
- 260 (III) for other purposes authorized by statute.
- 261 (ii) The Department of Workforce Services may distribute the amounts described in
- 262 Subsection (2)(i)(i) only to special service districts established under Title 17D, Chapter 1,
- 263 Special Service District Act, by counties:
- 264 (A) of the third, fourth, fifth, or sixth class;
- 265 (B) in which 4.5% or less of the mineral lease money within the state is generated; and
- 266 (C) that are significantly socially or economically impacted as provided in Subsection
- 267 (2)(i)(iii) by the development of minerals under the Mineral Lands Leasing Act, 30 U.S.C. Sec.
- 268 181 et seq.
- 269 (iii) The significant social or economic impact required under Subsection (2)(i)(ii)(C)
- 270 shall be as a result of:
- 271 (A) the transportation within the county of hydrocarbons, including solid hydrocarbons
- 272 as defined in Section [59-5-101](#);
- 273 (B) the employment of persons residing within the county in hydrocarbon extraction,
- 274 including the extraction of solid hydrocarbons as defined in Section [59-5-101](#); or
- 275 (C) a combination of Subsections (2)(i)(iii)(A) and (B).

276 (iv) For purposes of distributing the appropriations under this Subsection (2)(i) to  
277 special service districts established by counties under Title 17D, Chapter 1, Special Service  
278 District Act, the Department of Workforce Services shall:

279 (A) (I) allocate 50% of the appropriations equally among the counties meeting the  
280 requirements of Subsections (2)(i)(ii) and (iii); and

281 (II) allocate 50% of the appropriations based on the ratio that the population of each  
282 county meeting the requirements of Subsections (2)(i)(ii) and (iii) bears to the total population  
283 of all of the counties meeting the requirements of Subsections (2)(i)(ii) and (iii); and

284 (B) after making the allocations described in Subsection (2)(i)(iv)(A), distribute the  
285 allocated revenues to special service districts established by the counties under Title 17D,  
286 Chapter 1, Special Service District Act, as determined by the executive director of the  
287 Department of Workforce Services after consulting with the county legislative bodies of the  
288 counties meeting the requirements of Subsections (2)(i)(ii) and (iii).

289 (v) The executive director of the Department of Workforce Services:

290 (A) shall determine whether a county meets the requirements of Subsections (2)(i)(ii)  
291 and (iii);

292 (B) shall distribute the appropriations under Subsection (2)(i)(i) to special service  
293 districts established by counties under Title 17D, Chapter 1, Special Service District Act, that  
294 meet the requirements of Subsections (2)(i)(ii) and (iii); and

295 (C) in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act,  
296 may make rules:

297 (I) providing a procedure for making the distributions under this Subsection (2)(i) to  
298 special service districts; and

299 (II) defining the term "population" for purposes of Subsection (2)(i)(iv).

300 (j) (i) The Legislature shall annually make the following appropriations from the  
301 Mineral Lease Account:

302 (A) an amount equal to 52 cents multiplied by the number of acres of school or  
303 institutional trust lands, lands owned by the Division of State Parks or the Division of Outdoor  
304 Recreation, and lands owned by the Division of Wildlife Resources that are not under an in lieu  
305 of taxes contract, to each county in which those lands are located;

306 (B) to each county in which school or institutional trust lands are transferred to the

307 federal government after December 31, 1992, an amount equal to the number of transferred  
308 acres in the county multiplied by a payment per acre equal to the difference between 52 cents  
309 per acre and the per acre payment made to that county in the most recent payment under the  
310 federal payment in lieu of taxes program, 31 U.S.C. Sec. 6901 et seq., unless the federal  
311 payment was equal to or exceeded the 52 cents per acre, in which case a payment under this  
312 Subsection (2)(j)(i)(B) may not be made for the transferred lands;

313 (C) to each county in which federal lands, which are entitlement lands under the federal  
314 in lieu of taxes program, are transferred to the school or institutional trust, an amount equal to  
315 the number of transferred acres in the county multiplied by a payment per acre equal to the  
316 difference between the most recent per acre payment made under the federal payment in lieu of  
317 taxes program and 52 cents per acre, unless the federal payment was equal to or less than 52  
318 cents per acre, in which case a payment under this Subsection (2)(j)(i)(C) may not be made for  
319 the transferred land; and

320 (D) to a county of the fifth or sixth class, an amount equal to the product of:

321 (I) \$1,000; and

322 (II) the number of residences described in Subsection (2)(j)(iv) that are located within  
323 the county.

324 (ii) A county receiving money under Subsection (2)(j)(i) may, as determined by the  
325 county legislative body, distribute the money or a portion of the money to:

326 (A) special service districts established by the county under Title 17D, Chapter 1,  
327 Special Service District Act;

328 (B) school districts; or

329 (C) public institutions of higher education.

330 (iii) (A) Beginning in fiscal year 1994-95 and in each year after fiscal year 1994-95, the  
331 Division of Finance shall increase or decrease the amounts per acre provided for in Subsections  
332 (2)(j)(i)(A) through (C) by the average annual change in the Consumer Price Index for all urban  
333 consumers published by the Department of Labor.

334 (B) For fiscal years beginning on or after fiscal year 2001-02, the Division of Finance  
335 shall increase or decrease the amount described in Subsection (2)(j)(i)(D)(I) by the average  
336 annual change in the Consumer Price Index for all urban consumers published by the  
337 Department of Labor.

338 (iv) Residences for purposes of Subsection (2)(j)(i)(D)(II) are residences that are:

339 (A) owned by:

340 (I) the Division of State Parks;

341 (II) the Division of Outdoor Recreation; or

342 (III) the Division of Wildlife Resources;

343 (B) located on lands that are owned by:

344 (I) the Division of State Parks;

345 (II) the Division of Outdoor Recreation; or

346 (III) the Division of Wildlife Resources; and

347 (C) are not subject to taxation under:

348 (I) Chapter 2, Property Tax Act; or

349 (II) Chapter 4, Privilege Tax.

350 (k) The Legislature shall annually appropriate to the Permanent Community Impact  
351 Fund all deposits remaining in the Mineral Lease Account after making the appropriations  
352 provided for in Subsections (2)(d) through (j).

353 (3) (a) Each agency, board, institution of higher education, and political subdivision  
354 receiving money under this chapter shall provide the Legislature, through the Office of the  
355 Legislative Fiscal Analyst, with a complete accounting of the use of that money on an annual  
356 basis.

357 (b) The accounting required under Subsection (3)(a) shall:

358 (i) include actual expenditures for the prior fiscal year, budgeted expenditures for the  
359 current fiscal year, and planned expenditures for the following fiscal year; and

360 (ii) be reviewed by the Business, Economic Development, and Labor Appropriations  
361 Subcommittee as part of its normal budgetary process under Title 63J, Chapter 1, Budgetary  
362 Procedures Act.

363 Section 3. **Repealer.**

364 This bill repeals:

365 Section **72-2-128, Impacted Communities Transportation Development Restricted**  
366 **Account.**

367 Section **72-2-130, Motorcycle Safety Awareness Support Restricted Account.**