

Senator Ronald M. Winterton proposes the following substitute bill:

GOVERNOR'S OFFICE OF ECONOMIC OPPORTUNITY

AMENDMENTS

2023 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Ronald M. Winterton

House Sponsor: _____

LONG TITLE

General Description:

This bill modifies provisions related to the Governor's Office of Economic Opportunity.

Highlighted Provisions:

This bill:

- ▶ defines terms;
- ▶ requires the Governor's Office of Economic Opportunity (office) to report certain information regarding reinvestment agencies to the Legislature;
- ▶ expands the nonvoting membership of the Unified Economic Opportunity Commission;
- ▶ expands the membership of the Unified Economic Opportunity Commission's Women in the Economy Subcommittee;
- ▶ modifies provisions relating to the office's authorization of economic development tax credits;
- ▶ modifies provisions relating to the office's award of loans and grants from the Industrial Assistance Account;
- ▶ repeals limitations on the office's use of funds from the State Small Business Credit Initiative Program Fund for administration;



- 26 ▶ modifies provisions relating to the office's award of grants under the Economic
27 Assistance Grant Program;
- 28 ▶ establishes the Redevelopment Matching Grant Program for supporting certain local
29 government projects related to housing and water conservation;
- 30 ▶ allows the office to award grants to associations of governments under the office's
31 Rural Opportunity Program;
- 32 ▶ repeals the sunset date for certain motion picture incentives available only for rural
33 productions;
- 34 ▶ requires the Legislature to conduct a biennial review of motion picture incentives
35 available only for rural productions;
- 36 ▶ renames the Utah Immigration Assistance Center to the Utah Center for
37 Immigration and Integration and modifies the center's duties; and
- 38 ▶ makes technical and conforming changes.

39 **Money Appropriated in this Bill:**

40 None

41 **Other Special Clauses:**

42 None

43 **Utah Code Sections Affected:**

44 AMENDS:

- 45 **17C-1-603**, as last amended by Laws of Utah 2021, Chapter 282
- 46 **63I-1-263**, as last amended by Laws of Utah 2022, Chapters 23, 34, 68, 153, 218, 236,
47 249, 274, 296, 313, 361, 362, 417, 419, and 472
- 48 **63N-1a-201**, as last amended by Laws of Utah 2022, Chapter 362
- 49 **63N-1b-402**, as renumbered and amended by Laws of Utah 2022, Chapter 362
- 50 **63N-1b-403**, as renumbered and amended by Laws of Utah 2022, Chapter 362
- 51 **63N-1b-404**, as renumbered and amended by Laws of Utah 2022, Chapter 362
- 52 **63N-2-104.3**, as enacted by Laws of Utah 2022, Chapter 200
- 53 **63N-3-102**, as last amended by Laws of Utah 2022, Chapter 200
- 54 **63N-3-105**, as last amended by Laws of Utah 2022, Chapter 362
- 55 **63N-3-106**, as last amended by Laws of Utah 2021, Chapter 282
- 56 **63N-3-107**, as renumbered and amended by Laws of Utah 2015, Chapter 283

- 57 [63N-3-111](#), as last amended by Laws of Utah 2022, Chapter 200
- 58 [63N-3-801](#), as renumbered and amended by Laws of Utah 2022, Chapter 22
- 59 [63N-3-1002](#), as enacted by Laws of Utah 2022, Chapter 362
- 60 [63N-4-801](#), as enacted by Laws of Utah 2022, Chapter 362
- 61 [63N-4-802](#), as enacted by Laws of Utah 2022, Chapter 362
- 62 [63N-8-105](#), as last amended by Laws of Utah 2021, Chapter 282
- 63 [63N-13-101](#), as last amended by Laws of Utah 2021, Chapter 282
- 64 [63N-17-202](#), as last amended by Laws of Utah 2021, Chapters 162, 345 and
- 65 renumbered and amended by Laws of Utah 2021, Chapter 282
- 66 [63N-18-102](#), as enacted by Laws of Utah 2021, Chapter 304

67 ENACTS:

- 68 [63N-3-1201](#), Utah Code Annotated 1953
- 69 [63N-3-1202](#), Utah Code Annotated 1953

70 RENUMBERS AND AMENDS:

- 71 [63N-18-201](#), (Renumbered from 63N-18-103, as enacted by Laws of Utah 2021,
- 72 Chapter 304)
- 73 [63N-18-202](#), (Renumbered from 63N-18-104, as enacted by Laws of Utah 2021,
- 74 Chapter 304)

75 REPEALS:

- 76 [63N-3-109](#), as last amended by Laws of Utah 2022, Chapter 362
- 77 [63N-18-101](#), as enacted by Laws of Utah 2021, Chapter 304



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

80 Section 1. Section **17C-1-603** is amended to read:

81 **17C-1-603. Reporting requirements -- Governor's Office of Economic**
82 **Opportunity to maintain a database.**

- 83 (1) On or before June 1, 2022, the Governor's Office of Economic Opportunity shall:
- 84 (a) create a database to track information for each agency located within the state; and
- 85 (b) make the database publicly accessible from the office's website.
- 86 (2) (a) The Governor's Office of Economic Opportunity may:
- 87 (i) contract with a third party to create and maintain the database described in

88 Subsection (1); and

89 (ii) charge a fee for a county, city, or agency to provide information to the database
90 described in Subsection (1).

91 (b) The Governor's Office of Economic Opportunity shall make rules, in accordance
92 with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, to establish a fee schedule for
93 the fee described in Subsection (2)(a)(ii).

94 (3) Beginning in 2022, on or before June 30 of each calendar year, an agency shall, for
95 each active project area for which the project area funds collection period has not expired,
96 provide to the database described in Subsection (1) the following information:

97 (a) an assessment of the change in marginal value, including:

98 (i) the base year;

99 (ii) the base taxable value;

100 (iii) the prior year's assessed value;

101 (iv) the estimated current assessed value;

102 (v) the percentage change in marginal value; and

103 (vi) a narrative description of the relative growth in assessed value;

104 (b) the amount of project area funds the agency received for each year of the project
105 area funds collection period, including:

106 (i) a comparison of the actual project area funds received for each year to the amount of
107 project area funds forecasted for each year when the project area was created, if available;

108 (ii) (A) the agency's historical receipts of project area funds, including the tax year for
109 which the agency first received project area funds from the project area; or

110 (B) if the agency has not yet received project area funds from the project area, the year
111 in which the agency expects each project area funds collection period to begin;

112 (iii) a list of each taxing entity that levies or imposes a tax within the project area and a
113 description of the benefits that each taxing entity receives from the project area; and

114 (iv) the amount paid to other taxing entities under Section [17C-1-410](#), if applicable;

115 (c) a description of current and anticipated project area development, including:

116 (i) a narrative of any significant project area development, including infrastructure
117 development, site development, participation agreements, or vertical construction; and

118 (ii) other details of development within the project area, including:

- 119 (A) the total developed acreage;
- 120 (B) the total undeveloped acreage;
- 121 (C) the percentage of residential development; and
- 122 (D) the total number of housing units authorized, if applicable;
- 123 (d) the project area budget, if applicable, or other project area funds analyses,
- 124 including:
 - 125 (i) each project area funds collection period, including:
 - 126 (A) the start and end date of the project area funds collection period; and
 - 127 (B) the number of years remaining in each project area funds collection period;
 - 128 (ii) the amount of project area funds the agency is authorized to receive from the
 - 129 project area cumulatively and from each taxing entity, including:
 - 130 (A) the total dollar amount; and
 - 131 (B) the percentage of the total amount of project area funds generated within the
 - 132 project area;
 - 133 (iii) the remaining amount of project area funds the agency is authorized to receive
 - 134 from the project area cumulatively and from each taxing entity; and
 - 135 (iv) the amount of project area funds the agency is authorized to use to pay for the
 - 136 agency's administrative costs, as described in Subsection 17C-1-409(1), including:
 - 137 (A) the total dollar amount; and
 - 138 (B) the percentage of the total amount of all project area funds;
 - 139 (e) the estimated amount of project area funds that the agency is authorized to receive
 - 140 from the project area for the current calendar year;
 - 141 (f) the estimated amount of project area funds to be paid to the agency for the next
 - 142 calendar year;
 - 143 (g) a map of the project area; and
 - 144 (h) any other relevant information the agency elects to provide.
 - 145 [~~(4) (a) Until the Governor's Office of Economic Opportunity creates a database as~~
 - 146 ~~required in Subsection (1), an agency shall, on or before November 1 of each calendar year,~~
 - 147 ~~electronically submit a report to:]~~
 - 148 [~~(i) the community in which the agency operates;]~~
 - 149 [~~(ii) the county auditor;]~~

150 ~~[(iii) the State Tax Commission;]~~
151 ~~[(iv) the State Board of Education; and]~~
152 ~~[(v) each taxing entity from which the agency receives project area funds.]~~
153 ~~[(b) An agency shall ensure that the report described in Subsection (4)(a):]~~
154 ~~[(i) contains the same information described in Subsection (3); and]~~
155 ~~[(ii) is posted on the website of the community in which the agency operates.]~~
156 ~~[(5)]~~ (4) Any information an agency submits in accordance with this section:
157 (a) is for informational purposes only; and
158 (b) does not alter the amount of project area funds that an agency is authorized to
159 receive from a project area.
160 ~~[(6)]~~ (5) The provisions of this section apply regardless of when the agency or project
161 area is created.
162 (6) On or before September 1 of each year, the Governor's Office of Economic
163 Opportunity shall prepare and submit an annual written report to the Political Subdivisions
164 Interim Committee that identifies:
165 (a) the agencies that complied with the reporting requirements of this section during
166 the preceding reporting period; and
167 (b) any agencies that failed to comply with the reporting requirements of this section
168 during the preceding reporting period.
169 Section 2. Section **63I-1-263** is amended to read:
170 **63I-1-263. Repeal dates: Titles 63A to 63N.**
171 (1) Subsection **63A-5b-405(5)**, relating to prioritizing and allocating capital
172 improvement funding, is repealed July 1, 2024.
173 (2) Section **63A-5b-1003**, State Facility Energy Efficiency Fund, is repealed July 1,
174 2023.
175 (3) Sections **63A-9-301** and **63A-9-302**, related to the Motor Vehicle Review
176 Committee, are repealed July 1, 2023.
177 (4) In relation to the Utah Transparency Advisory Board, on January 1, 2025:
178 (a) Section **63A-18-102** is repealed;
179 (b) Section **63A-18-201** is repealed; and
180 (c) Section **63A-18-202** is repealed.

181 (5) Title 63C, Chapter 4a, Constitutional and Federalism Defense Act, is repealed July
182 1, 2028.

183 (6) Title 63C, Chapter 6, Utah Seismic Safety Commission, is repealed January 1,
184 2025.

185 (7) Title 63C, Chapter 12, Snake Valley Aquifer Advisory Council, is repealed July 1,
186 2024.

187 (8) Title 63C, Chapter 17, Point of the Mountain Development Commission Act, is
188 repealed July 1, 2023.

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

191 (10) Title 63C, Chapter 23, Education and Mental Health Coordinating Council, is
192 repealed July 1, 2026.

193 (11) Title 63C, Chapter 27, Cybersecurity Commission, is repealed July 1, 2032.

194 (12) Title 63C, Chapter 28, Ethnic Studies Commission, is repealed July 1, 2026.

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

197 (14) Title 63G, Chapter 21, Agreements to Provide State Services, is repealed July 1,
198 2028.

199 (15) Title 63H, Chapter 4, Heber Valley Historic Railroad Authority, is repealed July 1,
200 2024.

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

202 (17) Subsection [63J-1-602.1](#)(17), relating to the Nurse Home Visiting Restricted
203 Account, is repealed July 1, 2026.

204 (18) Subsection [63J-1-602.2](#)(6), referring to dedicated credits to the Utah Marriage
205 Commission, is repealed July 1, 2023.

206 [~~(19) Subsection [63J-1-602.2](#)(7), referring to the Trip Reduction Program, is repealed~~
207 ~~July 1, 2022.~~]

208 [~~(20)~~ (19) Subsection [63J-1-602.2](#)(26), related to the Utah Seismic Safety
209 Commission, is repealed January 1, 2025.

210 [~~(21)~~ (20) Title 63L, Chapter 11, Part 4, Resource Development Coordinating
211 Committee, is repealed July 1, 2027.

212 [~~(22)~~] (21) In relation to the Utah Substance Use and Mental Health Advisory Council,
213 on January 1, 2033:

214 (a) Sections [63M-7-301](#), [63M-7-302](#), [63M-7-303](#), [63M-7-304](#), and [63M-7-306](#) are
215 repealed;

216 (b) Section [63M-7-305](#), the language that states "council" is replaced with
217 "commission";

218 (c) Subsection [63M-7-305](#)(1)(a) is repealed and replaced with:

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

220 (d) Subsection [63M-7-305](#)(2) is repealed and replaced with:

221 "(2) The commission shall:

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

224 (b) coordinate the implementation of Section [77-18-104](#) and related provisions in
225 Subsections [77-18-103](#)(2)(c) and (d)."

226 [~~(23)~~] (22) The Crime Victim Reparations and Assistance Board, created in Section
227 [63M-7-504](#), is repealed July 1, 2027.

228 [~~(24)~~] (23) Title 63M, Chapter 11, Utah Commission on Aging, is repealed July 1,
229 2026.

230 [~~(25)~~] (24) Title 63N, Chapter 1b, Part 4, Women in the Economy Subcommittee, is
231 repealed January 1, 2025.

232 [~~(26)~~] (25) Title 63N, Chapter 2, Part 2, Enterprise Zone Act, is repealed July 1, 2028.

233 [~~(27)~~] (26) Section [63N-2-512](#), related to the Hotel Impact Mitigation Fund, is repealed
234 July 1, 2028.

235 [~~(28)~~] (27) Title 63N, Chapter 3, Part 9, Strategic Innovation Grant Pilot Program, is
236 repealed July 1, 2027.

237 [~~(29)~~] (28) Title 63N, Chapter 3, Part 11, Manufacturing Modernization Grant
238 Program, is repealed July 1, 2025.

239 [~~(30)~~] (29) In relation to the Rural Employment Expansion Program, on July 1, 2023:

240 (a) Title 63N, Chapter 4, Part 4, Rural Employment Expansion Program, is repealed;
241 and

242 (b) Subsection [63N-4-805](#)(5)(b), referring to the Rural Employment Expansion

243 Program, is repealed.

244 ~~[(31)]~~ (30) In relation to the Board of Tourism Development, on July 1, 2025:

245 (a) Subsection 63N-2-511(1)(b), which defines "tourism board," is repealed;

246 (b) Subsections 63N-2-511(3)(a) and (5), the language that states "tourism board" is

247 repealed and replaced with "Utah Office of Tourism";

248 (c) Subsection 63N-7-101(1), which defines "board," is repealed;

249 (d) Subsection 63N-7-102(3)(c), which requires the Utah Office of Tourism to receive
250 approval from the Board of Tourism Development, is repealed; and

251 (e) Title 63N, Chapter 7, Part 2, Board of Tourism Development, is repealed.

252 ~~[(32) Subsection 63N-8-103(3)(c), which allows the Governor's Office of Economic
253 Opportunity to issue an amount of tax credit certificates only for rural productions, is repealed
254 on July 1, 2024.]~~

255 Section 3. Section 63N-1a-201 is amended to read:

256 **63N-1a-201. Creation of commission.**

257 (1) There is created in the office the Unified Economic Opportunity Commission,
258 established to carry out the mission described in Section 63N-1a-103 and direct the office and
259 other appropriate entities in fulfilling the state strategic goals.

260 (2) The commission consists of:

261 (a) the following voting members:

262 (i) the governor, who shall serve as the chair of the commission;

263 (ii) the executive director, who shall serve as the vice chair of the commission;

264 (iii) the executive director of the Department of Workforce Services;

265 (iv) the executive director of the Department of Transportation;

266 (v) the executive director of the Department of Natural Resources;

267 (vi) the executive director of the Department of Commerce;

268 (vii) the commissioner of the Department of Agriculture and Food;

269 (viii) the executive director of the Governor's Office of Planning and Budget;

270 (ix) the commissioner of higher education;

271 (x) the state superintendent of public instruction;

272 (xi) the president of the Senate or the president's designee;

273 (xii) the speaker of the House of Representatives or the speaker's designee;

274 (xiii) one individual who is knowledgeable about housing needs in the state, including
275 housing density and land use, appointed by the governor;

276 (xiv) one individual who represents the interests of urban cities, appointed by the Utah
277 League of Cities and Towns; and

278 (xv) one individual who represents the interests of rural counties, appointed by the
279 Utah Association of Counties; and

280 (b) the following non-voting members:

281 (i) the chief executive officer of World Trade Center Utah;

282 (ii) the chief executive officer of the Economic Development Corporation of Utah;

283 [~~and~~]

284 (iii) a senior advisor to the chair of the commission with expertise in rural affairs of the
285 state, appointed by the chair of the commission[-]; and

286 (iv) the chief executive officer of one of the following entities, appointed by the chair
287 of the commission:

288 (A) the Utah Inland Port Authority created in Section [11-58-201](#);

289 (B) the Point of the Mountain State Land Authority created in Section [11-59-201](#); or

290 (C) the Military Installation Development Authority created in Section [63H-1-201](#).

291 (3) A majority of commission members constitutes a quorum for the purposes of
292 conducting commission business and the action of a majority of a quorum constitutes the action
293 of the commission.

294 (4) The executive director of the office, or the executive director's designee, is the
295 executive director of the commission.

296 (5) The office shall provide:

297 (a) office space and administrative staff support for the commission; and

298 (b) the central leadership and coordination of the commission's efforts in the field of
299 economic development.

300 (6) (a) A member may not receive compensation or benefits for the member's service
301 on the commission, but may receive per diem and travel expenses in accordance with:

302 (i) Sections [63A-3-106](#) and [63A-3-107](#); and

303 (ii) rules made by the Division of Finance in accordance with Sections [63A-3-106](#) and
304 [63A-3-107](#).

305 (b) Compensation and expenses of a commission member who is a legislator are
306 governed by Section 36-2-2 and Legislative Joint Rules, Title 5, Legislative Compensation and
307 Expenses.

308 Section 4. Section 63N-1b-402 is amended to read:

309 **63N-1b-402. Women in the Economy Subcommittee created.**

310 (1) There is created a subcommittee of the commission called the Women in the
311 Economy Subcommittee.

312 (2) The subcommittee shall consist of ~~[++]~~ 15 members as follows:

313 (a) one senator appointed by the president of the Senate;

314 (b) one senator appointed by the minority leader of the Senate;

315 (c) one representative appointed by the speaker of the House of Representatives;

316 (d) one representative appointed by the minority leader of the House of

317 Representatives;

318 (e) the executive director of the department, or the executive director's designee; and

319 (f) ~~[six]~~ 10 members appointed by the governor as follows:

320 (i) ~~[a representative of a business with fewer than 50 employees that has been awarded~~
321 ~~for work flexibility or work-life balance]~~ two individuals who represent businesses in the state
322 that:

323 (A) have fewer than 50 employees; and

324 (B) have demonstrated a commitment to women in the economy;

325 (ii) ~~[a representative of a business with 50 or more employees, but fewer than 500~~
326 ~~employees, that has been awarded for work flexibility or work-life balance]~~ two individuals
327 who represent businesses in the state that:

328 (A) have 50 or more employees, but fewer than 500 employees; and

329 (B) have demonstrated a commitment to women in the economy;

330 (iii) ~~[a representative of a business with 500 or more employees that has been awarded~~
331 ~~for work flexibility or work-life balance]~~ two individuals who represent businesses in the state
332 that:

333 (A) have 500 or more employees; and

334 (B) have demonstrated a commitment to women in the economy;

335 (iv) an individual who has experience in economic and demographic work ~~[and is~~

336 employed by a state institution of higher education];

337 (v) one individual from a nonprofit organization that [~~addresses issues related to~~
338 ~~domestic violence; and~~] focuses on women's advocacy;

339 (vi) one individual with managerial experience with organized labor[-]; and

340 (vii) one individual who serves as an officer, employee, or appointee of a local
341 government, nominated by the Utah League of Cities and Towns.

342 (3) (a) When a vacancy occurs in a position appointed by the governor under
343 Subsection (2)(f), the governor shall appoint a person to fill the vacancy.

344 (b) A member appointed under Subsection (2)(f) shall serve a term of four years.

345 (c) Notwithstanding Subsection (3)(b), for members appointed under Subsection (2)(f),
346 the governor shall, at the time of appointment or reappointment, adjust the length of terms to
347 ensure that the terms of subcommittee members are staggered so that approximately half of the
348 subcommittee members appointed under Subsection (2)(f) are appointed every two years.

349 [~~(b)~~] (d) Members appointed under Subsection (2)(f) may be removed by the governor
350 for cause.

351 [~~(c)~~] (e) A member appointed under Subsection (2)(f) shall be removed from the
352 subcommittee and replaced by the governor if the member is absent for three consecutive
353 meetings of the subcommittee without being excused by the chair of the subcommittee.

354 [~~(d)~~] (f) A member serves until the member's successor is appointed and qualified.

355 (4) In appointing the members under Subsection (2)(f), the governor shall:

356 (a) take into account the geographical makeup of the subcommittee; and

357 (b) strive to appoint members who are knowledgeable or have an interest in issues
358 related to women in the economy.

359 (5) (a) The subcommittee shall select two members who are legislators to serve as
360 cochairs, [~~one of which shall be a legislator~~] of which:

361 (i) one cochair shall be a member of the Senate; and

362 (ii) one cochair shall be a member of the House of Representatives.

363 (b) Subject to the other provisions of this Subsection (5), the cochairs are responsible
364 for the call and conduct of meetings.

365 (c) The cochairs shall call and hold meetings of the subcommittee at least [~~every two~~
366 ~~months~~] four times per year.

367 ~~[(d) One of the bimonthly meetings described in Subsection (5)(c) shall be held while~~
368 ~~the Legislature is convened in the Legislature's annual general session.]~~

369 ~~[(e) One or more additional meetings may be called upon request by a majority of the~~
370 ~~subcommittee's members.]~~

371 (6) (a) A majority of the members of the subcommittee constitutes a quorum.

372 (b) The action of a majority of a quorum constitutes the action of the subcommittee.

373 (7) (a) A member of the subcommittee described in Subsection (2)(e) or (f) may not
374 receive compensation or benefits for the member's service, but may receive per diem and travel
375 expenses in accordance with:

376 (i) Section 63A-3-106;

377 (ii) Section 63A-3-107; and

378 (iii) rules made by the Division of Finance pursuant to Sections 63A-3-106 and
379 63A-3-107.

380 (b) Compensation and expenses of a member who is a legislator are governed by
381 Section 36-2-2 and Legislative Joint Rules, Title 5, Legislative Compensation and Expenses.

382 (8) The office shall provide staff support to the subcommittee.

383 Section 5. Section 63N-1b-403 is amended to read:

384 **63N-1b-403. Purpose -- Powers and duties of the subcommittee.**

385 (1) The subcommittee's purpose is to:

386 (a) increase public and government understanding of the current and future impact and
387 needs of the state's women in the economy and how those needs may be most effectively and
388 efficiently met;

389 (b) identify and recommend implementation of specific policies, procedures, and
390 programs to respond to the rights, needs, and impact of women in the economy; and

391 (c) facilitate coordination of the functions of public and private entities concerned with
392 women in the economy.

393 (2) The subcommittee shall:

394 (a) facilitate the communication and coordination of public and private entities that
395 provide services to women or protect the rights of women;

396 (b) study, evaluate, and report on the status and effectiveness of policies, procedures,
397 and programs that provide services to women or protect the rights of women;

398 (c) study and evaluate the policies, procedures, and programs implemented by other
399 states that address the needs of women in the economy or protect the rights of women;

400 (d) facilitate and conduct the research and study of issues related to women in the
401 economy;

402 (e) provide a forum for public comment on issues related to women in the economy;

403 (f) provide public information on women in the economy and the services available to
404 women; and

405 (g) encourage state and local governments to analyze, plan, and prepare for the impact
406 of women in the economy on services and operations.

407 (3) To accomplish the subcommittee's duties, the subcommittee may:

408 (a) request and receive from a state or local government agency or institution summary
409 information relating to women in the economy, including:

410 (i) reports;

411 (ii) audits;

412 (iii) projections; and

413 (iv) statistics;

414 (b) in coordination with the office, apply for and accept grants or donations for uses
415 consistent with the duties of the subcommittee from public or private sources; and

416 (c) appoint one or more working groups to advise and assist the subcommittee.

417 (4) Money received by the office under Subsection (3)(b) shall be:

418 (a) accounted for and expended in compliance with the requirements of federal and
419 state law; and

420 (b) continuously available to the subcommittee to carry out the subcommittee's duties.

421 (5) (a) A member of a working group described in Subsection (3)(c):

422 (i) shall be appointed by the subcommittee;

423 (ii) may be:

424 (A) a member of the subcommittee; or

425 (B) an individual from the private or public sector; and

426 (iii) notwithstanding Section [35A-11-201](#), may not receive reimbursement or pay for
427 any work done in relation to the working group.

428 (b) A working group described in Subsection (3)(c) shall report to the subcommittee on

429 the progress of the working group.

430 Section 6. Section **63N-1b-404** is amended to read:

431 **63N-1b-404. Annual report.**

432 (1) The subcommittee shall annually prepare a report for inclusion in the [office's
433 ~~annual written report described in Section 63N-1a-306~~] commission's report to the office under
434 Subsection 63N-1a-202(3).

435 (2) The report described in Subsection (1) shall:

436 (a) describe how the subcommittee fulfilled the subcommittee's statutory purposes and
437 duties during the year; and

438 (b) contain recommendations on how the state should act to address issues relating to
439 women in the economy.

440 Section 7. Section **63N-2-104.3** is amended to read:

441 **63N-2-104.3. Limitations on tax credit amount.**

442 (1) Except as provided in Subsection (2)(a), for a new commercial project that is
443 located within the boundary of a county of the first or second class, the office may not
444 authorize a tax credit that exceeds:

445 (a) 50% of the new state revenues from the new commercial project in any given year;

446 (b) 30% of the new state revenues from the new commercial project over [~~the lesser of~~
447 ~~the life of a new commercial project or~~] a period of up to 20 years; or

448 (c) 35% of the new state revenues from the new commercial project over [~~the lesser of~~
449 ~~the life of a new commercial project or~~] a period of up to 20 years, if:

450 (i) the new commercial project brings 2,500 or more new incremental jobs to the state;

451 (ii) the amount of capital expenditures associated with the new commercial project is
452 \$1,000,000,000 or more; and

453 (iii) the commission approves the tax credit.

454 (2) If the office authorizes a tax credit for a new commercial project located within the
455 boundary of:

456 (a) a municipality with a population of 10,000 or less located within a county of the
457 second class and that is experiencing economic hardship as determined by the office, the office
458 [~~shall~~] may authorize a tax credit of up to 50% of new state revenues from the new commercial
459 project over [~~the lesser of the life of the new commercial project or~~] a period of up to 20 years;

460 (b) a county of the third class, the office ~~[shall]~~ may authorize a tax credit of up to 50%
461 of new state revenues from the new commercial project over ~~[the lesser of the life of the new~~
462 ~~commercial project or]~~ a period of up to 20 years; and

463 (c) a county of the fourth, fifth, or sixth class, the office ~~[shall]~~ may authorize a tax
464 credit of 50% of new state revenues from the new commercial project over ~~[the lesser of the~~
465 ~~life of the new commercial project or]~~ a period of up to 20 years.

466 Section 8. Section **63N-3-102** is amended to read:

467 **63N-3-102. Definitions.**

468 As used in this part:

469 (1) "Administrator" means the executive director or the executive director's designee.

470 (2) "Economic opportunities" means ~~[unique]~~ business situations or community
471 circumstances~~[-including the development of recreation infrastructure and the promotion of the~~
472 ~~high tech sector in the state,]~~ which lend themselves to the furtherance of the economic
473 interests of the state by providing a catalyst or stimulus to the growth or retention, or both, of
474 commerce and industry in the state, including retention of companies whose relocation outside
475 the state would have a significant detrimental economic impact on the state as a whole, regions
476 of the state, or specific components of the state ~~[as determined by the GO Utah board]~~.

477 (3) "Restricted Account" means the restricted account known as the Industrial
478 Assistance Account created in Section **63N-3-103**.

479 (4) "Talent development grant" means a grant awarded under Section **63N-3-112**.

480 Section 9. Section **63N-3-105** is amended to read:

481 **63N-3-105. Qualification for assistance -- Application requirements.**

482 ~~[(1) (a) Except as provided in Section **63N-3-109**, the administrator, in consultation~~
483 ~~with the GO Utah board, shall determine which industries, companies, and individuals qualify~~
484 ~~to receive money from the Industrial Assistance Account.]~~

485 ~~[(b) Except as provided by Subsection (2), to qualify for financial assistance from the~~
486 ~~restricted account, an applicant shall:]~~

487 ~~[(i) demonstrate to the satisfaction of the administrator that the applicant will expend~~
488 ~~funds in the state with employees, vendors, subcontractors, or other businesses in an amount~~
489 ~~proportional with money provided from the restricted account at a minimum ratio of one to one~~
490 ~~per year or other more stringent requirements as established on a per project basis by the~~

491 administrator;]

492 ~~[(ii) demonstrate to the satisfaction of the administrator the applicant's ability to sustain~~
493 ~~economic activity in the state sufficient to repay, by means of cash or appropriate credits, the~~
494 ~~loan provided by the restricted account; and]~~

495 ~~[(iii) satisfy other criteria the administrator considers appropriate.]~~

496 ~~[(2) (a) The administrator may exempt an applicant from the requirements of~~
497 ~~Subsection (1)(a) or (b) if:]~~

498 ~~[(i) the applicant is part of a targeted industry;]~~

499 ~~[(ii) the applicant is a quasi-public corporation organized under Title 16, Chapter 6a,~~
500 ~~Utah Revised Nonprofit Corporation Act, or Title 63E, Chapter 2, Independent Corporations~~
501 ~~Act, and its operations, as demonstrated to the satisfaction of the administrator, will provide~~
502 ~~significant economic stimulus to the growth of commerce and industry in the state; or]~~

503 ~~[(iii) the applicant is an entity offering an economic opportunity under Section~~
504 ~~63N-3-109;]~~

505 ~~[(b) The administrator may not exempt the applicant from the requirement under~~
506 ~~Subsection 63N-3-106(2)(b) that the loan be structured so that the repayment or return to the~~
507 ~~state equals at least the amount of the assistance together with an annual interest charge.]~~

508 (1) Subject to the requirements of this part, the administrator may provide loans,
509 grants, or other financial assistance from the restricted account to an entity offering an
510 economic opportunity if that entity:

511 (a) applies to the administrator in a form approved by the administrator; and

512 (b) meets the qualifications of Subsection (2).

513 (2) As part of an application for receiving financial assistance under this part, an
514 applicant shall demonstrate the following to the satisfaction of the administrator:

515 (a) the nature of the economic opportunity and the related benefit to the economic
516 well-being of the state by providing evidence documenting the expenditure of money
517 necessitated by the economic opportunity;

518 (b) how the economic opportunity will act in concert with other state, federal, or local
519 agencies to achieve the economic benefit;

520 (c) that the applicant will expend funds in the state with employees, vendors,
521 subcontractors, or other businesses in an amount proportional with money provided from the

522 restricted account at a minimum ratio of one to one per year or other more stringent
523 requirements as established on a per project basis by the administrator;

524 (d) for an application for a loan, the applicant's ability to sustain economic activity in
525 the state sufficient to repay, by means of cash or appropriate credits, the loan provided by the
526 restricted account; and

527 (e) any other criteria the administrator considers appropriate.

528 (3) (a) The administrator may exempt an applicant from any of the requirements of
529 Subsection (2) if:

530 (i) the applicant is part of a targeted industry;

531 (ii) the applicant is a quasi-public corporation organized under Title 16, Chapter 6a,
532 Utah Revised Nonprofit Corporation Act, or Title 63E, Chapter 2, Independent Corporations
533 Act, and the applicant's operations, as demonstrated to the satisfaction of the administrator, will
534 provide significant economic stimulus to the growth of commerce and industry in the state; or

535 (iii) the GO Utah board recommends awarding a grant to the applicant.

536 (b) The administrator may not exempt the applicant from the requirement under
537 Subsection 63N-3-106(1)(b) that the loan be structured so that the repayment or return to the
538 state equals at least the amount of the assistance together with an annual interest charge.

539 ~~[(3)]~~ (4) The GO Utah board shall make recommendations to the administrator
540 regarding applications for loans, grants, or other financial assistance from the Industrial
541 Assistance Account.

542 (5) Before awarding any money under this part, the administrator shall:

543 (a) make findings as to whether an applicant has satisfied the requirements of
544 Subsection (2);

545 (b) establish benchmarks and timeframes in which progress toward the completion of
546 the agreed upon activity is to occur;

547 (c) monitor compliance by an applicant with any contract or agreement entered into by
548 the applicant and the state as provided by Section 63N-3-107; and

549 (d) make funding decisions based upon appropriate findings and compliance.

550 ~~[(4) The administrator shall:]~~

551 ~~[(a) for applicants not described in Subsection (2)(a):]~~

552 ~~[(i) make findings as to whether or not each applicant has satisfied each of the~~

553 conditions set forth in Subsection (1); and]

554 [(ii) monitor the continued compliance by each applicant with each of the conditions
555 set forth in Subsection (1) for five years;]

556 [(b) consider the GO Utah board's recommendations with respect to each application;]

557 [(c) monitor the compliance by each applicant with the provisions of any contract or
558 agreement entered into between the applicant and the state as provided in Section 63N-3-107;
559 and]

560 [(d) make funding decisions based upon appropriate findings and compliance.]

561 Section 10. Section 63N-3-106 is amended to read:

562 **63N-3-106. Structure of loans, grants, and assistance -- Repayment -- Earned**
563 **credits.**

564 [(1)(a) A company that qualifies under Section 63N-3-105 may receive loans, grants,
565 or other financial assistance from the Industrial Assistance Account for expenses related to
566 establishment, relocation, or development of industry in Utah.]

567 [(b) An entity offering an economic opportunity that qualifies under Section 63N-3-109
568 may:]

569 [(i) receive loans, grants, or other financial assistance from the restricted account for
570 expenses related to the establishment, relocation, retention, or development of industry in the
571 state; and]

572 [(ii) include infrastructure or other economic development precursor activities that act
573 as a catalyst and stimulus for economic activity likely to lead to the maintenance or
574 enlargement of the state's tax base.]

575 [(2)] (1) (a) Subject to Subsection [(2)(b)] (1)(b), the administrator has authority to
576 determine the structure, amount, and nature of any loan, grant, or other financial assistance
577 from the restricted account.

578 (b) Loans made under [Subsection (2)(a)] this part shall be structured so the intended
579 repayment or return to the state, including cash or credit, equals at least the amount of the
580 assistance together with an annual interest charge as negotiated by the administrator.

581 (c) Payments resulting from grants awarded from the restricted account shall be made
582 only after the administrator has determined that the company has satisfied the conditions upon
583 which the payment or earned credit was based.

584 ~~[(3)]~~ (2) ~~[(a)(i)]~~ (a) ~~[Except as provided in Subsection (3)(b), the]~~ The administrator
585 may provide for a system of earned credits that may be used to support grant payments or in
586 lieu of cash repayment of a restricted account loan obligation.

587 ~~[(ii)]~~ (b) The value of the credits described in Subsection ~~[(3)(a)(i)]~~ (2)(a) shall be
588 based on factors determined by the administrator, including:

589 ~~[(A)]~~ (i) the number of Utah jobs created;

590 ~~[(B)]~~ (ii) the increased economic activity in Utah; or

591 ~~[(C)]~~ (iii) other events and activities that occur as a result of the restricted account
592 assistance.

593 ~~[(b)(i)]~~ The administrator shall provide for a system of credits to be used to support
594 grant payments or in lieu of cash repayment of a restricted account loan when loans are made to
595 a company creating an economic impediment.]

596 ~~[(ii)]~~ The value of the credits described in Subsection ~~(3)(b)(i)~~ shall be based on factors
597 determined by the administrator, including:]

598 ~~[(A)]~~ the number of Utah jobs created;]

599 ~~[(B)]~~ the increased economic activity in Utah; or]

600 ~~[(C)]~~ other events and activities that occur as a result of the restricted account
601 assistance.]

602 ~~[(4)]~~ (3) (a) A cash loan repayment or other cash recovery from a company receiving
603 assistance under this section, including interest, shall be deposited into the restricted account.

604 (b) The administrator and the Division of Finance shall determine the manner of
605 recognizing and accounting for the earned credits used in lieu of loan repayments or to support
606 grant payments as provided in Subsection ~~[(3)]~~ (2).

607 ~~[(5)]~~ (4) (a) (i) At the end of each fiscal year, the Division of Finance shall set aside the
608 balance of the General Fund revenue surplus as defined in Section [63J-1-312](#) after the transfers
609 of General Fund revenue surplus described in Subsection ~~[(5)(b)]~~ (4)(b) to the Industrial
610 Assistance Account in an amount equal to any credit that has accrued under this part.

611 (ii) The set aside under Subsection ~~[(5)(a)(i)]~~ (4)(a)(i) shall be capped at \$50,000,000,
612 at which time no subsequent contributions may be made and any interest accrued above the
613 \$50,000,000 cap shall be deposited into the General Fund.

614 (b) The set aside required by Subsection ~~[(5)(a)]~~ (4)(a) shall be made after the transfer

615 of surplus General Fund revenue surplus is made:

616 (i) to the Medicaid Growth Reduction and Budget Stabilization Restricted Account, as
617 provided in Section [63J-1-315](#);

618 (ii) to the General Fund Budget Reserve Account, as provided in Section [63J-1-312](#);
619 and

620 (iii) to the Wildland Fire Suppression Fund or State Disaster Recovery Restricted
621 Account, as provided in Section [63J-1-314](#).

622 (c) These credit amounts may not be used for purposes of the restricted account as
623 provided in this part until appropriated by the Legislature.

624 Section 11. Section **63N-3-107** is amended to read:

625 **63N-3-107. Agreements.**

626 The administrator shall enter into agreements with each successful applicant that have
627 specific terms and conditions for each loan, grant, or financial assistance under this part,
628 including:

629 (1) for a loan:

630 [~~(1)~~] (a) repayment schedules;

631 [~~(2)~~] (b) interest rates;

632 [~~(3)~~] (c) specific economic activity required to qualify for the loan [or assistance] or for
633 repayment credits;

634 [~~(4)~~] (d) collateral or security, if any; and

635 [~~(5)~~] (e) other terms and conditions considered appropriate by the administrator[-]; and

636 (2) for a grant or other financial assistance:

637 (a) requirements for compliance monitoring, for a period of five years;

638 (b) repayment for nonperformance or departure from the state;

639 (c) collateral or security, if any; and

640 (d) other terms and conditions considered appropriate by the administrator.

641 Section 12. Section **63N-3-111** is amended to read:

642 **63N-3-111. Annual policy considerations.**

643 (1) (a) The office shall make recommendations to state and federal agencies, local
644 governments, the governor, and the Legislature regarding policies and initiatives that promote
645 the economic development of targeted industries.

646 (b) The office may create one or more voluntary advisory committees that may include
647 public and private stakeholders to solicit input on policy guidance and best practices in
648 encouraging the economic development of targeted industries.

649 (2) In evaluating the economic impact of applications for assistance, the GO Utah
650 board shall use an econometric cost-benefit model.

651 (3) The GO Utah board may establish:

652 (a) minimum interest rates to be applied to loans granted that reflect a fair social rate of
653 return to the state comparable to prevailing market-based rates such as the prime rate, U.S.
654 Government T-bill rate, or bond coupon rate as paid by the state, adjusted by social indicators
655 such as the rate of unemployment; and

656 (b) minimum applicant expense ratios, as long as they are at least equal to those
657 required under Subsection [~~63N-3-105(1)(b)~~] 63N-3-105(2).

658 Section 13. Section **63N-3-801** is amended to read:

659 **63N-3-801. Creation and administration.**

660 (1) There is created an enterprise fund known as the "State Small Business Credit
661 Initiative Program Fund" administered by the office.

662 (2) The executive director or the executive director's designee is the administrator of
663 the fund.

664 (3) Revenues deposited into the fund shall consist of:

665 (a) grants, pay backs, bonuses, entitlements, and other money received from the federal
666 government to implement the State Small Business Credit Initiative; and

667 (b) transfers, grants, gifts, bequests, and other money made available from any source
668 to implement this part.

669 (4) (a) The state treasurer shall invest the money in the fund according to the
670 procedures and requirements of Title 51, Chapter 7, State Money Management Act.

671 (b) Interest and other earnings derived from the fund money shall be deposited in the
672 fund.

673 (5) The office may use fund money for administration of the fund~~[-, but not to exceed~~
674 ~~4% of the annual receipts to the fund]~~.

675 Section 14. Section **63N-3-1002** is amended to read:

676 **63N-3-1002. Creation of Economic Assistance Grant Program -- Requirements --**

677 **Rulemaking -- Annual report.**

678 (1) There is created the Economic Assistance Grant Program administered by the
679 office.

680 (2) Subject to appropriations from the Legislature, the office may award one or more
681 grants to a business entity to provide funding for projects that:

682 (a) promote and support economic opportunities in the state; and

683 (b) provide a service in the state related to industry, education, community
684 development, or infrastructure.

685 (3) In awarding grants, the office may prioritize projects:

686 [~~(a) that create new jobs in the state;~~]

687 [~~(b)~~] (a) that develop targeted industries in the state;

688 [~~(c)~~] (b) where an applicant identifies clear metrics to measure the progress,
689 effectiveness, and scope of the project;

690 [~~(d) where an applicant secures funding from other sources to help finance the project;~~]

691 [~~(e)~~] (c) where an applicant demonstrates comprehensive planning of the project; and

692 [~~(f)~~] (d) that require one-time funds.

693 (4) Before a business entity may receive a grant, the business entity shall enter into a
694 written agreement with the office that specifies:

695 (a) the amount of the grant;

696 (b) the time period for distributing the grant;

697 (c) the terms and conditions that the business entity shall meet to receive the grant;

698 (d) the structure of the grant; and

699 (e) the expenses for which the business entity may expend the grant.

700 (5) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the
701 office may make rules to administer the grant program.

702 (6) The office shall include in the annual written report described in Section
703 [63N-1a-306](#) a report on the grant program[, including a description and the amount of any
704 grants awarded].

705 Section 15. Section **63N-3-1201** is enacted to read:

706 **Part 12. Redevelopment Matching Grant Program**

707 **63N-3-1201. Definitions.**

708 As used in this part:

709 (1) "American Rescue Plan Act" means the American Rescue Plan Act, Pub. L. 117-2.

710 (2) "Grant" means a financial grant awarded as part of the Redevelopment Matching
711 Grant Program created in Section 63N-3-1202.

712 (3) "Grant program" means the Redevelopment Matching Grant Program created in
713 Section 63N-3-1202.

714 (4) "Local government" means a county or municipality.

715 Section 16. Section 63N-3-1202 is enacted to read:

716 **63N-3-1202. Creation of Redevelopment Matching Grant Program -- Eligibility**
717 **and program requirements -- Rulemaking -- Reporting.**

718 (1) There is created the Redevelopment Matching Grant Program administered by the
719 office.

720 (2) Subject to appropriations from the Legislature, the office shall award grants to:

721 (a) local governments that meet the qualifications described in Subsection (3), to
722 provide support for projects or services that increase the supply of affordable and high quality
723 living units; and

724 (b) water conservation districts and special service districts that meet the qualifications
725 described in Subsection (4), to provide support for projects or services that conserve or develop
726 water assets.

727 (3) To qualify for a grant, a local government shall:

728 (a) demonstrate that the local government has approved a development application
729 after January 1, 2021, that allows for the creation of new or additional affordable housing units,
730 attached or detached, at a density of at least eight units per acre;

731 (b) demonstrate that the project for which grant funds are sought is not subject to a
732 land use referendum or initiative;

733 (c) provide an equal amount of matching funds; and

734 (d) certify that the local government will spend grant funds:

735 (i) on a project or service that increases the supply of affordable and high quality living
736 units;

737 (ii) within six months of receiving the grant; and

738 (iii) in accordance with the American Rescue Plan Act.

739 (4) To qualify for a grant, a water conservation district or special service district shall:
 740 (a) provide an equal amount of matching funds; and
 741 (b) certify that the water conservation district or special service district will spend grant
 742 funds:
 743 (i) on a project or service that conserves or develops water assets; and
 744 (ii) in accordance with the American Rescue Plan Act.
 745 (5) In awarding grants to local governments, the office may award an initial grant to a
 746 local government in an amount of up to \$2,500,000, and an additional grant of up to
 747 \$1,500,000, if the project includes a minimum of 1,000 housing units or a minimum of 40 units
 748 per acre.

749 (6) The office may not award more than 35% of the total amount of grant funds
 750 available for projects to conserve or develop water assets.

751 (7) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the
 752 office may make rules establishing the eligibility and reporting criteria for grants, including:

- 753 (a) the form and process of applying for grants;
- 754 (b) the method and formula for determining grant amounts; and
- 755 (c) the reporting requirements of grant recipients.

756 (8) The office shall annually prepare and submit a report describing the distribution
 757 and uses of grants to the Governor's Office of Planning and Budget and to the Office of the
 758 Legislative Fiscal Analyst.

759 (9) In addition to the report described in Subsection (8), the office shall include in the
 760 annual written report described in Section [63N-1a-306](#) a report on the grant program.

761 Section 17. Section **63N-4-801** is amended to read:

762 **63N-4-801. Definitions.**

763 As used in this part:

764 (1) "Advisory committee" means the Rural Opportunity Advisory Committee created
 765 in Section [63N-4-804](#).

766 (2) "Association of governments" means an association of political subdivisions of the
 767 state, established pursuant to an interlocal agreement under Title 11, Chapter 13, Interlocal
 768 Cooperation Act.

769 [~~2~~] (3) (a) "Business entity" means a sole proprietorship, partnership, association,

770 joint venture, corporation, firm, trust, foundation, or other organization or entity used in
771 carrying on a business.

772 (b) "Business entity" does not include a business primarily engaged in the following:

773 (i) construction;

774 (ii) staffing;

775 (iii) retail trade; or

776 (iv) public utility activities.

777 ~~[(3)]~~ (4) "CEO board" means a County Economic Opportunity Advisory Board as
778 described in Section [63N-4-803](#).

779 ~~[(4)]~~ (5) "Fund" means the Rural Opportunity Fund created in Section [63N-4-805](#).

780 ~~[(5)]~~ (6) "Qualified asset" means a physical asset that provides or supports an essential
781 public service.

782 ~~[(6)]~~ (7) "Qualified project" means a project to build or improve one or more qualified
783 assets for a rural community, including:

784 (a) telecom and high-speed Internet infrastructure;

785 (b) power and energy infrastructure;

786 (c) water and sewerage infrastructure;

787 (d) healthcare infrastructure; or

788 (e) other infrastructure as defined by rule made by the office in accordance with Title
789 63G, Chapter 3, Utah Administrative Rulemaking Act.

790 ~~[(7)]~~ (8) "Rural community" means a rural county or rural municipality.

791 ~~[(8)]~~ (9) "Rural county" means a county of the third, fourth, fifth, or sixth class.

792 ~~[(9)]~~ (10) "Rural municipality" means a city, town, or metro township located within
793 the boundaries of:

794 (a) a county of the third, fourth, fifth, or sixth class; or

795 (b) a county of the second class, if the municipality has a population of 10,000 or less.

796 ~~[(10)]~~ (11) "Rural Opportunity Program" or "program" means the Rural Opportunity
797 Program created in Section [63N-4-802](#).

798 Section 18. Section [63N-4-802](#) is amended to read:

799 **63N-4-802. Creation of Rural Opportunity Program -- Awarding of grants and**
800 **loans -- Rulemaking -- Reporting.**

- 801 (1) There is created the Rural Opportunity Program.
- 802 (2) The program shall be overseen by the advisory committee and administered by the
803 office.
- 804 (3) (a) In overseeing the program, the advisory committee shall make recommendations
805 to the office on the awarding of grants and loans under this section.
- 806 (b) After reviewing the recommendations of the advisory committee, and subject to
807 appropriations from the Legislature, the office shall:
- 808 (i) award grants to rural communities and business entities in accordance with
809 Subsection (4) and rules made by the center under Subsection (6); and
- 810 (ii) award loans to rural communities in accordance with Subsection (5) and rules made
811 by the center under Subsection (6).
- 812 (4) (a) The office shall annually distribute an equal amount of grant money to all rural
813 counties that have created a CEO board and apply for a grant, in an amount up to and including
814 \$200,000 annually per county.
- 815 (b) In addition to the grant money distributed to rural counties under Subsection (4)(a),
816 the office may use program funds to:
- 817 (i) award grants to rural communities that demonstrate a funding match, in an amount
818 established by rule under Subsection (6); [~~and~~]
- 819 (ii) award grants to business entities that create new jobs within rural communities[~~;~~];
820 and
- 821 (iii) award grants to associations of governments, subject to Subsection (4)(e).
- 822 (c) The office shall award grants under this Subsection (4) to address the economic
823 development needs of rural communities, which needs may include:
- 824 (i) business recruitment, development, and expansion;
- 825 (ii) workforce training and development; and
- 826 (iii) infrastructure, industrial building development, and capital facilities improvements
827 for business development.
- 828 (d) In awarding grants under this Subsection (4), the office:
- 829 (i) shall prioritize applications in accordance with rules made by the office under
830 Subsection (6); [~~and~~]
- 831 (ii) may not award more than \$800,000 annually to a rural community or business

832 entity[-]; and

833 (iii) may not award more than 20% of the total amount of grant funds made available
834 each year to associations of governments.

835 (e) An association of governments may not receive a grant from the program unless the
836 association of governments demonstrates to the office that each county belonging to the
837 association of governments has approved the request for grant funds.

838 (5) (a) In addition to the awarding of grants under Subsection (4), the office may use
839 program funds to award loans to rural communities to provide financing for qualified projects.

840 (b) (i) A rural community may not receive a loan from the program for a qualified
841 project unless:

842 (A) the rural community demonstrates to the office that the rural community has
843 exhausted all other means of securing funding from the state for the qualified project; and

844 (B) the rural community enters into a loan contract with the office.

845 (ii) A loan contract under Subsection (5)(b)(i)(B):

846 (A) shall be secured by legally issued bonds, notes, or other evidence of indebtedness
847 validly issued under state law, including pledging all or any portion of a revenue source
848 controlled by the rural community to the repayment of the loan; and

849 (B) may provide that a portion of the proceeds of the loan may be applied to fund a
850 reserve fund to secure the repayment of the loan.

851 (c) A loan under this Subsection (5) shall bear interest at a rate:

852 (i) not less than bond market interest rates available to the state; and

853 (ii) not more than .5% above bond market interest rates available to the state.

854 (d) Before a rural community may receive a loan from the office, the rural community
855 shall:

856 (i) publish the rural community's intention to obtain the loan at least once in
857 accordance with the publication and notice requirements described in Section 11-14-316; and

858 (ii) adopt an ordinance or resolution authorizing the loan.

859 (e) (i) If a rural community that receives a loan from the office fails to comply with the
860 terms of the loan contract, the office may seek any legal or equitable remedy to obtain
861 compliance or payment of damages.

862 (ii) If a rural community fails to make loan payments when due, the state shall, at the

863 request of the office, withhold an amount of money due to the rural community and deposit the
864 withheld money into the fund to pay the amount due under the contract.

865 (iii) The office may elect when to take any action or request the withholding of money
866 under this Subsection (5)(e).

867 (f) All loan contracts, bonds, notes, or other evidence of indebtedness securing any
868 loans shall be collected and accounted for in accordance with Section [63B-1b-202](#).

869 (6) (a) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act,
870 and in collaboration with the advisory committee, the office shall make rules to administer the
871 program.

872 (b) The rules under Subsection (6)(a) shall establish:

873 (i) eligibility criteria for a rural community or business entity to receive a grant or loan
874 under the program;

875 (ii) application requirements;

876 (iii) funding match requirements for a rural community to receive a grant under
877 Subsection (4)(b);

878 (iv) a process for prioritizing grant and loan applications; and

879 (v) reporting requirements.

880 (7) The office shall include the following information in the annual written report
881 described in Section [63N-1a-306](#):

882 (a) the total amount of grants and loans the office awarded to rural communities and
883 business entities under the program;

884 (b) a description of the projects for which the office awarded a grant or loan under the
885 program;

886 (c) the total amount of outstanding debt service that is being repaid by a grant or loan
887 awarded under the program;

888 (d) whether the grants and loans awarded under the program have resulted in economic
889 development within rural communities; and

890 (e) the office's recommendations regarding the effectiveness of the program and any
891 suggestions for legislation.

892 Section 19. Section [63N-8-105](#) is amended to read:

893 **63N-8-105. Annual report -- Legislative review of motion picture incentives**

894 **available only for rural productions.**

895 (1) The office shall include the following information in the annual written report
896 described in Section [63N-1a-306](#):

897 [~~(1)~~] (a) the office's success in attracting within-the-state production of television
898 series, made-for-television movies, and motion pictures, including feature films and
899 independent films;

900 [~~(2)~~] (b) the amount of incentive commitments made by the office under this part and
901 the period of time over which the incentives will be paid; [~~and~~]

902 (c) the amount of incentive commitments made by the office for rural productions
903 under Subsection [63N-8-103\(3\)\(c\)](#); and

904 [~~(3)~~] (d) the economic impact on the state related to:

905 [~~(a)~~] (i) dollars left in the state; and

906 [~~(b)~~] (ii) providing motion picture incentives under this part.

907 (2) (a) Beginning in 2024, and every two years after 2024, the Economic Development
908 and Workforce Services Interim Committee shall review the motion picture incentives
909 available only for rural productions under Subsection [63N-8-103\(3\)\(c\)](#).

910 (b) In a review under this Subsection (2), the Economic Development and Workforce
911 Services Interim Committee shall:

912 (i) study the motion picture incentives provided for in Subsection [63N-8-103\(3\)\(c\)](#); and

913 (ii) if the Economic Development and Workforce Services Interim Committee decides
914 to recommend legislative action to the Legislature, prepare legislation for consideration by the
915 Legislature in the next general session.

916 Section 20. Section **63N-13-101** is amended to read:

917 **63N-13-101. Title -- Projects to assist companies to secure new business with**
918 **federal, state, and local governments.**

919 (1) This chapter is known as "Procurement Programs."

920 (2) The Legislature recognizes that:

921 (a) many Utah companies provide products and services which are routinely procured
922 by a myriad of governmental entities at all levels of government, but that attempting to
923 understand and comply with the numerous certification, registration, proposal, and contract
924 requirements associated with government procurement often raises significant barriers for

925 those companies with no government contracting experience;

926 (b) the costs associated with obtaining a government contract for products or services
927 often prevent most small businesses from working in the governmental procurement market;

928 (c) currently a majority of federal procurement opportunities are contracted to
929 businesses located outside of the state;

930 (d) the office currently administers programs and initiatives that help create and grow
931 companies in Utah and recruit companies to Utah through the use of state employees,
932 public-private partnerships, and contractual services; and

933 (e) there exists a significant opportunity for Utah companies to secure new business
934 with federal, state, and local governments.

935 (3) The office, through its executive director:

936 (a) shall manage and direct the administration of state and federal programs and
937 initiatives whose purpose is to procure federal, state, and local governmental contracts;

938 (b) may require program accountability measures; and

939 (c) may receive and distribute legislative appropriations and public and private grants
940 for projects and programs that:

941 (i) are focused on growing Utah companies and positively impacting statewide
942 revenues by helping these companies secure new business with federal, state, and local
943 governments;

944 (ii) provide guidance to Utah companies interested in obtaining new business with
945 federal, state, and local governmental entities;

946 (iii) would facilitate marketing, business development, and expansion opportunities for
947 Utah companies in cooperation with the office's [~~Procurement Technical Assistance Center~~
948 ~~Program~~] APEX accelerator program and with public, nonprofit, or private sector partners such
949 as local chambers of commerce, trade associations, or private contractors as determined by the
950 office's director to successfully match Utah businesses with government procurement
951 opportunities; and

952 (iv) may include the following components:

953 (A) recruitment, individualized consultation, and an introduction to government
954 contracting;

955 (B) specialized contractor training for companies located in Utah;

- 956 (C) a Utah contractor matching program for government requirements;
- 957 (D) experienced proposal and bid support; and
- 958 (E) specialized support services.

959 (4) (a) The office, through its executive director, shall make any distribution referred to
960 in Subsection (3) on a semiannual basis.

961 (b) A recipient of money distributed under this section shall provide the office with a
962 set of standard monthly reports, the content of which shall be determined by the office to
963 include at least the following information:

- 964 (i) consultive meetings with Utah companies;
- 965 (ii) seminars or training meetings held;
- 966 (iii) government contracts awarded to Utah companies;
- 967 (iv) increased revenues generated by Utah companies from new government contracts;
- 968 (v) jobs created;
- 969 (vi) salary ranges of new jobs; and
- 970 (vii) the value of contracts generated.

971 Section 21. Section **63N-17-202** is amended to read:

972 **63N-17-202. Infrastructure and broadband coordination.**

973 (1) The broadband center shall partner with the Utah Geospatial Resource Center
974 created in Section [63A-16-505](#) to collect and maintain a database and interactive map that
975 displays economic development data statewide, including:

- 976 (a) voluntarily submitted broadband availability, speeds, and other broadband data;
- 977 (b) voluntarily submitted public utility data;
- 978 (c) workforce data, including information regarding:
 - 979 (i) enterprise zones designated under Section [63N-2-206](#);
 - 980 (ii) public institutions of higher education; and
 - 981 (iii) ~~[procurement technical assistance centers]~~ APEX accelerators;
- 982 (d) transportation data, which may include information regarding railway routes,
983 commuter rail routes, airport locations, and major highways;
- 984 (e) lifestyle data, which may include information regarding state parks, national parks
985 and monuments, United States Forest Service boundaries, ski areas, golf courses, and hospitals;
986 and

987 (f) other relevant economic development data as determined by the office, including
988 data provided by partner organizations.

989 (2) The broadband center may:

990 (a) make recommendations to state and federal agencies, local governments, the
991 governor, and the Legislature regarding policies and initiatives that promote the development
992 of broadband-related infrastructure in the state and help implement those policies and
993 initiatives;

994 (b) facilitate coordination between broadband providers and public and private entities;

995 (c) collect and analyze data on broadband availability and usage in the state, including
996 Internet speed, capacity, the number of unique visitors, and the availability of broadband
997 infrastructure throughout the state;

998 (d) create a voluntary broadband advisory committee, which shall include broadband
999 providers and other public and private stakeholders, to solicit input on broadband-related policy
1000 guidance, best practices, and adoption strategies;

1001 (e) work with broadband providers, state and local governments, and other public and
1002 private stakeholders to facilitate and encourage the expansion and maintenance of broadband
1003 infrastructure throughout the state; and

1004 (f) in accordance with the requirements of Title 63J, Chapter 5, Federal Funds
1005 Procedures Act, and in accordance with federal requirements:

1006 (i) apply for federal grants;

1007 (ii) participate in federal programs; and

1008 (iii) administer federally funded broadband-related programs.

1009 Section 22. Section **63N-18-102** is amended to read:

1010 **CHAPTER 18. UTAH CENTER FOR IMMIGRATION AND INTEGRATION**

1011 **Part 1. General Provisions**

1012 **63N-18-102. Definitions.**

1013 As used in this chapter:

1014 (1) "Center" means the Utah [~~Immigration Assistance Center~~] Center for Immigration
1015 and Integration created in Section [63N-18-201](#).

1016 (2) "Foreign labor" means one or more individuals from a nation other than the United
1017 States who are eligible to participate in visa programs established by the federal government to

1018 work in the state.

1019 (3) "Foreign labor [~~programs" means programs~~] program" means a program
1020 established by the United States Department of Labor to bring eligible foreign individuals to
1021 the United States for employment opportunities.

1022 (4) "Immigrant integration" means a dynamic two-way process in which immigrant
1023 communities and host communities work together to build a cohesive and vibrant society that
1024 has respect for unique cultural differences.

1025 Section 23. Section **63N-18-201**, which is renumbered from Section 63N-18-103 is
1026 renumbered and amended to read:

1027 **Part 2. Utah Center for Immigration and Integration**

1028 ~~[63N-18-103]~~. **63N-18-201. Creation of the Utah Center for Immigration**
1029 **and Integration -- Responsibilities of the center.**

1030 (1) There is created within the Governor's Office of Economic Opportunity the Utah
1031 ~~[Immigration Assistance]~~ Center for Immigration and Integration.

1032 (2) The center shall:

1033 ~~[(a) coordinate and provide technical support for businesses in the state that intend to~~
1034 ~~utilize federal foreign labor programs;]~~

1035 ~~[(b) provide outreach and information to businesses that could benefit from foreign~~
1036 ~~labor programs;]~~

1037 ~~[(c) coordinate with state and federal government partners to facilitate the successful~~
1038 ~~use of foreign labor programs on behalf of businesses in the state; and]~~

1039 ~~[(d) coordinate with other entities engaged in international efforts.]~~

1040 (a) assist individuals and businesses in the state with identifying pathways for
1041 recruiting and retaining foreign labor;

1042 (b) coordinate with state agencies in developing and administering policies and
1043 programs related to immigrant integration;

1044 (c) develop and implement a statewide strategy for immigrant integration that promotes
1045 economic opportunities for immigrant communities in the state;

1046 (d) create and convene a task force to review and make recommendations regarding the
1047 state's policies on immigrant integration;

1048 (e) develop sustainable partnerships with local officials, the business sector, and

1049 community organizations serving immigrant communities in the state; and

1050 (f) advise and make recommendations to the governor, state agencies, and the

1051 Legislature regarding immigrant integration and foreign labor issues.

1052 (3) The center may not encourage a business to bypass state residents for the business's
1053 workforce needs.

1054 (4) The center may, in accordance with Title 63G, Chapter 3, Utah Administrative
1055 Rulemaking Act, make rules to carry out the center's responsibilities under this chapter.

1056 Section 24. Section **63N-18-202**, which is renumbered from Section 63N-18-104 is
1057 renumbered and amended to read:

1058 ~~[63N-18-104].~~ **63N-18-202. Annual report.**

1059 The office shall include in the annual written report described in Section **63N-1a-306**, a
1060 report of the center's operations, including:

1061 (1) a description of the center's activities regarding immigrant integration;

1062 ~~[(1)]~~ (2) the number of businesses that received assistance in utilizing foreign labor
1063 programs;

1064 ~~[(2)]~~ (3) the number of [~~individuals who were able to work in the state as a result of~~
1065 ~~foreign labor programs~~ **employment-based immigration visas issued for individuals to secure**
1066 **employment opportunities in the state, including the primary employers associated with the**
1067 **visas; and**

1068 ~~[(3)]~~ (4) recommendations regarding:

1069 (a) changes that would improve the center; and

1070 (b) the task force described in Subsection **63N-18-201(2)(d)**.

1071 Section 25. **Repealer.**

1072 This bill repeals:

1073 Section **63N-3-109, Financial assistance to entities offering economic opportunities.**

1074 Section **63N-18-101, Title.**