

Luz Escamilla proposes the following substitute bill:

Economic Development Amendments

2025 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Jon Hawkins

Senate Sponsor: Chris H. Wilson

LONG TITLE

General Description:

This bill amends provisions of the Governor's Office of Economic Opportunity.

Highlighted Provisions:

This bill:

- amends and defines terms;
- amends provisions of the Governor's Office of Economic Opportunity (office);
- repeals the Unified Economic Opportunity Commission (UEOC);
- repeals provisions related to the UEOC subcommittees;
- renames the Women in the Economy Subcommittee to the Women in the Economy Commission (commission);
- renumbers and amends the commission as a legislative committee;
- renumbers and amends the Utah Broadband Center and Access Act;
- makes technical and conforming changes; and
- provides intent language regarding the transfer of funding from the Utah Board of Higher Education - Administration fund to the Utah Board of Higher Education Nucleus Institute upon passage of this bill and H.B. 530, Utah Innovation Lab Modifications.

Money Appropriated in this Bill:

This bill transfers money from the funds or accounts of the Governor's Office of Economic Opportunity - Economic Prosperity to the funds or accounts of the Utah Board of Higher Education - Administration.

Other Special Clauses:

This bill provides a special effective date.

Utah Code Sections Affected:

AMENDS:

11-59-203, as last amended by Laws of Utah 2024, Chapter 413

29 **35A-8-2203**, as last amended by Laws of Utah 2022, Chapters 118, 406
30 **36-12-23**, as last amended by Laws of Utah 2024, Chapter 506
31 **36-29-109**, as enacted by Laws of Utah 2022, Chapter 458
32 **53B-34-101**, as renumbered and amended by Laws of Utah 2022, Chapter 362
33 **53B-34-102**, as renumbered and amended by Laws of Utah 2022, Chapter 362
34 **53B-34-111**, as enacted by Laws of Utah 2024, Chapter 482
35 **63I-1-236**, as last amended by Laws of Utah 2024, Chapters 320, 506 and 507
36 **63I-1-263**, as last amended by Laws of Utah 2024, Third Special Session, Chapter 4
37 **63N-1a-102**, as last amended by Laws of Utah 2024, Chapter 159
38 **63N-1a-301**, as last amended by Laws of Utah 2024, Chapter 159
39 **63N-1a-303**, as last amended by Laws of Utah 2022, Chapter 362
40 **63N-1a-304**, as renumbered and amended by Laws of Utah 2021, Chapter 282
41 **63N-1a-305**, as renumbered and amended by Laws of Utah 2021, Chapter 282
42 **63N-1a-306**, as last amended by Laws of Utah 2022, Chapter 362
43 **63N-2-103**, as last amended by Laws of Utah 2024, Chapter 438
44 **63N-2-104.3**, as last amended by Laws of Utah 2023, Chapter 499
45 **63N-2-107**, as last amended by Laws of Utah 2024, Chapter 159
46 **63N-16-302**, as enacted by Laws of Utah 2024, Chapter 157
47 **72-1-203**, as last amended by Laws of Utah 2024, Chapter 517
48 **72-1-303**, as last amended by Laws of Utah 2024, Chapter 498

49 RENUMBERS AND AMENDS:

50 **36-29-113**, (Renumbered from 63N-1b-402, as last amended by Laws of Utah 2023,
51 Chapter 499)
52 **72-19-101**, (Renumbered from 63N-17-102, as last amended by Laws of Utah 2024,
53 Chapter 159)
54 **72-19-201**, (Renumbered from 63N-17-201, as last amended by Laws of Utah 2024,
55 Chapter 159)
56 **72-19-202**, (Renumbered from 63N-17-202, as last amended by Laws of Utah 2024,
57 Chapter 159)
58 **72-19-203**, (Renumbered from 63N-17-203, as last amended by Laws of Utah 2024,
59 Chapter 159)
60 **72-19-301**, (Renumbered from 63N-17-301, as last amended by Laws of Utah 2024,
61 Chapter 159)
62 **72-19-302**, (Renumbered from 63N-17-302, as enacted by Laws of Utah 2021,

63 Chapter 282)
 64 **72-19-401**, (Renumbered from 63N-17-401, as enacted by Laws of Utah 2024,
 65 Chapter 159)

66 REPEALS:

67 **63N-1a-201**, as last amended by Laws of Utah 2024, Chapter 159
 68 **63N-1a-202**, as last amended by Laws of Utah 2024, Chapter 159
 69 **63N-1b-102**, as last amended by Laws of Utah 2022, Chapter 118
 70 **63N-1b-401**, as renumbered and amended by Laws of Utah 2022, Chapter 362
 71 **63N-1b-403**, as last amended by Laws of Utah 2023, Chapter 499
 72 **63N-1b-404**, as last amended by Laws of Utah 2024, Chapter 159
 73 **63N-3-204**, as last amended by Laws of Utah 2022, Chapter 362

74
 75 *Be it enacted by the Legislature of the state of Utah:*

76 Section 1. Section **11-59-203** is amended to read:

77 **11-59-203 . Authority duties and responsibilities.**

- 78 (1) As the authority plans, manages, and implements the development of the point of the
 79 mountain state land, the authority shall pursue development strategies and objectives
 80 designed to:
- 81 (a) maximize the creation of high-quality jobs and encourage and facilitate a highly
 82 trained workforce;
 - 83 (b) ensure strategic residential and commercial growth;
 - 84 (c) promote a high quality of life for residents on and surrounding the point of the
 85 mountain state land, including strategic planning to facilitate:
 - 86 (i) jobs close to where people live;
 - 87 (ii) vibrant urban centers;
 - 88 (iii) housing types that incorporate affordability factors and match workforce needs;
 - 89 (iv) parks, connected trails, and open space, including the preservation of natural
 90 lands to the extent practicable and consistent with the overall development plan;
 91 and
 - 92 (v) preserving and enhancing recreational opportunities;
 - 93 (d) complement the development on land in the vicinity of the point of the mountain
 94 state land;
 - 95 (e) improve air quality and minimize resource use;
 - 96 (f) accommodate and incorporate the planning, funding, and development of an

- 97 enhanced and expanded future transit and transportation infrastructure and other
 98 investments, including:
- 99 (i) the acquisition of rights-of-way and property necessary to ensure transit access to
 100 the point of the mountain state land; and
 - 101 (ii) a world class mass transit infrastructure, to service the point of the mountain state
 102 land and to enhance mobility and protect the environment; and
 - 103 (g) if appropriate, exercise its land use authority to increase the supply of housing in the
 104 state.

105 (2) In planning the development of the point of the mountain state land, the authority shall:

- 106 (a) consult with applicable governmental planning agencies, including:
 - 107 (i) relevant metropolitan planning organizations; and
 - 108 (ii) Draper City and Salt Lake County planning and governing bodies; ~~and~~
 - 109 ~~[(iii) in regards to the factors described in Subsections (1)(c)(i) and (iii), the Unified~~
 110 ~~Economic Opportunity Commission created in Section 63N-1a-201;]~~
- 111 (b) research and explore the feasibility of attracting a nationally recognized research
 112 center; and
- 113 (c) research and explore the appropriateness of including labor training centers and a
 114 higher education presence on the point of the mountain state land.

115 Section 2. Section **35A-8-2203** is amended to read:

116 **35A-8-2203 . Duties of the commission.**

117 (1) The commission shall:

- 118 ~~[(a) serve as a subcommittee of the Unified Economic Opportunity Commission and~~
 119 ~~assist the Unified Economic Opportunity Commission in performing the Unified~~
 120 ~~Economic Opportunity Commission's duties under Section 63N-1a-202;]~~
- 121 ~~[(b)]~~ (a) increase public and government awareness and understanding of the housing
 122 affordability needs of the state and how those needs may be most effectively and
 123 efficiently met, through empirical study and investigation;
- 124 ~~[(e)]~~ (b) identify and recommend implementation of specific strategies, policies,
 125 procedures, and programs to address the housing affordability needs of the state;
- 126 ~~[(d)]~~ (c) facilitate the communication and coordination of public and private entities that
 127 are involved in developing, financing, providing, advocating for, and administering
 128 affordable housing in the state;
- 129 ~~[(e)]~~ (d) study, evaluate, and report on the status and effectiveness of policies,
 130 procedures, and programs that address housing affordability in the state;

- 131 [(f)] (e) study and evaluate the policies, procedures, and programs implemented by other
 132 states that address housing affordability;
- 133 [(g)] (f) provide a forum for public comment on issues related to housing affordability;
- 134 [(h)] (g) provide recommendations to the [~~Unified Economic Opportunity Commission~~
 135 and the] Legislature on strategies, policies, procedures, and programs to address the
 136 housing affordability needs of the state; and
- 137 [(i)] (h) on or before December 31, 2022, approve the methodology developed by the
 138 division under Subsection 35A-8-803(1)(a)(ix).
- 139 (2) To accomplish its duties, the commission may:
- 140 (a) request and receive from a state or local government agency or institution summary
 141 information relating to housing affordability, including:
- 142 (i) reports;
- 143 (ii) audits;
- 144 (iii) projections; and
- 145 (iv) statistics; and
- 146 (b) appoint one or more advisory groups to advise and assist the commission.
- 147 (3)(a) A member of an advisory group described in Subsection (2)(b):
- 148 (i) shall be appointed by the commission;
- 149 (ii) may be:
- 150 (A) a member of the commission; or
- 151 (B) an individual from the private or public sector; and
- 152 (iii) notwithstanding Section 35A-8-2202, may not receive reimbursement or pay for
 153 any work done in relation to the advisory group.
- 154 (b) An advisory group described in Subsection (2)(b) shall report to the commission on
 155 the progress of the advisory group.
- 156 Section 3. Section **36-12-23** is amended to read:
- 157 **36-12-23 . Legislative committees -- Staffing.**
- 158 (1) As used in this section:
- 159 (a) "Chair" means a presiding officer or a co-presiding officer of a committee.
- 160 (b) "Committee" means a standing committee, interim committee, subcommittee, special
 161 committee, authority, commission, council, task force, panel, or board in which
 162 legislative participation is required by statute or legislative rule.
- 163 (c) "Legislative committee" means a committee:
- 164 (i) formed by the Legislature to study or oversee subjects of legislative concern; and

- 165 (ii) that is required by statute or legislative rule to have a chair who is a legislator.
- 166 (d) "Legislator" means a member of either chamber of the Legislature.
- 167 (e) "Professional legislative office" means the Office of Legislative Research and
 168 General Counsel, the Office of the Legislative Fiscal Analyst, the Office of the
 169 Legislative Auditor General, or similar office of the Legislature.
- 170 (2)(a) Except as provided in Subsections (3) and (4), a professional legislative office
 171 shall provide each legislative committee's staff support, regardless of whether statute
 172 or legislative rule directs another entity to provide the staff support.
- 173 (b) Unless a legislative committee's enacting statute or legislative rule names a particular
 174 professional legislative office to provide the legislative committee's staff support, the
 175 professional legislative offices shall select, based on subject matter expertise, which
 176 professional legislative office will staff the legislative committee.
- 177 (3)(a) Subject to Subsection (3)(b), the provisions of this section control over any
 178 conflicting provision of statute or legislative rule.
- 179 (b)(i) If another provision of statute or legislative rule directs an entity other than a
 180 professional legislative office to provide a legislative committee's staff support,
 181 notwithstanding Subsection (2), a legislator who is a chair of the legislative
 182 committee may elect to have the other entity provide the legislative committee's
 183 staff support.
- 184 (ii) If the legislative committee has more than one chair who is a legislator, the chairs
 185 who are legislators shall collectively make the election under Subsection (3)(b)(i).
- 186 (iii) A chair or chairs who make an election under Subsection (3)(b)(i) may change
 187 the chair's or chairs' election no more than once each calendar year.
- 188 (4) This section does not apply to:
- 189 (a) the Point of the Mountain State Land Authority created in Section 11-59-201;
- 190 (b) the Utah Broadband Center Advisory Commission created in Section 36-29-109;
- 191 (c) the Blockchain and Digital Innovation Task Force created in Section 36-29-110;
- 192 (d) the Public Safety Data Management Task Force created in Section 36-29-111;
- 193 (e) the Constitutional Defense Council created in Section 63C-4a-202;
- 194 [~~(f) the Women in the Economy Subcommittee created in Section 63N-1b-402;~~]
- 195 [~~(g)~~] (f) the House Ethics Committee established under Legislative Joint Rule JR6-2-101;
- 196 or
- 197 [~~(h)~~] (g) the Senate Ethics Committee established under Legislative Joint Rule JR6-2-101.
- 198 Section 4. Section **36-29-109** is amended to read:

- 199 **36-29-109 . Utah Broadband Center Advisory Commission.**
- 200 (1) As used in this section:
- 201 (a) "Broadband infrastructure funds" means the funds available for broadband
- 202 infrastructure pursuant to:
- 203 (i) the Infrastructure Investment and Jobs Act, Pub. L. No. 115-58;
- 204 (ii) legislative appropriations; and
- 205 (iii) state and federal grants.
- 206 (b) [~~"Center"~~] "Broadband center" means the Utah Broadband Center created in Section [
- 207 ~~63N-17-201~~] 72-19-201.
- 208 (c) [~~"Commission"~~] "Broadband commission" means the Utah Broadband Center
- 209 Advisory Commission created in Subsection (2).
- 210 (d) "Strategic plan" means the statewide digital connectivity plan described in Section [
- 211 ~~63N-17-203~~] 72-19-203.
- 212 (2) There is created the Utah Broadband Center Advisory Commission consisting of the
- 213 following nine voting members:
- 214 (a) two members of the Senate, appointed by the president of the Senate;
- 215 (b) two members of the House of Representatives, appointed by the speaker of the
- 216 House of Representatives;
- 217 (c) the executive director of the Governor's Office of Planning and Budget, or the
- 218 executive director's designee;
- 219 (d) the governor shall appoint four members who currently work in the public sector and
- 220 who have professional experience in:
- 221 (i) broadband or broadband infrastructure;
- 222 (ii) applying for federal grants; or
- 223 (iii) financing infrastructure.
- 224 (3) In addition to the nine voting members, the director of the broadband center, or the
- 225 director's designee, shall serve on the broadband commission in a nonvoting capacity.
- 226 (4)(a) The president of the Senate shall designate one of the members described in
- 227 Subsection (2)(a) to serve as cochair of the broadband commission.
- 228 (b) The speaker of the House of Representatives shall designate one of the members
- 229 described in Subsection (2)(b) to serve as cochair of the broadband commission.
- 230 (5)(a) If a vacancy occurs in the membership of the broadband commission, the member
- 231 shall be replaced in the same manner in which the original appointment was made.
- 232 (b) A member shall serve until the member's successor is appointed and qualified.

- 233 (6)(a) A majority of the members of the broadband commission constitutes a quorum.
234 (b) The action of a majority of a quorum constitutes an action of the broadband
235 commission.
- 236 (7)(a) Salaries and expenses of the members of the broadband commission who are
237 legislators shall be paid in accordance with:
238 (i) Section 36-2-2;
239 (ii) Legislative Joint Rules, Title 5, Chapter 2, Lodging, Meal, and Transportation
240 Expenses; and
241 (iii) Legislative Joint Rules, Title 5, Chapter 3, Legislator Compensation.
- 242 (b) A member of the broadband commission who is not a legislator may not receive
243 compensation for the member's work associated with the broadband commission but
244 may receive per diem and reimbursement for travel expenses incurred as a member of
245 the broadband commission at the rates established by the Division of Finance under:
246 (i) Sections 63A-3-106 and 63A-3-107; and
247 (ii) rules made by the Division of Finance in accordance with Sections 63A-3-106
248 and 63A-3-107.
- 249 (8) The broadband center shall provide staff support to the broadband commission.
- 250 (9) The broadband commission shall:
251 (a) make recommendations to the broadband center with respect to:
252 (i) strategic plan development; and
253 (ii) the application for and use of broadband infrastructure funds;
254 (b) solicit input from relevant stakeholders, including:
255 (i) public and private entities who may assist in developing and implementing the
256 strategic plan; and
257 (ii) public and private entities whom the strategic plan may impact;
258 (c) provide recommendations for strategic plan development and implementation based
259 on the input described in Subsection (9)(b);
260 (d) review strategic plan drafts; and
261 (e) recommend changes.
- 262 (10) The broadband commission shall meet as needed.
- 263 Section 5. Section **36-29-113**, which is renumbered from Section 63N-1b-402 is renumbered
264 and amended to read:
265 **[63N-1b-402] 36-29-113 . Women in the Economy Commission created.**
266 (1) As used in this section, "commission" means the Women in the Economy Commission

267 created in Subsection (2).

268 ~~(2)~~ There is created a [~~subcommittee of the commission~~] commission called the Women in
269 the Economy [~~Subcommittee~~] Commission.

270 ~~[(2)] (3)~~ [~~The subcommittee shall consist of 15 members as follows~~] The commission
271 consists of the following 15 members:

- 272 (a) one senator appointed by the president of the Senate;
- 273 (b) one senator appointed by the minority leader of the Senate;
- 274 (c) one representative appointed by the speaker of the House of Representatives;
- 275 (d) one representative appointed by the minority leader of the House of Representatives;
- 276 (e) the executive director of the [~~department~~] Governor's Office of Economic Opportunity,
277 or the executive director's designee; and
- 278 (f) 10 members appointed by the governor as follows:
- 279 (i) two individuals who represent businesses in the state that:
- 280 (A) have fewer than 50 employees; and
- 281 (B) have demonstrated a commitment to women in the economy;
- 282 (ii) two individuals who represent businesses in the state that:
- 283 (A) have 50 or more employees, but fewer than 500 employees; and
- 284 (B) have demonstrated a commitment to women in the economy;
- 285 (iii) two individuals who represent businesses in the state that:
- 286 (A) have 500 or more employees; and
- 287 (B) have demonstrated a commitment to women in the economy;
- 288 (iv) an individual who has experience in economic and demographic work;
- 289 (v) one individual from a nonprofit organization that focuses on women's advocacy;
- 290 (vi) one individual with managerial experience with organized labor; and
- 291 (vii) one individual who serves as an officer, employee, or appointee of a local
292 government, nominated by the Utah League of Cities and Towns.

293 ~~[(3)] (4)(a)~~ When a vacancy occurs in a position appointed by the governor under
294 Subsection (2)(f), the governor shall appoint a person to fill the vacancy.

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

296 (c) Notwithstanding Subsection (3)(b), for members appointed under Subsection (2)(f),
297 the governor shall, at the time of appointment or reappointment, adjust the length of
298 terms to ensure that the terms of [~~subcommittee~~] commission members are staggered
299 so that approximately half of the [~~subcommittee~~] commission members appointed
300 under Subsection (2)(f) are appointed every two years.

- 301 (d) Members appointed under Subsection (2)(f) may be removed by the governor for
302 cause.
- 303 (e) A member appointed under Subsection (2)(f) shall be removed from the [
304 ~~subcommittee~~] commission and replaced by the governor if the member is absent for
305 three consecutive meetings of the [~~subcommittee~~] commission without being excused
306 by the chair of the [~~subcommittee~~] commission.
- 307 (f) A member serves until the member's successor is appointed and qualified.
- 308 [(4)] (5) In appointing the members under Subsection (2)(f), the governor shall:
- 309 (a) take into account the geographical makeup of the [~~subcommittee~~] commission; and
310 (b) strive to appoint members who are knowledgeable or have an interest in issues
311 related to women in the economy.
- 312 [(5)] (6)(a) The [~~subcommittee~~] commission shall select two members who are legislators
313 to serve as cochairs, of which:
- 314 (i) one cochair shall be a member of the Senate; and
315 (ii) one cochair shall be a member of the House of Representatives.
- 316 (b) Subject to the other provisions of this Subsection (5), the cochairs are responsible for
317 the call and conduct of meetings.
- 318 (c) The cochairs shall call and hold meetings of the [~~subcommittee~~] commission at least
319 four times per year.
- 320 [(6)] (7)(a) A majority of the members of the subcommittee constitutes a quorum.
321 (b) The action of a majority of a quorum constitutes the action of the [~~subcommittee~~]
322 commission.
- 323 [(7)] (8)(a) A member of the [~~subcommittee~~] commission described in Subsection (2)(e)
324 or (f) may not receive compensation or benefits for the member's service, but may
325 receive per diem and travel expenses in accordance with:
- 326 (i) Section 63A-3-106;
327 (ii) Section 63A-3-107; and
328 (iii) rules made by the Division of Finance pursuant to Sections 63A-3-106 and
329 63A-3-107.
- 330 (b) Compensation and expenses of a member who is a legislator are governed by Section
331 36-2-2 and Legislative Joint Rules, Title 5, Legislative Compensation and Expenses.
- 332 [(8)] (9) [~~The office shall provide staff support to the subcommittee~~] The Office of
333 Legislative Research and General Counsel shall provide staff support to the commission.
- 334 (10) The commission's purpose is to:

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

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

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

342 (11) The commission shall:

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

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

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

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

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

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

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

356 (12) To accomplish the commission's duties, the commission may:

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

359 (i) reports;

360 (ii) audits;

361 (iii) projections; and

362 (iv) statistics;

363 (b) apply for and accept grants or donations for uses consistent with the duties of the
364 commission from public or private sources; and

365 (c) appoint one or more working groups to advise and assist the commission.

366 (13) Money received by the commission under Subsection (12)(b) shall be:

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

- 369 (b) continuously available to the commission to carry out the commission's duties.
- 370 (14)(a) A member of a working group described in Subsection (12)(c):
- 371 (i) shall be appointed by the commission;
- 372 (ii) may be:
- 373 (A) a member of the commission; or
- 374 (B) an individual from the private or public sector; and
- 375 (iii) notwithstanding Subsection (8), may not receive reimbursement or pay for any
- 376 work done in relation to the working group.
- 377 (b) A working group described in Subsection (12)(c) shall report to the commission on
- 378 the progress of the working group.
- 379 (15) On or before November 30 of each year that the commission is in effect, the
- 380 commission shall provide a report, including any proposed legislation, to:
- 381 (a) the Economic Development and Workforce Services Interim Committee; and
- 382 (b) the Legislative Management Committee.
- 383 Section 6. Section **53B-34-101** is amended to read:
- 384 **53B-34-101 . Definitions.**
- 385 As used in this chapter:
- 386 (1) "Apprenticeship program" means a program that:
- 387 (a) combines paid on-the-job learning with formal classroom instruction to prepare
- 388 students for careers; and
- 389 (b) includes:
- 390 (i) structured on-the-job learning for students under the supervision of a skilled
- 391 employee;
- 392 (ii) classroom instruction for students related to the on-the-job learning;
- 393 (iii) ongoing student assessments using established competency and skills standards;
- 394 and
- 395 (iv) the student receiving an industry-recognized credential or degree upon
- 396 completion of the program.
- 397 (2) "Career and technical education region" means an economic service area created in
- 398 Section 35A-2-101.
- 399 (3) "GOEO" means the Governor's Office of Economic Opportunity created in Section
- 400 63N-1a-301.
- 401 ~~[(3) "Commission" means the Unified Economic Opportunity Commission created in~~
- 402 ~~Section 63N-1a-201.]~~

- 403 (4) "High quality professional learning" means the professional learning standards for
404 teachers and principals described in Section 53G-11-303.
- 405 (5) "Institution of higher education" means the University of Utah, Utah State University,
406 Southern Utah University, Weber State University, Snow College, Utah Tech
407 University, Utah Valley University, or Salt Lake Community College.
- 408 (6) "Local education agency" means a school district, a charter school, or the Utah Schools
409 for the Deaf and the Blind.
- 410 (7) "Master plan" means the computer science education master plan described in Section
411 53B-34-105.
- 412 (8) "Participating employer" means an employer that:
- 413 (a) partners with an educational institution on a curriculum for an apprenticeship
414 program or work-based learning program; and
- 415 (b) provides an apprenticeship or work-based learning program for students.
- 416 (9) "State board" means the State Board of Education.
- 417 (10) "Talent board" means the Talent, Education, and Industry Alignment Board created in
418 Section 53B-34-102.
- 419 (11) "Talent program" means the Talent Ready Utah Program created in Section
420 53B-34-103.
- 421 (12) "Targeted industry" means an industry or group of industries targeted by [~~the~~
422 ~~commission~~] GOEO for economic development in the state.
- 423 (13) "Technical college" means:
- 424 (a) the same as that term is defined in Section 53B-1-101.5; and
- 425 (b) a degree-granting institution acting in the degree-granting institution's technical
426 education role described in Section 53B-2a-201.
- 427 (14)(a) "Work-based learning program" means a program that combines structured and
428 supervised learning activities with authentic work experiences and that is
429 implemented through industry and education partnerships.
- 430 (b) "Work-based learning program" includes the following objectives:
- 431 (i) providing students an applied workplace experience using knowledge and skills
432 attained in a program of study that includes an internship, externship, or work
433 experience;
- 434 (ii) providing an educational institution with objective input from a participating
435 employer regarding the education requirements of the current workforce; and
- 436 (iii) providing funding for programs that are associated with high-wage, in-demand,

437 or emerging occupations.

438 (15) "Workforce programs" means education or industry programs that facilitate training
439 the state's workforce to meet industry demand.

440 Section 7. Section **53B-34-102** is amended to read:

441 **53B-34-102 . Talent, Education, and Industry Alignment Board -- Creation --**
442 **Membership -- Expenses -- Duties.**

443 (1) There is created the Talent, Education, and Industry Alignment Board composed of the
444 following members:

- 445 (a) the state superintendent of public instruction or the superintendent's designee;
446 (b) the commissioner or the commissioner's designee;
447 (c) the chair of the State Board of Education or the chair's designee;
448 (d) the executive director of the Department of Workforce Services or the executive
449 director's designee;
450 (e) the executive director of the Governor's Office of Economic Opportunity or the
451 executive director's designee;
452 (f) the director of the Division of Professional Licensing or the director's designee;
453 (g) the governor's education advisor or the advisor's designee;
454 (h) one member of the Senate, appointed by the president of the Senate;
455 (i) one member of the House of Representatives, appointed by the speaker of the House
456 of Representatives;
457 (j) the president of the Salt Lake Chamber or the president's designee;
458 (k) six representatives of private industry chosen to represent targeted industries,
459 appointed by ~~[the commission]~~ GOEO;
460 (l) the lieutenant governor or the lieutenant governor's designee; and
461 (m) any additional individuals appointed by ~~[the commission]~~ GOEO who represent:
462 (i) one or more individual educational institutions; or
463 (ii) education or industry professionals.

464 (2) The talent board shall select a chair and vice chair from among the members of the
465 talent board.

466 (3) The talent board shall meet at least quarterly.

467 (4) Attendance of a majority of the members of the talent board constitutes a quorum for
468 the transaction of official talent board business.

469 (5) Formal action by the talent board requires the majority vote of a quorum.

470 (6) A member of the talent board:

- 471 (a) may not receive compensation or benefits for the member's service; and
 472 (b) who is not a legislator may receive per diem and travel expenses in accordance with:
 473 (i) Section 63A-3-106;
 474 (ii) Section 63A-3-107; and
 475 (iii) rules made by the Division of Finance pursuant to Sections 63A-3-106 and
 476 63A-3-107.

477 (7) The talent board shall:

- 478 (a)(i) review and develop metrics to measure the progress, performance,
 479 effectiveness, and scope of any state operation, activity, program, or service that
 480 primarily involves employment training or placement; and
 481 (ii) ensure that the metrics described in Subsection (7)(a) are consistent and
 482 comparable for each state operation, activity, program, or service that primarily
 483 involves employment training or placement;
 484 (b) make recommendations to the board and [~~the commission~~] GOEO regarding how to
 485 better align training and education in the state with industry demand;
 486 (c) make recommendations to the board and [~~the commission~~] GOEO regarding how to
 487 better align technical education with current and future workforce needs;
 488 (d) coordinate with the talent program to meet the responsibilities described in [
 489 ~~Subsection 53B-34-103(4)~~] Section 53B-34-103;
 490 (e) develop a computer science education master plan in accordance with Section
 491 53B-34-105;
 492 (f) coordinate with the talent program to meet the responsibilities described in Section
 493 53B-34-107; and
 494 (g) administer the Utah Works Program in accordance with Section 53B-34-108.

495 (8) Nothing in this section prohibits an individual who, on June 30, 2022, is a member of a
 496 subcommittee within the Governor's Office of Economic Opportunity known as the
 497 Talent, Education, and Industry Alignment Subcommittee from serving as a member of
 498 the talent board.

499 Section 8. Section **53B-34-111** is amended to read:

500 **53B-34-111 . Youth apprenticeship governance study.**

501 (1) As used in this section:

- 502 (a) "Apprenticeship" means the same as the term is defined in Section 35A-6-102.
 503 (b) "Study" means the study created in Subsection (2).

504 (2) There is created a study to design a framework and system for maximizing efficiencies

- 505 and expanding youth apprenticeship opportunities for students.
- 506 (3) The study shall be conducted collaboratively by the following entities:
- 507 (a) the ~~[Governor's Office]~~ governor's office;
- 508 (b) the State Board of Education;
- 509 (c) the Department of Workforce Services;
- 510 (d) the Talent Ready Utah Program; and
- 511 (e) relevant participating employers as determined by the entities described in
- 512 Subsections (3)(a) through (d).
- 513 (4) The study shall examine framework and system design recommendations regarding:
- 514 (a) ways to increase youth apprenticeship offerings;
- 515 (b) increasing student and employer participation in youth apprenticeships;
- 516 (c) formalizing roles and streamlining use of existing infrastructure described in:
- 517 (i) Title 35A, Chapter 6, Apprenticeship Act;
- 518 (ii) Title 53B, Chapter 34, Talent, Education, and Industry Alignment, including the
- 519 role of the state apprenticeship intermediary described in Section 53B-34-103; and
- 520 (iii) Section 53G-7-902;
- 521 (d) aligning youth apprenticeship efforts to meet the definition of youth apprenticeship
- 522 defined in Section 35A-6-102;
- 523 (e) identifying metrics to assess the success of youth apprenticeship programs;
- 524 (f) opportunities to leverage secondary and post-secondary educational programs in
- 525 conjunction with youth apprenticeships, including:
- 526 (i) career and technical education;
- 527 (ii) concurrent enrollment; and
- 528 (iii) stackable credentials; and
- 529 (g) the creation of career competencies to prepare a qualified workforce.
- 530 (5) The staff of the Talent Ready Utah Program shall staff the study.
- 531 (6) No later than May 1, 2025, the entities described in ~~[Subsections (3)(a) through (e)]~~
- 532 Subsection (3) shall report the recommendations described in Subsection (4) to~~[:]~~
- 533 ~~[(a)]~~ the talent board~~[:and]~~ .
- 534 ~~[(b) the Unified Economic Opportunity Commission.]~~
- 535 Section 9. Section **63I-1-236** is amended to read:
- 536 **63I-1-236 . Repeal dates: Title 36.**
- 537 (1) Title 36, Chapter 17, Legislative Process Committee, is repealed January 1, 2028.
- 538 (2) Section 36-29-111, Public Safety Data Management Task Force, is repealed July 1,

- 539 2029.
- 540 (3) Title 36, Chapter 28, Veterans and Military Affairs Commission, is repealed January 1,
541 2030.
- 542 (4) Section 36-29-112, Justice Court Reform Task Force, is repealed July 1, 2025.
- 543 (5) Section 36-29-113, Women in the Economy Commission, is repealed July 1, 2030.
- 544 Section 10. Section **63I-1-263** is amended to read:
- 545 **63I-1-263 . Repeal dates: Titles 63A to 63O.**
- 546 (1) Subsection 63A-5b-405(5), regarding prioritizing and allocating capital improvement
547 funding, is repealed July 1, 2024.
- 548 (2) Title 63C, Chapter 4a, Constitutional and Federalism Defense Act, is repealed July 1,
549 2028.
- 550 (3) Title 63C, Chapter 6, Utah Seismic Safety Commission, is repealed January 1, 2025.
- 551 (4) Title 63C, Chapter 18, Behavioral Health Crisis Response Committee, is repealed
552 December 31, 2026.
- 553 (5) Title 63C, Chapter 23, Education and Mental Health Coordinating Committee, is
554 repealed December 31, 2024.
- 555 (6) Title 63C, Chapter 25, State Finance Review Commission, is repealed July 1, 2027.
- 556 (7) Title 63C, Chapter 27, Cybersecurity Commission, is repealed July 1, 2032.
- 557 (8) Title 63C, Chapter 28, Ethnic Studies Commission, is repealed July 1, 2026.
- 558 (9) Title 63C, Chapter 31, State Employee Benefits Advisory Commission, is repealed July
559 1, 2028.
- 560 (10) Section 63G-6a-805, Purchase from community rehabilitation programs, is repealed
561 July 1, 2026.
- 562 (11) Title 63G, Chapter 21, Agreements to Provide State Services, is repealed July 1, 2028.
- 563 (12) Title 63H, Chapter 4, Heber Valley Historic Railroad Authority, is repealed July 1,
564 2029.
- 565 (13) Title 63H, Chapter 8, Utah Housing Corporation Act, is repealed July 1, 2026.
- 566 (14) Subsection 63J-1-602.2(16), related to the Communication Habits to reduce
567 Adolescent Threats (CHAT) Pilot Program, is repealed July 1, 2029.
- 568 (15) Subsection 63J-1-602.2(26), regarding the Utah Seismic Safety Commission, is
569 repealed January 1, 2025.
- 570 (16) Section 63L-11-204, Canyon resource management plan, is repealed July 1, 2025.
- 571 (17) Title 63L, Chapter 11, Part 4, Resource Development Coordinating Committee, is
572 repealed July 1, 2027.

- 573 (18) Title 63M, Chapter 7, Part 7, Domestic Violence Offender Treatment Board, is
574 repealed July 1, 2027.
- 575 (19) Section 63M-7-902, Creation -- Membership -- Terms -- Vacancies -- Expenses, is
576 repealed July 1, 2029.
- 577 (20) Title 63M, Chapter 11, Utah Commission on Aging, is repealed July 1, 2026.
- 578 [~~(21) Title 63N, Chapter 1b, Part 4, Women in the Economy Subcommittee, is repealed~~
579 ~~January 1, 2030.~~]
- 580 [~~(22)~~ (21) Title 63N, Chapter 2, Part 2, Enterprise Zone Act, is repealed July 1, 2028.
- 581 [~~(23)~~ (22) Subsection 63N-2-511(1)(b), regarding the Board of Tourism Development, is
582 repealed July 1, 2025.
- 583 [~~(24)~~ (23) Section 63N-2-512, Hotel Impact Mitigation Fund, is repealed July 1, 2028.
- 584 [~~(25)~~ (24) Title 63N, Chapter 3, Part 9, Strategic Innovation Grant Pilot Program, is
585 repealed July 1, 2027.
- 586 [~~(26)~~ (25) Title 63N, Chapter 3, Part 11, Manufacturing Modernization Grant Program, is
587 repealed July 1, 2025.
- 588 [~~(27)~~ (26) Title 63N, Chapter 4, Part 4, Rural Employment Expansion Program, is repealed
589 July 1, 2028.
- 590 [~~(28)~~ (27) Section 63N-4-804, which creates the Rural Opportunity Advisory Committee, is
591 repealed July 1, 2027.
- 592 [~~(29)~~ (28) Subsection 63N-4-805(5)(b), regarding the Rural Employment Expansion
593 Program, is repealed July 1, 2028.
- 594 [~~(30)~~ (29) Subsection 63N-7-101(1), regarding the Board of Tourism Development, is
595 repealed July 1, 2025.
- 596 [~~(31)~~ (30) Subsection 63N-7-102(3)(c), regarding a requirement for the Utah Office of
597 Tourism to receive approval from the Board of Tourism Development, is repealed July
598 1, 2025.
- 599 [~~(32)~~ (31) Title 63N, Chapter 7, Part 2, Board of Tourism Development, is repealed July 1,
600 2025.
- 601 Section 11. Section **63N-1a-102** is amended to read:
- 602 **63N-1a-102 . Definitions.**
- 603 As used in this title:
- 604 (1) "Baseline jobs" means the number of full-time employee positions that existed within a
605 business entity in the state before the date on which a project related to the business
606 entity is approved by the office or by the GOEO board.

607 (2) "Baseline state revenue" means the amount of state tax revenue collected from a
608 business entity or the employees of a business entity during the year before the date on
609 which a project related to the business entity is approved by the office or by the GOEO
610 board.

611 [~~(3)~~] "~~Commission~~" means the ~~Unified Economic Opportunity Commission created in~~
612 ~~Section 63N-1a-201.~~]

613 [~~(4)~~] (3) "Economic opportunity agency" includes:

- 614 (a) the Department of Workforce Services;
- 615 (b) the Department of Cultural and Community Engagement;
- 616 (c) the Department of Commerce;
- 617 (d) the Department of Natural Resources;
- 618 (e) the Office of Energy Development;
- 619 (f) the State Board of Education;
- 620 (g) institutions of higher education;
- 621 (h) the Utah Multicultural Commission;
- 622 (i) the World Trade Center Utah;
- 623 (j) local government entities;
- 624 (k) associations of governments;
- 625 (l) the Utah League of Cities and Towns;
- 626 (m) the Utah Association of Counties;
- 627 (n) the Economic Development Corporation of Utah;
- 628 (o) the Small Business Administration;
- 629 (p) chambers of commerce;
- 630 (q) industry associations;
- 631 (r) small business development centers; and
- 632 (s) other entities identified by the commission or the executive director.

633 [~~(5)~~] (4) "Executive director" means the executive director of the office.

634 [~~(6)~~] (5) "Full-time employee" means an employment position that is filled by an employee
635 who works at least 30 hours per week and:

- 636 (a) may include an employment position filled by more than one employee, if each
637 employee who works less than 30 hours per week is provided benefits comparable to
638 a full-time employee; and
- 639 (b) may not include an employment position that is shifted from one jurisdiction in the
640 state to another jurisdiction in the state.

- 641 ~~[(7)]~~ (6) "GOEO board" means the Board of Economic Opportunity created in Section
642 63N-1a-401.
- 643 ~~[(8)]~~ (7) "High paying job" means a newly created full-time employee position where the
644 aggregate average annual gross wage of the employment position, not including health
645 care or other paid or unpaid benefits, is:
- 646 (a) at least 110% of the average wage of the county in which the employment position
647 exists; or
- 648 (b) for an employment position related to a project described in Chapter 2, Part 1,
649 Economic Development Tax Increment Financing, and that is located within the
650 boundary of a county of the third, fourth, fifth, or sixth class, or located within a
651 municipality in a county of the second class and where the municipality has a
652 population of 10,000 or less:
- 653 (i) at least 100% of the average wage of the county in which the employment position
654 exists; or
- 655 (ii) an amount determined by rule made by the office in accordance with Title 63G,
656 Chapter 3, Utah Administrative Rulemaking Act, if the office determines the
657 project is in a county experiencing economic distress.
- 658 ~~[(9)]~~ (8)(a) "Incremental job" means a full-time employment position in the state that:
- 659 (i) did not exist within a business entity in the state before the beginning of a project
660 related to the business entity; and
- 661 (ii) is created in addition to the number of baseline jobs that existed within a business
662 entity.
- 663 (b) "Incremental job" includes a full-time employment position where the employee is
664 hired:
- 665 (i) directly by a business entity; or
- 666 (ii) by a professional employer organization, as defined in Section 31A-40-102, on
667 behalf of a business entity.
- 668 ~~[(10)]~~ (9) "New state revenue" means the state revenue collected from a business entity or a
669 business entity's employees during a calendar year minus the baseline state revenue
670 calculation.
- 671 ~~[(11)]~~ (10) "Office" or "GOEO" means the Governor's Office of Economic Opportunity.
- 672 ~~[(12)]~~ (11) "State revenue" means state tax liability paid by a business entity or a business
673 entity's employees under any combination of the following provisions:
- 674 (a) Title 59, Chapter 7, Corporate Franchise and Income Taxes;

- 675 (b) Title 59, Chapter 10, Part 1, Determination and Reporting of Tax Liability and
 676 Information;
- 677 (c) Title 59, Chapter 10, Part 2, Trusts and Estates;
- 678 (d) Title 59, Chapter 10, Part 4, Withholding of Tax; and
- 679 (e) Title 59, Chapter 12, Sales and Use Tax Act.
- 680 ~~[(13)]~~ (12) "State strategic goals" means the strategic goals listed in Section 63N-1a-103.
- 681 ~~[(14)]~~ (13) "Statewide economic development strategy" means the economic development
 682 strategy developed by the ~~[commission in accordance with Section 63N-1a-202]~~ office in
 683 accordance with Section 63N-1a-301.
- 684 ~~[(15)]~~ "Talent board" means the Talent, Education, and Industry Alignment Board created in
 685 ~~Section 53B-34-102.]~~
- 686 ~~[(16)]~~ (14) "Targeted industry" means an industry or group of industries targeted by the [
 687 ~~commission under Section 63N-1a-202]~~ office under Section 63N-1a-301, for economic
 688 development in the state.
- 689 Section 12. Section **63N-1a-301** is amended to read:
- 690 **63N-1a-301 . Creation of office -- Responsibilities.**
- 691 (1) There is created the Governor's Office of Economic Opportunity.
- 692 (2) The office is:
- 693 (a) responsible for creating and implementing the statewide economic development
 694 strategy ~~[developed by the commission; and]~~ that:
- 695 (i) unifies and coordinates economic development efforts in the state;
- 696 (ii) includes key performance indicators for long-term progress toward the state
 697 strategic goals;
- 698 (iii) establishes reporting and accountability processes for the key performance
 699 indicators; and
- 700 (iv) ensures the success of statewide economic development; and
- 701 (b) the industrial and business promotion authority of the state.
- 702 (3) The office shall:
- 703 (a) consistent with the statewide economic development strategy, coordinate and align
 704 into a single effort the activities of the economic opportunity agencies in the field of
 705 economic development;
- 706 (b) provide support and direction to economic opportunity agencies in establishing
 707 goals, metrics, and activities that align with the statewide economic development
 708 strategy;

- 709 (c) administer and coordinate state and federal economic development grant programs;
- 710 (d) promote and encourage the economic, commercial, financial, industrial, agricultural,
- 711 and civic welfare of the state;
- 712 (e) develop the statewide economic development strategy consistent with the state water
- 713 policy described in Section 73-1-21, including the state's commitment to appropriate:
- 714 (i) conservation;
- 715 (ii) efficient and optimal use of water resources;
- 716 (iii) infrastructure development and improvement;
- 717 (iv) optimal agricultural use;
- 718 (v) water quality;
- 719 (vi) reasonable access to recreational activities;
- 720 (vii) effective wastewater treatment; and
- 721 (viii) protecting and restoring health ecosystems;
- 722 (f) at least once every five years, identify which industry or groups of industries shall be
- 723 targeted for economic development in the state;
- 724 [~~e~~] (g) promote and encourage the employment of workers in the state and the purchase
- 725 of goods and services produced in the state by local businesses;
- 726 [~~f~~] (h) act to create, develop, attract, and retain business, industry, and commerce in the
- 727 state:
- 728 (i) in accordance with the statewide economic development [~~plan and commission~~
- 729 ~~directives~~] strategy; and
- 730 (ii) subject to the restrictions in Section 11-41-103;
- 731 [~~g~~] (i) act to enhance the state's economy;
- 732 (j) analyze the state's projected long-term population and economic growth and plan for
- 733 the anticipated impacts of the projected growth in a manner that improves quality of
- 734 life and is consistent with the statewide economic development strategy and state
- 735 strategic goals;
- 736 [~~h~~] (k) act to assist strategic industries that are likely to drive future economic growth;
- 737 [~~i~~] (l) assist communities in the state in developing economic development capacity and
- 738 coordination with other communities;
- 739 (m) develop strategies and plans to ensure comprehensive economic development efforts
- 740 are targeted to the unique needs of rural areas of the state;
- 741 [~~j~~] (n) identify areas of education and workforce development in the state that can be
- 742 improved to support economic and business development;

- 743 ~~[(k)]~~ (o) ~~[consistent with direction from the commission,]~~ develop core strategic
744 priorities for the office, which may include:
- 745 (i) enhancing statewide access to entrepreneurship opportunities and small business
746 support;
- 747 (ii) focusing industry recruitment and expansion of targeted industries;
- 748 (iii) ensuring that in awarding competitive economic development incentives the
749 office accurately measures the benefits and costs of the incentives; and
- 750 (iv) assisting communities with technical support to aid those communities in
751 improving economic development opportunities;
- 752 ~~[(t)]~~ (p) submit an annual written report as described in Section 63N-1a-306; and
- 753 ~~[(m)]~~ (q) perform other duties as provided by the Legislature.
- 754 (4) To perform the office's duties under this title, the office may:
- 755 (a) enter into a contract or agreement with, or make a grant to, a public or private entity,
756 including a municipality, if the contract or agreement is not in violation of state
757 statute or other applicable law;
- 758 (b) except as provided in Subsection (4)(c), receive and expend funds from a public or
759 private source for any lawful purpose that is in the state's best interest; and
- 760 (c) solicit and accept a contribution of money, services, or facilities from a public or
761 private donor, but may not use the contribution for publicizing the exclusive interest
762 of the donor.
- 763 (5) Money received under Subsection (4)(c) shall be deposited into the General Fund as
764 dedicated credits of the office.
- 765 ~~[(6)(a) The office shall:]~~
- 766 ~~[(i) obtain the advice of the GOEO board before implementing a change to a policy,
767 priority, or objective under which the office operates; and]~~
- 768 ~~[(ii) provide periodic updates to the commission regarding the office's efforts under
769 Subsections (3)(a) and (b).]~~
- 770 ~~[(b) Subsection (6)(a)(i) does not apply to the routine administration by the office of
771 money or services related to the assistance, retention, or recruitment of business,
772 industry, or commerce in the state.]~~
- 773 Section 13. Section **63N-1a-303** is amended to read:
- 774 **63N-1a-303 . Powers and duties of executive director.**
- 775 (1) Unless otherwise expressly provided by statute, the executive director may organize the
776 office in any appropriate manner, including the appointment of deputy directors of the

- 777 office.
- 778 (2) The executive director may consolidate personnel and service functions for efficiency
779 and economy in the office.
- 780 (3) The executive director, with the approval of the governor:
- 781 (a) may, by following the procedures and requirements of Title 63J, Chapter 5, Federal
782 Funds Procedures Act, seek federal grants, loans, or participation in federal programs;
- 783 (b) may enter into a lawful contract or agreement with another state, a chamber of
784 commerce organization, a service club, or a private entity; and
- 785 (c) shall annually prepare and submit to the governor a budget of the office's financial
786 requirements.
- 787 (4) With the governor's approval, if a federal program requires the expenditure of state
788 funds as a condition for the state to participate in a fund, property, or service, the
789 executive director may expend necessary funds from money provided by the Legislature
790 for the use of the office.
- 791 (5) The executive director shall coordinate with the executive directors of the Department
792 of Workforce Services and the Governor's Office of Planning and Budget to review data
793 and metrics to be reported to the Legislature as described in [~~Subsection~~
794 ~~63N-1a-306(2)(b)~~] Section 63N-1a-306.
- 795 (6) Unless otherwise provided in this title, the executive director may make rules in
796 accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, as
797 necessary for the administration of programs established under state law.

798 Section 14. Section **63N-1a-304** is amended to read:

799 **63N-1a-304 . Executive director and the Public Service Commission.**

- 800 (1) The executive director or the executive director's designee shall:
- 801 (a) become generally informed of significant rate cases and policy proceedings before
802 the Public Service Commission; and
- 803 (b) monitor and study the potential economic development impact of [~~these~~] the
804 proceedings.
- 805 (2) In the discretion of the executive director or the executive director's designee, the office
806 may appear in a proceeding before the Public Service Commission to testify, advise, or
807 to present argument regarding the economic development impact of a matter that is the
808 subject of the proceeding.

809 Section 15. Section **63N-1a-305** is amended to read:

810 **63N-1a-305 . Incentive review process.**

811 [The Legislature intends that the] The office [will] shall develop an [~~incentives~~] incentive
812 review process under the direction of the speaker of the House of Representatives and the
813 president of the Senate.

814 Section 16. Section **63N-1a-306** is amended to read:

815 **63N-1a-306 . Annual report -- Content -- Format.**

- 816 (1) The office shall prepare and submit to the governor and the Legislature, by October 1 of
817 each year, an annual written report of the operations, activities, programs, and services
818 of the office, including the divisions, sections, boards, commissions, councils, and
819 committees established under this title, for the preceding fiscal year.
- 820 (2) For each operation, activity, program, or service provided by the office, the annual
821 report shall include:
- 822 (a) a description of the operation, activity, program, or service;
 - 823 (b) data and metrics:
 - 824 (i) selected and used by the office to measure progress, performance, effectiveness,
825 and scope of the operation, activity, program, or service, including summary data;
826 and
 - 827 (ii) that are consistent and comparable for each state operation, activity, program, or
828 service that primarily involves employment training or placement as determined
829 by the executive directors of the office, the Department of Workforce Services,
830 and the Governor's Office of Planning and Budget;
 - 831 (c) budget data, including the amount and source of funding, expenses, and allocation of
832 full-time employees for the operation, activity, program, or service;
 - 833 (d) historical data from previous years for comparison with data reported under
834 Subsections (2)(b) and (c);
 - 835 (e) goals, challenges, and achievements related to the operation, activity, program, or
836 service;
 - 837 (f) relevant federal and state statutory references and requirements;
 - 838 (g) contact information of officials knowledgeable and responsible for each operation,
839 activity, program, or service; and
 - 840 (h) other information determined by the office that:
 - 841 (i) may be needed, useful, or of historical significance; or
 - 842 (ii) promotes accountability and transparency for each operation, activity, program,
843 or service with the public and elected officials.
- 844 (3) The annual report shall be designed to provide clear, accurate, and accessible

845 information to the public, the governor, and the Legislature.

846 (4) The office shall:

847 (a) submit the annual report in accordance with Section 68-3-14; and

848 (b) make the annual report, and previous annual reports, accessible to the public by
849 placing a link to the reports on the office's website[; ~~and~~] .

850 [~~(e) provide the data and metrics described in Subsection (2)(b) to the talent board.~~]

851 Section 17. Section **63N-2-103** is amended to read:

852 **63N-2-103 . Definitions.**

853 As used in this part:

854 (1)(a) "Business entity" means a person that enters into a written agreement with the
855 office to initiate a new commercial project in Utah that will qualify the person to
856 receive a tax credit under Section 59-7-614.2 or 59-10-1107.

857 (b) With respect to a tax credit authorized by the office in accordance with Subsection
858 63N-2-104.3(2), "business entity" includes a nonprofit entity.

859 (2) "Commercial or industrial zone" means an area zoned agricultural, commercial,
860 industrial, manufacturing, business park, research park, or other appropriate business
861 related use in a general plan that contemplates future growth.

862 (3) "Development zone" means an economic development zone created under Section
863 63N-2-104.

864 (4) "Local government entity" means a county, city, or town.

865 (5) "New commercial project" means an economic development opportunity that:

866 (a) involves a targeted industry; or

867 (b) is located within:

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

869 (ii) a municipality that has a population of 10,000 or less and the municipality is
870 located within a county of the second class[; ~~or~~] .

871 [~~(e) involves an economic development opportunity that the commission determines to
872 be eligible for a tax credit under this part.~~]

873 (6) "Remote work opportunity" means a new commercial project that:

874 (a) does not require a physical office in the state where employees associated with the
875 new commercial project are required to work; and

876 (b) requires employees associated with the new commercial project to:

877 (i) work remotely from a location within the state; and

878 (ii) maintain residency in the state.

- 879 (7) "Significant capital investment" means an investment in capital or fixed assets, which
 880 may include real property, personal property, and other fixtures related to a new
 881 commercial project that represents an expansion of existing operations in the state or
 882 that increases the business entity's existing workforce in the state.
- 883 (8) "Tax credit" means an economic development tax credit created by Section 59-7-614.2
 884 or 59-10-1107.
- 885 (9) "Tax credit amount" means the amount the office lists as a tax credit on a tax credit
 886 certificate for a taxable year.
- 887 (10) "Tax credit certificate" means a certificate issued by the office that:
 888 (a) lists the name of the business entity to which the office authorizes a tax credit;
 889 (b) lists the business entity's taxpayer identification number;
 890 (c) lists the amount of tax credit that the office authorizes the business entity for the
 891 taxable year; and
 892 (d) may include other information as determined by the office.
- 893 (11) "Written agreement" means a written agreement entered into between the office and a
 894 business entity under Section 63N-2-104.2.
- 895 Section 18. Section **63N-2-104.3** is amended to read:
 896 **63N-2-104.3 . Limitations on tax credit amount.**
- 897 (1) Except as provided in Subsection (2)(a), for a new commercial project that is located
 898 within the boundary of a county of the first or second class, the office may not authorize
 899 a tax credit that exceeds:
 900 (a) 50% of the new state revenues from the new commercial project in any given year; or
 901 (b) 30% of the new state revenues from the new commercial project over a period of up
 902 to 20 years[; ~~or~~] .
 903 [~~(c) 35% of the new state revenues from the new commercial project over a period of up~~
 904 ~~to 20 years, if:~~]
 905 [(i) the new commercial project brings 2,500 or more new incremental jobs to the
 906 state;]
 907 [(ii) the amount of capital expenditures associated with the new commercial project is
 908 \$1,000,000,000 or more; and]
 909 [(iii) the commission approves the tax credit.]
- 910 (2) If the office authorizes a tax credit for a new commercial project located within the
 911 boundary of:
 912 (a) a municipality with a population of 10,000 or less located within a county of the

913 second class and that is experiencing economic hardship as determined by the office,
914 the office may authorize a tax credit of up to 50% of new state revenues from the new
915 commercial project over a period of up to 20 years;

916 (b) a county of the third class, the office may authorize a tax credit of up to 50% of new
917 state revenues from the new commercial project over a period of up to 20 years; and

918 (c) a county of the fourth, fifth, or sixth class, the office may authorize a tax credit of
919 50% of new state revenues from the new commercial project over a period of up to
920 20 years.

921 Section 19. Section **63N-2-107** is amended to read:

922 **63N-2-107 . Reports of new state revenue, partial rebates, and tax credits.**

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

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

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

930 (A) sales tax;

931 (B) income tax; and

932 (C) corporate franchise and income tax; and

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

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

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

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

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

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

945 (d) the minimum number of new incremental jobs and high paying jobs that will be
946 created before any tax credit is awarded.

947 (3) At the reasonable request of the Governor's Office of Planning and Budget, the Office
 948 of the Legislative Fiscal Analyst, or the Division of Finance, the office shall provide
 949 additional information about the tax credit, new incremental jobs and high paying jobs,
 950 costs, and economic benefits related to this part, if the information is part of a public
 951 record as defined in Section 63G-2-103.

952 [~~(4) By October 1, the office shall submit to the Economic Development and Workforce
 953 Services Interim Committee, the Business, Economic Development, and Labor
 954 Appropriations Subcommittee, and the governor, a written report that provides an
 955 overview of the implementation and efficacy of the statewide economic development
 956 strategy, including an analysis of the extent to which the office's programs are aligned
 957 with the prevailing economic conditions expected in the next fiscal year.]~~

958 Section 20. Section **63N-16-302** is amended to read:

959 **63N-16-302 . Proactive regulatory relief efforts.**

960 (1) As used in this section:

- 961 (a) "Regulatory framework" means a framework for determining the risk level to the
 962 public if a law or regulation that inhibits the creation or success of new and existing
 963 companies or industries were to be permanently removed or temporarily waived.
 964 (b) "Risk level" means a level of risk categorized from low, medium, and high.

965 (2) The regulatory relief office may:

- 966 (a) review, at any time, any existing state laws or regulations that may unnecessarily
 967 inhibit the creation or success of companies or industries other than the occupational
 968 regulations of individuals reviewed by the Office of Professional Licensure Review
 969 under Title 13, Chapter 1b, Office of Professional Licensure Review; and
 970 (b) provide recommendations to the governor and the Legislature on modifying those
 971 state laws and regulations described in Subsection (2)(a).

972 (3) The regulatory relief office shall:

- 973 (a) create a regulatory framework; and
 974 (b) annually study the laws and regulations of at least two industries selected from:
 975 (i) an industry targeted for economic development by the [~~Unified Economic
 976 Opportunity Commission~~] office as described in Section [~~63N-1a-202~~] 63N-1a-302;
 977 or
 978 (ii) an industry designated by the General Regulatory Sandbox Program Advisory
 979 Committee for study by the regulatory relief office.

980 (4) In undertaking the review described in Subsection [~~(3)~~], (2), the regulatory relief office

- 981 shall:
- 982 (a) identify any law or regulation that the regulatory relief office determines inhibits the
983 creation or success of new and existing companies or industries;
- 984 (b) apply the regulatory framework to the identified law or regulation; and
- 985 (c) consider:
- 986 (i) the history of the identified regulation or law, including the reasons why the
987 regulation or law was originally enacted;
- 988 (ii) whether the identified regulation or law:
- 989 (A) creates an unnecessary barrier to industry for businesses; or
- 990 (B) imposes an unnecessary cost to businesses or consumers;
- 991 (iii) whether the penalty for violation of the regulation or law, if any, is proportional
992 to the potential harm; and
- 993 (iv) if there are potentially less burdensome alternatives to the existing regulation or
994 law and apply the regulatory framework to that alternative.

995 (5) The regulatory relief office shall submit as part of the report described in Section
996 63N-16-105:

- 997 (a) a detailed overview of the regulatory relief office's study of the laws and regulations
998 as described in this section, including the reasons why the laws and regulations of a
999 particular industry were selected for study and the strategy the office implemented to
1000 study the laws and regulations of that industry; and
- 1001 (b) recommended changes to a law or regulation identified by the regulatory relief office
1002 in Subsection (4) that the regulatory relief office determines:
- 1003 (i) is inhibiting the success of businesses, companies, or industries; and
- 1004 (ii) would not present a high risk level to the public if the law or regulation were
1005 permanently removed or temporarily waived.

1006 Section 21. Section **72-1-203** is amended to read:

1007 **72-1-203 . Deputy director -- Appointment -- Qualifications -- Other assistants**
1008 **and advisers -- Salaries.**

- 1009 (1) The executive director shall appoint the following deputy directors, who shall serve at
1010 the discretion of the executive director:
- 1011 (a) the deputy director of engineering and operation, who shall be a registered
1012 professional engineer in the state, and who shall be the chief engineer of the
1013 department; and
- 1014 (b) the deputy director of planning and investment.

- 1015 (2) As assigned by the executive director, the deputy directors described in Subsection (1)
1016 may assist the executive director with the following departmental responsibilities:
- 1017 (a) project development, including statewide standards for project design and
1018 construction, right-of-way, materials, testing, structures, and construction;
 - 1019 (b) oversight of the management of the region offices described in Section 72-1-205;
 - 1020 (c) operations and traffic management;
 - 1021 (d) oversight of operations of motor carriers and ports;
 - 1022 (e) transportation systems safety;
 - 1023 (f) aeronautical operations;
 - 1024 (g) equipment for department engineering and maintenance functions;
 - 1025 (h) oversight and coordination of planning, including:
 - 1026 (i) development of statewide strategic initiatives for planning across all modes of
1027 transportation;
 - 1028 (ii) coordination with metropolitan planning organizations and local governments;
 - 1029 (iii) coordination with a large public transit district, including planning, project
1030 development, outreach, programming, environmental studies and impact
1031 statements, construction, and impacts on public transit operations; and
 - 1032 (iv) corridor and area planning;
 - 1033 (i) asset management;
 - 1034 (j) programming and prioritization of transportation projects;
 - 1035 (k) fulfilling requirements for environmental studies and impact statements;
 - 1036 (l) resource investment, including identification, development, and oversight of
1037 public-private partnership opportunities;
 - 1038 (m) data analytics services to the department;
 - 1039 (n) corridor preservation;
 - 1040 (o) employee development;
 - 1041 (p) maintenance planning;
 - 1042 (q) oversight and facilitation of the negotiations and integration of public transit
1043 providers described in Section 17B-2a-827;
 - 1044 (r) oversight and supervision of any fixed guideway capital development project within
1045 the boundaries of a large public transit district for which any state funds are
1046 expended, including those responsibilities described in Subsections (2)(a), (h), (j),
1047 (k), and (l), and the implementation and enforcement of any federal grant obligations
1048 associated with fixed guideway capital development project funding; and

- 1049 (s) other departmental responsibilities as determined by the executive director.
- 1050 (3) The executive director shall ensure that the same deputy director does not oversee or
- 1051 supervise both the fixed guideway capital development responsibilities described in
- 1052 Subsection (2)(r) and the department's fixed guideway rail safety responsibilities,
- 1053 including the responsibilities described in Section 72-1-214.
- 1054 (4) The executive director shall ensure that the same deputy director does not oversee or
- 1055 supervise both the authorization of a telecommunication provider to have longitudinal
- 1056 access to state right-of-way as described in Section 72-7-108, and the operations and
- 1057 duties of the Utah Broadband Center created in Section 72-19-201.
- 1058 Section 22. Section **72-1-303** is amended to read:
- 1059 **72-1-303 . Duties of commission.**
- 1060 (1) The commission has the following duties:
- 1061 (a) determining priorities and funding levels of projects and programs in the state
- 1062 transportation systems and the capital development of new public transit facilities for
- 1063 each fiscal year based on project lists compiled by the department and taking into
- 1064 consideration the strategic initiatives described in Section 72-1-211;
- 1065 (b) determining additions and deletions to state highways under Chapter 4, Designation
- 1066 of State Highways Act;
- 1067 (c) holding public meetings and otherwise providing for public input in transportation
- 1068 matters;
- 1069 (d) making policies and rules in accordance with Title 63G, Chapter 3, Utah
- 1070 Administrative Rulemaking Act, necessary to perform the commission's duties
- 1071 described under this section;
- 1072 (e) in accordance with Section 63G-4-301, reviewing orders issued by the executive
- 1073 director in adjudicative proceedings held in accordance with Title 63G, Chapter 4,
- 1074 Administrative Procedures Act;
- 1075 (f) advising the department on state transportation systems policy;
- 1076 (g) approving settlement agreements of condemnation cases subject to Section
- 1077 63G-10-401;
- 1078 (h) in accordance with Section 17B-2a-807, appointing a commissioner to serve as a
- 1079 nonvoting member or a voting member on the board of trustees of a public transit
- 1080 district;
- 1081 (i) in accordance with Section 17B-2a-808, reviewing, at least annually, the short-term
- 1082 and long-range public transit plans;

- 1083 (j) determining the priorities and funding levels of public transit innovation grants, as
 1084 defined in Section 72-2-401;[and]
- 1085 (k) approving grant awards administered by the Utah Broadband Center in accordance
 1086 with Section 17-19-301; and
- 1087 [(k)] (l) reviewing administrative rules made, substantively amended, or repealed by the
 1088 department.
- 1089 (2)(a) For projects prioritized with funding provided under Sections 72-2-124 and
 1090 72-2-125, the commission shall annually report to a committee designated by the
 1091 Legislative Management Committee:
- 1092 (i) a prioritized list of the new transportation capacity projects in the state
 1093 transportation system and the funding levels available for those projects; and
 1094 (ii) the unfunded highway construction and maintenance needs within the state.
- 1095 (b) The committee designated by the Legislative Management Committee under
 1096 Subsection (2)(a) shall:
- 1097 (i) review the list reported by the Transportation Commission; and
 1098 (ii) make a recommendation to the Legislature on:
- 1099 (A) the amount of additional funding to allocate to transportation; and
 1100 (B) the source of revenue for the additional funding allocation under Subsection
 1101 (2)(b)(ii)(A).
- 1102 (3) The commission shall review and may approve plans for the construction of a highway
 1103 facility over sovereign lakebed lands in accordance with Chapter 6, Part 3, Approval of
 1104 Highway Facilities on Sovereign Lands Act.
- 1105 (4) One or more associations representing airport operators or pilots in the state shall
 1106 annually report to the commission recommended airport improvement projects and any
 1107 other information related to the associations' expertise and relevant to the commission's
 1108 duties.

1109 Section 23. Section **72-19-101**, which is renumbered from Section 63N-17-102 is renumbered
 1110 and amended to read:

1111 **CHAPTER 19. UTAH BROADBAND CENTER**

1112 **Part 1. General Provisions**

1113 **[63N-17-102] 72-19-101 . Definitions.**

1114 As used in this chapter:

- 1115 (1) "Broadband center" means the Utah Broadband Center created in Section [63N-17-201]

1116 72-19-201.

1117 (2) "Broadband commission" means the Utah Broadband Center Advisory Commission
 1118 created in Section 36-29-109.

1119 [(2)] (3) "Final proposal" means the submission provided by the state to the Assistant
 1120 Secretary of Commerce for Communications and Information as part of the state's
 1121 BEAD Application, as set forth in 47 U.S.C. Sec. 1702(e)(4).

1122 [(3)] (4) "Initial proposal" means the submission provided by the state to the Assistant
 1123 Secretary of Commerce for Communications and Information as part of the state's
 1124 BEAD Application, as set forth in 47 U.S.C. Sec. 1702(e)(3).

1125 [(4)] (5) "Letter of intent" means the submission provided by the state to the Assistant
 1126 Secretary of Commerce for Communications and Information as part of the state's
 1127 BEAD Application, as set forth in 47 U.S.C. Sec. 1702(e)(1)(B).

1128 [(5)] (6) "Public-private partnership" means an arrangement or agreement between a
 1129 government entity and one or more private persons to fund and provide for a public need
 1130 through the development or operation of a public project in which the private person or
 1131 persons share with the government entity the responsibility or risk of developing,
 1132 owning, maintaining, financing, or operating the project.

1133 [(6)] (7) "Subgrantee" means an entity that receives funds from the state under:

1134 (a) the Broadband Access Grant Program created in Section [~~63N-17-301~~] 72-19-301; or

1135 (b) the Broadband Equity Access and Deployment Grant Program created in Section [~~63N-17-401~~]
 1136 72-19-401.

1137 [(7)] (8) "State BEAD application" means a submission by the state for a grant under the
 1138 federal Broadband Equity Access and Deployment Program established under 47 U.S.C.
 1139 Sec. 1702(b), consisting of a letter of intent, initial proposal, and final proposal.

1140 Section 24. Section **72-19-201**, which is renumbered from Section 63N-17-201 is renumbered
 1141 and amended to read:

1142 **Part 2. Utah Broadband Center**

1143 [~~63N-17-201~~] **72-19-201 . Utah Broadband Center -- Creation -- Director --**

1144 **Duties.**

1145 (1) There is created within the [~~office~~] department the Utah Broadband Center.

1146 (2) The executive director shall appoint a director of the broadband center to oversee the
 1147 operations of the broadband center.

1148 (3) The broadband center shall:

1149 (a) ensure that publicly funded broadband projects continue to be publicly accessible and

- 1150 provide a public benefit;
- 1151 (b) develop the statewide digital connectivity plan described in Section [~~63N-17-203~~]
- 1152 72-19-203;
- 1153 (c) carry out the duties described in Section [~~63N-17-202~~] 72-19-202;
- 1154 (d) administer the Broadband Access Grant Program [~~in accordance with Part 3,~~
- 1155 ~~Broadband Access Grant Program~~] created in Section 72-19-301; and
- 1156 (e) administer the Broadband Equity Access and Deployment Grant Program [~~in~~
- 1157 ~~accordance with Part 4, Broadband Equity Access and Deployment Program~~] created
- 1158 in Section 72-19-301.

1159 [~~(f)~~] (4) The broadband center shall ensure efficiency with respect to:

1160 [~~(i)~~] (a) expenditure of funds; and

1161 [~~(ii)~~] (b) avoiding duplication of efforts.

1162 [~~(g)~~] (5) The broadband center shall consider administering broadband infrastructure funds

1163 in a manner that:

1164 [~~(i)~~] (a) efficiently maximizes the leverage of federal funding;

1165 [~~(ii)~~] (b) avoids the use of public funds for broadband facilities that duplicate existing

1166 broadband facilities that already meet or exceed federal standards; and

1167 [~~(iii)~~] (c) accounts for the benefits and costs to the state of existing facilities, equipment,

1168 and services of public and private broadband providers.

1169 Section 25. Section **72-19-202**, which is renumbered from Section 63N-17-202 is renumbered

1170 and amended to read:

1171 [~~63N-17-202~~] **72-19-202 . Infrastructure and broadband coordination.**

1172 (1) The broadband center shall partner with the Utah Geospatial Resource Center created in

1173 Section 63A-16-505 to collect and maintain a database and interactive map that displays

1174 economic development data statewide, including:

1175 (a) voluntarily submitted broadband availability, speeds, and other broadband data;

1176 (b) voluntarily submitted public utility data;

1177 (c) workforce data, including information regarding:

1178 (i) enterprise zones designated under Section 63N-2-206;

1179 (ii) public institutions of higher education; and

1180 (iii) APEX accelerators;

1181 (d) transportation data, which may include information regarding railway routes,

1182 commuter rail routes, airport locations, and major highways;

1183 (e) lifestyle data, which may include information regarding state parks, national parks

1184 and monuments, United States Forest Service boundaries, ski areas, golf courses, and
 1185 hospitals; and

1186 (f) other relevant economic development data as determined by the office, including data
 1187 provided by partner organizations.

1188 (2) The broadband center may:

1189 (a) make recommendations to state and federal agencies, local governments, the
 1190 governor, and the Legislature regarding policies and initiatives that promote the
 1191 development of broadband-related infrastructure in the state and help implement
 1192 those policies and initiatives;

1193 (b) facilitate coordination between broadband providers and public and private entities;

1194 (c) collect and analyze data on broadband availability and usage in the state, including
 1195 Internet speed, capacity, the number of unique visitors, and the availability of
 1196 broadband infrastructure throughout the state;

1197 (d) create a voluntary broadband alliance, which shall include broadband providers and
 1198 other public and private stakeholders, to solicit input on broadband-related policy
 1199 guidance, best practices, and adoption strategies;

1200 (e) work with broadband providers, state and local governments, and other public and
 1201 private stakeholders to facilitate and encourage the expansion and maintenance of
 1202 broadband infrastructure throughout the state; and

1203 (f) in accordance with the requirements of Title 63J, Chapter 5, Federal Funds
 1204 Procedures Act, and in accordance with federal requirements:

1205 (i) apply for federal grants;

1206 (ii) participate in federal programs; and

1207 (iii) administer federally funded broadband-related programs.

1208 Section 26. Section **72-19-203**, which is renumbered from Section 63N-17-203 is renumbered
 1209 and amended to read:

1210 **[63N-17-203] 72-19-203 . Statewide digital connectivity plan.**

1211 As used in this section:

1212 (1) [~~"Commission"~~] "**Broadband commission**" means the Utah Broadband Center Advisory
 1213 Commission created in Section 36-29-109.

1214 (2) "Strategic plan" means the statewide digital connectivity plan created in accordance
 1215 with Subsections [~~(2) and~~](3) **and (4)**.

1216 (3) The broadband center shall develop the strategic plan.

1217 (4) The strategic plan shall include strategies to:

- 1218 (a) implement broadband connectivity statewide;
- 1219 (b) promote digital ~~[equity]~~ access throughout the state;
- 1220 (c) apply for federal infrastructure funds; and
- 1221 (d) apply for additional funds.
- 1222 (5) In developing the strategic plan, the broadband center shall work with the broadband
- 1223 commission.
- 1224 ~~[(6) The broadband center shall provide the commission with quarterly status updates~~
- 1225 ~~regarding:]~~
- 1226 ~~[(a) implementation of the commission's recommendations;]~~
- 1227 ~~[(b) the grant programs created in Sections 63N-17-301 and 63N-17-401, including:]~~
- 1228 ~~[(i) applications received for grant funding;]~~
- 1229 ~~[(ii) grant awards about to be made by the broadband center;]~~
- 1230 ~~[(iii) grant awards made by the broadband center; and]~~
- 1231 ~~[(iv) projects implemented with grant funding;]~~
- 1232 ~~[(e) strategic plan development;]~~
- 1233 ~~[(d) strategic plan implementation;]~~
- 1234 ~~[(e) grants received in addition to those described in Subsection (6)(b);]~~
- 1235 ~~[(f) projects funded in addition to those described in Subsection (6)(b); and]~~
- 1236 ~~[(g) recommendations for legislation.]~~
- 1237 ~~[(7)]~~ (6) The broadband center shall submit the strategic plan to the broadband commission
- 1238 for the broadband commission's recommendation before finalizing the strategic plan.
- 1239 ~~[(8)]~~ (7) On or before October 1 of each year, the broadband center shall report to the
- 1240 broadband commission and the Public Utilities, Energy, and Technology Interim
- 1241 Committee regarding status updates.

1242 Section 27. Section **72-19-301**, which is renumbered from Section 63N-17-301 is renumbered

1243 and amended to read:

1244 **Part 3. Broadband Access Grant Program**

1245 **~~[63N-17-301]~~ 72-19-301 . Creation of Broadband Access Grant Program.**

- 1246 (1) As used in this part:
- 1247 (a) "Eligible applicant" means:
- 1248 (i) a telecommunications provider or an Internet service provider;
- 1249 (ii) a local government entity and one or more private entities, collectively, who are
- 1250 parties to a public-private partnership established for the purpose of expanding
- 1251 affordable broadband access in the state; or

- 1252 (iii) a tribal government.
- 1253 (b) "Underserved area" means an area of the state that is underserved in terms of the
1254 area's access to broadband service, as further defined by rule made by the department
1255 in coordination with the broadband center.
- 1256 (c) "Unserved area" means an area of the state that is unserved in terms of the area's
1257 access to broadband service, as further defined by rule made by the department in
1258 coordination with the broadband center.
- 1259 (2) There is established a grant program known as the Broadband Access Grant Program
1260 that is administered by the broadband center in accordance with this part.
- 1261 (3)(a) The broadband center may award a grant under this part to an eligible applicant
1262 that submits to the broadband center an application that includes a proposed project
1263 to extend broadband service to individuals and businesses in an unserved area or an
1264 underserved area by providing last-mile connections to end users.
- 1265 (b) Subsection (3)(a) does not prohibit the broadband center from awarding a grant for a
1266 proposed project that also includes middle-mile elements that are necessary for the
1267 last-mile connections.
- 1268 (4) In awarding grants under this part, the broadband center shall:
- 1269 (a) based on the following criteria and in the order provided, prioritize proposed projects:
- 1270 (i) located in unserved areas;
- 1271 (ii) located in underserved areas;
- 1272 (iii)(A) that the eligible applicant developed after meaningful engagement with the
1273 impacted community to identify the community's needs and innovative means
1274 of providing a public benefit that addresses the community's needs; and
1275 (B) that include, as a component of the proposed project, a long-term public
1276 benefit to the impacted community developed in response to the eligible
1277 applicant's engagement with the community;
- 1278 (iv) located in an economically distressed area of the state, as measured by indices of
1279 unemployment, poverty, or population loss;
- 1280 (v) that make the greatest investment in last-mile connections;
- 1281 (vi) that provide higher speed broadband access to end users; and
- 1282 (vii) for which the eligible applicant provides at least 25% of the money needed for
1283 the proposed project, with higher priority to proposed projects for which the
1284 eligible applicant provides a greater percentage of the money needed for the
1285 proposed project; and

1286 (b) consider the impact of available funding for the proposed project from other sources,
1287 including money from matching federal grant programs.

1288 (5) For a project that the eligible applicant cannot complete in a single fiscal year, the
1289 broadband center may distribute grant proceeds for the project over the course of the
1290 project's construction.

1291 (6)(a) Before awarding a grant under this part, the broadband center shall present the
1292 application described in Subsection (3) to the Transportation Commission for
1293 approval.

1294 (b) In awarding a grant under this part, the broadband center shall ensure that grant
1295 funds are not used by a subgrantee in a manner that causes competition among
1296 projects that are substantially supported by state funds or federal funds subgranted by
1297 the state[, as determine in accordance with rules made by the broadband center in
1298 accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act].

1299 (7) As provided in and subject to the requirements of Title 63G, Chapter 2, Government
1300 Records Access and Management Act, a record submitted to the broadband center that
1301 contains a trade secret or confidential commercial information described in Subsection
1302 63G-2-305(2) is a protected record.

1303 Section 28. Section **72-19-302**, which is renumbered from Section 63N-17-302 is renumbered
1304 and amended to read:

1305 **[63N-17-302] 72-19-302 . Duties of the broadband center.**

1306 (1) The broadband center shall:

1307 (a) establish an application process by which an eligible applicant may apply for a grant
1308 under this part, which application shall include:

1309 (i) a declaration, signed under penalty of perjury, that the application is complete,
1310 true, and correct; and

1311 (ii) an acknowledgment that the eligible applicant is subject to audit;

1312 (b) establish a method for the broadband center to determine which eligible applicants
1313 qualify to receive a grant;

1314 (c) establish a formula to award grant funds; and

1315 (d) report the information described in Subsections (1)(a) through (c) to the director of
1316 the Division of Finance.

1317 (2) Subject to appropriation, the broadband center shall:

1318 (a) collect applications for grant funds from eligible applicants;

1319 (b) determine which applicants qualify for receiving a grant; and

1320 (c) award the grant funds in accordance with the process established under Subsection (1)
 1321 and in accordance with Section ~~[63N-17-301]~~ 72-19-301.

1322 (3) ~~[In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the~~
 1323 ~~broadband center may make rules to administer the grant program]~~ The department, in
 1324 coordination with the broadband center, may make rules in accordance with Title 63G,
 1325 Chapter 3, Utah Administrative Rulemaking Act, to administer the grant program.

1326 Section 29. Section **72-19-401**, which is renumbered from Section 63N-17-401 is renumbered
 1327 and amended to read:

1328 **Part 4. Broadband Equity Access and Deployment Grant Program**

1329 ~~[63N-17-401]~~ **72-19-401 . Creation of Broadband Equity Access and Deployment**
 1330 **Grant Program.**

1331 (1) There is established a grant program known as the Broadband Equity Access and
 1332 Deployment Grant Program that is administered by the broadband center in accordance
 1333 with:

1334 (a) this part; and

1335 (b) the requirements of the National Telecommunications and Information
 1336 Administration's Broadband Equity Access and Deployment Program, 47 U.S.C. Sec.
 1337 1702 et seq.

1338 (2) The broadband center shall:

1339 (a) prepare and submit the state's Broadband Equity Access and Deployment application,
 1340 including the letter of intent, initial proposal, and final proposal to the National
 1341 Telecommunications and Information Administration;

1342 (b) administer the Broadband Equity Access and Deployment Grant Program in
 1343 accordance with this section and as approved by the National Telecommunications
 1344 and Information Administration;

1345 (c) accept and process an application for subgranted funds; and

1346 ~~[(d) report to the broadband commission quarterly on:]~~

1347 ~~[(i) the progress of the broadband center's submission described in Subsection (2)(a);]~~

1348 ~~[(ii) the administration of the program;]~~

1349 ~~[(iii) applications received for subgranted funding;]~~

1350 ~~[(iv) approved applications for subgranted funds; and]~~

1351 ~~[(v) projects supported by subgranted funds;]~~

1352 ~~[(e)]~~ (d) ensure that a subgrantee complies with the state's final proposal to the National
 1353 Telecommunications and Information Administration~~[; and]~~ .

- 1354 ~~[(f) make rules, in accordance with Title 63G, Chapter 3, Utah Administrative~~
 1355 ~~Rulemaking Act, necessary to administer this section.]~~
- 1356 (3) The department, in coordination with the broadband center, may make rules in
 1357 accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, to
 1358 administer the grant program.
- 1359 ~~[(3) The broadband commission shall give the broadband center recommendations during~~
 1360 ~~the quarterly reports described in Subsection (2)(d).]~~
- 1361 (4) The broadband center may approve an application for subgranted funds if:
- 1362 (a) the application meets the requirements of this section;
- 1363 (b) the application meets any rule made pursuant to this section;
- 1364 (c) the application meets the requirements of the National Telecommunications and
 1365 Information Administration's Broadband Equity Access and Deployment Program, 47
 1366 U.S.C. Sec. 1702 et seq.; and
- 1367 (d) the broadband center has informed the ~~[broadband commission]~~ Transportation
 1368 Commission about the application~~[-as]~~ described in Subsection ~~[(2)(d)]~~ (2)(c).
- 1369 (5) After the broadband center completes a competitive application process for subgranted
 1370 funds but before the broadband center notifies the applicant of the award, the broadband
 1371 center shall present to the ~~[broadband commission]~~ Transportation Commission on the
 1372 subgrant award.

1373 Section 30. **Repealer.**

1374 This bill repeals:

1375 Section **63N-1a-201, Creation of commission.**

1376 Section **63N-1a-202, Commission duties.**

1377 Section **63N-1b-102, Subcommittees generally.**

1378 Section **63N-1b-401, Definitions.**

1379 Section **63N-1b-403, Purpose -- Powers and duties of the subcommittee.**

1380 Section **63N-1b-404, Annual report.**

1381 Section **63N-3-204, Administration -- Grants and loans.**

1382 Section 31. **FY 2026 Appropriations.**

1383 The following sums of money are appropriated for the fiscal year beginning July 1,
 1384 2025, and ending June 30, 2026. These are additions to amounts previously appropriated for
 1385 fiscal year 2026.

1386 Subsection 31(a). **Operating and Capital Budgets**

1387 Under the terms and conditions of Title 63J, Chapter 1, Budgetary Procedures Act, the

1388 Legislature appropriates the following sums of money from the funds or accounts indicated for
 1389 the use and support of the government of the state of Utah.

1390 ITEM 1 To Governor's Office of Economic Opportunity - Economic Prosperity

1391	From General Fund	(553,600)
1392	From Federal Funds	(200,000)
1393	From Dedicated Credits Revenue	(93,700)
1394	Schedule of Programs:	
1395	Business Services	(847,300)

1396 ITEM 2 To Utah Board of Higher Education - Administration

1397	From General Fund	553,600
1398	From Federal Funds	200,000
1399	From Dedicated Credits Revenue	93,700
1400	Schedule of Programs:	
1401	Administration	847,300

1402 The Legislature intends, that if H.B. 542,
 1403 Economic Development Amendments, and H.B. 530,
 1404 Utah Innovation Lab Modifications, both pass and
 1405 become law, on July 1, 2025, the funding appropriated in
 1406 H.B. 542 be transferred to the Utah Board of Higher
 1407 Education for the Nucleus Institute. The Legislature
 1408 further intends that the Office of Legislative Fiscal
 1409 Analyst, when preparing the base budget for the 2026
 1410 General Session, create a new line item titled within the
 1411 Utah Board of Higher Education "Nucleus Institute" and
 1412 transfer the funding for the Utah Board of Education -
 1413 Administration line item to the newly created item.

1414 Section 32. **Effective Date.**
 1415 This bill takes effect on July 1, 2025.