

# HB0502S05 compared with HB0502S02

~~{Omitted text}~~ shows text that was in HB0502S02 but was omitted in HB0502S05  
inserted text shows text that was not in HB0502S02 but was inserted into HB0502S05

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## Transportation and Infrastructure Funding Amendments

2025 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Jordan D. Teuscher

Senate Sponsor: Kirk A. Cullimore

### LONG TITLE

#### General Description:

This bill ~~{ authorizes a bond to provide transportation funding related to affordable housing projects and }~~ allocates funds in the County of the First Class Highway Projects Fund ~~{ for bond payments }~~ and provides other transportation funding.

#### Highlighted Provisions:

This bill:

- allocates funds in the County of the First Class Highway Projects Fund to various projects and purposes;
- authorizes the Department of Transportation to issue a general obligation bond, with the bond proceeds being distributed to a grant program, and provides revenue to service the bond;
- ~~{ allocates funds in the County of the First Class Highway Projects Fund to service the bond; }~~
- creates an affordable housing infrastructure grant program to provide grants to local governments to construct infrastructure to facilitate affordable housing projects in a county of the first class; ~~{ and }~~
- provides funding, loans, and grants to certain transportation projects; and

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▸ makes technical changes.

### Money Appropriated in this Bill:

None

### Other Special Clauses:

None

### AMENDS:

**59-12-2220 , as last amended by Laws of Utah 2024, Chapters 498, 501 , as last amended by Laws of Utah 2024, Chapters 498, 501**

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**72-2-121** , as last amended by Laws of Utah 2024, Chapters 300, 498 and 501 , as last amended by Laws of Utah 2024, Chapters 300, 498 and 501

**72-2-124** , as last amended by Laws of Utah 2024, Chapters 498, 501 , as last amended by Laws of Utah 2024, Chapters 498, 501

**72-2-302 , as enacted by Laws of Utah 2024, Chapter 501 , as enacted by Laws of Utah 2024, Chapter 501**

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**72-2-306 , as enacted by Laws of Utah 2024, Chapter 501 , as enacted by Laws of Utah 2024, Chapter 501**

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### ENACTS:

**63B-34-101** , Utah Code Annotated 1953 , Utah Code Annotated 1953

**72-2-501** , Utah Code Annotated 1953 , Utah Code Annotated 1953

**72-2-502** , Utah Code Annotated 1953 , Utah Code Annotated 1953

**72-2-503** , Utah Code Annotated 1953 , Utah Code Annotated 1953

**72-2-504** , Utah Code Annotated 1953 , Utah Code Annotated 1953

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

**Section 1. Section 59-12-2220 is amended to read:**

**59-12-2220. County option sales and use tax to fund highways or a system for public transit -- Base -- Rate.**

(1) Subject to the other provisions of this part and subject to the requirements of this section, the following counties may impose a sales and use tax under this section:

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- (a) a county legislative body may impose the sales and use tax on the transactions described in Subsection 59-12-103(1) located within the county, including the cities and towns within the county if:
- 46 (i) the entire boundary of a county is annexed into a large public transit district; and
- 47 (ii) the maximum amount of sales and use tax authorizations allowed pursuant to Section 59-12-2203 and authorized under the following sections has been imposed:
- 49 (A) Section 59-12-2213;
- 50 (B) Section 59-12-2214;
- 51 (C) Section 59-12-2215;
- 52 (D) Section 59-12-2216;
- 53 (E) Section 59-12-2217;
- 54 (F) Section 59-12-2218; and
- 55 (G) Section 59-12-2219;
- 56 (b) if the county is not annexed into a large public transit district, the county legislative body may impose the sales and use tax on the transactions described in Subsection 59-12-103(1) located within the county, including the cities and towns within the county if:
- 60 (i) the county is an eligible political subdivision; or
- 61 (ii) a city or town within the boundary of the county is an eligible political subdivision; or
- 63 (c) a county legislative body of a county not described in Subsection (1)(a) or (1)(b) may impose the sales and use tax on the transactions described in Subsection 59-12-103(1) located within the county, including the cities and towns within the county.
- 66 (2) For purposes of Subsection (1) and subject to the other provisions of this section, a county legislative body that imposes a sales and use tax under this section may impose the tax at a rate of .2%.
- 69 (3)
- (a) The commission shall distribute sales and use tax revenue collected under this section as determined by a county legislative body as described in Subsection (3)(b).
- 71 (b) If a county legislative body imposes a sales and use tax as described in this section, the county legislative body may elect to impose a sales and use tax revenue distribution as described in Subsection (4), (5), (6), or (7), depending on the class of county, and presence and type of a public transit provider in the county.

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- 75 (4) ~~[H-]~~ Subject to Subsection (11), if a county legislative body imposes a sales and use tax as described  
in this section, and the entire boundary of the county is annexed into a large public transit district,  
and the county is a county of the first class, the commission shall distribute the sales and use tax  
revenue as follows:
- 79 (a) .10% to a public transit district as described in Subsection (11);  
80 (b) .05% to the cities and towns as provided in Subsection (8); and  
81 (c) .05% to the county legislative body.
- 82 (5) ~~[H-]~~ Subject to Subsection (11), if a county legislative body imposes a sales and use tax as described  
in this section and the entire boundary of the county is annexed into a large public transit district,  
and the county is a county not described in Subsection (4), the commission shall distribute the sales  
and use tax revenue as follows:
- 86 (a) .10% to a public transit district as described in Subsection (11);  
87 (b) .05% to the cities and towns as provided in Subsection (8); and  
88 (c) .05% to the county legislative body.  
89 (6)
- (a) Except as provided in Subsection ~~[(12)(e)]~~ (13)(c), if the entire boundary of a county that imposes  
a sales and use tax as described in this section is not annexed into a single public transit district, but  
a city or town within the county is annexed into a single public transit district, or if the city or town  
is an eligible political subdivision, the commission shall distribute the sales and use tax revenue  
collected within the county as provided in Subsection (6)(b) or (c).
- 95 (b) For a city, town, or portion of the county described in Subsection (6)(a) that is annexed into the  
single public transit district, or an eligible political subdivision, the commission shall distribute the  
sales and use tax revenue collected within the portion of the county that is within a public transit  
district or eligible political subdivision as follows:
- 100 (i) .05% to a public transit provider as described in Subsection (11);  
101 (ii) .075% to the cities and towns as provided in Subsection (8); and  
102 (iii) .075% to the county legislative body.
- 103 (c) Except as provided in Subsection ~~[(12)(e)]~~ (13)(c), for a city, town, or portion of the county  
described in Subsection (6)(a) that is not annexed into a single public transit district or eligible  
political subdivision in the county, the commission shall distribute the sales and use tax revenue  
collected within that portion of the county as follows:

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- 107 (i) .08% to the cities and towns as provided in Subsection (8); and  
108 (ii) .12% to the county legislative body.
- 109 (7) For a county without a public transit service that imposes a sales and use tax as described in this  
section, the commission shall distribute the sales and use tax revenue collected within the county as  
follows:
- 112 (a) .08% to the cities and towns as provided in Subsection (8); and  
113 (b) .12% to the county legislative body.  
114 (8)
- (a) Subject to Subsections (8)(b) and (c), the commission shall make the distributions required by  
Subsections (4)(b), (5)(b), (6)(b)(ii), (6)(c)(i), and (7)(a) as follows:
- 116 (i) 50% of the total revenue collected under Subsections (4)(b), (5)(b), (6)(b)(ii), (6)(c)(i), and (7)  
(a) within the counties that impose a tax under Subsections (4) through (7) shall be distributed to  
the unincorporated areas, cities, and towns within those counties on the basis of the percentage  
that the population of each unincorporated area, city, or town bears to the total population of all  
of the counties that impose a tax under this section; and
- 122 (ii) 50% of the total revenue collected under Subsections (4)(b), (5)(b), (6)(b)(ii), (6)(c)(i), and (7)  
(a) within the counties that impose a tax under Subsections (4) through (7) shall be distributed to  
the unincorporated areas, cities, and towns within those counties on the basis of the location of  
the transaction as determined under Sections 59-12-211 through 59-12-215.
- 127 (b)
- (i) Population for purposes of this Subsection (8) shall be determined on the basis of the most recent  
official census or census estimate of the United States Census Bureau.
- 130 (ii) If a needed population estimate is not available from the United States Census Bureau, population  
figures shall be derived from an estimate from the Utah Population Estimates Committee created by  
executive order of the governor.
- 133 (c)
- (i) Beginning on January 1, 2024, if the Housing and Community Development Division within  
the Department of Workforce Services determines that a city or town is ineligible for funds in  
accordance with Subsection 10-9a-408(7), beginning the first day of the calendar quarter after  
receiving 90 days' notice, the commission shall distribute the distribution that city or town would

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have received under Subsection (8)(a) to cities or towns to which Subsection 10-9a-408(7) does not apply.

- 140 (ii) Beginning on January 1, 2024, if the Housing and Community Development Division within the Department of Workforce Services determines that a county is ineligible for funds in accordance with Subsection 17-27a-408(7), beginning the first day of the calendar quarter after receiving 90 days' notice, the commission shall distribute the distribution that county would have received under Subsection (8)(a) to counties to which Subsection 17-27a-408(7) does not apply.
- 146 (9) If a public transit service is organized after the date a county legislative body first imposes a tax under this section, a change in a distribution required by this section may not take effect until the first distribution the commission makes under this section after a 90-day period that begins on the date the commission receives written notice from the public transit provider that the public transit service has been organized.
- 151 (10)
- (a) Except as provided in Subsection (10)(b), a county, city, or town that received distributions described in Subsections (4)(b), (4)(c), (5)(b), (5)(c), (6)(b)(ii), (6)(b)(iii), (6)(c), and (7) may only expend those funds for a purpose described in Section 59-12-2212.2.
- 155 (b) If a county described in Subsection (1)(a) that is a county of the first class imposes the sales and use tax authorized in this section, the county may also use funds distributed in accordance with Subsection (4)(c) for public safety purposes.
- 158 (11)
- (a) Subject to Subsections (11)(b), (c), and (d), revenue designated for public transit as described in this section may be used for capital expenses and service delivery expenses of:
- 161 (i) a public transit district;
- 162 (ii) an eligible political subdivision; or
- 163 (iii) another entity providing a service for public transit or a transit facility within the relevant county, as those terms are defined in Section 17B-2a-802.
- 165 (b)
- (i)
- (A) If a county of the first class imposes a sales and use tax described in this section, [~~for a three-year period following~~] beginning on the date on which the county imposes the sales and use tax under this section, and for a three-year period after at least three counties described in

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Subsections (4) and (5) have imposed a tax under this section at least, or until June 30, 2030, whichever comes first, revenue designated for public transit within a county of the first class as described in Subsection (4)(a) shall be transferred to the County of the First Class Highway Projects Fund created in Section 72-2-121.

- 173 (B) Revenue deposited into the County of the First Class Highway Projects Fund created in Section 72-2-121 as described in Subsection (11)(b)(i)(A) may be used for public transit innovation grants as provided in Title 72, Chapter 2, Part [3] 4, Public Transit Innovation Grants.
- 177 (ii) If a county of the first class imposes a sales and use tax described in this section, beginning on the day three years after the date on which [~~the county imposed the tax as described in Subsection (11)(b)(i)~~] at least three counties described in Subsections (4) and (5) have imposed a tax under this section, or beginning on July 1, 2030, whichever comes first, for revenue designated for public transit as described in Subsection (4)(a):
- 183 (A) 50% of the revenue from a sales and use tax imposed under this section in a county of the first class shall be transferred to the County of the First Class Highway Projects Fund created in Section 72-2-121; and
- 186 (B) 50% of the revenue from a sales and use tax imposed under this section in a county of the first class shall be transferred to the Transit Transportation Investment Fund created in Subsection 72-2-124(9).
- 189 (c)
- (i) If a county that is not a county of the first class for which the entire boundary of the county is annexed into a large public transit district imposes a sales and use tax described in this section, beginning on the date on which the county imposes the sales and use tax under this section, and for a three-year period following the date on which[ ~~the county imposes the sales and use tax under this section,~~] at least three counties described in Subsections (4) and (5) have imposed a tax under this section, or until June 30, 2030, whichever comes first, revenue designated for public transit as described in Subsection (5)(a) shall be transferred to the relevant county legislative body to be used for a purpose described in Subsection (11)(a).
- 198 (ii) If a county that is not a county of the first class for which the entire boundary of the county is annexed into a large public transit district imposes a sales and use tax described in this section, beginning on the day three years after the date on which[ ~~the county imposed the tax as described in Subsection (11)(c)(i)~~] at least three counties described in Subsections (4) and (5) have imposed a

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tax under this section, or beginning on July 1, 2030, whichever comes first, for the revenue that is designated for public transit in Subsection (5)(a):

(A) 50% shall be transferred to the Transit Transportation Investment Fund created in Subsection 72-2-124(9); and

(B) 50% shall be transferred to the relevant county legislative body to be used for a purpose described in Subsection (11)(a).

(d) Except as provided in Subsection [~~(12)(e)~~] (13)(c), for a county that imposes a sales and use tax under this section, for revenue designated for public transit as described in Subsection (6)(b)(i), the revenue shall be transferred to the relevant county legislative body to be used for a purpose described in Subsection (11)(a).

(12) A large public transit district shall send notice to the commission at least 90 days before the earlier of:

(a) the date that is three years after the date on which at least three counties described in Subsections (4) and (5) have imposed a tax under this section; or

(b) June 30, 2030.

[~~(12)~~] (13)

(a) Notwithstanding Section 59-12-2208, a county legislative body may, but is not required to, submit an opinion question to the county's registered voters in accordance with Section 59-12-2208 to impose a sales and use tax under this section.

(b) If a county passes an ordinance to impose a sales and use tax as described in this section, the sales and use tax shall take effect on the first day of the calendar quarter after a 90-day period that begins on the date the commission receives written notice from the county of the passage of the ordinance.

(c) A county that imposed the local option sales and use tax described in this section before January 1, 2023, may maintain that county's distribution allocation in place as of January 1, 2023.

[~~(13)~~] (14)

(a) Revenue collected from a sales and use tax under this section may not be used to supplant existing General Fund appropriations that a county, city, or town budgeted for transportation or public transit as of the date the tax becomes effective for a county, city, or town.

(b) The limitation under Subsection [~~(13)(a)~~] (14)(a) does not apply to a designated transportation or public transit capital or reserve account a county, city, or town established before the date the tax becomes effective.



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Section 2. Section 2 is enacted to read:

**63B-34-101. Transportation bonds -- Maximum amount -- Use for transportation projects related to affordable housing initiatives.**

### 34. 2025 BONDING AND FINANCING AUTHORIZATIONS

#### 1. 2025 General Obligation Bonding Authorizations

(1)

(a) Subject to the restriction in Subsection (1)(c), the total amount of bonds issued under this section may not exceed \$70,000,000.

(b) When the Department of Transportation certifies to the commission the amount of bond proceeds that the commission needs to provide funding for the projects described in Subsection (2), the commission may issue and sell general obligation bonds in an amount equal to the certified amount plus costs of issuance.

(c) The commission may not issue general obligation bonds authorized under this section if the issuance for general obligation bonds would result in the total current outstanding general obligation debt of the state exceeding 50% of the limitation described in Utah Constitution, Article XIV, Section 1.

(2)

(a) Proceeds from the bonds issued under this section shall be provided to the Department of Transportation through the Transportation Investment Fund of 2005 created in Section 72-2-124 to pay for or to provide funds to { ~~municipalities or counties~~ } public entities for costs related to affordable housing initiatives as described in Subsection (2)(b).

(b) Bond proceeds described under Subsection (2)(a) shall be used to pay for infrastructure to assist in affordable housing related grants and allocated as described in Title 72, Chapter 2, Part 5, Affordable Housing Infrastructure Grants.

(c) The costs under this Subsection (2) may include the costs of acquiring land, interests in land, easements and rights-of-way, the costs of improving sites, making all improvements necessary, incidental, or convenient to the facilities, and the costs of interest estimated to accrue on these bonds during the period to be covered by construction of the projects plus a period of six months after the end of the construction period, interest estimated to accrue on any bond anticipation notes issued under the authority of this title, and all related engineering, architectural, and legal fees.

(3) The executive director of the Department of Transportation may allocate bond proceeds under this section as provided in Title 72, Chapter 2, Part 5, Affordable Housing Infrastructure Grants.

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- 69     ~~{(4) }~~
- ~~{(a) { Before the Department of Transportation may provide proceeds to a municipality for a project described in Subsection (2)(b), the municipality shall provide a detailed cost estimate of costs to complete the planning and design of the project.} }~~
- 72     ~~{(b) { After receiving a cost estimate described in Subsection (4)(a), the Department of Transportation may provide to a municipality proceeds reasonably necessary to complete the planning and design of the project.} }~~
- 75     ~~{(c) { After completion of the planning and design of a project, the municipality shall provide to the Department of Transportation a detailed estimate of the costs to construct and complete a project described in Subsection (2)(b).} }~~
- 78     ~~{(d) { If approved by the executive director of the Department of Transportation, the Department of Transportation may provide funds to a municipality to construct and complete a project described in Subsection (2)(b).} }~~

268         Section 3. Section **72-2-121** is amended to read:

269         **72-2-121. County of the First Class Highway Projects Fund.**

- 83     (1) There is created a special revenue fund within the Transportation Fund known as the "County of the First Class Highway Projects Fund."
- 85     (2) The fund consists of money generated from the following revenue sources:
- 86         (a) any voluntary contributions received for new construction, major renovations, and improvements to highways within a county of the first class;
- 88         (b) the portion of the sales and use tax described in Subsection 59-12-2214(3)(b) deposited into or transferred to the fund;
- 90         (c) the portion of the sales and use tax described in Section 59-12-2217 deposited into or transferred to the fund;
- 92         (d) a portion of the local option highway construction and transportation corridor preservation fee imposed in a county of the first class under Section 41-1a-1222 deposited into or transferred to the fund; and
- 95         (e) the portion of the sales and use tax transferred into the fund as described in Subsections 59-12-2220(4)(a) and 59-12-2220(11)(b).
- 97     (3)
- (a) The fund shall earn interest.

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- 98 (b) All interest earned on fund money shall be deposited into the fund.
- 99 (4) Subject to Subsection (11), the executive director shall use the fund money only:
- 100 (a) to pay debt service and bond issuance costs for bonds issued under Sections 63B-16-102,  
63B-18-402, and 63B-27-102;
- 102 (b) for right-of-way acquisition, new construction, major renovations, and improvements to highways  
within a county of the first class and to pay any debt service and bond issuance costs related to those  
projects, including improvements to a highway located within a municipality in a county of the first  
class where the municipality is located within the boundaries of more than a single county;
- 107 (c) for the construction, acquisition, use, maintenance, or operation of:
- 108 (i) an active transportation facility for nonmotorized vehicles;
- 109 (ii) multimodal transportation that connects an origin with a destination; or
- 110 (iii) a facility that may include a:
- 111 (A) pedestrian or nonmotorized vehicle trail;
- 112 (B) nonmotorized vehicle storage facility;
- 113 (C) pedestrian or vehicle bridge; or
- 114 (D) vehicle parking lot or parking structure;
- 115 (d) to transfer to the 2010 Salt Lake County Revenue Bond Sinking Fund created by Section 72-2-121.3  
the amount required in Subsection 72-2-121.3(4)(c) minus the amounts transferred in accordance  
with Subsection 72-2-124(4)(a)(iv);
- 118 (e) for a fiscal year beginning on or after July 1, 2013, to pay debt service and bond issuance costs for  
\$30,000,000 of the bonds issued under Section 63B-18-401 for the projects described in Subsection  
63B-18-401(4)(a);
- 121 (f) for a fiscal year beginning on or after July 1, 2013, and after the department has verified that the  
amount required under Subsection 72-2-121.3(4)(c) is available in the fund, to transfer an amount  
equal to 50% of the revenue generated by the local option highway construction and transportation  
corridor preservation fee imposed under Section 41-1a-1222 in a county of the first class:
- 126 (i) to the legislative body of a county of the first class; and
- 127 (ii) to be used by a county of the first class for:
- 128 (A) highway construction, reconstruction, or maintenance projects; or
- 129 (B) the enforcement of state motor vehicle and traffic laws;
- 130

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- (g) for a fiscal year beginning on or after July 1, 2015, after the department has verified that the amount required under Subsection 72-2-121.3(4)(c) is available in the fund and the transfer under Subsection (4)(e) has been made, to annually transfer an amount of the sales and use tax revenue imposed in a county of the first class and deposited into the fund in accordance with Subsection 59-12-2214(3)(b) equal to an amount needed to cover the debt to:
- 136 (i) the appropriate debt service or sinking fund for the repayment of bonds issued under Section 63B-27-102; and
- 138 (ii) the appropriate debt service or sinking fund for the repayment of bonds issued under Sections 63B-31-102 and 63B-31-103;
- 140 (h) after the department has verified that the amount required under Subsection 72-2-121.3(4)(c) is available in the fund and after the transfer under Subsection (4)(d), the payment under Subsection (4)(e), and the transfer under Subsection (4)(g)(i) has been made, to annually transfer \$2,000,000 to a public transit district in a county of the first class to fund a system for public transit;
- 145 (i) for a fiscal year beginning on or after July 1, 2018, after the department has verified that the amount required under Subsection 72-2-121.3(4)(c) is available in the fund and after the transfer under Subsection (4)(d), the payment under Subsection (4)(e), and the transfer under Subsection (4)(g)(i) has been made, through fiscal year 2027, to annually transfer 20%, and beginning with fiscal year 2028, and each year thereafter for 20 years, to annually transfer 33% of the amount deposited into the fund under Subsection (2)(b) [;]
- 150 [(i)] to the legislative body of a county of the first class [; and] for the following purposes:
- 151 [(ii)] (i) to fund parking facilities in a county of the first class that facilitate significant economic development and recreation and tourism within the state;
- 153 {(j)} and
- 343 (ii) to be used for purposes allowed in Section 17-31-2;
- 344 (j) subject to Subsection (5), for a fiscal year beginning on or after July 1, 2021, and for 15 years thereafter, to annually transfer the following amounts to the following cities and the county of the first class for priority projects to mitigate congestion and improve transportation safety:
- 157 (i) \$2,000,000 to Sandy;
- 158 (ii) \$2,300,000 to Taylorsville;
- 159 (iii) \$1,100,000 to Salt Lake City;
- 160 (iv) \$1,100,000 to West Jordan;

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- 161 (v) \$1,100,000 to West Valley City;  
162 (vi) \$800,000 to Herriman;  
163 (vii) \$700,000 to Draper;  
164 (viii) \$700,000 to Riverton;  
165 (ix) \$700,000 to South Jordan;  
166 (x) \$500,000 to Bluffdale;  
167 (xi) \$500,000 to Midvale;  
168 (xii) \$500,000 to Millcreek;  
169 (xiii) \$500,000 to Murray;  
170 (xiv) \$400,000 to Cottonwood Heights; and  
171 (xv) \$300,000 to Holladay;[-and]  
172 (k) for the 2024-25~~[-and]~~, 2025-26, and 2026-27 fiscal years, and subject to revenue balances after the  
distributions under Subsection (4)(j), to reimburse the following municipalities for the amounts and  
projects indicated, as each project progresses and as revenue balances allow:  
176 (i) \$3,200,000 to South Jordan for improvements to Bingham Rim Road from Grandville Avenue to  
Mountain View Corridor;  
178 (ii) \$1,960,000 to Midvale for improvements to Center Street between State Street and 700 West;  
180 (iii) \$3,500,000 to Salt Lake City for first and last mile public transit improvements throughout Salt  
Lake City;  
182 (iv) \$1,500,000 to Cottonwood Heights for improvements to Fort Union Boulevard and 2300 East;  
184 (v) \$3,450,000 to Draper for improvements to Bangerter Highway between 13800 South and I-15;  
186 (vi) \$10,500,000 to Herriman to construct a road between U-111 and 13200 South;  
187 (vii) \$3,000,000 to West Jordan for improvements to 1300 West;  
188 (viii) \$1,050,000 to Riverton for improvements to the Welby Jacob Canal trail between 11800 South  
and 13800 South;  
190 (ix) \$3,500,000 to Taylorsville for improvements to Bangerter Highway and 4700 South;  
192 (x) \$470,000 to the department for construction of a sound wall on Bangerter Highway at  
approximately 11200 South;  
194 (xi) \$1,250,000 to Murray for improvements to Murray Boulevard between 4800 South and 5300  
South;  
196 ~~[(xii) \$1,450,000 to West Valley for construction of a road connecting 5400 South to U-111;]~~

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198 ~~[(xiii)]~~ (xii) \$1,840,000 to Magna for construction and improvements to 8400 West and 4100 South;  
200 ~~[(xiv)]~~ (xiii) \$1,000,000 to South Jordan for construction of arterial roads connecting U-111 and Old  
Bingham Highway;  
202 ~~[(xv)]~~ (xiv) \$1,200,000 to Millcreek for reconstruction of and improvements to 2000 East between 3300  
South and Atkin Avenue;  
204 ~~[(xvi)]~~ (xv) \$1,230,000 to Holladay for improvements to Highland Drive between Van Winkle  
Expressway and Arbor Lane;  
206 ~~[(xvii)]~~ \$1,800,000 to West Valley City for improvements to 4000 West between 4100 South and 4700  
South and improvements to 4700 South from 4000 West to Bangerter Highway; { ~~\$~~ → { } { } } **and** { } { }  
{ ← ~~\$~~ }  
209 { ~~(xviii)~~ } ]  
400 ~~[(xviii)]~~ (xvi) \$1,000,000 to Taylorsville for improvements to 4700 South at the I-215 interchange[-] ;  
402 (xvii) \$3,750,000 to West Valley City for improvements to 4000 West between 4100 South and 4700  
South and improvements to 4700 South from 4000 West to Bangerter Highway;  
405 (xviii) \$1,700,000 to South Jordan for improvements to Prosperity Road between Crimson View Drive  
and Copper Hawk Drive;  
407 (xix) \$2,300,000 to West Valley City for a road connecting U-111 at approximately 6200 South, then  
east and turning north and connecting to 5400 South;  
409 (xx) \$1,400,000 to Magna for improvements to 8000 West between 3500 South to 4100 South;  
411 (xxi) \$1,300,000 to Taylorsville for improvements on 4700 South between Redwood Road and 2700  
West; and  
413 (xxii) \$3,000,000 to West Jordan for improvements to 1300 West between 6600 South and 7800 South;  
and  
415 (l) for a fiscal year beginning on or after July 1, 2026, and for 15 years thereafter, to pay debt service  
and bond issuance costs for \$70,000,000 of the bonds issued under Section 63B-34-101 for the  
grants awarded under Part 5, Affordable Housing Infrastructure Grants.  
419 (5)  
(a) If revenue in the fund is insufficient to satisfy all of the transfers described in Subsection (4)(j), the  
executive director shall proportionately reduce the amounts transferred as described in Subsection  
(4)(j).  
422

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(b) A local government may not use revenue described in Subsection (4)(j) to supplant existing class B or class C road funds that a local government has budgeted for transportation projects.

425 (6) The revenues described in Subsections (2)(b), (c), and (d) that are deposited into the fund and  
bond proceeds from bonds issued under Sections 63B-16-102, 63B-18-402, and 63B-27-102 are  
considered a local matching contribution for the purposes described under Section 72-2-123.

429 (7) The department may expend up to \$3,000,000 of revenue deposited into the account as described in  
Subsection 59-12-2220(11)(b) for public transit innovation grants, as provided in Part [3] 4, Public  
Transit Innovation Grants.

432 (8) The additional administrative costs of the department to administer this fund shall be paid from  
money in the fund.

434 (9) Subject to Subsection (11), and notwithstanding any statutory or other restrictions on the use or  
expenditure of the revenue sources deposited into this fund, the Department of Transportation may  
use the money in this fund for any of the purposes detailed in Subsection (4).

438 (10) Subject to Subsection (11), any revenue deposited into the fund as described in Subsection (2)  
(e) shall be used to provide funding or loans for public transit projects, operations, and supporting  
infrastructure in the county of the first class.

441 (11) For the first three years after a county of the first class imposes a sales and use tax authorized  
in Section 59-12-2220, revenue deposited into the fund as described in Subsection (2)(e) shall be  
allocated as follows:

444 (a) 10% to the department to construct an express bus facility on 5600 West; and

445 (b) 90% into the County of the First Class Infrastructure Bank Fund created in Section 72-2-302.  
and

210a { ~~§→ (xix)~~ } { ~~{\$1,700,000 to South Jordan for improvements to Prosperity Road between Crimson  
View Drive and Copper Hawk Drive; and}~~ } { } ← ~~§~~ }

211 { ~~(f)~~ } { ~~for a fiscal year beginning on or after July 1, 2026, and for 15 years thereafter, to pay debt service  
and bond issuance costs for \$70,000,000 of the bonds issued under Section 63B-34-101 for the  
grants awarded under Part 5, Affordable Housing Infrastructure Grants.~~ }

215 { ~~(5)~~ }

{ ~~(a)~~ } { ~~If revenue in the fund is insufficient to satisfy all of the transfers described in Subsection (4)  
(j), the executive director shall proportionately reduce the amounts transferred as described in  
Subsection (4)(j).~~ }

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- 218    ~~{(b)} {A local government may not use revenue described in Subsection (4)(j) to supplant existing class~~  
         ~~B or class C road funds that a local government has budgeted for transportation projects.}~~
- 221    ~~{(6)} {The revenues described in Subsections (2)(b), (c), and (d) that are deposited into the fund and~~  
         ~~bond proceeds from bonds issued under Sections 63B-16-102, 63B-18-402, and 63B-27-102 are~~  
         ~~considered a local matching contribution for the purposes described under Section 72-2-123.}~~
- 225    ~~{(7)} {The department may expend up to \$3,000,000 of revenue deposited into the account as described~~  
         ~~in Subsection 59-12-2220(11)(b) for public transit innovation grants, as provided in Part } {f} {3}~~  
         ~~}} 4{, Public Transit Innovation Grants.~~
- 228    ~~{(8)} {The additional administrative costs of the department to administer this fund shall be paid from~~  
         ~~money in the fund.}~~
- 230    ~~{(9)} {Subject to Subsection (11), and notwithstanding any statutory or other restrictions on the use or~~  
         ~~expenditure of the revenue sources deposited into this fund, the Department of Transportation may~~  
         ~~use the money in this fund for any of the purposes detailed in Subsection (4).}~~
- 234    ~~{(10)} {Subject to Subsection (11), any revenue deposited into the fund as described in Subsection (2)~~  
         ~~(e) shall be used to provide funding or loans for public transit projects, operations, and supporting~~  
         ~~infrastructure in the county of the first class.}~~
- 237    ~~{(11)} {For the first three years after a county of the first class imposes a sales and use tax authorized~~  
         ~~in Section 59-12-2220, revenue deposited into the fund as described in Subsection (2)(e) shall be~~  
         ~~allocated as follows:}~~
- 240    ~~{(a)} {10% to the department to construct an express bus facility on 5600 West; and}~~
- 241    ~~{(b)} 90% into the County of the First Class Infrastructure Bank Fund created in Section 72-2-302.}~~
- 447        Section 4. Section **72-2-124** is amended to read:
- 448        **72-2-124. Transportation Investment Fund of 2005.**
- 245        (1) There is created a capital projects fund entitled the Transportation Investment Fund of 2005.
- 247        (2) The fund consists of money generated from the following sources:
- 248        (a) any voluntary contributions received for the maintenance, construction, reconstruction, or  
             renovation of state and federal highways;
- 250        (b) appropriations made to the fund by the Legislature;
- 251        (c) registration fees designated under Section 41-1a-1201;
- 252        (d) the sales and use tax revenues deposited into the fund in accordance with Section 59-12-103;[-and]
- 254        (e) revenues transferred to the fund in accordance with Section 72-2-106[-]; ;



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- 255 (f) revenues transferred into the fund in accordance with Subsection 72-2-121(4)(l); and  
256 (g) revenue from bond proceeds described in Section 63B-34-101.  
257 (3)  
(a) The fund shall earn interest.  
258 (b) All interest earned on fund money shall be deposited into the fund.  
259 (4)  
(a) Except as provided in Subsection (4)(b), the executive director may only use fund money to pay:  
261 (i) the costs of maintenance, construction, reconstruction, or renovation to state and federal  
highways prioritized by the Transportation Commission through the prioritization process for  
new transportation capacity projects adopted under Section 72-1-304;  
265 (ii) the costs of maintenance, construction, reconstruction, or renovation to the highway projects  
described in Subsections 63B-18-401(2), (3), and (4);  
267 (iii) principal, interest, and issuance costs of bonds authorized by Section 63B-18-401 minus  
the costs paid from the County of the First Class Highway Projects Fund in accordance with  
Subsection 72-2-121(4)(e);  
270 (iv) for a fiscal year beginning on or after July 1, 2013, to transfer to the 2010 Salt Lake County  
Revenue Bond Sinking Fund created by Section 72-2-121.3 the amount certified by Salt Lake  
County in accordance with Subsection 72-2-121.3(4)(c) as necessary to pay the debt service on  
\$30,000,000 of the revenue bonds issued by Salt Lake County;  
275 (v) principal, interest, and issuance costs of bonds authorized by Section 63B-16-101 for projects  
prioritized in accordance with Section 72-2-125;  
277 (vi) all highway general obligation bonds that are intended to be paid from revenues in the  
Centennial Highway Fund created by Section 72-2-118;  
279 (vii) for fiscal year 2015-16 only, to transfer \$25,000,000 to the County of the First Class Highway  
Projects Fund created in Section 72-2-121 to be used for the purposes described in Section  
72-2-121;  
282 (viii) if a political subdivision provides a contribution equal to or greater than 40% of the  
costs needed for construction, reconstruction, or renovation of paved pedestrian or paved  
nonmotorized transportation for projects that:  
285 (A) mitigate traffic congestion on the state highway system;  
286 (B) are part of an active transportation plan approved by the department; and

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- 287 (C) are prioritized by the commission through the prioritization process for new transportation capacity  
288 projects adopted under Section 72-1-304;
- 289 (ix) \$705,000,000 for the costs of right-of-way acquisition, construction, reconstruction, or  
renovation of or improvement to the following projects:
- 291 (A) the connector road between Main Street and 1600 North in the city of Vineyard;
- 293 (B) Geneva Road from University Parkway to 1800 South;
- 294 (C) the SR-97 interchange at 5600 South on I-15;
- 295 (D) subject to Subsection (4)(c), two lanes on U-111 from Herriman Parkway to South Jordan Parkway;
- 297 (E) widening I-15 between mileposts 10 and 13 and the interchange at milepost 11;
- 298 (F) improvements to 1600 North in Orem from 1200 West to State Street;
- 299 (G) widening I-15 between mileposts 6 and 8;
- 300 (H) widening 1600 South from Main Street in the city of Spanish Fork to SR-51;
- 301 (I) widening US 6 from Sheep Creek to Mill Fork between mileposts 195 and 197 in Spanish Fork  
Canyon;
- 303 (J) I-15 northbound between mileposts 43 and 56;
- 304 (K) a passing lane on SR-132 between mileposts 41.1 and 43.7 between mileposts 43 and 45.1;
- 306 (L) east Zion SR-9 improvements;
- 307 (M) Toquerville Parkway;
- 308 (N) an environmental study on Foothill Boulevard in the city of Saratoga Springs;
- 309 (O) using funds allocated in this Subsection (4)(a)(ix), and other sources of funds, for construction of an  
interchange on Bangerter Highway at 13400 South; and
- 311 (P) an environmental impact study for Kimball Junction in Summit County; and
- 312 (x) \$28,000,000 as pass-through funds, to be distributed as necessary to pay project costs based  
upon a statement of cash flow that the local jurisdiction where the project is located provides to  
the department demonstrating the need for money for the project, for the following projects in  
the following amounts:
- 316 (A) \$5,000,000 for Payson Main Street repair and replacement;
- 317 (B) \$8,000,000 for a Bluffdale 14600 South railroad bypass;
- 318 (C) \$5,000,000 for improvements to 4700 South in Taylorsville; and
- 319 (D) \$10,000,000 for improvements to the west side frontage roads adjacent to U.S. 40 between mile  
markers 7 and 10~~[-]~~ ; and

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- 525        (xi) \$13,000,000 as pass-through funds to Spanish Fork for the costs of right-of-way acquisition,  
             construction, reconstruction, or renovation to connect Fingerhut Road over the railroad and to  
             U.S. Highway 6.
- 321        (b) The executive director may use fund money to exchange for an equal or greater amount of federal  
             transportation funds to be used as provided in Subsection (4)(a).
- 323        (c)
- (i) Construction related to the project described in Subsection (4)(a)(ix)(D) may not commence until  
             a right-of-way not owned by a federal agency that is required for the realignment and extension of  
             U-111, as described in the department's 2023 environmental study related to the project, is dedicated  
             to the department.
- 327        (ii) Notwithstanding Subsection (4)(c)(i), if a right-of-way is not dedicated for the project as described  
             in Subsection (4)(c)(i) on or before October 1, 2024, the department may proceed with the project,  
             except that the project will be limited to two lanes on U-111 from Herriman Parkway to 11800  
             South.
- 331        (5)
- (a) Except as provided in Subsection (5)(b), if the department receives a notice of ineligibility for a  
             municipality as described in Subsection 10-9a-408(7), the executive director may not program fund  
             money to a project prioritized by the commission under Section 72-1-304, including fund money  
             from the Transit Transportation Investment Fund, within the boundaries of the municipality until the  
             department receives notification from the Housing and Community Development Division within  
             the Department of Workforce Services that ineligibility under this Subsection (5) no longer applies  
             to the municipality.
- 339        (b) Within the boundaries of a municipality described in Subsection (5)(a), the executive director:
- 341        (i) may program fund money in accordance with Subsection (4)(a) for a limited-access facility or  
             interchange connecting limited-access facilities;
- 343        (ii) may not program fund money for the construction, reconstruction, or renovation of an interchange  
             on a limited-access facility;
- 345        (iii) may program Transit Transportation Investment Fund money for a multi-community fixed  
             guideway public transportation project; and
- 347

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(iv) may not program Transit Transportation Investment Fund money for the construction, reconstruction, or renovation of a station that is part of a fixed guideway public transportation project.

350 (c) Subsections (5)(a) and (b) do not apply to a project programmed by the executive director before  
July 1, 2022, for projects prioritized by the commission under Section 72-1-304.

353 (6)

(a) Except as provided in Subsection (6)(b), if the department receives a notice of ineligibility for a county as described in Subsection 17-27a-408(7), the executive director may not program fund money to a project prioritized by the commission under Section 72-1-304, including fund money from the Transit Transportation Investment Fund, within the boundaries of the unincorporated area of the county until the department receives notification from the Housing and Community Development Division within the Department of Workforce Services that ineligibility under this Subsection (6) no longer applies to the county.

361 (b) Within the boundaries of the unincorporated area of a county described in Subsection (6)(a), the executive director:

363 (i) may program fund money in accordance with Subsection (4)(a) for a limited-access facility to a project prioritized by the commission under Section 72-1-304;

366 (ii) may not program fund money for the construction, reconstruction, or renovation of an interchange on a limited-access facility;

368 (iii) may program Transit Transportation Investment Fund money for a multi-community fixed guideway public transportation project; and

370 (iv) may not program Transit Transportation Investment Fund money for the construction, reconstruction, or renovation of a station that is part of a fixed guideway public transportation project.

373 (c) Subsections (6)(a) and (b) do not apply to a project programmed by the executive director before July 1, 2022, for projects prioritized by the commission under Section 72-1-304.

376 (7)

(a) Before bonds authorized by Section 63B-18-401 or 63B-27-101 may be issued in any fiscal year, the department and the commission shall appear before the Executive Appropriations Committee of the Legislature and present the amount of bond proceeds that the department needs to provide funding

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for the projects identified in Subsections 63B-18-401(2), (3), and (4) or Subsection 63B-27-101(2) for the current or next fiscal year.

- 382 (b) The Executive Appropriations Committee of the Legislature shall review and comment on the  
amount of bond proceeds needed to fund the projects.
- 384 (8) The Division of Finance shall, from money deposited into the fund, transfer the amount of funds  
necessary to pay principal, interest, and issuance costs of bonds authorized by Section 63B-18-401  
or 63B-27-101 in the current fiscal year to the appropriate debt service or sinking fund.
- 388 (9)
- (a) There is created in the Transportation Investment Fund of 2005 the Transit Transportation  
Investment Fund.
- 390 (b) The fund shall be funded by:
- 391 (i) contributions deposited into the fund in accordance with Section 59-12-103;
- 392 (ii) appropriations into the account by the Legislature;
- 393 (iii) deposits of sales and use tax increment related to a housing and transit reinvestment zone as  
described in Section 63N-3-610;
- 395 (iv) transfers of local option sales and use tax revenue as described in Subsection 59-12-2220(11)(b) or  
(c);
- 397 (v) private contributions; and
- 398 (vi) donations or grants from public or private entities.
- 399 (c)
- (i) The fund shall earn interest.
- 400 (ii) All interest earned on fund money shall be deposited into the fund.
- 401 (d) Subject to Subsection (9)(e), the commission may prioritize money from the fund:
- 402 (i) for public transit capital development of new capacity projects and fixed guideway capital  
development projects to be used as prioritized by the commission through the prioritization process  
adopted under Section 72-1-304;
- 405 (ii) to the department for oversight of a fixed guideway capital development project for which the  
department has responsibility; or
- 407 (iii) up to \$500,000 per year, to be used for a public transit study.
- 408 (e)

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- (i) Subject to Subsections (9)(g), (h), and (i), the commission may only prioritize money from the fund for a public transit capital development project or pedestrian or nonmotorized transportation project that provides connection to the public transit system if the public transit district or political subdivision provides funds of equal to or greater than 30% of the costs needed for the project.
- 413 (ii) A public transit district or political subdivision may use money derived from a loan granted pursuant to ~~[Title 72, Chapter 2, ]~~Part 2, State Infrastructure Bank Fund, to provide all or part of the 30% requirement described in Subsection (9)(e)(i) if:
- 417 (A) the loan is approved by the commission as required in ~~[Title 72, Chapter 2, ]~~Part 2, State Infrastructure Bank Fund; and
- 419 (B) the proposed capital project has been prioritized by the commission pursuant to Section 72-1-303.
- 421 (f) Before July 1, 2022, the department and a large public transit district shall enter into an agreement for a large public transit district to pay the department \$5,000,000 per year for 15 years to be used to facilitate the purchase of zero emissions or low emissions rail engines and trainsets for regional public transit rail systems.
- 425 (g) For any revenue transferred into the fund pursuant to Subsection 59-12-2220(11)(b):
- 426 (i) the commission may prioritize money from the fund for public transit projects, operations, or maintenance within the county of the first class; and
- 428 (ii) Subsection (9)(e) does not apply.
- 429 (h) For any revenue transferred into the fund pursuant to Subsection 59-12-2220(11)(c):
- 430 (i) the commission may prioritize public transit projects, operations, or maintenance in the county from which the revenue was generated; and
- 432 (ii) Subsection (9)(e) does not apply.
- 433 (i) The requirement to provide funds equal to or greater than 30% of the costs needed for the project described in Subsection (9)(e) does not apply to a public transit capital development project or pedestrian or nonmotorized transportation project that the department proposes.
- 437 (j) In accordance with Part ~~[3]~~ 4, Public Transit Innovation Grants, the commission may prioritize money from the fund for public transit innovation grants, as defined in Section 72-2-401, for public transit capital development projects requested by a political subdivision within a public transit district.
- 441 (10)

## HB0502S02 compared with HB0502S05

(a) There is created in the Transportation Investment Fund of 2005 the Cottonwood Canyons Transportation Investment Fund.

(b) The fund shall be funded by:

(i) money deposited into the fund in accordance with Section 59-12-103;

(ii) appropriations into the account by the Legislature;

(iii) private contributions; and

(iv) donations or grants from public or private entities.

(c)

(i) The fund shall earn interest.

(ii) All interest earned on fund money shall be deposited into the fund.

(d) The Legislature may appropriate money from the fund for public transit or transportation projects in the Cottonwood Canyons of Salt Lake County.

(e) The department may use up to 2% of the revenue deposited into the account under Subsection 59-12-103(7)(b) to contract with local governments as necessary for public safety enforcement related to the Cottonwood Canyons of Salt Lake County.

(f) Beginning with fiscal year beginning on July 1, 2025, the department shall use any sales and use tax growth over sales and use tax collections during the 2025 fiscal year to fund projects to provide ingress and egress for a public transit hub, including construction of the public transit hub, in the Big Cottonwood Canyon area.

(11)

(a) There is created in the Transportation Investment Fund of 2005 the Active Transportation Investment Fund.

(b) The fund shall be funded by:

(i) money deposited into the fund in accordance with Section 59-12-103;

(ii) appropriations into the account by the Legislature; and

(iii) donations or grants from public or private entities.

(c)

(i) The fund shall earn interest.

(ii) All interest earned on fund money shall be deposited into the fund.

(d) The executive director may only use fund money to pay the costs needed for:

## HB0502S02 compared with HB0502S05

(i) the planning, design, construction, maintenance, reconstruction, or renovation of paved pedestrian or paved nonmotorized trail projects that:

(A) are prioritized by the commission through the prioritization process for new transportation capacity projects adopted under Section 72-1-304;

(B) serve a regional purpose; and

(C) are part of an active transportation plan approved by the department or the plan described in Subsection (11)(d)(ii);

(ii) the development of a plan for a statewide network of paved pedestrian or paved nonmotorized trails that serve a regional purpose; and

(iii) the administration of the fund, including staff and overhead costs.

(12)

(a) As used in this Subsection (12), "commuter rail" means the same as that term is defined in Section 63N-3-602.

(b) There is created in the Transit Transportation Investment Fund the Commuter Rail Subaccount.

(c) The subaccount shall be funded by:

(i) contributions deposited into the subaccount in accordance with Section 59-12-103;

(ii) appropriations into the subaccount by the Legislature;

(iii) private contributions; and

(iv) donations or grants from public or private entities.

(d)

(i) The subaccount shall earn interest.

(ii) All interest earned on money in the subaccount shall be deposited into the subaccount.

(e) As prioritized by the commission through the prioritization process adopted under Section 72-1-304 or as directed by the Legislature, the department may only use money from the subaccount for projects that improve the state's commuter rail infrastructure, including the building or improvement of grade-separated crossings between commuter rail lines and public highways.

(f) Appropriations made in accordance with this section are nonlapsing in accordance with Section 63J-1-602.1.

Section 5. Section 72-2-302 is amended to read:

**72-2-302. County of the First Class Infrastructure Bank Fund -- Creation -- Use of money.**



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(1) There is created a revolving loan fund entitled the County of the First Class Infrastructure Bank Fund.

(2)

(a) The fund consists of money generated from the following revenue sources:

(i) deposits into the fund in accordance with Subsection 72-2-121(9);

(ii) appropriations made to the fund by the Legislature;

(iii) federal money and grants that are deposited into the fund;

(iv) money transferred to the fund by the commission from other money available to the department;

(v) state grants that are deposited into the fund;

(vi) contributions or grants from any other private or public sources for deposit into the fund; and

(vii) subject to Subsection (2)(b) and Section 72-2-306, all money collected from repayments of fund money used for infrastructure loans or infrastructure assistance.

(b) When a loan from the fund is repaid, the department may request and the Legislature may transfer from the fund to the source from which the money originated an amount equal to the repaid loan.

(3)

(a) The fund shall earn interest.

(b) All interest earned on fund money shall be deposited into the fund.

(4)

(a) ~~[Money]~~ Except as provided in Subsection (4)(b), money in the fund shall be used by the department, as prioritized by the commission, only to:

~~[(a)]~~ (i) provide infrastructure loans or infrastructure assistance; and

~~[(b)]~~ (ii) pay the department for the costs of administering the fund, providing infrastructure loans or infrastructure assistance, monitoring transportation projects and publicly owned infrastructure projects, and obtaining repayments of infrastructure loans or infrastructure assistance.

(b) Notwithstanding Subsection (4)(a), money in the fund shall be used by the department to provide funds in the following order of priority:

(i) a \$20,000,000 loan to Draper for the renovation of existing water pipelines and the expansion of drinking water infrastructure;

(ii) a \$5,000,000 loan to Herriman for the mitigation and replacement of impacted soils;

## HB0502S02 compared with HB0502S05

(iii) a \$9,000,000 grant to the County of the First Class Highway Projects Fund created in Section 72-2-121;

(iv) a \$4,000,000 grant to Metropolitan Water District of Salt Lake and Sandy for the Little Cottonwood Creek conduit connecting to the water treatment plant;

(v) a \$2,000,000 grant to Draper for construction, expansion, and renovation of new and existing drinking water infrastructure;

(vi) a \$2,000,000 grant to West Jordan for improvements to 6700 West between 9000 South and New Bingham Highway;

(vii) a \$2,500,000 grant to Riverton for improvements to 2700 West between 13400 South and Bangerter Highway; and

(viii) a \$30,000,000 grant to Bluffdale for construction of a multiple lane, grade-separated rail crossing at 1000 West and 14600 South.

(5)

(a) The department may establish separate accounts in the fund for infrastructure loans, infrastructure assistance, administrative and operating expenses, or any other purpose to implement this part.

(b) Prioritization of infrastructure loans described in Subsection (5)(a) shall follow the same process as described in Section 72-2-303.

(c) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the department may make rules governing how the fund and its accounts may be held by an escrow agent.

(6) Fund money shall be invested by the state treasurer as provided in Title 51, Chapter 7, State Money Management Act, and the earnings from the investments shall be credited to the fund.

Section 6. Section 72-2-306 is amended to read:

**72-2-306. Distribution of funds after repayment.**

(1) Any money deposited into the fund from repayment of a loan or interest issued under this part shall be distributed as described in this section.

(2) As the department receives repayment of a loan and interest issued under this part, the department shall distribute:

(a) ~~[50%]~~ 95% of the money to Sandy, for a bridge connecting a commuter rail station on the west side of I-15 with property owned by Sandy City at approximately 10240 South Monroe Street on the east side of I-15; and

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(b) 5% to the department for improvements to 12600 South in Riverton to facilitate a jurisdictional transfer of the road from Riverton to the state.

~~[(b) 30% of the money to Bluffdale, for construction of a multiple lane, grade-separated rail crossing at 1000 West and 14600 South; and]~~

~~[(c) 20% of the money to the department, to construct and provide enhanced ingress and egress to a transit mobility center on property north of Big Cottonwood Canyon.]~~

Section 7. Section 7 is enacted to read:

### **72-2-501. Definitions.**

#### **5. Affordable Housing Infrastructure Grants**

As used in this part:

(1) "Affordable housing unit" means:

(a) for a project within a city with a population over 200,000, housing units included in a project that:

(i) is not within an opportunity zone created pursuant to Section 1400Z-1, Internal Revenue Code;

(ii) proposes housing that is within a severe distress tract, as classified by United States Bureau of the Census;

(iii) creates infrastructure that supports an existing permanent supportive housing facility to maximize overall activation and integration of the facility; and

(iv) provides infrastructure to housing units within a one-quarter mile radius of the infrastructure improvement that:

(A) for rental units within the project area, both new and existing, are reserved for occupancy by households with a gross household income that, across the whole project area, average no more than {60} 80% of the median gross income of the county statistical area for households of the same size; and

(B) for owner-occupied units within the project area, both new and existing, have an average dwelling unit priced at or below 80% of the median home price of the county statistical area for homes of the same size; and

(b) for a project within a city with a population of 200,000 or less:

(i) for a rental property, a dwelling unit occupied or reserved for occupancy by households with a gross household income equal to or less than 80% of the median gross income of the county statistical area for households of the same size; or

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(ii) for an owner-occupied property, a dwelling unit priced at or below 80% of the median home price of the county statistical area for homes of the same size.

(2) "Board" means the affordable housing infrastructure grant board created in Section 72-2-503.

(3) "Grant" means a grant issued to a public entity in a county of the first class as provided in this part.

Section 8. Section 8 is enacted to read:

### **72-2-502. Affordable housing infrastructure grant funding sources.**

(1) In accordance with Section 72-2-503, the board may rank, prioritize, and {provide-} award affordable housing infrastructure grants to public entities within a county of the first class with money derived from the following sources:

(a) bond proceeds deposited into the Transportation Investment Fund of 2005 created in Section 72-2-124 in accordance with a bond issued under Section 63B-34-101;

(b) appropriations by the Legislature; and

(c) any other transfers or contributions.

(2) Administrative costs of the department to administer affordable housing infrastructure grants under this part shall be paid from the funds described in Subsection (1).

Section 9. Section 9 is enacted to read:

### **72-2-503. Board creation -- Duties -- Grant administration.**

(1) There is created the affordable housing infrastructure grant board consisting of the following members:

(a) the executive director of the department, or the executive director's designee;

(b) the executive director of the {Department} Governor's Office of {Natural Resources} Economic Opportunity appointed under Section {79-2-202} 63N-1a-302, or the executive director's designee; and

(c) an employee of the governor's office that is an expert or advisor on housing strategy, appointed by the governor.

(2)

(a) The {Department of Natural Resources} Governor's Office of Economic Opportunity shall provide staff support for the board and the grant program.

(b) The {Department of Natural Resources} Governor's Office of Economic Opportunity may use grant funds for the costs of the {Department of Natural Resources} Governor's Office of Economic Opportunity to administer the grant program under this part.

## HB0502S02 compared with HB0502S05

- 550 (3) The {Department of Natural Resources} Governor's Office of Economic Opportunity, in  
consultation with the board, shall develop a process for the prioritization of grant proposals that  
includes:
- 552 (a) instructions on making and submitting a grant proposal;  
553 (b) methodology for selecting grants; and  
554 (c) methodology for awarding grants.
- 555 (4) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the {Department of  
Natural Resources} Governor's Office of Economic Opportunity shall make rules to establish the  
process described in Subsection (3) and as otherwise necessary to implement this part.
- 558 (5) The board shall:
- 559 (a) accept grant applications;  
560 (b) rank grant proposals; and  
561 (c) {provide money to grant recipients} award grants in accordance with this part.
- 562 (6) A grant applicant shall ensure that each grant proposal includes:
- 563 (a) information about the proposed project, including the projected number of affordable housing units,  
which may not be less than 50 units of affordable housing;  
565 (b) the projected time line of the proposed project;  
566 (c) data and information regarding the proposed types of affordable housing; and  
567 (d) information about the public infrastructure and other improvements needed.  
568 (7)
- (a) In considering a grant proposal, the board shall consider criteria including:
- 569 (i) the value and number of housing units the project will produce;  
570 (ii) the value of any matching contribution from the grant applicant, including information about  
how the public entity determined the value of the matching assets; and  
573 (iii) any other criteria the board determines relevant.
- 574 (b) For a grant proposal including highway infrastructure, the board may not {provide} award a grant  
unless the grant applicant provides a minimum matching contribution of the right-of-way needed for  
the highway improvements.
- 577 (c) {The} If a grant proposal includes highway infrastructure, the board shall give priority {for  
infrastructure grant proposals for} to the construction of public highways that are highways of  
regional significance that connect to other highways or points of regional significance.

## HB0502S02 compared with HB0502S05

- 580 (8)
- (a) Subject to available funding, and subject to Subsection (8)(b), the board may award a grant to a recipient that the board determines advisable.
- 582 (b) For every \$20,000 of grant funding awarded to a recipient, the infrastructure shall support at least one unit of affordable housing.
- 584 (c) The board may not award a grant to a recipient if the board determines that the recipient will not be able to satisfy the requirement under Subsection (8)(b).
- 586 (9) If the board approves ~~the award of~~ a grant {~~to provide money~~} as provided in this part, the department shall transfer the money to the grant recipientin accordance with Subsection (10).
- 873 (10)
- (a) Before the department may provide grant money to a public entity for a project related to a grant awarded by the board, the public entity shall provide a detailed cost estimate of costs to complete the planning and design of the project.
- 876 (b) If the executive director approves the cost estimate described in Subsection (10)(a), the department may provide to the public entity grant money reasonably necessary to complete the planning and design of the project.
- 879 (c) After completion of the planning and design of a project related to a grant awarded by the board, the public entity shall provide to the department a detailed estimate of the costs to construct and complete the project described in Subsection (10)(b).
- 882 (d) If the executive director approves the cost estimates described in Subsection (10)(c), the department may provide grant money to a public entity to construct and complete the project described in Subsection (10)(b).
- 885 Section 10. Section **10** is enacted to read:
- 886 **72-2-504. Report.**
- 590 (1) {~~At least annually~~} ~~On or before September 1 of each year~~ during the life of {~~the project~~} ~~a project related to a grant awarded by the board~~, a recipient of {~~a~~} grant ~~money~~ under this part shall provide a ~~written~~ report to the board.
- 592 (2) The report described in Subsection (1) shall include:
- 593 (a) the amount of money provided through the grant;
- 594 (b) an accounting of how the grant money has been utilized;
- 595 (c) the progress of the project; and

## HB0502S02 compared with HB0502S05

596 (d) the number of affordable housing units completed or under construction.

895 Section 11. **Effective date.**

Effective Date.

This bill takes effect on May 7, 2025.

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