

1 **Appropriations Subcommittee Amendments**

2025 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Val L. Peterson

Senate Sponsor:

3 **LONG TITLE**

4 **General Description:**

5 This bill updates the names of certain appropriations subcommittees.

6 **Highlighted Provisions:**

7 This bill:

8 ▶ changes the name of:

9 • the "Business, Economic Development, and Labor Appropriations Subcommittee" to
10 the "Economic and Community Development Appropriations Subcommittee";

11 • the "Executive Offices and Criminal Justice Appropriations Subcommittee" to the
12 "Criminal Justice Appropriations Subcommittee"; and

13 • the "Infrastructure and General Government Appropriations Subcommittee" to the
14 "Transportation and Infrastructure Appropriations Subcommittee"; and

15 ▶ makes technical and conforming changes.

16 **Money Appropriated in this Bill:**

17 None

18 **Other Special Clauses:**

19 None

20 **Utah Code Sections Affected:**

21 AMENDS:

22 **4-46-303**, as last amended by Laws of Utah 2023, Chapter 180

23 **17B-2a-808.1**, as last amended by Laws of Utah 2024, Chapter 498

24 **32B-2-307**, as last amended by Laws of Utah 2023, Chapter 538

25 **32B-2-505**, as last amended by Laws of Utah 2023, Chapter 369

26 **35A-6-105**, as last amended by Laws of Utah 2022, Chapter 415

27 **36-33-103**, as renumbered and amended by Laws of Utah 2022, Chapter 334

28 **53-1-121**, as enacted by Laws of Utah 2021, Chapter 215

29 **53-2a-603**, as last amended by Laws of Utah 2023, Chapters 434, 534

30 **53-2a-606**, as last amended by Laws of Utah 2023, Chapter 434

31 **53-2a-1302**, as last amended by Laws of Utah 2023, Chapter 434
32 **53-8-105**, as last amended by Laws of Utah 2024, Chapter 425
33 **53-8-214**, as last amended by Laws of Utah 2024, Chapter 251
34 **53-10-910**, as renumbered and amended by Laws of Utah 2022, Chapter 430
35 **53B-2a-117**, as last amended by Laws of Utah 2024, Chapter 378
36 **53B-17-1102**, as enacted by Laws of Utah 2018, Chapter 453
37 **53B-18-1602**, as enacted by Laws of Utah 2018, Chapter 453
38 **53B-18-1805**, as enacted by Laws of Utah 2023, Chapter 494
39 **53B-18-1806**, as enacted by Laws of Utah 2023, Chapter 494
40 **53B-20-104**, as last amended by Laws of Utah 2023, Chapter 369
41 **53B-22-204**, as last amended by Laws of Utah 2024, Chapter 378
42 **58-55-104**, as enacted by Laws of Utah 2019, Chapter 215
43 **58-55-105**, as enacted by Laws of Utah 2019, Chapter 215
44 **59-21-2**, as last amended by Laws of Utah 2024, Chapter 88
45 **63A-5b-404**, as last amended by Laws of Utah 2022, Chapter 421
46 **63A-5b-407**, as enacted by Laws of Utah 2023, Chapter 369
47 **63A-5b-912**, as renumbered and amended by Laws of Utah 2020, Chapter 152
48 **63A-5b-1002**, as last amended by Laws of Utah 2021, Chapter 116
49 **63A-13-502**, as last amended by Laws of Utah 2019, Chapter 286
50 **63A-16-302.1**, as enacted by Laws of Utah 2023, Chapter 496
51 **63H-7a-206**, as last amended by Laws of Utah 2024, Chapter 357
52 **63J-1-504**, as last amended by Laws of Utah 2023, Chapter 428
53 **63M-7-904**, as last amended by Laws of Utah 2024, Chapter 506
54 **63N-2-107**, as last amended by Laws of Utah 2024, Chapter 159
55 **63N-6-301**, as last amended by Laws of Utah 2022, Chapters 298, 362
56 **63N-21-401**, as enacted by Laws of Utah 2023, Chapter 38
57 **64-13-46.1**, as renumbered and amended by Laws of Utah 2024, Chapter 182
58 **64-13e-103**, as last amended by Laws of Utah 2023, Chapter 246
59 **64-13e-105**, as last amended by Laws of Utah 2024, Chapter 467
60 **67-5-1**, as last amended by Laws of Utah 2024, Chapters 2, 74 and 348
61 **77-38-620**, as last amended by Laws of Utah 2023, Chapter 237
62 **77-40a-107**, as enacted by Laws of Utah 2022, Chapter 384 and last amended by
63 Coordination Clause, Laws of Utah 2022, Chapter 384
64 **78A-2-310**, as enacted by Laws of Utah 2023, Chapter 428

- 65 **78A-5-303**, as enacted by Laws of Utah 2020, Chapter 62
 66 **78B-1-117**, as last amended by Laws of Utah 2018, Chapter 25
 67 **79-8-203**, as renumbered and amended by Laws of Utah 2021, Chapter 280
 68 **80-5-303**, as renumbered and amended by Laws of Utah 2021, Chapter 261
 69 **80-5-502**, as renumbered and amended by Laws of Utah 2021, Chapter 261

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

72 Section 1. Section **4-46-303** is amended to read:

73 **4-46-303 . Board to report annually.**

74 The board shall submit an annual report to the [~~Infrastructure and General Government~~
 75 Transportation and Infrastructure and Natural Resources, Agriculture, and Environmental
 76 Quality Appropriations Subcommittees:

- 77 (1) specifying the amount of each disbursement from the fund;
 78 (2) identifying the recipient of each disbursement and describing the project for which
 79 money was disbursed; and
 80 (3) detailing the conditions, if any, placed by the board on disbursements from the fund.

81 Section 2. Section **17B-2a-808.1** is amended to read:

82 **17B-2a-808.1 . Large public transit district board of trustees powers and duties --**
 83 **Adoption of ordinances, resolutions, or orders -- Effective date of ordinances.**

- 84 (1) The powers and duties of a board of trustees of a large public transit district stated in
 85 this section are in addition to the powers and duties stated in Section 17B-1-301.
 86 (2) The board of trustees of each large public transit district shall:
 87 (a) hold public meetings and receive public comment;
 88 (b) ensure that the policies, procedures, and management practices established by the
 89 public transit district meet state and federal regulatory requirements and federal
 90 grantee eligibility;
 91 (c) create and approve an annual budget, including the issuance of bonds and other
 92 financial instruments, after consultation with the local advisory council;
 93 (d) approve any interlocal agreement with a local jurisdiction;
 94 (e) in consultation with the local advisory council, approve contracts and overall
 95 property acquisitions and dispositions for transit-oriented development;
 96 (f) in consultation with constituent counties, municipalities, metropolitan planning
 97 organizations, and the local advisory council:
 98 (i) develop and approve a strategic plan for development and operations on at least a

- 99 four-year basis; and
- 100 (ii) create and pursue funding opportunities for transit capital and service initiatives
101 to meet anticipated growth within the public transit district;
- 102 (g) annually report the public transit district's long-term financial plan to the State
103 Bonding Commission;
- 104 (h) annually report the public transit district's progress and expenditures related to state
105 resources to the Executive Appropriations Committee and the [~~Infrastructure and~~
106 ~~General Government~~] Transportation and Infrastructure Appropriations
107 Subcommittee;
- 108 (i) annually report to the Transportation Interim Committee the public transit district's
109 efforts to engage in public-private partnerships for public transit services;
- 110 (j) hire, set salaries, and develop performance targets and evaluations for:
- 111 (i) the executive director; and
112 (ii) all chief level officers;
- 113 (k) supervise and regulate each transit facility that the public transit district owns and
114 operates, including:
- 115 (i) fix rates, fares, rentals, charges and any classifications of rates, fares, rentals, and
116 charges; and
117 (ii) make and enforce rules, regulations, contracts, practices, and schedules for or in
118 connection with a transit facility that the district owns or controls;
- 119 (l) control the investment of all funds assigned to the district for investment, including
120 funds:
- 121 (i) held as part of a district's retirement system; and
122 (ii) invested in accordance with the participating employees' designation or direction
123 pursuant to an employee deferred compensation plan established and operated in
124 compliance with Section 457 of the Internal Revenue Code;
- 125 (m) in consultation with the local advisory council created under Section 17B-2a-808.2,
126 invest all funds according to the procedures and requirements of Title 51, Chapter 7,
127 State Money Management Act;
- 128 (n) if a custodian is appointed under Subsection (3)(d), pay the fees for the custodian's
129 services from the interest earnings of the investment fund for which the custodian is
130 appointed;
- 131 (o)(i) cause an annual audit of all public transit district books and accounts to be
132 made by an independent certified public accountant;

- 133 (ii) as soon as practicable after the close of each fiscal year, submit to each of the
134 councils of governments within the public transit district a financial report
135 showing:
- 136 (A) the result of district operations during the preceding fiscal year;
137 (B) an accounting of the expenditures of all local sales and use tax revenues
138 generated under Title 59, Chapter 12, Part 22, Local Option Sales and Use
139 Taxes for Transportation Act;
140 (C) the district's financial status on the final day of the fiscal year; and
141 (D) the district's progress and efforts to improve efficiency relative to the previous
142 fiscal year; and
- 143 (iii) supply copies of the report under Subsection (2)(o)(ii) to the general public upon
144 request;
- 145 (p) report at least annually to the Transportation Commission created in Section 72-1-301,
146 which report shall include:
- 147 (i) the district's short-term and long-range public transit plans, including the portions
148 of applicable regional transportation plans adopted by a metropolitan planning
149 organization established under 23 U.S.C. Sec. 134; and
150 (ii) any transit capital development projects that the board of trustees would like the
151 Transportation Commission to consider;
- 152 (q) direct the internal auditor appointed under Section 17B-2a-810 to conduct audits that
153 the board of trustees determines, in consultation with the local advisory council
154 created in Section 17B-2a-808.2, to be the most critical to the success of the
155 organization;
- 156 (r) together with the local advisory council created in Section 17B-2a-808.2, hear audit
157 reports for audits conducted in accordance with Subsection (2)(o);
- 158 (s) review and approve all contracts pertaining to reduced fares, and evaluate existing
159 contracts, including review of:
- 160 (i) how negotiations occurred;
161 (ii) the rationale for providing a reduced fare; and
162 (iii) identification and evaluation of cost shifts to offset operational costs incurred
163 and impacted by each contract offering a reduced fare;
- 164 (t) in consultation with the local advisory council, develop and approve other board
165 policies, ordinances, and bylaws;
- 166 (u) review and approve any:

- 167 (i) contract or expense exceeding \$200,000; or
168 (ii) proposed change order to an existing contract if the change order:
169 (A) increases the total contract value to \$200,000 or more;
170 (B) increases a contract of or expense of \$200,000 or more by 15% or more; or
171 (C) has a total change order value of \$200,000 or more; and
172 (v) coordinate with political subdivisions within the large public transit district and the
173 department to coordinate public transit services provided by the large public transit
174 district with pilot services related to public transit innovation grants.
- 175 (3) A board of trustees of a large public transit district may:
- 176 (a) subject to Subsection (4), make and pass ordinances, resolutions, and orders that are:
- 177 (i) not repugnant to the United States Constitution, the Utah Constitution, or the
178 provisions of this part; and
179 (ii) necessary for:
180 (A) the governance and management of the affairs of the district;
181 (B) the execution of district powers; and
182 (C) carrying into effect the provisions of this part;
- 183 (b) provide by resolution, under terms and conditions the board considers fit, for the
184 payment of demands against the district without prior specific approval by the board,
185 if the payment is:
186 (i) for a purpose for which the expenditure has been previously approved by the
187 board;
188 (ii) in an amount no greater than the amount authorized; and
189 (iii) approved by the executive director or other officer or deputy as the board
190 prescribes;
- 191 (c) in consultation with the local advisory council created in Section 17B-2a-808.2:
192 (i) hold public hearings and subpoena witnesses; and
193 (ii) appoint district officers to conduct a hearing and require the officers to make
194 findings and conclusions and report them to the board; and
195 (d) appoint a custodian for the funds and securities under its control, subject to
196 Subsection (2)(n).
- 197 (4) The board of trustees may not issue a bond unless the board of trustees has consulted
198 and received approval from the State Finance Review Commission created in Section
199 63C-25-201.
- 200 (5) A member of the board of trustees of a large public transit district or a hearing officer

201 designated by the board may administer oaths and affirmations in a district investigation
202 or proceeding.

203 (6)(a) The vote of the board of trustees on each ordinance or resolution shall be by roll
204 call vote with each affirmative and negative vote recorded.

205 (b) The board of trustees of a large public transit district may not adopt an ordinance
206 unless it is introduced at least 24 hours before the board of trustees adopts it.

207 (c) Each ordinance adopted by a large public transit district's board of trustees shall take
208 effect upon adoption, unless the ordinance provides otherwise.

209 (7)(a) The board of trustees shall provide a report to each city and town within the
210 boundary of the large public transit district, that shall provide an accounting of:

211 (i) the amount of revenue from local option sales and use taxes under this part that
212 was collected within each respective county, city, or town and allocated to the
213 large public transit district as provided in this part;

214 (ii) how much revenue described in Subsection (7)(a)(i) was allocated to provide
215 public transit services utilized by residents of each city and town; and

216 (iii) how the revenue described in Subsection [~~(7)(b)~~] (7)(a)(i) was spent to provide
217 public transit services utilized by residents of each respective city and town.

218 (b) The board of trustees shall provide the report described in Subsection (7)(a):

219 (i) on or before January 1, 2025; and

220 (ii) at least every two years thereafter.

221 (c) To provide the report described in this Subsection (7), a board of trustees may
222 coordinate with the Department of Transportation to report on relevant public transit
223 capital development administered by the Department of Transportation.

224 Section 3. Section **32B-2-307** is amended to read:

225 **32B-2-307 . State Store Land Acquisition and Building Construction Fund.**

226 (1) As used in this section, "fund" means the State Store Land Acquisition and Building
227 Construction Fund created in this section.

228 (2) There is created an enterprise fund known as the State Store Land Acquisition and
229 Building Construction Fund.

230 (3) The fund is funded from the following sources:

231 (a) appropriations made to the fund by the Legislature;

232 (b) in accordance with Subsection (6)(a), proceeds from revenue bonds authorized by
233 Title 63B, Bonds;

234 (c) subject to Subsection (7)(b), repayments to the fund; and

- 235 (d) the interest described in Subsection (4).
- 236 (4)(a) The fund shall earn interest.
- 237 (b) Interest earned on the fund shall be deposited into the fund.
- 238 (5) Subject to Subsection (6), the department may use the money deposited into the fund:
- 239 (a) for construction of new state stores, including to purchase or lease property; and
- 240 (b) for maintenance or renovation of existing state stores or facilities.
- 241 (6)(a) Before the department spends or commits money from the fund, the department
- 242 shall:
- 243 (i) present to the [~~Infrastructure and General Government~~] Transportation and
- 244 Infrastructure Appropriations Subcommittee a description of how the department
- 245 will spend the money; and
- 246 (ii) if the department intends to spend or commit money from the fund for
- 247 construction of a new state store:
- 248 (A) receive approval from the Division of Facilities Construction and
- 249 Management, created in Section 63A-5b-301; and
- 250 (B) receive authorization in an appropriations act.
- 251 (b) Following a presentation described in Subsection (6)(a)(i), the [~~Infrastructure and~~
- 252 ~~General Government~~] Transportation and Infrastructure Appropriations Subcommittee
- 253 shall recommend whether the department spend the money in accordance with the
- 254 department's presentation.
- 255 (7)(a) If the department uses money in the fund for a purpose described in Subsection (5),
- 256 and subsequently issues a revenue bond for that purpose, the department shall repay
- 257 the money with proceeds from the revenue bond.
- 258 (b) If the department uses money from the fund for a purpose described in Subsection (5),
- 259 and subsequently uses, instead of issuing bonds, cash funding appropriated by the
- 260 Legislature to fund that purpose, the department shall reimburse the fund:
- 261 (i) with proceeds from liquor revenue in the Liquor Control Fund, created in Section
- 262 32B-2-301, on a long-term payment schedule set by the state treasurer; and
- 263 (ii) before the transfer described in Subsection 32B-2-301(7).
- 264 (8)(a) If the department uses money from the fund that the Legislature appropriated as a
- 265 loan to be used for the purposes described in Subsection (5), the department shall
- 266 repay the money with proceeds from liquor revenue in the Liquor Control Fund,
- 267 created in Section 32B-2-301:
- 268 (i) with interest at prevailing municipal revenue bond rates for the state of Utah at the

269 time of loan origination minus 50 basis points; and

270 (ii) on a term not to exceed 15 years.

271 (b) The department shall make each payment under Subsection (8)(a) before the transfer
272 described in Subsection 32B-2-301(7).

273 Section 4. Section **32B-2-505** is amended to read:

274 **32B-2-505 . Reporting requirements -- Building plan and market survey**

275 **required -- Department performance measures.**

276 (1) In 2018 and each year thereafter, the department shall present a five-year building plan
277 to the [~~Infrastructure and General Government~~] Transportation and Infrastructure
278 Appropriations Subcommittee that describes the department's anticipated property
279 acquisition, building, and remodeling for the five years following the day on which the
280 department presents the five-year building plan.

281 (2)(a) In 2018 and every other year thereafter, the department shall complete a market
282 survey to inform the department's five-year building plan described in Subsection (1).

283 (b) The department shall:

284 (i) provide a copy of each market survey to the [~~Infrastructure and General~~
285 Government] Transportation and Infrastructure Appropriations Subcommittee and
286 the Business and Labor Interim Committee; and

287 (ii) upon request, appear before the [~~Infrastructure and General Government~~]
288 Transportation and Infrastructure Appropriations Subcommittee to present the
289 results of the market survey.

290 (3) For fiscal year 2018-19 and each fiscal year thereafter, before the fiscal year begins, the
291 Governor's Office of Planning and Budget, in consultation with the department and the
292 Office of the Legislative Fiscal Analyst, shall establish performance measures and goals
293 to evaluate the department's operations during the fiscal year.

294 (4)(a) The department may not submit a request to the Division of Facilities
295 Construction and Management for a capital development project unless the
296 department first obtains approval from the Governor's Office of Planning and Budget.

297 (b) In determining whether to grant approval for a request described in Subsection (4)(a),
298 the Governor's Office of Planning and Budget shall evaluate the extent to which the
299 department met the performance measures and goals described in Subsection (3)
300 during the previous fiscal year.

301 Section 5. Section **35A-6-105** is amended to read:

302 **35A-6-105 . Commissioner of Apprenticeship Programs.**

- 303 (1) There is created the position of Commissioner of Apprenticeship Programs within the
304 department.
- 305 (2) The commissioner shall be appointed by the executive director and chosen from one or
306 more recommendations provided by a majority vote of the State Workforce
307 Development Board.
- 308 (3) The commissioner may be terminated without cause by the executive director.
- 309 (4) The commissioner shall:
- 310 (a) promote and educate the public, including high school guidance counselors and
311 potential participants in apprenticeship programs, about apprenticeship programs,
312 youth apprenticeship, and pre-apprenticeship programs offered in the state, including
313 apprenticeship, youth apprenticeship, and pre-apprenticeship programs offered by
314 private sector businesses, trade groups, labor unions, partnerships with educational
315 institutions, and other associations in the state;
- 316 (b) coordinate with the department and other stakeholders, including union and
317 nonunion apprenticeship programs, the Office of Apprenticeship, the State Board of
318 Education, the Utah system of higher education, the Department of Commerce, the
319 Division of Professional Licensing, and the Governor's Office of Economic
320 Opportunity to improve and promote apprenticeship opportunities in the state; and
- 321 (c) provide an annual written report to:
- 322 (i) the department for inclusion in the department's annual written report described in
323 Section 35A-1-109;
- 324 (ii) the [~~Business, Economic Development, and Labor~~] Economic and Community
325 Development Appropriations Subcommittee; and
- 326 (iii) the Higher Education Appropriations Subcommittee.
- 327 (5) The annual written report described in Subsection (4)(c) shall provide information
328 concerning:
- 329 (a) the number of available apprenticeship, youth apprenticeship, and pre-apprenticeship
330 programs in the state;
- 331 (b) the number of apprentice participants in each program;
- 332 (c) the completion rate of each program;
- 333 (d) the cost of state funding for each program; and
- 334 (e) recommendations for improving apprenticeship, youth apprenticeship, and
335 pre-apprenticeship programs.

336 Section 6. Section **36-33-103** is amended to read:

- 337 **36-33-103 . Panel powers and duties -- Record access and confidentiality.**
- 338 (1) The panel shall:
- 339 (a) examine and observe the process and execution of laws governing the child welfare
- 340 system by the executive branch and the judicial branch;
- 341 (b) upon request, receive testimony from the public, the juvenile court, or a state agency
- 342 involved with the child welfare system, including the division, another office or
- 343 agency within the department, the attorney general, the Office of Guardian Ad Litem,
- 344 or a school district;
- 345 (c) before October 1 of each year, receive a report from the Administrative Office of the
- 346 Courts identifying the cases not in compliance with the time limits established in the
- 347 following sections, and the reasons for noncompliance:
- 348 (i) Subsection 80-3-301(1), regarding shelter hearings;
- 349 (ii) Section 80-3-401, regarding pretrial and adjudication hearings;
- 350 (iii) Section 80-3-402, regarding dispositional hearings;
- 351 (iv) Section 80-3-406, regarding reunification services; and
- 352 (v) Section 80-3-409, regarding permanency hearings and petitions for termination;
- 353 (d) receive recommendations from, and make recommendations to the governor, the
- 354 Legislature, the attorney general, the division, the Office of Guardian Ad Litem, the
- 355 juvenile court, and the public;
- 356 (e)(i) receive reports from the division and the Administrative Office of the Courts on
- 357 budgetary issues impacting the child welfare system; and
- 358 (ii) before December 1 of each year, recommend, as the panel considers advisable,
- 359 budgetary proposals to the Social Services Appropriations Subcommittee and the [
- 360 ~~Executive Offices and~~]Criminal Justice Appropriations Subcommittee;
- 361 (f) study and recommend changes to laws governing the child welfare system;
- 362 (g) study actions the state can take to preserve, unify, and strengthen the child's family
- 363 ties whenever possible in the child's best interest, including recognizing the
- 364 constitutional rights and claims of parents if those family ties are severed or infringed;
- 365 (h) perform other duties related to the oversight of the child welfare system as the panel
- 366 considers appropriate; and
- 367 (i) annually report the panel's findings and recommendations to the president of the
- 368 Senate, the speaker of the House of Representatives, the Health and Human Services
- 369 Interim Committee, and the Judiciary Interim Committee.
- 370 (2)(a) The panel may:

- 371 (i) review and discuss individual child welfare cases;
- 372 (ii) make recommendations to the Legislature, the governor, the Board of Juvenile
373 Court Judges, the division, and any other statutorily created entity related to the
374 policies and procedures of the child welfare system; and
- 375 (iii) hold public hearings, as the panel considers advisable, in various locations within
376 the state to afford all interested persons an opportunity to appear and present the
377 persons' views regarding the child welfare system.
- 378 (b)(i) If the panel discusses an individual child welfare case, the panel shall close the
379 panel's meeting in accordance with Title 52, Chapter 4, Open and Public Meetings
380 Act.
- 381 (ii) If the panel discusses an individual child welfare case, the panel shall make
382 reasonable efforts to identify and consider the concerns of all parties to the case.
- 383 (iii) The panel may not make recommendations to the court, the division, or any other
384 public or private entity regarding the disposition of an individual child welfare
385 case.
- 386 (3)(a) A record of the panel regarding an individual child welfare case:
- 387 (i) is classified as private under Section 63G-2-302; and
- 388 (ii) may be disclosed only in accordance with federal law and Title 63G, Chapter 2,
389 Government Records Access and Management Act.
- 390 (b)(i) The panel shall have access to all of the division's records, including records
391 regarding individual child welfare cases.
- 392 (ii) In accordance with Title 63G, Chapter 2, Government Records Access and
393 Management Act, all documents and information received by the panel from the
394 division shall maintain the same classification under Title 63G, Chapter 2,
395 Government Records Access and Management Act, that was designated by the
396 division.
- 397 (4) In order to accomplish the panel's oversight functions under this section, the panel has:
- 398 (a) all powers granted to legislative interim committees in Section 36-12-11; and
- 399 (b) legislative subpoena powers under, Chapter 14, Legislative Subpoena Powers.
400 Section 7. Section **53-1-121** is amended to read:
- 401 **53-1-121 . Technology and equipment for officer-involved critical incident**
402 **investigation -- Rulemaking -- Legislative findings -- Revenue fund created.**
- 403 (1) The department shall assist the law enforcement agencies of the state and the state's
404 political subdivisions to obtain technology and equipment to assist in the investigation of

- 405 officer-involved critical incidents in which a firearm is used.
- 406 (2) To be eligible, the technology or equipment shall be:
- 407 (a) capable of recording actual shots fired, including the date and time, from a specific
- 408 weapon;
- 409 (b) able to distinguish between actual shots fired and other, unrelated but
- 410 contemporaneous, events; and
- 411 (c) tamper-proof and unable to be removed or manipulated by the officer.
- 412 (3) The department shall create a program to assist law enforcement agencies through
- 413 monetary grants to:
- 414 (a) purchase technology and equipment to assist in the investigation of officer-involved
- 415 critical incidents involving a firearm; and
- 416 (b) train law enforcement officers in the proper use and handling of any technology and
- 417 equipment purchased in accordance with this section.
- 418 (4)(a) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act,
- 419 the commissioner shall make rules establishing a program with criteria and
- 420 procedures for granting matching funds under this section to law enforcement
- 421 agencies to purchase technology or equipment meeting the criteria in Subsection (2).
- 422 (b) The rules shall require that funding provided to purchase technology or equipment
- 423 under this section shall be matched by the requesting law enforcement agency.
- 424 (5) The Legislature finds that the money is for a general and statewide public purpose.
- 425 (6) Expenses accrued by the department in carrying out this section shall be provided from
- 426 this appropriation, but may not exceed \$40,000 annually.
- 427 (7) The Legislature shall appropriate funds to the department to use for matching grants to
- 428 local law enforcement agencies to carry out the purpose of this program.
- 429 (8) The department shall report annually to the [~~Executive Offices and~~]Criminal Justice
- 430 Appropriations Subcommittee on the program. The report shall contain:
- 431 (a) the total amount of appropriations received by the program;
- 432 (b) amounts granted from the program to local law enforcement agencies, including an
- 433 accounting of technology purchased by the local law enforcement agency;
- 434 (c) an accounting of any administrative expenses for the program paid out of the funds;
- 435 (d) requests for funding that were not granted and the reason for denial; and
- 436 (e) the total amount of remaining funds.

437 Section 8. Section **53-2a-603** is amended to read:

438 **53-2a-603 . State Disaster Recovery Restricted Account.**

- 439 (1)(a) There is created a restricted account in the General Fund known as the "State
440 Disaster Recovery Restricted Account."
- 441 (b) The disaster recovery account consists of:
- 442 (i) money deposited into the disaster recovery account in accordance with Section
443 63J-1-314;
- 444 (ii) money appropriated to the disaster recovery account by the Legislature; and
- 445 (iii) any other public or private money received by the division that is:
- 446 (A) given to the division for purposes consistent with this section; and
- 447 (B) deposited into the disaster recovery account at the request of:
- 448 (I) the division; or
- 449 (II) the person or entity giving the money.
- 450 (c) The Division of Finance shall deposit interest or other earnings derived from
451 investment of account money into the General Fund.
- 452 (2) Money in the disaster recovery account may only be expended or committed to be
453 expended as follows:
- 454 (a)(i) subject to Section 53-2a-606, in any fiscal year the division may expend or
455 commit to expend an amount that does not exceed \$500,000, in accordance with
456 Section 53-2a-604, to fund costs to the state of emergency disaster services in
457 response to a declared disaster;
- 458 (ii) subject to Section 53-2a-606, in any fiscal year the division may expend or
459 commit to expend an amount that exceeds \$500,000, but does not exceed
460 \$3,000,000, in accordance with Section 53-2a-604, to fund costs to the state of
461 emergency disaster services in response to a declared disaster if the division:
- 462 (A) before making the expenditure or commitment to expend, obtains approval for
463 the expenditure or commitment to expend from the governor;
- 464 (B) subject to Subsection (5), provides written notice of the expenditure or
465 commitment to expend to the speaker of the House of Representatives, the
466 president of the Senate, the Division of Finance, the [~~Executive Offices and~~]
467 Criminal Justice Appropriations Subcommittee, the Legislative Management
468 Committee, and the Office of the Legislative Fiscal Analyst no later than 72
469 hours after making the expenditure or commitment to expend; and
- 470 (C) makes the report required by Subsection 53-2a-606(2);
- 471 (iii) subject to Section 53-2a-606, in any fiscal year the division may expend or
472 commit to expend an amount that exceeds \$3,000,000, but does not exceed

- 473 \$5,000,000, in accordance with Section 53-2a-604, to fund costs to the state of
474 emergency disaster services in response to a declared disaster if, before making
475 the expenditure or commitment to expend, the division:
- 476 (A) obtains approval for the expenditure or commitment to expend from the
477 governor; and
 - 478 (B) submits the expenditure or commitment to expend to the Executive
479 Appropriations Committee in accordance with Subsection 53-2a-606(3);
- 480 (iv) in any fiscal year the division may expend or commit to expend an amount that
481 does not exceed \$500,000 to fund expenses incurred by the National Guard if:
- 482 (A) in accordance with Section 39A-3-103, the governor orders into active service
483 the National Guard in response to a declared disaster; and
 - 484 (B) the money is not used for expenses that qualify for payment as emergency
485 disaster services; and
- 486 (v) in any fiscal year, the division may expend an amount that does not exceed
487 \$750,000 to fund expenses incurred to develop or enhance emergency
488 management capabilities if:
- 489 (A) the money is used for personnel, equipment, supplies, contracts, training,
490 exercises, or other expenses deemed reasonable and necessary to:
 - 491 (I) promote and strengthen the state's level of resiliency through mitigation,
492 preparedness, response, or recovery activities; or
 - 493 (II) meet federal grant matching requirements; and
 - 494 (B) the disaster recovery account has a balance of funds available to be utilized
495 while maintaining a minimum balance of \$5,000,000;
- 496 (b) money not described in Subsections (2)(a)(i), (ii), and (iii) may be expended or
497 committed to be expended to fund costs to the state directly related to a declared
498 disaster that are not costs related to:
- 499 (i) emergency disaster services;
 - 500 (ii) emergency preparedness; or
 - 501 (iii) notwithstanding whether a county participates in the Wildland Fire Suppression
502 Fund created in Section 65A-8-204, any fire suppression or presuppression costs
503 that may be paid for from the Wildland Fire Suppression Fund if the county
504 participates in the Wildland Fire Suppression Fund;
- 505 (c) to fund:
- 506 (i) the Local Government Emergency Response Loan Fund created in Section

- 507 53-2a-607; and
- 508 (ii) the Response, Recovery, and Post-disaster Mitigation Restricted Account created
- 509 in Section 53-2a-1302;
- 510 (d) the division may provide advanced funding from the disaster recovery account to
- 511 recognized agents of the state when:
- 512 (i) Utah has agreed, through the division, to enact the Emergency Management
- 513 Assistance Compact with another member state that has requested assistance
- 514 during a declared disaster;
- 515 (ii) Utah agrees to provide resources to the requesting member state;
- 516 (iii) the agent of the state who represents the requested resource has no other funding
- 517 source available at the time of the Emergency Management Assistance Compact
- 518 request; and
- 519 (iv) the disaster recovery account has a balance of funds available to be utilized while
- 520 maintaining a minimum balance of \$5,000,000;
- 521 (e) to fund up to \$500,000 for the governor's emergency appropriations described in
- 522 Subsection 63J-1-217(4); and
- 523 (f) to pay the state's deductible in the event of an earthquake.
- 524 (3) All funding provided in advance to an agent of the state and subsequently reimbursed
- 525 shall be credited to the account.
- 526 (4) The state treasurer shall invest money in the disaster recovery account according to Title
- 527 51, Chapter 7, State Money Management Act.
- 528 (5)(a) Except as provided in Subsections (1) and (2), the money in the disaster recovery
- 529 account may not be diverted, appropriated, expended, or committed to be expended
- 530 for a purpose that is not listed in this section.
- 531 (b) Notwithstanding Section 63J-1-410, the Legislature may not appropriate money from
- 532 the disaster recovery account to eliminate or otherwise reduce an operating deficit if
- 533 the money appropriated from the disaster recovery account is expended or committed
- 534 to be expended for a purpose other than one listed in this section.
- 535 (c) The Legislature may not amend the purposes for which money in the disaster
- 536 recovery account may be expended or committed to be expended except by the
- 537 affirmative vote of two-thirds of all the members elected to each house.
- 538 (6) The division:
- 539 (a) shall provide the notice required by Subsection (2)(a)(ii) using the best available
- 540 method under the circumstances as determined by the division; and

541 (b) may provide the notice required by Subsection (2)(a)(ii) in electronic format.

542 Section 9. Section **53-2a-606** is amended to read:

543 **53-2a-606 . Reporting.**

544 (1) By no later than December 31 of each year, the division shall provide a written report to
545 the governor and the [~~Executive Offices and~~]Criminal Justice Appropriations
546 Subcommittee of:

547 (a) the division's activities under this part;

548 (b) money expended or committed to be expended in accordance with this part;

549 (c) the balances in the disaster recovery fund; and

550 (d) any unexpended balance of appropriations from the disaster recovery fund.

551 (2)(a) The governor and the Department of Public Safety shall report to the Legislative
552 Management Committee an expenditure or commitment to expend made in
553 accordance with Subsection 53-2a-603(2)(a)(ii) or 53-2a-1302(5)(b)(ii).

554 (b) The governor and the Department of Public Safety shall make the report required by
555 this Subsection (2) on or before the sooner of:

556 (i) the day on which the governor calls the Legislature into session; or

557 (ii) 15 days after the division makes the expenditure or commitment to expend
558 described in Subsection 53-2a-603(2)(a)(ii) or 53-2a-1302(5)(b)(ii).

559 (3)(a) Subject to Subsection (3)(b), before the division makes an expenditure or
560 commitment to expend described in Subsection 53-2a-603(2)(a)(iii) or
561 53-2a-1302(5)(b)(iii), the governor and the Department of Public Safety shall submit
562 the expenditure or commitment to expend to the Executive Appropriations
563 Committee for its review and recommendations.

564 (b) The Executive Appropriations Committee shall review the expenditure or
565 commitment to expend and may:

566 (i) recommend that the division make the expenditure or commitment to expend;

567 (ii) recommend that the division not make the expenditure or commitment to expend;
568 or

569 (iii) recommend to the governor that the governor call a special session of the
570 Legislature to review and approve or reject the expenditure or commitment to
571 expend.

572 Section 10. Section **53-2a-1302** is amended to read:

573 **53-2a-1302 . Response, Recovery, and Post-disaster Mitigation Restricted**
574 **Account.**

- 575 (1) There is created a restricted account in the General Fund known as the "Response,
576 Recovery, and Post-disaster Mitigation Restricted Account."
- 577 (2) The account consists of:
- 578 (a) money appropriated to the account by the Legislature;
- 579 (b) money deposited into the account in accordance with Section 63J-1-314;
- 580 (c) income and interest derived from the deposit and investment of money in the
581 account; and
- 582 (d) private donations, grants, gifts, bequests, or money made available from any other
583 source to implement this section.
- 584 (3)(a) At the close of a fiscal year, money in the account exceeding \$50,000,000,
585 excluding money granted to the account under Subsection (2)(d), shall be transferred
586 to the State Disaster Recovery Restricted Account.
- 587 (b) Except as provided by Subsection (3)(a), money in the Response, Recovery, and
588 Post-disaster Mitigation Restricted Account may only be used for the purposes set
589 forth in this part.
- 590 (4) Subject to the requirements described in this part, and upon appropriation by the
591 Legislature, the division may grant money appropriated from the account
592 to an affected community for the affected community's disaster response and recovery
593 efforts as described in Section 53-2a-1303.
- 594 (5)(a) Money in the account may only be expended or committed to be expended as
595 provided in Subsections (5)(b) and (5)(c).
- 596 (b) Subject to Section 53-2a-606, in any fiscal year the division may expend or commit
597 to expend for disaster response and recovery efforts as described in Section
598 53-2a-1303:
- 599 (i) an amount that does not exceed \$500,000 in response to a disaster described in
600 Subsection 53-2a-1303(2)(b);
- 601 (ii) an amount that exceeds \$500,000 but does not exceed \$3,000,000 for a disaster
602 described in Subsection 53-2a-1303(2)(b) if the division:
- 603 (A) before making the expenditure or commitment to expend, obtains approval for
604 the expenditure or commitment from the governor;
- 605 (B) provides written notice of the expenditure or commitment to expend to the
606 speaker of the House of Representatives, the president of the Senate, the
607 Division of Finance, the ~~[Executive Offices and]~~Criminal Justice
608 Appropriations Subcommittee, the Legislative Management Committee, and

609 the Office of the Legislative Fiscal Analyst no later than 72 hours after making
610 the expenditure or commitment to expend; and

611 (C) makes the report required by Subsection 53-2a-606(2); and

612 (iii) an amount that exceeds \$3,000,000 but does not exceed \$5,000,000, if, before
613 making the expenditure or commitment to expend, the division:

614 (A) obtains approval for the expenditure or commitment from the governor; and

615 (B) submits the expenditure or commitment to expend to the Executive
616 Appropriations Committee in accordance with Subsection 53-2a-606(3).

617 (c) Money paid by the division under this part to government entities and private persons
618 providing emergency disaster services are subject to Title 63G, Chapter 6a, Utah
619 Procurement Code.

620 Section 11. Section **53-8-105** is amended to read:

621 **53-8-105 . Duties of Highway Patrol.**

622 (1) In addition to the duties in this chapter, the Highway Patrol shall:

623 (a) enforce the state laws and rules governing use of the state highways;

624 (b) regulate traffic on all highways and roads of the state;

625 (c) assist the governor in an emergency or at other times at his discretion;

626 (d) in cooperation with federal, state, and local agencies, enforce and assist in the
627 enforcement of all state and federal laws related to the operation of a motor carrier on
628 a highway, including all state and federal rules and regulations;

629 (e) inspect certain vehicles to determine road worthiness and safe condition as provided
630 in Section 41-6a-1630;

631 (f) upon request, assist with any condition of unrest existing or developing on a campus
632 or related facility of an institution of higher education;

633 (g) assist the Alcoholic Beverage Services Commission in an emergency to enforce the
634 state liquor laws;

635 (h) provide security and protection for both houses of the Legislature while in session as
636 the speaker of the House of Representatives and the president of the Senate find
637 necessary;

638 (i) enforce the state laws and rules governing use of capitol hill; and

639 (j) carry out the following for the Supreme Court and the Court of Appeals:

640 (i) provide security and protection to those courts when in session in the capital city
641 of the state;

642 (ii) execute orders issued by the courts; and

- 643 (iii) carry out duties as directed by the courts.
- 644 (2)(a) The division and the department shall annually:
- 645 (i) evaluate the inventory of new and existing state highways, in coordination with
- 646 relevant local law enforcement agencies, to determine which law enforcement
- 647 agency is best suited to patrol and enforce state laws and regulate traffic on each
- 648 state highway; and
- 649 (ii) before October 1 of each year, report to the Transportation Interim Committee
- 650 and the [~~Executive Offices and~~]Criminal Justice Appropriations Subcommittee
- 651 regarding:
- 652 (A) significant changes to the patrol and enforcement responsibilities resulting
- 653 from the evaluation described in Subsection (2)(a)(i); and
- 654 (B) any budget request necessary to accommodate additional patrol and
- 655 enforcement responsibilities.
- 656 (b) The division and the department shall, before July 1 of each year, coordinate with the
- 657 Department of Transportation created in Section 72-1-201 regarding patrol and
- 658 enforcement responsibilities described in Subsection (2)(a) and incident management
- 659 services on state highways.

660 Section 12. Section **53-8-214** is amended to read:

661 **53-8-214 . Creation of the Motor Vehicle Safety Impact Restricted Account.**

- 662 (1) There is created a restricted account within the General Fund known as the Motor
- 663 Vehicle Safety Impact Restricted Account.
- 664 (2) The account includes:
- 665 (a) deposits made to the restricted account from registration fees as described in
- 666 Subsection 41-1a-1201(7);
- 667 (b) deposits into the account as described in Section 41-1a-1211;
- 668 (c) donations or deposits made to the account; and
- 669 (d) any interest earned on the account.
- 670 (3) Upon appropriation, the division may use funds in the account to improve motor vehicle
- 671 safety, mitigate impacts, and enforce safety provisions, including the following:
- 672 (a) hiring new Highway Patrol troopers;
- 673 (b) payment of overtime for Highway Patrol troopers; and
- 674 (c) acquisition of equipment to improve motor vehicle safety impacts and enforcement.
- 675 (4) The division shall annually report to the [~~Executive Offices and~~]Criminal Justice
- 676 Appropriations Subcommittee to justify expenditures and use of funds in the account.

677 Section 13. Section **53-10-910** is amended to read:

678 **53-10-910 . Reporting requirement.**

679 The Department of Public Safety and the Utah Bureau of Forensic Services shall report
680 by July 31 of each year to the Law Enforcement and Criminal Justice Interim Committee and
681 the [~~Executive Offices and~~]Criminal Justice Appropriations Subcommittee regarding:

- 682 (1) the timelines set for testing all sexual assault kits submitted to the Utah Bureau of
683 Forensic Services as provided in Subsection 53-10-903(2);
684 (2) the goals established in Section 53-10-909;
685 (3) the status of meeting those goals;
686 (4) the number of sexual assault kits that are sent to the Utah Bureau of Forensic Services
687 for testing;
688 (5) the number of restricted kits held by law enforcement;
689 (6) the number of sexual assault kits that are not processed in accordance with the timelines
690 established in this part; and
691 (7) future appropriations requests that will ensure that all DNA cases can be processed
692 according to the timelines established by this part.

693 Section 14. Section **53B-2a-117** is amended to read:

694 **53B-2a-117 . Legislative approval -- Capital development projects --**

695 **Prioritization.**

- 696 (1) As used in this section:
- 697 (a) "Consumer Price Index" means the Consumer Price Index for All Urban Consumers
698 as published by the Bureau of Labor Statistics of the United States Department of
699 Labor.
- 700 (b) "Fund" means the Technical Colleges Capital Projects Fund created in Section
701 53B-2a-118.
- 702 (2) In accordance with this section, a technical college is required to receive legislative
703 approval in an appropriations act for a dedicated project or a nondedicated project.
- 704 (3) In accordance with Section 53B-2a-112, a technical college shall submit to the board a
705 proposal for a funding request for each dedicated project or nondedicated project for
706 which the technical college seeks legislative approval.
- 707 (4) The board shall:
- 708 (a) review each proposal submitted under Subsection (3) to ensure that the proposal
709 complies with Section 53B-2a-112;
- 710 (b) based on the results of the board's review under Subsection (4)(a), create:

- 711 (i) a list of approved dedicated projects, prioritized in accordance with Subsection
712 (6); and
- 713 (ii) a list of approved nondedicated projects, prioritized in accordance with
714 Subsection (6); and
- 715 (c) submit the lists described in Subsection (4)(b) to:
- 716 (i) the governor;
- 717 (ii) the [~~Infrastructure and General Government~~] Transportation and Infrastructure
718 Appropriations Subcommittee;
- 719 (iii) the Higher Education Appropriations Subcommittee; and
- 720 (iv) the Division of Facilities Construction and Management for a:
- 721 (A) recommendation, for the list described in Subsection (4)(b)(i); or
- 722 (B) recommendation and prioritization, for the list described in Subsection
723 (4)(b)(ii).
- 724 (5) A dedicated project:
- 725 (a) is subject to the recommendation of the Division of Facilities Construction and
726 Management as described in Section 63A-5b-403; and
- 727 (b) is not subject to the prioritization of the Division of Facilities Construction and
728 Management as described in Section 63A-5b-403.
- 729 (6)(a) Subject to Subsection (7), the board shall prioritize funding requests for capital
730 development projects described in this section based on:
- 731 (i) growth and capacity;
- 732 (ii) effectiveness and support of critical programs;
- 733 (iii) cost effectiveness;
- 734 (iv) building deficiencies and life safety concerns; and
- 735 (v) alternative funding sources.
- 736 (b) The board shall establish:
- 737 (i) how the board will measure each factor described in Subsection (6)(a); and
- 738 (ii) procedures for prioritizing funding requests for capital development projects
739 described in this section.
- 740 (7)(a) Subject to Subsection (7)(b), and in accordance with Subsection (6), the board
741 may annually prioritize:
- 742 (i) up to three nondedicated projects if the ongoing appropriation to the fund is less
743 than \$7,000,000;
- 744 (ii) up to two nondedicated projects if the ongoing appropriation to the fund is at least

- 745 \$7,000,000 but less than \$14,000,000; or
- 746 (iii) one nondedicated project if the ongoing appropriation to the fund is at least
- 747 \$14,000,000.
- 748 (b) For each calendar year beginning on or after January 1, 2020, the dollar amounts
- 749 described in Subsection (7)(a) shall be adjusted by an amount equal to the percentage
- 750 difference between:
- 751 (i) the Consumer Price Index for the 2019 calendar year; and
- 752 (ii) the Consumer Price Index for the previous calendar year.
- 753 (8)(a) A technical college may request operations and maintenance funds for a capital
- 754 development project approved under this section.
- 755 (b) A technical college shall make the request described in Subsection (8)(a) at the same
- 756 time the technical college submits the proposal described in Subsection (3).
- 757 (c) The Legislature shall consider a technical college's request described in Subsection
- 758 (8)(a).
- 759 Section 15. Section **53B-17-1102** is amended to read:
- 760 **53B-17-1102 . Researcher reporting requirements.**
- 761 (1) On or before September 1 each year, the university shall submit a written report to the
- 762 governor, the Legislature, and the [~~Business, Economic Development, and Labor~~]
- 763 Economic and Community Development Appropriations Subcommittee.
- 764 (2) A report under Subsection (1) shall contain:
- 765 (a) the amount and sources of funding expended on a researcher's research program,
- 766 including:
- 767 (i) university funds and other state funds;
- 768 (ii) legislative appropriations;
- 769 (iii) federal funds;
- 770 (iv) philanthropic or nonprofit funds; and
- 771 (v) industry funds;
- 772 (b) a copy of each:
- 773 (i) technology disclosure that a researcher files with the university;
- 774 (ii) license agreement that the university enters into with respect to a technology
- 775 developed by a researcher, including any current, expired, or breached license; and
- 776 (iii) patent filed by the university based on technology developed by a researcher;
- 777 (c) publications in which a researcher participated, including a citation for each peer
- 778 reviewed publication;

779 (d) the number of jobs maintained by a researcher's research program and average wages
780 paid to those holding those jobs;

781 (e) expenses paid by legislative appropriations for each researcher, including:

782 (i) salary and benefits for a researcher or staff;

783 (ii) operational expenses;

784 (iii) capital equipment expenses; and

785 (iv) travel; and

786 (f) compensation, including salary and benefits, that a researcher received from a
787 publicly funded source other than legislative appropriations under this part.

788 Section 16. Section **53B-18-1602** is amended to read:

789 **53B-18-1602 . Researcher reporting requirements.**

790 (1) On or before September 1 each year, the university shall submit a written report to the
791 governor, the Legislature, and the [~~Business, Economic Development, and Labor~~]
792 Economic and Community Development Appropriations Subcommittee.

793 (2) A report under Subsection (1) shall contain:

794 (a) the amount and sources of funding expended on a researcher's research program,
795 including:

796 (i) university funds and other state funds;

797 (ii) legislative appropriations;

798 (iii) federal funds;

799 (iv) philanthropic or nonprofit funds; and

800 (v) industry funds;

801 (b) a copy of each:

802 (i) technology disclosure that a researcher files with the university;

803 (ii) license agreement that the university enters into with respect to a technology
804 developed by a researcher, including any current, expired, or breached license; and

805 (iii) patent filed by the university based on technology developed by a researcher;

806 (c) publications in which a researcher participated, including a citation for each peer
807 reviewed publication;

808 (d) the number of jobs maintained by a researcher's research program and average wages
809 paid to those holding those jobs;

810 (e) expenses paid by legislative appropriations for each researcher, including:

811 (i) salary and benefits for a researcher or staff;

812 (ii) operational expenses;

- 813 (iii) capital equipment expenses; and
814 (iv) travel; and
815 (f) compensation, including salary and benefits, that a researcher received from a
816 publicly funded source other than legislative appropriations under this part.
817 Section 17. Section **53B-18-1805** is amended to read:
818 **53B-18-1805 . Duties of the project director.**
- 819 (1) The project director and the steering committee shall consult the following parties in
820 developing and carrying out the initiative:
- 821 (a) representatives of each sector described in the industry advisory board membership
822 in Subsection 53B-18-1804(1), regardless of whether that sector is actually
823 represented on the industry advisory board;
- 824 (b) institutions of higher education, including institutions of technical education, both
825 inside and outside this state;
- 826 (c) the chairs of the following committees of the Legislature:
- 827 (i) the [~~Infrastructure and General Government~~] Transportation and Infrastructure
828 Appropriations Subcommittee;
- 829 (ii) the Public Utilities, Energy, and Technology Interim Committee; and
830 (iii) the Transportation Interim Committee; and
- 831 (d) any other persons or entities the steering committee determines are relevant or
832 necessary to fulfilling the stated mission.
- 833 (2) The project director, in consultation with the steering committee and the industry
834 advisory board, shall lead an outreach and promotional effort to:
- 835 (a) build awareness among stakeholders, industry partners, federal agencies, and the
836 state's congressional delegation of the state's efforts to be a national leader in
837 electrifying the state's transportation system; and
- 838 (b) attract industry partners and industry and federal investment to the state to design,
839 develop, and deliver systems to promote and implement the initiative.
- 840 (3) The project director shall:
- 841 (a) oversee the operations of the initiative; and
842 (b) propose to the steering committee the program budget for the expenditure of funds
843 appropriated by the Legislature to carry out the duties under this part.
- 844 (4)(a) The project director may, in accordance with this part, and subject to this
845 Subsection (4), expend funds appropriated by the Legislature.
846 (b)(i) Before October 1, 2023, the project director may not expend more than 25% of

- 847 the annual project budget.
- 848 (ii) At the first meeting of the steering committee, the project director shall:
- 849 (A) provide a detailed account to the steering committee for all expenditures made
- 850 before October 1, 2023; and
- 851 (B) present a budget proposal for the remainder of the fiscal year ending June 30,
- 852 2024.
- 853 (iii) Before October 1, 2023, the project director may expend funds for the following
- 854 purposes:
- 855 (A) establish necessary and time-sensitive groundwork for development of the
- 856 vision and strategic objective of the initiative;
- 857 (B) acquisition of materials needed for the initiative; and
- 858 (C) costs to hire and pay salaries of staff.
- 859 (c) Except as described in Subsection (4)(b), the project director:
- 860 (i) shall propose an annual budget for the initiative; and
- 861 (ii) may not expend funds appropriated to the research center outside of the approved
- 862 budget without approval of the steering committee.

863 Section 18. Section **53B-18-1806** is amended to read:

864 **53B-18-1806 . Project development and strategic objectives -- Reporting**
865 **requirements.**

- 866 (1)(a) The research center shall develop and define an action plan for the electrification
- 867 of transportation infrastructure in this state.
- 868 (b) The research center shall provide a report of the action plan that includes:
- 869 (i) a description of the ideal electrified transportation system and incremental steps to
- 870 implement the action plan over 10-year, 20-year, and 30-year time horizons,
- 871 including a description of a transportation system that:
- 872 (A) provides intelligent coordination for vehicular traffic and charging
- 873 individually and collectively into a dynamically communicative transportation
- 874 system that links to and coordinates with the electric grid;
- 875 (B) integrates across and supports all modes of transportation and vehicle classes
- 876 in complementary ways;
- 877 (C) integrates with hydrogen and renewable natural gas generation, storage, grid
- 878 support, and fuel cell vehicles in complementary ways; and
- 879 (D) provides improved air quality, reduced cost to move people and goods, and
- 880 new jobs and economic growth in the state;

- 881 (ii) strategic objectives in each element of the action plan above that are necessary to
882 realize the action plan;
- 883 (iii) an initial description of changes needed to realize the action plan in each of the
884 following sectors across the ecosystem:
- 885 (A) electrical power generation, distribution, and utility-scale energy storage
886 infrastructure and capacity, including reliability, cost, and availability
887 standards;
- 888 (B) interconnected smart charging infrastructure, intelligent transportation
889 systems, control systems, and communications systems to facilitate the
890 transition to electrified transportation;
- 891 (C) private surface transportation, including passenger vehicles, freight trucks, and
892 freight trains;
- 893 (D) public surface transportation, including passenger vehicles, buses, and trains;
- 894 (E) air transportation, including private commercial aircraft and unmanned aircraft
895 systems;
- 896 (F) vehicles that operate off-highway, including construction, mining, and
897 agriculture;
- 898 (G) charging technology, solutions, and systems, including charging stations and
899 shared use of infrastructure across modes of transportation and vehicle classes;
- 900 (H) workforce, including analysis of the capacity and types of education,
901 vocations, trades, and certifications necessary in each relevant sector to
902 develop the local workforce needed to accomplish the vision; and
- 903 (I) any other sector that the steering committee determines is substantially
904 necessary to fulfilling the stated mission;
- 905 (iv) identification of key gaps in the ecosystem from the sectors and industries
906 described in this Subsection (1)(b) that serve as priorities for near term innovation
907 and investment;
- 908 (v) evaluation of risk and vulnerability of relevant supply chains, including natural
909 resources to ensure stability and availability; and
- 910 (vi) an accounting of funds appropriated to or received by the research center, and
911 any expenditure of those funds.
- 912 (c) Before August 1, 2024, the research center shall report on the action plan described
913 in this Subsection (1) to the [~~Infrastructure and General Government~~] Transportation
914 and Infrastructure Appropriations Subcommittee of the Legislature.

- 915 (2) Beginning in 2025, before August 1 of each year, the research center shall provide an
916 annual report to the [~~Infrastructure and General Government~~] Transportation and
917 Infrastructure Appropriations Subcommittee of the Legislature, including:
- 918 (a) an updated and prioritized list of strategic objectives identified in the initial report
919 described in Subsection (1)(b);
- 920 (b) any actionable goals established or recommended by the research center;
- 921 (c) a prioritized list of steps to accomplish the goals and strategic objectives identified
922 by the research center;
- 923 (d) metrics to measure the effectiveness of any goals or strategic objectives and related
924 analysis;
- 925 (e) the research center's progress and effort in developing a long-range strategy for
926 implementation of the action plan;
- 927 (f) the research center's efforts in and results of outreach to relevant industry,
928 government, and investment sectors;
- 929 (g) any recommendations on potential legislation to implement the action plan; and
930 (h) an accounting of funds appropriated to or received by the research center, and any
931 expenditure of those funds.
- 932 (3) Before November 30, 2027, the Transportation Interim Committee shall consider
933 whether to continue the initiative as described in this part or allow the repeal of this part
934 as described in Section 63I-1-253.

935 Section 19. Section **53B-20-104** is amended to read:

936 **53B-20-104 . Buildings and facilities -- Board approval of construction and**
937 **purchases -- Rules.**

- 938 (1) The board shall approve all new construction, repair, or purchase of educational and
939 general buildings and facilities financed from any source at all institutions subject to the
940 jurisdiction of the board.
- 941 (2) An institution may not submit plans or specifications to the Division of Facilities
942 Construction and Management for the construction or alteration of buildings, structures,
943 or facilities or for the purchases of equipment or fixtures for the structure without the
944 authorization of the board.
- 945 (3) The board shall make rules establishing the conditions under which facilities may be
946 eligible to request state funds for operations and maintenance.
- 947 (4) Before approving the purchase of a building, the board shall:
- 948 (a) determine whether or not the building will be eligible for state funds for operations

949 and maintenance by applying the rules adopted under Subsection (3); and
 950 (b) if the annual request for state funding for operations and maintenance will be greater
 951 than \$100,000, notify the speaker of the House, the president of the Senate, and the
 952 cochairs of the [~~Infrastructure and General Government~~ subcommittee of the
 953 Legislature's Joint Appropriation Committee] Transportation and Infrastructure
 954 Appropriations Subcommittee.

955 Section 20. Section **53B-22-204** is amended to read:

956 **53B-22-204 . Funding request for capital development project -- Legislative**
 957 **approval -- Board prioritization, approval, and review.**

958 (1) In accordance with this section, an institution is required to receive legislative approval
 959 in an appropriations act for a dedicated project or a nondedicated project.

960 (2) An institution shall submit to the board a proposal for a funding request for each
 961 dedicated project or nondedicated project for which the institution seeks legislative
 962 approval.

963 (3) The board shall:

964 (a) review each proposal submitted under Subsection (2) to ensure the proposal:

- 965 (i) is cost effective and an efficient use of resources;
- 966 (ii) is consistent with the institution's mission and master plan; and
- 967 (iii) fulfills a critical institutional facility need;

968 (b) based on the results of the board's review under Subsection (3)(a), create:

- 969 (i) a list of approved dedicated projects; and
- 970 (ii) a list of approved nondedicated projects, prioritized in accordance with
 971 Subsection (5); and

972 (c) submit the lists described in Subsection (3)(b) to:

- 973 (i) the governor;
- 974 (ii) the [~~Infrastructure and General Government~~] Transportation and Infrastructure
 975 Appropriations Subcommittee;
- 976 (iii) the Higher Education Appropriations Subcommittee; and
- 977 (iv) the Division of Facilities Construction and Management for a:
 978 (A) recommendation, for the list described in Subsection (3)(b)(i); or
 979 (B) recommendation and prioritization, for the list described in Subsection
 980 (3)(b)(ii).

981 (4) A dedicated project:

982 (a) is subject to the recommendation of the Division of Facilities Construction and

- 983 Management as described in Section 63A-5b-403; and
- 984 (b) is not subject to the prioritization of the Division of Facilities Construction and
- 985 Management as described in Section 63A-5b-403.
- 986 (5)(a) Subject to Subsection (6), the board shall prioritize institution requests for funding
- 987 for nondedicated projects based on:
- 988 (i) capital facility need;
- 989 (ii) utilization of facilities;
- 990 (iii) maintenance and condition of facilities; and
- 991 (iv) any other factor determined by the board.
- 992 (b) On or before August 1, 2019, the board shall establish how the board will prioritize
- 993 institution requests for funding for nondedicated projects, including:
- 994 (i) how the board will measure each factor described in Subsection (5)(a); and
- 995 (ii) procedures for prioritizing requests.
- 996 (6)(a) Subject to Subsection (6)(b), and in accordance with Subsection (5), the board
- 997 may annually prioritize:
- 998 (i) up to three nondedicated projects if the ongoing appropriation to the fund is less
- 999 than \$50,000,000;
- 1000 (ii) up to two nondedicated projects if the ongoing appropriation to the fund is at least
- 1001 \$50,000,000 but less than \$100,000,000; or
- 1002 (iii) one nondedicated project if the ongoing appropriation to the fund is at least
- 1003 \$100,000,000.
- 1004 (b) For each calendar year beginning on or after January 1, 2020, the dollar amounts
- 1005 described in Subsection (6)(a) shall be adjusted by an amount equal to the percentage
- 1006 difference between:
- 1007 (i) the Consumer Price Index for the 2019 calendar year; and
- 1008 (ii) the Consumer Price Index for the previous calendar year.
- 1009 (7)(a) An institution may request operations and maintenance funds for a capital
- 1010 development project approved under this section.
- 1011 (b) An institution shall make the request described in Subsection (7)(a) at the same time
- 1012 the institution submits the proposal described in Subsection (2).
- 1013 (c) The Legislature shall consider an institution's request described in Subsection (7)(a).
- 1014 (8) After an institution completes a capital development project described in this section,
- 1015 the board shall review the capital development project, including the costs and design of
- 1016 the capital development project.

1017 Section 21. Section **58-55-104** is amended to read:

1018 **58-55-104 . Electrician Education Fund.**

1019 (1) There is created an expendable special revenue fund known as the Electrician Education
1020 Fund.

1021 (2) The fund consists of money from a surcharge fee, established by the division in
1022 accordance with Section 63J-1-504, placed on initial, renewal, and reinstatement
1023 licensure fees for an apprentice electrician, journeyman electrician, master electrician,
1024 residential journeyman electrician, and residential master electrician.

1025 (3) The surcharge fee described in Subsection (2) may not be more than \$5.

1026 (4) The fund shall earn interest and all interest earned on fund money shall be deposited
1027 into the fund.

1028 (5) The director may, with the concurrence of the commission, make distributions from the
1029 fund for the following purposes:

1030 (a) education and training of licensees under this chapter who are practicing in the
1031 electrical trade; and

1032 (b) education and training of other licensees under this chapter or the public in matters
1033 concerning electrical laws and practices.

1034 (6) If the balance in the fund is more than \$100,000 at the end of any fiscal year, the excess
1035 amount shall be transferred to the General Fund.

1036 (7) The division shall report annually to the [~~Business, Economic Development, and Labor~~]
1037 General Government Appropriations Subcommittee regarding the balance in the fund
1038 and how the fund is being used.

1039 Section 22. Section **58-55-105** is amended to read:

1040 **58-55-105 . Plumber Education Fund.**

1041 (1) There is created an expendable special revenue fund known as the Plumber Education
1042 Fund.

1043 (2) The fund consists of money from a surcharge fee, established by the division in
1044 accordance with Section 63J-1-504, placed on initial, renewal, and reinstatement
1045 licensure fees for apprentice plumbers, journeyman plumbers, master plumbers,
1046 residential journeyman plumbers, and residential master plumbers.

1047 (3) The surcharge fee described in Subsection (2) may not be more than \$5.

1048 (4) The fund shall earn interest and all interest earned on fund money shall be deposited
1049 into the fund.

1050 (5) The director may, with the concurrence of the commission, make distributions from the

1051 fund for the following purposes:

1052 (a) education and training of licensees under this chapter who are licensed in the
1053 professions described in Subsection (2); and

1054 (b) education and training of other licensees under this chapter or the public in matters
1055 concerning plumbing laws and practices.

1056 (6) If the balance in the fund is more than \$100,000 at the end of any fiscal year, the excess
1057 amount shall be transferred to the General Fund.

1058 (7) The division shall report annually to the [~~Business, Economic Development, and Labor~~]
1059 General Government Appropriations Subcommittee regarding the balance in the fund
1060 and how the fund is being used.

1061 Section 23. Section **59-21-2** is amended to read:

1062 **59-21-2 . Mineral Bonus Account created -- Contents -- Use of Mineral Bonus**
1063 **Account money -- Mineral Lease Account created -- Contents -- Appropriation of money**
1064 **from Mineral Lease Account.**

1065 (1)(a) There is created a restricted account within the General Fund known as the
1066 "Mineral Bonus Account."

1067 (b) The Mineral Bonus Account consists of federal mineral lease bonus payments
1068 deposited pursuant to Subsection 59-21-1(3).

1069 (c) The Legislature shall make appropriations from the Mineral Bonus Account in
1070 accordance with Section 35 of the Mineral Lands Leasing Act of 1920, 30 U.S.C.
1071 Sec. 191.

1072 (d) The state treasurer shall:

1073 (i) invest the money in the Mineral Bonus Account by following the procedures and
1074 requirements of Title 51, Chapter 7, State Money Management Act; and

1075 (ii) deposit all interest or other earnings derived from the account into the Mineral
1076 Bonus Account.

1077 (e) The Division of Finance shall, beginning on July 1, 2017, annually deposit 30% of
1078 mineral lease bonus payments deposited under Subsection (1)(b) from the previous
1079 fiscal year into the Wildland Fire Suppression Fund created in Section 65A-8-204, up
1080 to \$2,000,000 but not to exceed 20% of the amount expended in the previous fiscal
1081 year from the Wildland Fire Suppression Fund.

1082 (2)(a) There is created a restricted account within the General Fund known as the
1083 "Mineral Lease Account."

1084 (b) The Mineral Lease Account consists of federal mineral lease money deposited

- 1085 pursuant to Subsection 59-21-1(1).
- 1086 (c) The Legislature shall make appropriations from the Mineral Lease Account as
- 1087 provided in Subsection 59-21-1(1) and this Subsection (2).
- 1088 (d) The Legislature shall annually appropriate 32.5% of all deposits made to the Mineral
- 1089 Lease Account to the Permanent Community Impact Fund established by Section
- 1090 35A-8-303.
- 1091 (e) The Legislature shall annually appropriate 2.25% of all deposits made to the Mineral
- 1092 Lease Account to the State Board of Education, to be used for education research and
- 1093 experimentation in the use of staff and facilities designed to improve the quality of
- 1094 education in Utah.
- 1095 (f) The Legislature shall annually appropriate 2.25% of all deposits made to the Mineral
- 1096 Lease Account to the Utah Geological Survey Restricted Account, created in Section
- 1097 79-3-403, to be used by the Utah Geological Survey for activities carried on by the
- 1098 Utah Geological Survey having as a purpose the development and exploitation of
- 1099 natural resources in the state.
- 1100 (g) The Legislature shall annually appropriate 2.25% of all deposits made to the Mineral
- 1101 Lease Account to the Water Research Laboratory at Utah State University, to be used
- 1102 for activities carried on by the laboratory having as a purpose the development and
- 1103 exploitation of water resources in the state.
- 1104 (h)(i) The Legislature shall annually appropriate to the Division of Finance 40% of
- 1105 all deposits made to the Mineral Lease Account to be distributed as provided in
- 1106 Subsection (2)(h)(ii) to:
- 1107 (A) counties;
- 1108 (B) special service districts established:
- 1109 (I) by counties;
- 1110 (II) under Title 17D, Chapter 1, Special Service District Act; and
- 1111 (III) for the purpose of constructing, repairing, or maintaining roads; or
- 1112 (C) special service districts established:
- 1113 (I) by counties;
- 1114 (II) under Title 17D, Chapter 1, Special Service District Act; and
- 1115 (III) for other purposes authorized by statute.
- 1116 (ii) The Division of Finance shall allocate the funds specified in Subsection (2)(h)(i):
- 1117 (A) in amounts proportionate to the amount of mineral lease money generated by
- 1118 each county; and

- 1119 (B) to a county or special service district established by a county under Title 17D,
1120 Chapter 1, Special Service District Act, as determined by the county legislative
1121 body.
- 1122 (i)(i) The Legislature shall annually appropriate 5% of all deposits made to the
1123 Mineral Lease Account to the Department of Workforce Services to be distributed
1124 to:
- 1125 (A) special service districts established:
- 1126 (I) by counties;
- 1127 (II) under Title 17D, Chapter 1, Special Service District Act; and
- 1128 (III) for the purpose of constructing, repairing, or maintaining roads; or
- 1129 (B) special service districts established:
- 1130 (I) by counties;
- 1131 (II) under Title 17D, Chapter 1, Special Service District Act; and
- 1132 (III) for other purposes authorized by statute.
- 1133 (ii) The Department of Workforce Services may distribute the amounts described in
1134 Subsection (2)(i)(i) only to special service districts established under Title 17D,
1135 Chapter 1, Special Service District Act, by counties:
- 1136 (A) of the third, fourth, fifth, or sixth class;
- 1137 (B) in which 4.5% or less of the mineral lease money within the state is generated;
1138 and
- 1139 (C) that are significantly socially or economically impacted as provided in
1140 Subsection (2)(i)(iii) by the development of minerals under the Mineral Lands
1141 Leasing Act, 30 U.S.C. Sec. 181 et seq.
- 1142 (iii) The significant social or economic impact required under Subsection (2)(i)(ii)(C)
1143 shall be as a result of:
- 1144 (A) the transportation within the county of hydrocarbons, including solid
1145 hydrocarbons as defined in Section 59-5-101;
- 1146 (B) the employment of persons residing within the county in hydrocarbon
1147 extraction, including the extraction of solid hydrocarbons as defined in Section
1148 59-5-101; or
- 1149 (C) a combination of Subsections (2)(i)(iii)(A) and (B).
- 1150 (iv) For purposes of distributing the appropriations under this Subsection (2)(i) to
1151 special service districts established by counties under Title 17D, Chapter 1,
1152 Special Service District Act, the Department of Workforce Services shall:

- 1153 (A)(I) allocate 50% of the appropriations equally among the counties meeting
 1154 the requirements of Subsections (2)(i)(ii) and (iii); and
 1155 (II) allocate 50% of the appropriations based on the ratio that the population of
 1156 each county meeting the requirements of Subsections (2)(i)(ii) and (iii)
 1157 bears to the total population of all of the counties meeting the requirements
 1158 of Subsections (2)(i)(ii) and (iii); and
- 1159 (B) after making the allocations described in Subsection (2)(i)(iv)(A), distribute
 1160 the allocated revenues to special service districts established by the counties
 1161 under Title 17D, Chapter 1, Special Service District Act, as determined by the
 1162 executive director of the Department of Workforce Services after consulting
 1163 with the county legislative bodies of the counties meeting the requirements of
 1164 Subsections (2)(i)(ii) and (iii).
- 1165 (v) The executive director of the Department of Workforce Services:
- 1166 (A) shall determine whether a county meets the requirements of Subsections
 1167 (2)(i)(ii) and (iii);
- 1168 (B) shall distribute the appropriations under Subsection (2)(i)(i) to special service
 1169 districts established by counties under Title 17D, Chapter 1, Special Service
 1170 District Act, that meet the requirements of Subsections (2)(i)(ii) and (iii); and
- 1171 (C) in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking
 1172 Act, may make rules:
- 1173 (I) providing a procedure for making the distributions under this Subsection
 1174 (2)(i) to special service districts; and
- 1175 (II) defining the term "population" for purposes of Subsection (2)(i)(iv).
- 1176 (j)(i) The Legislature shall annually make the following appropriations from the
 1177 Mineral Lease Account:
- 1178 (A) an amount equal to 52 cents multiplied by the number of acres of school or
 1179 institutional trust lands, lands owned by the Division of State Parks or the
 1180 Division of Outdoor Recreation, and lands owned by the Division of Wildlife
 1181 Resources that are not under an in lieu of taxes contract, to each county in
 1182 which those lands are located;
- 1183 (B) to each county in which school or institutional trust lands are transferred to the
 1184 federal government after December 31, 1992, an amount equal to the number
 1185 of transferred acres in the county multiplied by a payment per acre equal to the
 1186 difference between 52 cents per acre and the per acre payment made to that

- 1187 county in the most recent payment under the federal payment in lieu of taxes
1188 program, 31 U.S.C. Sec. 6901 et seq., unless the federal payment was equal to
1189 or exceeded the 52 cents per acre, in which case a payment under this
1190 Subsection (2)(j)(i)(B) may not be made for the transferred lands;
- 1191 (C) to each county in which federal lands, which are entitlement lands under the
1192 federal in lieu of taxes program, are transferred to the school or institutional
1193 trust, an amount equal to the number of transferred acres in the county
1194 multiplied by a payment per acre equal to the difference between the most
1195 recent per acre payment made under the federal payment in lieu of taxes
1196 program and 52 cents per acre, unless the federal payment was equal to or less
1197 than 52 cents per acre, in which case a payment under this Subsection
1198 (2)(j)(i)(C) may not be made for the transferred land; and
- 1199 (D) to a county of the fifth or sixth class, an amount equal to the product of:
- 1200 (I) \$1,000; and
1201 (II) the number of residences described in Subsection (2)(j)(iv) that are located
1202 within the county.
- 1203 (ii) A county receiving money under Subsection (2)(j)(i) may, as determined by the
1204 county legislative body, distribute the money or a portion of the money to:
- 1205 (A) special service districts established by the county under Title 17D, Chapter 1,
1206 Special Service District Act;
1207 (B) school districts; or
1208 (C) public institutions of higher education.
- 1209 (iii)(A) Beginning in fiscal year 1994-95 and in each year after fiscal year
1210 1994-95, the Division of Finance shall increase or decrease the amounts per
1211 acre provided for in Subsections (2)(j)(i)(A) through (C) by the average annual
1212 change in the Consumer Price Index for all urban consumers published by the
1213 Department of Labor.
- 1214 (B) For fiscal years beginning on or after fiscal year 2001-02, the Division of
1215 Finance shall increase or decrease the amount described in Subsection
1216 (2)(j)(i)(D)(I) by the average annual change in the Consumer Price Index for
1217 all urban consumers published by the Department of Labor.
- 1218 (iv) Residences for purposes of Subsection (2)(j)(i)(D)(II) are residences that are:
- 1219 (A) owned by:
1220 (I) the Division of State Parks;

- 1221 (II) the Division of Outdoor Recreation; or
 1222 (III) the Division of Wildlife Resources;
 1223 (B) located on lands that are owned by:
 1224 (I) the Division of State Parks;
 1225 (II) the Division of Outdoor Recreation; or
 1226 (III) the Division of Wildlife Resources; and
 1227 (C) are not subject to taxation under:
 1228 (I) Chapter 2, Property Tax Act; or
 1229 (II) Chapter 4, Privilege Tax.
- 1230 (k) The Legislature shall annually appropriate to the Permanent Community Impact
 1231 Fund all deposits remaining in the Mineral Lease Account after making the
 1232 appropriations provided for in Subsections (2)(d) through (j).
- 1233 (3)(a) Each agency, board, institution of higher education, and political subdivision
 1234 receiving money under this chapter shall provide the Legislature, through the Office
 1235 of the Legislative Fiscal Analyst, with a complete accounting of the use of that
 1236 money on an annual basis.
- 1237 (b) The accounting required under Subsection (3)(a) shall:
 1238 (i) include actual expenditures for the prior fiscal year, budgeted expenditures for the
 1239 current fiscal year, and planned expenditures for the following fiscal year; and
 1240 (ii) be reviewed by the [~~Business, Economic Development, and Labor~~] Economic and
 1241 Community Development Appropriations Subcommittee as part of its normal
 1242 budgetary process under Title 63J, Chapter 1, Budgetary Procedures Act.
- 1243 Section 24. Section **63A-5b-404** is amended to read:
 1244 **63A-5b-404 . Exceptions to requirement of legislative approval for capital**
 1245 **development projects.**
- 1246 (1)(a) Except as provided in this section, a capital development project may not be
 1247 constructed on state property without legislative approval.
- 1248 (b) The division may authorize a capital development project on state property without
 1249 legislative approval only as provided in this section.
- 1250 (2)(a) Legislative approval is not required for a capital development project that consists
 1251 of the design or construction of a new facility if:
 1252 (i) the division determines that the requesting agency has provided adequate
 1253 assurance that state funds will not be used for the design or construction of the
 1254 facility;

- 1255 (ii) the agency provides to the division a written document, signed by the head of the
1256 agency:
- 1257 (A) stating that funding or a revenue stream is in place, or will be in place before
1258 the project is completed, to ensure that increased state funding will not be
1259 required to cover the cost of operations and maintenance for the resulting
1260 facility or for immediate or future capital improvements; and
- 1261 (B) detailing the source of the funding that will be used for the cost of operations
1262 and maintenance and for immediate and future capital improvements to the
1263 resulting facility; and
- 1264 (iii) the division determines that the use of the state property:
- 1265 (A) is appropriate and consistent with the master plan for the property; and
1266 (B) will not create an adverse impact on the state.
- 1267 (b) For a facility constructed without legislative approval under Subsection (2)(a), an
1268 agency may not request:
- 1269 (i) increased state funds for operations and maintenance; or
1270 (ii) increased state capital improvement funding.
- 1271 (3) Legislative approval is not required for:
- 1272 (a) a facility:
- 1273 (i) to be built with funds other than state funds and owned by an entity other than a
1274 state entity; and
- 1275 (ii) that is within a research park area at the University of Utah or Utah State
1276 University;
- 1277 (b) a facility to be built at This is the Place State Park by the This is the Place
1278 Foundation with funds of the This is the Place Foundation or with donated services or
1279 materials and that may include grant money from the state;
- 1280 (c) a project that:
- 1281 (i) is funded by the Uintah Basin Revitalization Fund or the Navajo Revitalization
1282 Fund; and
- 1283 (ii) does not provide a new facility for an agency or institution of higher education; or
- 1284 (d) a project on school and institutional trust lands that:
- 1285 (i) is funded by the trust lands administration from the Land Grant Management
1286 Fund; and
- 1287 (ii) does not fund construction of a new facility for an agency or institution of higher
1288 education.

- 1289 (4)(a) Legislative approval is not required for a capital development project to be built
 1290 for the Department of Transportation resulting from:
- 1291 (i) an exchange of real property under Section 72-5-111; or
 1292 (ii) a sale or exchange of real property from a maintenance facility if the proceeds
 1293 from the sale of the real property are used for, or the real property is exchanged
 1294 for:
- 1295 (A) real property for another maintenance facility; or
 1296 (B) another maintenance facility, including improvements for a maintenance
 1297 facility.
- 1298 (b) If the Department of Transportation approves a sale or exchange under Subsection
 1299 (4)(a) for a capital development project subject to the board's approval, the
 1300 Department of Transportation shall notify the president of the Senate, the speaker of
 1301 the House of Representatives, and the cochairs of the [~~Infrastructure and General~~
 1302 ~~Government]~~ Transportation and Infrastructure Appropriations Subcommittee of the
 1303 Legislature's Joint Appropriations Committee about any new facilities to be built or
 1304 improved.
- 1305 Section 25. Section **63A-5b-407** is amended to read:
 1306 **63A-5b-407 . State Agency Capital Development Fund -- Creation -- Process.**
- 1307 (1)(a) There is created a capital projects fund known as the State Agency Capital
 1308 Development Fund.
- 1309 (b) The State Agency Capital Development Fund and this section do not apply to an
 1310 institution of higher education.
- 1311 (2) The State Agency Capital Development Fund is funded from the following sources:
- 1312 (a) one-time appropriations made to the State Agency Capital Development Fund by the
 1313 Legislature;
- 1314 (b) ongoing appropriations made by the Legislature; or
 1315 (c) revenue received from the sale, lease, or disposition of any state agency building or
 1316 property associated with the implementation of the Statewide Master Plan for State
 1317 Agencies as described in Subsection (7).
- 1318 (3) Subject to Subsection (4), and subject to appropriation by the Legislature, the division
 1319 may use the money deposited into the State Agency Capital Development Fund for
 1320 capital development projects, capital improvement projects, and to design, renovate, or
 1321 construct facilities for state agencies.
- 1322 (4)(a) Before the division spends or commits money from the State Agency Capital

- 1323 Development Fund, in accordance with Sections 63A-5b-402, 63A-5b-405, and
 1324 63A-5b-501, the division shall present to the [~~Infrastructure and General Government~~]
 1325 Transportation and Infrastructure Appropriations Subcommittee:
- 1326 (i) a description of each project for which the division will spend the money; and
 1327 (ii) the amount of money needed for each project.
- 1328 (b) Following a presentation described in Subsection (4)(a), the [~~Infrastructure and~~
 1329 ~~General Government~~] Transportation and Infrastructure Appropriations Subcommittee
 1330 shall recommend to the Legislature appropriations of money from the State Agency
 1331 Capital Development Fund to the division for approved projects in the division's plan.
- 1332 (c) In accordance with this section, the division is required to receive legislative
 1333 approval through an appropriations act in order to expend money in the State Agency
 1334 Capital Development Fund for a capital development project.
- 1335 (5) In the 2024 General Session of the Legislature, and each year thereafter, and in
 1336 accordance with Sections 63A-5b-402, 63A-5b-405, and 63A-5b-501, the division shall
 1337 present a five-year building plan to the [~~Infrastructure and General Government~~]
 1338 Transportation and Infrastructure Appropriations Subcommittee that describes the
 1339 division's anticipated plan for designing, renovating, or building state agency facilities.
- 1340 (6) The division may not submit a request to the [~~Infrastructure and General Government~~]
 1341 Transportation and Infrastructure Appropriations Subcommittee for funding from the
 1342 State Agency Capital Development Fund unless:
- 1343 (a) the project complies with the Statewide Master Plan for State Agencies; and
 1344 (b) the division first obtains approval from the Governor's Office of Planning and
 1345 Budget.
- 1346 (7) If a building is vacated by an agency and the agency moves to another building,
 1347 proceeds from the sale or lease of the vacated building:
- 1348 (a) may not be used by the agency or otherwise absorbed into the agency's budget; and
 1349 (b) shall be deposited into the State Agency Capital Development Fund described in this
 1350 section.

1351 Section 26. Section **63A-5b-912** is amended to read:

1352 **63A-5b-912 . Report to Transportation and Infrastructure Appropriations**
 1353 **Subcommittee.**

1354 The division shall, on or before the third Wednesday in November of every
 1355 even-numbered year, present a written report to the [~~Infrastructure and General Government~~]
 1356 Transportation and Infrastructure Appropriations Subcommittee that identifies state land and

1357 buildings that are no longer needed and can be sold by the state.

1358 Section 27. Section **63A-5b-1002** is amended to read:

1359 **63A-5b-1002 . State Building Energy Efficiency Program.**

1360 (1) The division shall:

- 1361 (a) develop and administer the energy efficiency program, which shall include
1362 guidelines and procedures to improve energy efficiency in the maintenance and
1363 management of state facilities;
- 1364 (b) provide information and assistance to agencies in the agencies' efforts to improve
1365 energy efficiency in state facilities;
- 1366 (c) analyze energy consumption by agencies to identify opportunities for improved
1367 energy efficiency;
- 1368 (d) establish an advisory group composed of representatives of agencies to provide
1369 information and assistance in the development and implementation of the energy
1370 efficiency program; and
- 1371 (e) submit to the governor and to the [~~Infrastructure and General Government~~]
1372 Transportation and Infrastructure Appropriations Subcommittee of the Legislature an
1373 annual report that:
- 1374 (i) identifies strategies for long-term improvement in energy efficiency;
- 1375 (ii) identifies goals for energy conservation for the upcoming year; and
- 1376 (iii) details energy management programs and strategies that were undertaken in the
1377 previous year to improve the energy efficiency of agencies and the energy savings
1378 achieved.

1379 (2) Each agency shall:

- 1380 (a) designate a staff member that is responsible for coordinating energy efficiency
1381 efforts within the agency with assistance from the division;
- 1382 (b) provide energy consumption and costs information to the division;
- 1383 (c) develop strategies for improving energy efficiency and reducing energy costs; and
- 1384 (d) provide the division with information regarding the agency's energy efficiency and
1385 reduction strategies.

1386 (3)(a) An agency may enter into a performance efficiency agreement for a term of up to
1387 20 years.

1388 (b) Before entering into a performance efficiency agreement, the agency shall:

- 1389 (i) utilize the division to oversee the project unless the project is exempt from the
1390 division's oversight or the oversight is delegated to the agency under the

- 1391 provisions of Section 63A-5b-701;
- 1392 (ii) obtain the prior approval of the governor or the governor's designee; and
- 1393 (iii) provide the Office of the Legislative Fiscal Analyst with a copy of the proposed
- 1394 agreement before the agency enters into the agreement.
- 1395 (4) An agency may consult with the energy efficiency program manager within the division
- 1396 regarding:
- 1397 (a) the cost effectiveness of energy efficiency measures; and
- 1398 (b) ways to measure energy savings that take into account fluctuations in energy costs
- 1399 and temperature.
- 1400 (5)(a) Except as provided under Subsection (5)(c) and subject to future budget
- 1401 constraints, the Legislature may not remove energy savings from an agency's
- 1402 appropriation.
- 1403 (b) An agency shall use energy savings to:
- 1404 (i) fund the cost of the energy efficiency measures; and
- 1405 (ii) if funds are available after meeting the requirements of Subsection (5)(b)(i), fund
- 1406 and implement new energy efficiency measures.
- 1407 (c) The Legislature may remove energy savings if:
- 1408 (i) an agency has complied with Subsection (5)(b)(i); and
- 1409 (ii) no new cost-effective energy efficiency measure is available for implementation.
- 1410 Section 28. Section **63A-13-502** is amended to read:
- 1411 **63A-13-502 . Report and recommendations to governor and Transportation and**
- 1412 **Infrastructure Appropriations Subcommittee.**
- 1413 (1) The inspector general of Medicaid services shall, on an annual basis, prepare an
- 1414 electronic report on the activities of the office for the preceding fiscal year.
- 1415 (2) The report shall include:
- 1416 (a) non-identifying information, including statistical information, on:
- 1417 (i) the items described in Subsection 63A-13-202(1)(b) and Section 63A-13-204;
- 1418 (ii) action taken by the office and the result of that action;
- 1419 (iii) fraud, waste, and abuse in the state Medicaid program, including emerging trends
- 1420 of Medicaid fraud, waste, and abuse and the office's actions to identify and
- 1421 address the emerging trends;
- 1422 (iv) the recovery of fraudulent or improper use of state and federal Medicaid funds,
- 1423 including total dollars recovered through cash recovery, credit adjustments, and
- 1424 rebilled claims;

- 1425 (v) measures taken by the state to discover and reduce fraud, waste, and abuse in the
 1426 state Medicaid program;
- 1427 (vi) audits conducted by the office, including performance and financial audits;
- 1428 (vii) investigations conducted by the office and the results of those investigations,
 1429 including preliminary investigations;
- 1430 (viii) administrative and educational efforts made by the office and the division to
 1431 improve compliance with Medicaid program policies and requirements;
- 1432 (ix) total cost avoidance attributed to an office policy or action;
- 1433 (x) the number of complaints against Medicaid recipients received and disposition of
 1434 those complaints;
- 1435 (xi) the number of educational activities that the office provided to a provider or a
 1436 state agency;
- 1437 (xii) the number of credible allegations of fraud referred to the Medicaid fraud
 1438 control unit under Section 63A-13-501; and
- 1439 (xiii) the number of data pulls performed and general results of those pulls;
- 1440 (b) recommendations on action that should be taken by the Legislature or the governor
 1441 to:
- 1442 (i) improve the discovery and reduction of fraud, waste, and abuse in the state
 1443 Medicaid program;
- 1444 (ii) improve the recovery of fraudulently or improperly used Medicaid funds; and
- 1445 (iii) reduce costs and avoid or minimize increased costs in the state Medicaid
 1446 program;
- 1447 (c) recommendations relating to rules, policies, or procedures of a state or local
 1448 government entity; and
- 1449 (d) services provided by the state Medicaid program that exceed industry standards.
- 1450 (3) The report described in Subsection (1) may not include any information that would
 1451 interfere with or jeopardize an ongoing criminal investigation or other investigation.
- 1452 (4) On or before November 1 of each year, the inspector general of Medicaid services shall
 1453 provide the electronic report described in Subsection (1) to the [~~Infrastructure and~~
 1454 ~~General Government~~] Transportation and Infrastructure Appropriations Subcommittee of
 1455 the Legislature and to the governor.

1456 Section 29. Section **63A-16-302.1** is amended to read:

1457 **63A-16-302.1 . Reporting on consolidation of certain information technology**
 1458 **services.**

- 1459 (1) The division shall, in collaboration with the Cybersecurity Commission created in
1460 Section 63C-27-201, identify opportunities, limitations, and barriers to enhancing the
1461 overall cybersecurity resilience of the state by consolidating:
- 1462 (a) certain information technology services utilized by governmental entities; and
 - 1463 (b) to the extent feasible, the information technology networks that are operated or
1464 utilized by governmental entities.
- 1465 (2) On or before November 15, 2023, the division shall report the information described in
1466 Subsection (1) to:
- 1467 (a) the Government Operations Interim Committee;
 - 1468 (b) the [~~Infrastructure and General Government~~] Transportation and Infrastructure
1469 Appropriations Subcommittee; and
 - 1470 (c) the Cybersecurity Commission created in Section 63C-27-201.
- 1471 Section 30. Section **63H-7a-206** is amended to read:
1472 **63H-7a-206 . Required annual reporting and strategic plan.**
- 1473 (1) The authority shall create, maintain, and review annually a statewide, comprehensive
1474 multiyear strategic plan, in consultation with state and local stakeholders, the PSAP
1475 advisory committee, and the public safety advisory committee, that:
- 1476 (a) coordinates the authority's activities and duties in the:
 - 1477 (i) 911 Division;
 - 1478 (ii) Radio Network Division;
 - 1479 (iii) Interoperability Division; and
 - 1480 (iv) Administrative Services Division; and
 - 1481 (b) includes:
 - 1482 (i) a plan for maintaining, upgrading, and expanding the public safety
1483 communications network, including microwave and fiber optics based systems;
 - 1484 (ii) a plan for statewide interoperability;
 - 1485 (iii) a plan for statewide coordination;
 - 1486 (iv) radio network coverage maps; and
 - 1487 (v) FirstNet standards.
- 1488 (2) The executive director shall update the strategic plan described in Subsection (1) before
1489 July 1 of each year.
- 1490 (3) The executive director shall, before December 1 of each year, report on the strategic
1491 plan described in Subsection (1) to:
- 1492 (a) the board;

- 1493 (b) the ~~[Executive Offices and]~~Criminal Justice Appropriations Subcommittee;
- 1494 (c) the Legislative Management Committee; and
- 1495 (d) the Retirement and Independent Entities Interim Committee.
- 1496 (4) Each report described in Subsection (3) shall include a description of the authority's
- 1497 goals for implementation of the strategic plan and a progress report of accomplishments
- 1498 and updates to the strategic plan.
- 1499 (5) The authority shall consider the strategic plan described in Subsection (1) before
- 1500 spending funds in the restricted accounts created by this chapter.
- 1501 (6)(a) Following the close of each fiscal year, the executive director shall submit and
- 1502 make available to the public an annual report of the authority's activities for the
- 1503 preceding year to the governor, the board, the ~~[Executive Offices and]~~Criminal
- 1504 Justice Appropriations Subcommittee, the Legislative Management Committee, and
- 1505 the Retirement and Independent Entities Interim Committee.
- 1506 (b) Each report described in Subsection (6)(a) shall include:
- 1507 (i) the agency's complete operating and financial statement for the preceding fiscal
- 1508 year;
- 1509 (ii) the total aggregate surcharge collected by the state in the last fiscal year under
- 1510 Title 69, Chapter 2, Part 4, Prepaid Wireless Telecommunications Service
- 1511 Charges;
- 1512 (iii) the amount of each disbursement from the restricted accounts described in:
- 1513 (A) Section 63H-7a-304; and
- 1514 (B) Section 63H-7a-403;
- 1515 (iv) the recipient of each disbursement, the goods and services received, and a
- 1516 description of the project funded by the disbursement;
- 1517 (v) any conditions the authority placed on the disbursements from a restricted
- 1518 account;
- 1519 (vi) the anticipated expenditures from the restricted accounts described in this chapter
- 1520 for the next fiscal year;
- 1521 (vii) the amount of any unexpended funds carried forward; and
- 1522 (viii) other relevant justification for ongoing support from the restricted accounts
- 1523 created by:
- 1524 (A) Section 63H-7a-304; and
- 1525 (B) Section 63H-7a-403.
- 1526 Section 31. Section **63J-1-504** is amended to read:

- 1527 **63J-1-504 . Fees -- Adoption, procedure, and approval -- Establishing and**
1528 **assessing fees without legislative approval -- Report summarizing fees.**
- 1529 (1) As used in this section:
- 1530 (a)(i) "Agency" means each department, commission, board, council, agency,
1531 institution, officer, corporation, fund, division, office, committee, authority,
1532 laboratory, library, unit, bureau, panel, or other administrative unit of the state.
1533 (ii) "Agency" does not include:
- 1534 (A) the Legislature or a committee or staff office of the Legislature; or
1535 (B) the Judiciary, as that term is defined in Section 78A-2-310.
- 1536 (b) "Agency's cost" means all of a fee agency's direct and indirect costs and expenses for
1537 providing the goods or service for which the fee agency charges a fee or for
1538 regulating the industry in which the persons paying the fee operate, including:
- 1539 (i) salaries, benefits, contracted labor costs, travel expenses, training expenses,
1540 equipment and material costs, depreciation expense, utility costs, and other
1541 overhead costs; and
1542 (ii) costs and expenses for administering the fee.
- 1543 (c) "Fee agency" means an agency that is authorized to establish and charge a service fee
1544 or a regulatory fee.
- 1545 (d) "Fee schedule" means the complete list of service fees and regulatory fees charged
1546 by a fee agency and the amount of those fees.
- 1547 (e) "Regulatory fee" means a fee that a fee agency charges to cover the agency's cost of
1548 regulating the industry in which the persons paying the fee operate.
- 1549 (f) "Service fee" means a fee that a fee agency charges to cover the agency's cost of
1550 providing the goods or service for which the fee is charged.
- 1551 (2)(a) A fee agency that charges or intends to charge a service fee or regulatory fee shall
1552 adopt a fee schedule.
- 1553 (b) A service fee or regulatory fee that a fee agency charges shall:
- 1554 (i) be reasonable and fair;
1555 (ii) reflect and be based on the agency's cost for the fee; and
1556 (iii) be established according to a cost formula determined by the executive director
1557 of the Governor's Office of Planning and Budget and the director of the Division
1558 of Finance in conjunction with the fee agency seeking to establish the fee.
- 1559 (3) Except as provided in Subsection (7), a fee agency may not:
- 1560 (a) set fees by rule; or

- 1561 (b) create, change, or collect any fee unless the fee has been established according to the
1562 procedures and requirements of this section.
- 1563 (4) Each fee agency that is proposing a new fee or proposing to change a fee shall:
- 1564 (a) present each proposed fee at a public hearing, subject to the requirements of Title 52,
1565 Chapter 4, Open and Public Meetings Act;
- 1566 (b) increase, decrease, or affirm each proposed fee based on the results of the public
1567 hearing;
- 1568 (c) except as provided in Subsection (8), submit the fee schedule to the Legislature as
1569 part of the agency's annual appropriations request; and
- 1570 (d) modify the fee schedule as necessary to implement the Legislature's actions.
- 1571 (5)(a) No later than November 30, 2022, the Governor's Office of Planning and Budget
1572 and the Division of Finance shall submit a report to the [~~Infrastructure and General~~
1573 ~~Government]~~ Transportation and Infrastructure Appropriations Subcommittee of the
1574 Legislature.
- 1575 (b) A report under Subsection (5)(a) shall:
- 1576 (i) provide a summary of:
- 1577 (A) the types of service fees and regulatory fees included in the fee schedules of
1578 all fee agencies;
- 1579 (B) the methods used by fee agencies to determine the amount of fees;
- 1580 (C) each estimated agency's cost related to each fee;
- 1581 (D) whether a fee is intended to cover the agency's cost related to the fee;
- 1582 (E) whether the fee agency intends to subsidize the fee to cover the agency's cost
1583 related to the fee and, if so, the fee agency's justification for the subsidy; and
- 1584 (F) whether the fee agency set the fee at an amount that exceeds the agency's cost
1585 related to the fee and, if so, the fee agency's justification for the excess fee; and
- 1586 (ii) include any recommendations for improving the process described in this section.
- 1587 (6)(a) A fee agency shall submit the fee agency's fee schedule to the Legislature for the
1588 Legislature's approval on an annual basis.
- 1589 (b) The Legislature may approve, increase or decrease and approve, or reject any fee
1590 submitted to it by a fee agency.
- 1591 (7) After conducting the public hearing required by this section, a fee agency may establish
1592 and assess fees without first obtaining legislative approval if:
- 1593 (a)(i) the Legislature creates a new program that is to be funded by fees to be set by
1594 the Legislature;

- 1595 (ii) the new program's effective date is before the Legislature's next annual general
1596 session; and
- 1597 (iii) the fee agency submits the fee schedule for the new program to the Legislature
1598 for its approval at a special session, if allowed in the governor's call, or at the next
1599 annual general session of the Legislature, whichever is sooner; or
- 1600 (b)(i) the fee agency proposes to increase or decrease an existing fee for the purpose
1601 of adding or removing a transactional fee that is charged or assessed by a
1602 non-governmental third party but is included as part of the fee charged by the fee
1603 agency;
- 1604 (ii) the amount of the increase or decrease in the fee is equal to the amount of the
1605 transactional fee charged or assessed by the non-governmental third party; and
- 1606 (iii) the increased or decreased fee is submitted to the Legislature for the Legislature's
1607 approval at a special session, if allowed in the governor's call, or at the next
1608 annual session of the Legislature, whichever is sooner.
- 1609 (8)(a) A fee agency that intends to change any fee shall submit to the governor, as part
1610 of the agency's annual appropriation request a list that identifies:
- 1611 (i) the title or purpose of the fee;
- 1612 (ii) the present amount of the fee;
- 1613 (iii) the proposed new amount of the fee;
- 1614 (iv) the percent that the fee will have increased if the Legislature approves the higher
1615 fee;
- 1616 (v) the estimated total annual revenue and total estimated annual revenue change that
1617 will result from the changed fee;
- 1618 (vi) the account or fund into which the fee will be deposited;
- 1619 (vii) the reason for the change in the fee;
- 1620 (viii) the estimated number of persons to be charged the fee;
- 1621 (ix) the estimated agency's cost related to the fee;
- 1622 (x) whether the fee is a service fee or a regulatory fee;
- 1623 (xi) whether the fee is intended to cover the agency's cost related to the fee;
- 1624 (xii) whether the fee agency intends to subsidize the fee to cover the agency's cost
1625 related to the fee and, if so, the fee agency's justification for the subsidy; and
- 1626 (xiii) whether the fee agency set the fee at an amount that exceeds the agency's cost
1627 related to the fee and, if so, the fee agency's justification for the excess fee.
- 1628 (b)(i) The governor may review and approve, modify and approve, or reject the fee

- 1629 increases.
- 1630 (ii) The governor shall transmit the list required by Subsection (8)(a), with any
1631 modifications, to the legislative fiscal analyst with the governor's budget
1632 recommendations.
- 1633 (c) Bills approving any fee change shall be filed before the beginning of the Legislature's
1634 annual general session, if possible.
- 1635 (9)(a) Except as provided in Subsection (9)(b), the School and Institutional Trust Lands
1636 Administration, established in Section 53C-1-201, is exempt from the requirements
1637 of this section.
- 1638 (b) The following fees of the School and Institutional Trust Lands Administration are
1639 subject to the requirements of this section: application, assignment, amendment,
1640 affidavit for lost documents, name change, reinstatement, grazing nonuse, extension
1641 of time, partial conveyance, patent reissue, collateral assignment, electronic payment,
1642 and processing.
- 1643 Section 32. Section **63M-7-904** is amended to read:
- 1644 **63M-7-904 . Duties of the commission -- Report.**
- 1645 (1) The commission shall:
- 1646 (a) advocate for the adoption, repeal, or modification of laws or proposed legislation in
1647 the interest of victims of crime;
- 1648 (b) make recommendations to the Legislature, the governor, and the Judicial Council on
1649 the following:
- 1650 (i) enforcing existing rights of victims of crime;
- 1651 (ii) enhancing rights of victims of crime;
- 1652 (iii) the role of victims of crime in the criminal justice system;
- 1653 (iv) victim restitution;
- 1654 (v) educating and training criminal justice professionals on the rights of victims of
1655 crime; and
- 1656 (vi) enhancing services to victims of crimes; and
- 1657 (c) provide training on the rights of victims of crime.
- 1658 (2) The commission shall, in partnership with state agencies and organizations, including
1659 the Children's Justice Center Program, the Utah Office for Victims of Crime, and the
1660 Division of Child and Family Services:
- 1661 (a) review and assess the duties and practices of the State Commission on Criminal and
1662 Juvenile Justice regarding services and criminal justice policies pertaining to victims;

- 1663 (b) encourage and facilitate the development and coordination of trauma-informed
1664 services for crime victims throughout the state;
- 1665 (c) encourage and foster public and private partnerships for the purpose of:
1666 (i) assessing needs for crime victim services throughout the state;
1667 (ii) developing crime victim services and resources throughout the state; and
1668 (iii) coordinating crime victim services and resources throughout the state;
- 1669 (d) generate unity for ongoing efforts to reduce and eliminate the impact of crime on
1670 victims through a comprehensive and evidence-based prevention, treatment, and
1671 justice strategy;
- 1672 (e) recommend and support the creation, dissemination, and implementation of statewide
1673 policies and plans to address crimes, including domestic violence, sexual violence,
1674 child abuse, and driving under the influence of drugs and alcohol;
- 1675 (f) collect information on statewide funding for crime victim services and prevention
1676 efforts, including the sources, disbursement, and outcomes of statewide funding for
1677 crime victim services and prevention efforts;
- 1678 (g) consider recommendations from any subcommittee of the commission; and
1679 (h) make recommendations regarding:
1680 (i) the duties and practices of the State Commission on Criminal and Juvenile Justice
1681 to ensure that:
1682 (A) crime victims are a vital part of the criminal justice system of the state;
1683 (B) all crime victims and witnesses are treated with dignity, respect, courtesy, and
1684 sensitivity; and
1685 (C) the rights of crime victims and witnesses are honored and protected by law in
1686 a manner no less vigorous than protections afforded to criminal defendants; and
1687 (ii) statewide funding for crime victim services and prevention efforts.
- 1688 (3) The commission may:
1689 (a) subject to court rules and the governor's approval, advocate in an appellate court on
1690 behalf of a victim of crime;
- 1691 (b) recommend to the Legislature the services to be funded by the Victim Services
1692 Restricted Account;
- 1693 (c) make rules in accordance with Title 63G, Chapter 3, Utah Administrative
1694 Rulemaking Act, regarding the process by which a victim, or a representative of a
1695 victim, may submit a complaint alleging a violation of the victim's rights; and
1696 (d) review any action taken by a victim rights committee created in accordance with

1697 Section 63M-7-1002.

1698 (4) The commission shall report the commission's recommendations annually to the State
 1699 Commission on Criminal and Juvenile Justice, the governor, the Judicial Council, the [
 1700 ~~Executive Offices and~~]Criminal Justice Appropriations Subcommittee, the Health and
 1701 Human Services Interim Committee, the Judiciary Interim Committee, and the Law
 1702 Enforcement and Criminal Justice Interim Committee.

1703 (5) When taking an action or making a recommendation, the commission shall respect that
 1704 a state agency is bound to follow state law and may have duties or responsibilities
 1705 imposed by state law.

1706 Section 33. Section **63N-2-107** is amended to read:

1707 **63N-2-107 . Reports of new state revenue, partial rebates, and tax credits.**

1708 (1) Before October 1 of each year, the office shall submit a report to the Governor's Office
 1709 of Planning and Budget, the Office of the Legislative Fiscal Analyst, and the Division of
 1710 Finance identifying:

1711 (a)(i) the total estimated amount of new state revenue created from new commercial
 1712 projects;

1713 (ii) the estimated amount of new state revenue from new commercial projects that
 1714 will be generated from:

1715 (A) sales tax;

1716 (B) income tax; and

1717 (C) corporate franchise and income tax; and

1718 (iii) the minimum number of new incremental jobs and high paying jobs that will be
 1719 created before any tax credit is awarded; and

1720 (b) the total estimated amount of tax credits that the office projects that business entities
 1721 will qualify to claim under this part.

1722 (2) By the first business day of each month, the office shall submit a report to the
 1723 Governor's Office of Planning and Budget, the Office of the Legislative Fiscal Analyst,
 1724 and the Division of Finance identifying:

1725 (a) each new written agreement that the office entered into since the last report;

1726 (b) the estimated amount of new state revenue that will be generated under each written
 1727 agreement described in Subsection (2)(a);

1728 (c) the estimated maximum amount of tax credits that a business entity could qualify for
 1729 under each written agreement described in Subsection (2)(a); and

1730 (d) the minimum number of new incremental jobs and high paying jobs that will be

- 1731 created before any tax credit is awarded.
- 1732 (3) At the reasonable request of the Governor's Office of Planning and Budget, the Office
 1733 of the Legislative Fiscal Analyst, or the Division of Finance, the office shall provide
 1734 additional information about the tax credit, new incremental jobs and high paying jobs,
 1735 costs, and economic benefits related to this part, if the information is part of a public
 1736 record as defined in Section 63G-2-103.
- 1737 (4) By October 1, the office shall submit to the Economic Development and Workforce
 1738 Services Interim Committee, the [~~Business, Economic Development, and Labor~~]
 1739 Economic and Community Development Appropriations Subcommittee, and the
 1740 governor, a written report that provides an overview of the implementation and efficacy
 1741 of the statewide economic development strategy, including an analysis of the extent to
 1742 which the office's programs are aligned with the prevailing economic conditions
 1743 expected in the next fiscal year.

1744 Section 34. Section **63N-6-301** is amended to read:

1745 **63N-6-301 . Utah Capital Investment Corporation -- Powers and purposes --**
 1746 **Reporting requirements.**

- 1747 (1)(a) There is created an independent quasi-public nonprofit corporation known as the
 1748 Utah Capital Investment Corporation.
- 1749 (b) The corporation:
- 1750 (i) may exercise all powers conferred on independent corporations under Section
 1751 63E-2-106;
- 1752 (ii) is subject to the prohibited participation provisions of Section 63E-2-107; and
 1753 (iii) is subject to the other provisions of Title 63E, Chapter 2, Independent
 1754 Corporations Act, except as otherwise provided in this part.
- 1755 (c) The corporation shall file with the Division of Corporations and Commercial Code:
 1756 (i) articles of incorporation; and
 1757 (ii) any amendment to its articles of incorporation.
- 1758 (d) In addition to the articles of incorporation, the corporation may adopt bylaws and
 1759 operational policies that are consistent with this chapter.
- 1760 (e) Except as otherwise provided in this part, this part does not exempt the corporation
 1761 from the requirements under state law which apply to other corporations organized
 1762 under Title 63E, Chapter 2, Independent Corporations Act.
- 1763 (2) The purposes of the corporation are to:
- 1764 (a) administer the Utah fund of funds;

- 1765 (b) select an investment fund allocation manager to manage investments by the Utah
1766 fund of funds;
- 1767 (c) negotiate the terms of a contract with the investment fund allocation manager;
- 1768 (d) execute the contract with the selected investment fund manager on behalf of the Utah
1769 fund of funds; and
- 1770 (e) receive investment returns from the Utah fund of funds.
- 1771 (3) The corporation may not:
- 1772 (a) exercise governmental functions;
- 1773 (b) have members;
- 1774 (c) pledge the credit or taxing power of the state or any political subdivision of the state;
1775 or
- 1776 (d) make its debts payable out of any money except money of the corporation.
- 1777 (4) The obligations of the corporation are not obligations of the state or any political
1778 subdivision of the state within the meaning of any constitutional or statutory debt
1779 limitations, but are obligations of the corporation payable solely and only from the
1780 corporation's funds.
- 1781 (5) The corporation may:
- 1782 (a) engage consultants and legal counsel;
- 1783 (b) expend funds;
- 1784 (c) invest funds;
- 1785 (d) issue debt and equity, and borrow funds;
- 1786 (e) enter into contracts;
- 1787 (f) insure against loss;
- 1788 (g) hire employees; and
- 1789 (h) perform any other act necessary to carry out its purposes.
- 1790 (6)(a) The corporation shall publish on or before September 1 an annual report of the
1791 activities conducted by the Utah fund of funds and submit, in accordance with
1792 Section 68-3-14, the written report to:
- 1793 (i) the governor;
- 1794 (ii) the [~~Business, Economic Development, and Labor~~] Economic and Community
1795 Development Appropriations Subcommittee;
- 1796 (iii) the Business and Labor Interim Committee; and
- 1797 (iv) the Retirement and Independent Entities Interim Committee.
- 1798 (b) The annual report shall:

- 1799 (i) be designed to provide clear, accurate, and accessible information to the public,
 1800 the governor, and the Legislature;
- 1801 (ii) include a copy of the audit of the Utah fund of funds described in Section
 1802 63N-6-405;
- 1803 (iii) include a detailed balance sheet, revenue and expenses statement, and cash flow
 1804 statement;
- 1805 (iv) include detailed information regarding:
- 1806 (A) realized gains from investments and any realized losses; and
 1807 (B) unrealized gains and any unrealized losses based on the net present value of
 1808 ongoing investments;
- 1809 (v) include detailed information regarding all yearly expenditures, including:
- 1810 (A) administrative, operating, and financing costs;
 1811 (B) aggregate compensation information for full- and part-time employees,
 1812 including benefit and travel expenses; and
 1813 (C) expenses related to the allocation manager;
- 1814 (vi) include detailed information regarding all funding sources for administrative,
 1815 operations, and financing expenses, including expenses charged by or to the Utah
 1816 fund of funds, including management and placement fees;
- 1817 (vii) for each individual fund that the Utah fund of funds is invested in that represents
 1818 at least 5% of the net assets of the Utah fund of funds, include the name of the
 1819 fund, the total value of the fund, the fair market value of the Utah fund of funds'
 1820 investment in the fund, and the percentage of the total value of the fund held by
 1821 the Utah fund of funds; and
- 1822 (viii) include an aggregate total value for all funds the Utah fund of funds is invested
 1823 in.

1824 Section 35. Section **63N-21-401** is amended to read:

1825 **63N-21-401 . Annual report.**

- 1826 (1) On or before September 1 of each year, the innovation lab shall publish an annual report
 1827 of the activities conducted by the Utah innovation fund and submit, in accordance with
 1828 Section 68-3-14, the written report to:
- 1829 (a) the governor;
- 1830 (b) the [~~Business, Economic Development, and Labor~~] Economic and Community
 1831 Development Appropriations Subcommittee;
- 1832 (c) the Economic Development and Workforce Services Interim Committee; and

- 1833 (d) the Retirement and Independent Entities Interim Committee.
- 1834 (2) The annual report shall:
- 1835 (a) be designed to provide clear, accurate, and accessible information to the public, the
- 1836 governor, and the Legislature;
- 1837 (b) include a copy of the annual audit required under Section 63N-21-402;
- 1838 (c) describe the policies adopted by the board under Subsection 63N-21-203(1)(b);
- 1839 (d) include detailed information regarding:
- 1840 (i) the name and location of each qualified business that received capital from the
- 1841 Utah innovation fund;
- 1842 (ii) the amount of each qualified investment made by the Utah innovation fund;
- 1843 (iii) the aggregate amount of capital provided to qualified businesses;
- 1844 (iv) realized gains from qualified investments and any realized losses; and
- 1845 (v) unrealized gains and any unrealized losses based on the net present value of
- 1846 ongoing qualified investments;
- 1847 (e) include detailed information regarding the innovation lab's yearly expenditures,
- 1848 including:
- 1849 (i) administrative, operating, and financing expenses; and
- 1850 (ii) aggregate compensation information for full-time and part-time employees,
- 1851 including benefit and travel expenses;
- 1852 (f) include detailed information regarding all funding sources for administrative,
- 1853 operating, and financing expenses, including any fees charged by the innovation lab
- 1854 to the Utah innovation fund under Subsection 63N-21-201(4)(g); and
- 1855 (g) include an explanation of the Utah innovation fund's progress in achieving the
- 1856 purposes described in Subsection 63N-21-301(2).

1857 Section 36. Section **64-13-46.1** is amended to read:

1858 **64-13-46.1 . Correctional Postnatal and Early Childhood Advisory Board --**

1859 **Duties -- Rulemaking.**

- 1860 (1) As used in this part:
- 1861 (a) "Advisory board" means the Correctional Postnatal and Early Childhood Advisory
- 1862 Board.
- 1863 (b) "Correctional facility" means a facility operated by the department or a county
- 1864 sheriff that houses inmates in a secure setting.
- 1865 (c) "Incarcerated mother" means an inmate who:
- 1866 (i) has recently given birth before entering a correctional facility;

- 1867 (ii) is pregnant and incarcerated in a correctional facility; or
1868 (iii) has given birth while incarcerated in a correctional facility.
- 1869 (2) The advisory board shall consist of the following members:
- 1870 (a) two individuals from the department, appointed by the executive director;
1871 (b) one individual appointed by the Board of Pardons and Parole;
1872 (c) one individual appointed by the president of the Utah Sheriffs' Association; and
1873 (d) four individuals appointed by the executive director of the Department of Health and
1874 Human Services, including:
1875 (i) two pediatric healthcare providers;
1876 (ii) one individual with expertise in early childhood development; and
1877 (iii) one individual with experience advocating for incarcerated women.
- 1878 (3)(a) Except as provided in Subsection (3)(b), a member of the advisory board shall be
1879 appointed for a four-year term.
- 1880 (b) A member that is appointed to complete an unexpired term may complete the
1881 unexpired term and serve a subsequent four-year term.
- 1882 (c) Appointments and reappointments may be staggered so that one-fourth of the
1883 advisory board changes each year.
- 1884 (d) The advisory board shall annually elect a chair and co-chair of the board from among
1885 the members of the board to serve a two-year term.
- 1886 (4) The advisory board shall meet at least bi-annually, or more frequently as determined by
1887 the executive director, the chair, or three or more members of the advisory board.
- 1888 (5) A majority of the board constitutes a quorum and a vote of the majority of the members
1889 present constitutes an action of the advisory board.
- 1890 (6) A member of the advisory board may not receive compensation or benefits for the
1891 member's service, but may receive per diem and travel expenses as allowed in:
1892 (a) Section 63A-3-106;
1893 (b) Section 63A-3-107; and
1894 (c) rules made by the Division of Finance in accordance with Sections 63A-3-106 and
1895 63A-3-107.
- 1896 (7) The advisory board shall:
- 1897 (a) review research regarding childhood development and best practices for placing
1898 infants and incarcerated mothers in a diversion program not located in a correctional
1899 facility;
1900 (b) study the costs of implementing a diversion program for infants and incarcerated

1901 mothers removed from a correctional facility;
 1902 (c) create a provisional plan for implementing a diversion program for infants and
 1903 incarcerated mothers removed from a correctional facility; and
 1904 (d) advise and make recommendations to the department and county sheriffs regarding
 1905 rules and policies for placing an infant or incarcerated mother in a diversion program
 1906 not located in a correctional facility.

1907 (8) On or before November 30, 2024, the advisory board shall provide a report of the
 1908 advisory board's research and study under Subsections (7)(a) through (c), including any
 1909 proposed legislation, to:

1910 (a) the Law Enforcement and Criminal Justice Interim Committee; and

1911 (b) the ~~[Executive Offices and]~~Criminal Justice Appropriations Subcommittee.

1912 Section 37. Section **64-13e-103** is amended to read:

1913 **64-13e-103 . County correctional facility contracting program for state inmates --**
 1914 **Payments -- Reporting -- Contracts.**

1915 (1) Subject to Subsection (6), the department may contract with a county to house state
 1916 inmates in a county correctional facility.

1917 (2) The department shall give preference for placement of state inmates, over private
 1918 entities, to county correctional facility bed spaces for which the department has
 1919 contracted under Subsection (1).

1920 (3)(a) The compensation rate for housing state inmates pursuant to a contract described
 1921 in Subsection (1) shall be:

1922 (i) except as provided in Subsection (3)(a)(ii), 84% of the state daily incarceration
 1923 rate for a county correctional facility bed space in a county that, pursuant to the
 1924 contract, is dedicated to a treatment program for state inmates, if the treatment
 1925 program is approved by the department under Subsection (3)(c);

1926 (ii) 75% of the state daily incarceration rate for a county correctional facility bed
 1927 space in a county that, pursuant to the contract, is dedicated to an alternative
 1928 treatment program for state inmates, if the alternative treatment program is
 1929 approved by the department under Subsection (3)(c); and

1930 (iii) 70% of the state daily incarceration rate for a county correctional facility bed
 1931 space in a county other than the bed spaces described in Subsections (3)(a)(i) and
 1932 (ii).

1933 (b) The department shall:

1934 (i) make rules, in accordance with Title 63G, Chapter 3, Utah Administrative

- 1935 Rulemaking Act, that establish standards that a treatment program is required to
1936 meet before the treatment program is considered for approval for the purpose of a
1937 county receiving payment based on the rate described in Subsection (3)(a)(i) or (ii);
1938 and
- 1939 (ii) determine on an annual basis, based on appropriations made by the Legislature
1940 for the contracts described in this section, whether to approve a treatment program
1941 that meets the standards established under Subsection (3)(b)(i), for the purpose of
1942 a county receiving payment based on the rate described in Subsection (3)(a)(i) or
1943 (ii).
- 1944 (c) The department may not approve a treatment program for the purpose of a county
1945 receiving payment based on the rate described in Subsection (3)(a)(i) or (ii), unless:
1946 (i) the program meets the standards established under Subsection (3)(b)(i); and
1947 (ii) the department determines that the treatment program is needed by the
1948 department at the location where the treatment program will be provided.
- 1949 (d)(i) The department shall annually:
- 1950 (A) collect information from each county described in Subsection (1) regarding
1951 the treatment programs for state inmates offered by the county;
- 1952 (B) evaluate, review, and audit the results of each treatment program on state
1953 inmate recidivism and other relevant metrics; and
- 1954 (C) on or before November 30, report the results of the information described in
1955 Subsection (3)(d)(i)(B) to the ~~[Executive Offices and]~~Criminal Justice
1956 Appropriations Subcommittee.
- 1957 (ii) The department may make rules, in accordance with Title 63G, Chapter 3, Utah
1958 Administrative Rulemaking Act, to implement the provisions of Subsection
1959 (3)(d)(i).
- 1960 (4)(a) Compensation to a county for state inmates incarcerated under this section shall
1961 be made by the department.
- 1962 (b) Funds from the County Correctional Facility Contracting Reserve Program may be
1963 used only once existing annual appropriated funds for the fiscal year have been
1964 exhausted.
- 1965 (5) Counties that contract with the department under Subsection (1) shall, on or before June
1966 30 of each year, submit a report to the department that includes:
- 1967 (a) the number of state inmates the county housed under this section;
- 1968 (b) the total number of state inmate days of incarceration that were provided by the

- 1969 county; and
- 1970 (c) the information required under Subsection (3)(d)(i)(A).
- 1971 (6) Except as provided under Subsection (7), the department may not enter into a contract
- 1972 with a county as described under Subsection (1), unless:
- 1973 (a) beginning July 1, 2023, the county correctional facility within the county is in
- 1974 compliance with the reporting requirements described in Subsection 17-22-32(2); and
- 1975 (b) the Legislature has previously passed a joint resolution that includes the following
- 1976 information regarding the proposed contract:
- 1977 (i) the approximate number of beds to be contracted;
- 1978 (ii) the approximate amount of the county's long-term debt; and
- 1979 (iii) the repayment time of the debt for the facility where the inmates are to be housed.
- 1980 (7) The department may enter into a contract with a county government to house inmates
- 1981 without complying with the approval process described in Subsection (6) only if the
- 1982 county facility was under construction, or already in existence, on March 16, 2001.
- 1983 (8) Any resolution passed by the Legislature under Subsection (6) does not bind or obligate
- 1984 the Legislature or the department regarding the proposed contract.
- 1985 Section 38. Section **64-13e-105** is amended to read:
- 1986 **64-13e-105 . Subcommittee on County Correctional Facility Contracting and**
- 1987 **Reimbursement -- Purpose -- Responsibilities -- Membership.**
- 1988 (1) There is created within the commission, the Subcommittee on County Correctional
- 1989 Facility Contracting and Reimbursement consisting of the individuals listed in
- 1990 Subsection (3).
- 1991 (2) The subcommittee shall meet at least annually to review, discuss, and make
- 1992 recommendations for:
- 1993 (a) the state daily incarceration rate, described in Section 64-13e-103.1;
- 1994 (b) county correctional facility contracting and reimbursement processes and goals,
- 1995 including the creation of a comprehensive statewide system of county correctional
- 1996 facility contracting and reimbursement;
- 1997 (c) developing a partnership between the state and counties to create common goals for
- 1998 housing state inmates;
- 1999 (d) calculations for the projected number of bed spaces needed;
- 2000 (e) programming for inmates while incarcerated;
- 2001 (f) proposals to reduce recidivism;
- 2002 (g) enhancing partnerships to improve law enforcement and incarceration programs;

- 2003 (h) inmate transportation costs; and
- 2004 (i) the compilation described in Subsection 64-13e-104(7).
- 2005 (3) The membership of the subcommittee shall consist of the following nine members:
- 2006 (a) as designated by the Utah Sheriffs' Association:
- 2007 (i) one sheriff of a county that is currently under contract with the department to
- 2008 house state inmates; and
- 2009 (ii) one sheriff of a county that is currently receiving reimbursement from the
- 2010 department for housing state probationary inmates or state parole inmates;
- 2011 (b) the executive director of the department or the executive director's designee;
- 2012 (c) as designated by the Utah Association of Counties:
- 2013 (i) one member of the legislative body of one county that is currently under contract
- 2014 with the department to house state inmates; and
- 2015 (ii) one member of the legislative body of one county that is currently receiving
- 2016 reimbursement for housing state probationary inmates or state parole inmates;
- 2017 (d) the executive director of the commission or the executive director's designee;
- 2018 (e) one member of the House of Representatives, appointed by the speaker of the House
- 2019 of Representatives;
- 2020 (f) one member of the Senate, appointed by the president of the Senate; and
- 2021 (g) the executive director of the Governor's Office of Planning and Budget or the
- 2022 executive director's designee.
- 2023 (4) The subcommittee shall report to the Law Enforcement and Criminal Justice Interim
- 2024 Committee in November of each year on the status of the comprehensive statewide
- 2025 county correctional facility reimbursement and contracting system.
- 2026 (5) The subcommittee shall report to the [~~Executive Offices and~~]Criminal Justice
- 2027 Appropriations Subcommittee not later than October 31 of each year on costs associated
- 2028 with the comprehensive statewide county correctional facility reimbursement and
- 2029 contracting system established in this chapter.
- 2030 (6)(a) A member who is not a legislator may not receive compensation or benefits for
- 2031 the member's service, but may receive per diem and travel expenses as allowed in:
- 2032 (i) Section 63A-3-106;
- 2033 (ii) Section 63A-3-107; and
- 2034 (iii) rules made by the division according to Sections 63A-3-106 and 63A-3-107.
- 2035 (b) Compensation and expenses of a member who is a legislator are governed by Section
- 2036 36-2-2 and Legislative Joint Rules, Title 5, Legislative Compensation and Expenses.

2037 Section 39. Section **67-5-1** is amended to read:

2038 **67-5-1 . General duties -- Restrictions.**

2039 (1) The attorney general shall:

2040 (a) perform all duties in a manner consistent with the attorney-client relationship under
2041 Section 67-5-17;

2042 (b) except as provided in Sections 10-3-928 and 17-18a-403, attend the Supreme Court
2043 and the Court of Appeals of this state, and all courts of the United States, and
2044 prosecute or defend all causes to which the state or any officer, board, or commission
2045 of the state in an official capacity is a party, and take charge, as attorney, of all civil
2046 legal matters in which the state is interested;

2047 (c) after judgment on any cause referred to in Subsection (1)(b), direct the issuance of
2048 process as necessary to execute the judgment;

2049 (d) account for, and pay over to the proper officer, all money that comes into the
2050 attorney general's possession that belongs to the state;

2051 (e) keep a file of all cases in which the attorney general is required to appear, including
2052 any documents and papers showing the court in which the cases have been instituted
2053 and tried, and whether they are civil or criminal, and:

2054 (i) if civil, the nature of the demand, the stage of proceedings, and, when prosecuted
2055 to judgment, a memorandum of the judgment and of any process issued if
2056 satisfied, and if not satisfied, documentation of the return of the sheriff;

2057 (ii) if criminal, the nature of the crime, the mode of prosecution, the stage of
2058 proceedings, and, when prosecuted to sentence, a memorandum of the sentence
2059 and of the execution, if the sentence has been executed, and, if not executed, the
2060 reason for the delay or prevention; and

2061 (iii) deliver this information to the attorney general's successor in office;

2062 (f) exercise supervisory powers over the district and county attorneys of the state in all
2063 matters pertaining to the duties of the district and county attorneys' offices, including
2064 the authority described in Subsection (2);

2065 (g) give the attorney general's opinion in writing and without fee, when required, upon
2066 any question of law relating to the office of the requester:

2067 (i) in accordance with Section 67-5-1.1, to the Legislature or either house;

2068 (ii) to any state officer, board, or commission; and

2069 (iii) to any county attorney or district attorney;

2070 (h) when required by the public service or directed by the governor, assist any county,

- 2071 district, or city attorney in the discharge of county, district, or city attorney's duties;
- 2072 (i) purchase in the name of the state, under the direction of the state Board of Examiners,
- 2073 any property offered for sale under execution issued upon judgments in favor of or
- 2074 for the use of the state, and enter satisfaction in whole or in part of the judgments as
- 2075 the consideration of the purchases;
- 2076 (j) when the property of a judgment debtor in any judgment mentioned in Subsection
- 2077 (1)(i) has been sold under a prior judgment, or is subject to any judgment, lien, or
- 2078 encumbrance taking precedence of the judgment in favor of the state, redeem the
- 2079 property, under the direction of the state Board of Examiners, from the prior
- 2080 judgment, lien, or encumbrance, and pay all money necessary for the redemption,
- 2081 upon the order of the state Board of Examiners, out of any money appropriated for
- 2082 these purposes;
- 2083 (k) when in the attorney general's opinion it is necessary for the collection or
- 2084 enforcement of any judgment, institute and prosecute on behalf of the state any action
- 2085 or proceeding necessary to set aside and annul all conveyances fraudulently made by
- 2086 the judgment debtors, and pay the cost necessary to the prosecution, when allowed by
- 2087 the state Board of Examiners, out of any money not otherwise appropriated;
- 2088 (l) discharge the duties of a member of all official boards of which the attorney general
- 2089 is or may be made a member by the Utah Constitution or by the laws of the state, and
- 2090 other duties prescribed by law;
- 2091 (m) institute and prosecute proper proceedings in any court of the state or of the United
- 2092 States to restrain and enjoin corporations organized under the laws of this or any
- 2093 other state or territory from acting illegally or in excess of their corporate powers or
- 2094 contrary to public policy, and in proper cases forfeit their corporate franchises,
- 2095 dissolve the corporations, and wind up their affairs;
- 2096 (n) institute investigations for the recovery of all real or personal property that may have
- 2097 escheated or should escheat to the state, and for that purpose, subpoena any persons
- 2098 before any of the district courts to answer inquiries and render accounts concerning
- 2099 any property, examine all books and papers of any corporations, and when any real or
- 2100 personal property is discovered that should escheat to the state, institute suit in the
- 2101 district court of the county where the property is situated for its recovery, and escheat
- 2102 that property to the state;
- 2103 (o) administer the Children's Justice Center as a program to be implemented in various
- 2104 counties pursuant to Sections 67-5b-101 through 67-5b-107;

- 2105 (p) assist the Constitutional Defense Council as provided in Title 63C, Chapter 4a,
 2106 Constitutional and Federalism Defense Act;
- 2107 (q) pursue any appropriate legal action to implement the state's public lands policy
 2108 established in Section 63C-4a-103;
- 2109 (r) investigate and prosecute violations of all applicable state laws relating to fraud in
 2110 connection with the state Medicaid program and any other medical assistance
 2111 program administered by the state, including violations of Title 26B, Chapter 3, Part
 2112 11, Utah False Claims Act;
- 2113 (s) investigate and prosecute complaints of abuse, neglect, or exploitation of patients:
 2114 (i) in health care facilities that receive payments under the state Medicaid program;
 2115 (ii) in board and care facilities, as defined in the federal Social Security Act, 42
 2116 U.S.C. Sec. 1396b(q)(4)(B), regardless of the source of payment to the board and
 2117 care facility; and
 2118 (iii) who are receiving medical assistance under the Medicaid program as defined in
 2119 Section 26B-3-101 in a noninstitutional or other setting;
- 2120 (t)(i) report at least twice per year to the Legislative Management Committee on any
 2121 pending or anticipated lawsuits, other than eminent domain lawsuits, that might:
 2122 (A) cost the state more than \$500,000; or
 2123 (B) require the state to take legally binding action that would cost more than
 2124 \$500,000 to implement; and
 2125 (ii) if the meeting is closed, include an estimate of the state's potential financial or
 2126 other legal exposure in that report;
- 2127 (u)(i) submit a written report to the committees described in Subsection (1)(u)(ii) that
 2128 summarizes any lawsuit or decision in which a court or the Office of the Attorney
 2129 General has determined that a state statute is unconstitutional or unenforceable
 2130 since the attorney general's last report under this Subsection (1)(u), including any:
 2131 (A) settlements reached;
 2132 (B) consent decrees entered;
 2133 (C) judgments issued;
 2134 (D) preliminary injunctions issued;
 2135 (E) temporary restraining orders issued; or
 2136 (F) formal or informal policies of the Office of the Attorney General to not
 2137 enforce a law; and
 2138 (ii) at least 30 days before the Legislature's May and November interim meetings,

- 2139 submit the report described in Subsection (1)(u)(i) to:
- 2140 (A) the Legislative Management Committee;
- 2141 (B) the Judiciary Interim Committee; and
- 2142 (C) the Law Enforcement and Criminal Justice Interim Committee;
- 2143 (v) if the attorney general operates the Office of the Attorney General or any portion of
- 2144 the Office of the Attorney General as an internal service fund agency in accordance
- 2145 with Section 67-5-4, submit to the rate committee established in Section 67-5-34:
- 2146 (i) a proposed rate and fee schedule in accordance with Subsection 67-5-34(4); and
- 2147 (ii) any other information or analysis requested by the rate committee;
- 2148 (w) before the end of each calendar year, create an annual performance report for the
- 2149 Office of the Attorney General and post the report on the attorney general's website;
- 2150 (x) ensure that any training required under this chapter complies with Title 63G, Chapter
- 2151 22, State Training and Certification Requirements;
- 2152 (y) notify the legislative general counsel in writing within three business days after the
- 2153 day on which the attorney general is officially notified of a claim, regardless of
- 2154 whether the claim is filed in state or federal court, that challenges:
- 2155 (i) the constitutionality of a state statute;
- 2156 (ii) the validity of legislation; or
- 2157 (iii) any action of the Legislature;
- 2158 (z)(i) notwithstanding Title 63G, Chapter 6a, Utah Procurement Code, provide a
- 2159 special advisor to the Office of the Governor and the Office of the Attorney
- 2160 General in matters relating to Native American and tribal issues to:
- 2161 (A) establish outreach to the tribes and affected counties and communities; and
- 2162 (B) foster better relations and a cooperative framework; and
- 2163 (ii) annually report to the ~~[Executive Offices and]~~ Criminal Justice Appropriations
- 2164 Subcommittee regarding:
- 2165 (A) the status of the work of the special advisor described in Subsection (1)(z)(i);
- 2166 and
- 2167 (B) whether the need remains for the ongoing appropriation to fund the special
- 2168 advisor described in Subsection (1)(z)(i); ~~[and]~~
- 2169 (aa)(i) enforce compliance with Title 63G, Chapter 31, Distinctions on the Basis of
- 2170 Sex, in accordance with Section 63G-31-401; and
- 2171 (ii) report to the Legislative Management Committee, upon request, regarding the
- 2172 attorney general's enforcement under this Subsection (1)(aa)~~[-]~~ ; and

- 2173 (bb) ensure compliance with Title 53B, Chapter 27, Part 6, Student Legal
2174 Representation, by:
- 2175 (i) establishing a process to track the number of complaints submitted by students;
 - 2176 (ii) pursuing civil action to enforce statutory protections; and
 - 2177 (iii) no later than November 1 each year, reporting to the Judiciary Interim
2178 Committee regarding the attorney general's enforcement under this Subsection [
2179 ~~(1)(aa)~~] (1)(bb).
- 2180 (2)(a) The attorney general may require a district attorney or county attorney of the state
2181 to, upon request, report on the status of public business entrusted to the district or
2182 county attorney's charge.
- 2183 (b) The attorney general may review investigation results de novo and file criminal
2184 charges, if warranted, in any case involving a first degree felony, if:
- 2185 (i) a law enforcement agency submits investigation results to the county attorney or
2186 district attorney of the jurisdiction where the incident occurred and the county
2187 attorney or district attorney:
 - 2188 (A) declines to file criminal charges; or
 - 2189 (B) fails to screen the case for criminal charges within six months after the law
2190 enforcement agency's submission of the investigation results; and
 - 2191 (ii) after consultation with the county attorney or district attorney of the jurisdiction
2192 where the incident occurred, the attorney general reasonably believes action by the
2193 attorney general would not interfere with an ongoing investigation or prosecution
2194 by the county attorney or district attorney of the jurisdiction where the incident
2195 occurred.
- 2196 (c) If the attorney general decides to conduct a review under Subsection (2)(b), the
2197 district attorney, county attorney, and law enforcement agency shall, within 14 days
2198 after the day on which the attorney general makes a request, provide the attorney
2199 general with:
- 2200 (i) all information relating to the investigation, including all reports, witness lists,
2201 witness statements, and other documents created or collected in relation to the
2202 investigation;
 - 2203 (ii) all recordings, photographs, and other physical or digital media created or
2204 collected in relation to the investigation;
 - 2205 (iii) access to all evidence gathered or collected in relation to the investigation; and
 - 2206 (iv) the identification of, and access to, all officers or other persons who have

- 2207 information relating to the investigation.
- 2208 (d) If a district attorney, county attorney, or law enforcement agency fails to timely
 2209 comply with Subsection (2)(c), the attorney general may seek a court order
 2210 compelling compliance.
- 2211 (e) If the attorney general seeks a court order under Subsection (2)(d), the court shall
 2212 grant the order unless the district attorney, county attorney, or law enforcement
 2213 agency shows good cause and a compelling interest for not complying with
 2214 Subsection (2)(c).
- 2215 (3) The attorney general:
- 2216 (a) is a full-time employee of the state; and
 2217 (b) may not engage in the private practice of law.
- 2218 Section 40. Section **77-38-620** is amended to read:
- 2219 **77-38-620 . Safe at Home Program Restricted Account -- Report.**
- 2220 (1) There is created a restricted account in the General Fund known as the "Safe at Home
 2221 Program Restricted Account."
- 2222 (2) The account shall be funded by:
- 2223 (a) private contributions;
 2224 (b) gifts, donations, or grants from public or private entities; and
 2225 (c) interest and earnings on account money.
- 2226 (3) Upon appropriation by the Legislature, the commission may expend funds from the
 2227 account to:
- 2228 (a) designate, train, and manage program assistants;
 2229 (b) develop, distribute, and process application forms and related materials for the
 2230 program;
 2231 (c) assist applicants and program participants in enrolling in the program; or
 2232 (d) ensure program participants receive mail forwarded from the program to the program
 2233 participant's actual address.
- 2234 (4) No later than December 31 of each year, the commission shall provide to the [~~Executive~~
 2235 ~~Offices and~~]Criminal Justice Appropriations Subcommittee a written report of the
 2236 program's activities, including:
- 2237 (a) the contributions received under Subsection (2);
 2238 (b) an accounting of the money expended or committed to be expended by the
 2239 commission under Subsection (3); and
 2240 (c) the balance of the account.

2241 Section 41. Section **77-40a-107** is amended to read:

2242 **77-40a-107 . Expungement data requirements -- Report.**

2243 (1) No later than November 1 of each year, the Administrative Office of the Courts shall
2244 submit a written report to the [~~Executive Offices and~~]Criminal Justice Appropriations
2245 Subcommittee and the Judiciary Interim Committee regarding expungement data for the
2246 preceding fiscal year, including:

2247 (a) the number of petitions filed for expungement in the district, justice, and juvenile
2248 courts;

2249 (b) the number of petitions granted for expungement in the district, justice, and juvenile
2250 courts;

2251 (c) the number of orders issued for an automatic expungement by the district, justice,
2252 and juvenile courts;

2253 (d) the total number of individuals for whom at least one automatic expungement order
2254 was issued by the district, justice, or juvenile court; and

2255 (e) the total number of individuals for whom at least one petition-based expungement
2256 order was issued by the district, justice, or juvenile court.

2257 (2) No later than November 1 of each year, the bureau shall submit a written report to the [
2258 ~~Executive Offices and~~]Criminal Justice Appropriations Subcommittee and the Judiciary
2259 Interim Committee regarding expungement data for the preceding fiscal year, including:

2260 (a) the number of applications for expungement received by the bureau;

2261 (b) the number of certificates of eligibility issued by the bureau; and

2262 (c) the number of orders for expungement received by the bureau.

2263 Section 42. Section **78A-2-310** is amended to read:

2264 **78A-2-310 . Report by Judicial Council on court fees.**

2265 (1) As used in this section:

2266 (a) "Cost" means the direct and indirect costs and expenses for providing the good or
2267 service for which a fee is charged, including:

2268 (i) salaries, benefits, contracted labor costs, travel expenses, training expenses,
2269 equipment and material costs, depreciation expenses, utility costs, and other
2270 overhead costs; and

2271 (ii) costs and expenses for administering the fee.

2272 (b)(i) "Judiciary" means the Judicial Council, the Supreme Court, the Court of
2273 Appeals, a district court, or a juvenile court.

2274 (ii) "Judiciary" includes any board, committee, or staff office of the Judicial Council,

- 2275 the Supreme Court, the Court of Appeals, a district court, or a juvenile court.
- 2276 (2) Before November 30 of each year, the Judicial Council shall submit a report to the [
- 2277 ~~Infrastructure and General Government~~] Transportation and Infrastructure
- 2278 Appropriations Subcommittee of the Legislature that:
- 2279 (a) includes details on:
- 2280 (i) the types of fees charged and collected by the Judiciary;
- 2281 (ii) the methods used to determine the amount of each fee charged and collected by
- 2282 the Judiciary;
- 2283 (iii) the Judiciary's estimated cost related to each fee;
- 2284 (iv) whether each fee is intended to cover the Judiciary's cost related to the fee; and
- 2285 (v) the number of fee waivers granted by the Judiciary for each type of fee charged
- 2286 and collected by the Judiciary; and
- 2287 (b) include any recommendations regarding fees charged and collected by the Judiciary.
- 2288 (3) If the Judicial Council recommends that the Legislature create a fee or modify an
- 2289 existing fee under Subsection (2)(b), the Judicial Council shall include the following
- 2290 information with the recommendation:
- 2291 (a) the title or purpose of the fee;
- 2292 (b) the present amount of the fee;
- 2293 (c) the proposed amount of the fee;
- 2294 (d) the percent that the fee will have increased or decreased if the Legislature approves
- 2295 the modification of the fee;
- 2296 (e) the estimated total annual revenue and total estimated annual revenue change that
- 2297 will result from the creation or modification of the fee;
- 2298 (f) the account or fund into which the fee will be deposited;
- 2299 (g) the reason for the creating or modifying the fee;
- 2300 (h) the estimated number of persons to be charged the fee;
- 2301 (i) the Judiciary's estimated cost related to the fee; and
- 2302 (j) whether the fee is intended to cover the Judiciary's cost related to the fee.
- 2303 Section 43. Section **78A-5-303** is amended to read:
- 2304 **78A-5-303 . Creation of a veterans treatment court.**
- 2305 (1) The Judicial Council may create a veterans treatment court in any judicial district or
- 2306 geographic region that demonstrates:
- 2307 (a) the need for a veterans treatment court; and
- 2308 (b) the existence of a collaborative strategy between the veterans treatment court,

2309 prosecutors, defense attorneys, substance abuse treatment services, the Department of
 2310 Corrections, and the United States Department of Veterans Affairs Veterans Justice
 2311 Outreach Program to work with veteran offenders.

2312 (2) A veterans treatment court shall:

2313 (a) establish a collaborative strategy that includes monitoring and evaluation
 2314 components to measure program effectiveness; and

2315 (b) submit a collaborative strategy, for the purpose of coordinating the disbursement of
 2316 funding, to the Administrative Office of the Courts.

2317 (3) A veterans treatment court shall include continuous judicial supervision using a
 2318 cooperative approach with prosecutors, defense attorneys, substance abuse treatment
 2319 services, the Department of Corrections, and the United States Department of Veterans
 2320 Affairs Veterans Justice Outreach Program, as appropriate, to promote public safety,
 2321 protect participants' due process rights, and integrate veteran treatment programs with
 2322 the justice system case processing.

2323 (4) Screening criteria for participation in a veterans treatment court shall include:

2324 (a) a plea in abeyance or plea agreement for a criminal offense, or a requirement for
 2325 participation in a veterans treatment court as a condition of probation;

2326 (b) frequent alcohol and other drug testing, if appropriate;

2327 (c) participation in veteran outreach programs, including substance abuse treatment
 2328 programs where appropriate;

2329 (d) sanctions for noncompliance with the requirements for participation in a veterans
 2330 treatment court; and

2331 (e) any additional criteria developed by a veterans treatment court.

2332 (5) No later than October 1 each year, the Administrative Office of the Courts shall provide
 2333 to the [~~Executive Offices and~~]Criminal Justice Appropriations Subcommittee a written
 2334 report describing:

2335 (a) the types of policies and procedures adopted by veteran treatment courts;

2336 (b) the number of veteran participants in the previous fiscal year;

2337 (c) the outcomes for veteran participants in the previous fiscal year; and

2338 (d) recommendations for future veterans treatment courts, including expansion and
 2339 funding.

2340 Section 44. Section **78B-1-117** is amended to read:

2341 **78B-1-117 . Jurors and witnesses -- State payment for jurors and subpoenaed**
 2342 **persons -- Appropriations and costs -- Expenses in justice court.**

- 2343 (1) The state is responsible for payment of all fees and expenses authorized by law for
2344 prosecution witnesses, witnesses subpoenaed by indigent defendants, and interpreter
2345 costs in criminal actions in the courts of record and actions in the juvenile court. The
2346 state is responsible for payment of all fees and expenses authorized by law for jurors in
2347 the courts of record. For these payments, the Judicial Council shall receive an annual
2348 appropriation contained in a separate line item appropriation.
- 2349 (2) If expenses, for the purposes of this section, exceed the line item appropriation, the state
2350 court administrator shall submit a claim against the state to the Board of Examiners and
2351 request the board to recommend and submit a supplemental appropriation request to the
2352 Legislature for the deficit incurred.
- 2353 (3) In the justice courts, the fees, mileage, and other expenses authorized by law for jurors,
2354 prosecution witnesses, witnesses subpoenaed by indigent defendants, and interpreter
2355 costs shall be paid by the municipality if the action is prosecuted by the city attorney,
2356 and by the county if the action is prosecuted by the county attorney or district attorney.
- 2357 (4) Beginning July 1, 2014, the state court administrator shall provide a report during each
2358 interim to the [~~Executive Offices and~~]Criminal Justice Appropriations Subcommittee
2359 detailing expenses, trends, and efforts made to minimize expenses and maximize
2360 performance of the costs under this section.
- 2361 (5) The funding of additional full-time equivalent employees shall be authorized by the
2362 Legislature through specific intent language.

2363 Section 45. Section **79-8-203** is amended to read:

2364 **79-8-203 . Award of recreation restoration infrastructure grants.**

- 2365 (1) In determining the award of a recreation restoration infrastructure grant, the advisory
2366 committee shall prioritize projects that the advisory committee considers to be high
2367 demand outdoor recreation amenities or high priority trails.
- 2368 (2) The division may give special consideration to projects from qualified applicants within
2369 rural counties to ensure geographic parity of the awarded money.
- 2370 (3)(a) An applicant shall use a recreation restoration infrastructure grant to leverage
2371 private and other nonstate public money and the division may give priority to projects
2372 that exceed a 50% match from the applicant.
- 2373 (b) Leverage includes cash, resources, goods, or services necessary to complete a project.
- 2374 (c) The division shall apply money from a cooperative agreement entered into with the
2375 United States Department of Agriculture or the United States Department of the
2376 Interior as a portion of the applicant's match.

- 2377 (4) A recreation restoration infrastructure grant may only be awarded by the executive
 2378 director after consultation with the director and the advisory committee.
- 2379 (5) A recreation restoration infrastructure grant is available for rehabilitation or restoration
 2380 projects for high demand outdoor recreation amenities and high priority trails that relate
 2381 directly to the visitor including:
- 2382 (a) a trail, trail head infrastructure, signage, and crossing infrastructure, for both
 2383 nonmotorized and motorized recreation;
- 2384 (b) a campground or picnic area;
- 2385 (c) water recreation infrastructure, including a pier, dock, or boat ramp; and
 2386 (d) recreation facilities that are accessible to visitors with disabilities.
- 2387 (6) The following are not eligible for a recreation restoration infrastructure grant:
- 2388 (a) general facility operations and administrative costs;
- 2389 (b) land acquisitions;
- 2390 (c) visitor facilities, as defined by the division by rule made in accordance with Title
 2391 63G, Chapter 3, Utah Administrative Rulemaking Act;
- 2392 (d) water and utility systems; and
 2393 (e) employee housing.
- 2394 (7) The division shall compile data and report to the [~~Business, Economic Development,~~
 2395 ~~and Labor~~] Economic and Community Development Appropriations Subcommittee on
 2396 the:
- 2397 (a) effectiveness of the grant program in addressing the deferred maintenance and repair
 2398 backlog of trails, campgrounds, and other recreation amenities on public lands;
- 2399 (b) estimated value of the rehabilitation or restoration projects;
- 2400 (c) number of miles of trails that are rehabilitated or restored; and
 2401 (d) leverage of state money to federal and private money and in-kind services such as
 2402 volunteer labor.

2403 Section 46. Section **80-5-303** is amended to read:

2404 **80-5-303 . Report on the Juvenile Justice Reinvestment Restricted Account.**

2405 No later than December 31 of each year, the division shall provide to the [~~Executive~~
 2406 ~~Offices and~~]Criminal Justice Appropriations Subcommittee a written report of the division's
 2407 activities under Subsection 80-5-202(1)(c) and Section 80-5-302, including:

- 2408 (1) for the report submitted in 2019, the formula used to calculate the savings from General
 2409 Fund appropriations under Subsection 80-5-202(1)(c);
- 2410 (2) the amount of savings from General Fund appropriations calculated by the division for

- 2411 the previous fiscal year;
- 2412 (3) an accounting of the money expended or committed to be expended under Subsection
- 2413 80-5-302(4); and
- 2414 (4) the balance of the account.
- 2415 Section 47. Section **80-5-502** is amended to read:
- 2416 **80-5-502 . New detention facilities.**
- 2417 (1) The division may issue requests for proposals to allow for the private construction of
- 2418 facilities suitable to meet the detention requirements of any county or group of counties,
- 2419 subject to approval by the governor.
- 2420 (2) The governor shall furnish an analysis of the benefits of the proposals received to the [
2421 ~~Infrastructure and General~~] Transportation and Infrastructure Government
2422 Appropriations Subcommittee for the subcommittee's review.
- 2423 Section 48. **Effective Date.**
- 2424 This bill takes effect on May 7, 2025.