

1 **Development Planning and Coordination Amendments**

2026 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Calvin Roberts

Senate Sponsor: Kirk A. Cullimore

2
3 **LONG TITLE**

4 **General Description:**

5 This bill addresses economic development planning and programs within the Governor's
6 Office of Economic Development.

7 **Highlighted Provisions:**

8 This bill:

- 9 ▸ defines terms and modifies definitions;
- 10 ▸ renames the Governor's Office of Economic Opportunity to the Governor's Office of
11 Economic Development;
- 12 ▸ exempts the Governor's Office of Economic Development from procurement
13 requirements related to the correctional industries division;
- 14 ▸ modifies the duties of the executive director of the Governor's Office of Economic
15 Development (executive director);
- 16 ▸ establishes the Economic Development Council (council);
- 17 ▸ describes the membership of the council;
- 18 ▸ describes the duties of the council;
- 19 ▸ establishes reporting requirements for the council;
- 20 ▸ requires reports to the Economic Development and Workforce Services Interim
21 Committee;
- 22 ▸ includes a coordination clause; and
- 23 ▸ makes technical and conforming changes.

24 **Money Appropriated in this Bill:**

25 None

26 **Other Special Clauses:**

27 This bill provides a special effective date.

28 This bill provides a coordination clause.

29 **Utah Code Sections Affected:**

30 AMENDS:

31 **9-9-104.6 (Effective 05/06/26)**, as last amended by Laws of Utah 2025, Chapter 277

32 **9-9-112 (Effective 05/06/26) (Repealed 12/31/26)**, as last amended by Laws of Utah
33 2025, Chapter 57

34 **10-21-203 (Effective 05/06/26)**, as renumbered and amended by Laws of Utah 2025,
35 First Special Session, Chapter 15

36 **11-17-1.5 (Effective 05/06/26)**, as last amended by Laws of Utah 2010, Chapter 378

37 **11-17-18 (Effective 05/06/26)**, as last amended by Laws of Utah 2021, Chapter 282

38 **11-41-102 (Effective 05/06/26)**, as last amended by Laws of Utah 2025, First Special
39 Session, Chapter 16

40 **11-58-901 (Effective 05/06/26)**, as last amended by Laws of Utah 2023, Chapter 435

41 **11-59-304 (Effective 05/06/26) (Repealed 01/01/29)**, as last amended by Laws of Utah
42 2023, Chapter 263

43 **11-59-501 (Effective 05/06/26) (Repealed 01/01/29)**, as last amended by Laws of Utah
44 2023, Chapters 263, 435

45 **11-65-302 (Effective 05/06/26)**, as last amended by Laws of Utah 2023, Chapter 204

46 **11-65-701 (Effective 05/06/26)**, as enacted by Laws of Utah 2022, Chapter 59

47 **11-70-801 (Effective 05/06/26)**, as enacted by Laws of Utah 2024, Chapter 419

48 **17-78-707 (Effective 05/06/26)**, as renumbered and amended by Laws of Utah 2025,
49 First Special Session, Chapter 14

50 **17C-1-603 (Effective 05/06/26)**, as last amended by Laws of Utah 2025, Chapter 480

51 **17C-1-606 (Effective 05/06/26)**, as last amended by Laws of Utah 2025, Chapter 480

52 **17C-1-1001 (Effective 05/06/26)**, as last amended by Laws of Utah 2025, Chapter 459

53 **17D-1-507 (Effective 05/06/26)**, as last amended by Laws of Utah 2021, Chapter 282

54 **35A-1-104.5 (Effective 05/06/26)**, as last amended by Laws of Utah 2021, Chapter 282

55 **35A-1-201 (Effective 05/06/26)**, as last amended by Laws of Utah 2021, Chapters 282,
56 345 and 382

57 **35A-1-206 (Effective 05/06/26)**, as last amended by Laws of Utah 2025, Chapter 57

58 **35A-4-312 (Effective 05/06/26)**, as last amended by Laws of Utah 2024, Chapter 96

59 **35A-6-105 (Effective 05/06/26)**, as last amended by Laws of Utah 2025, Chapter 271

60 **35A-8-2103 (Effective 05/06/26)**, as last amended by Laws of Utah 2024, Chapter 529

61 **35A-8-2202 (Effective 05/06/26)**, as last amended by Laws of Utah 2022, Chapter 118

62 **46-4-503 (Effective 05/06/26)**, as last amended by Laws of Utah 2021, Chapter 344
63 **49-11-406 (Effective 05/06/26)**, as last amended by Laws of Utah 2024, Chapter 425
64 **49-12-203 (Effective 05/06/26)**, as last amended by Laws of Utah 2025, Chapter 64
65 **49-13-203 (Effective 05/06/26)**, as last amended by Laws of Utah 2025, Chapter 64
66 **49-22-205 (Effective 05/06/26)**, as last amended by Laws of Utah 2025, Chapter 64
67 **53E-1-201 (Effective 05/06/26) (Partially Repealed 07/01/27)**, as last amended by Laws
68 of Utah 2025, First Special Session, Chapter 9
69 **53E-4-308 (Effective 05/06/26)**, as last amended by Laws of Utah 2025, First Special
70 Session, Chapter 9
71 **53H-1-402 (Effective 05/06/26) (Partially Repealed 07/01/27)**, as renumbered and
72 amended by Laws of Utah 2025, First Special Session, Chapter 8
73 **53H-3-305 (Effective 05/06/26)**, as renumbered and amended by Laws of Utah 2025,
74 First Special Session, Chapter 8
75 **53H-4-306.1 (Effective 05/06/26) (Repealed 07/01/28)**, as renumbered and amended by
76 Laws of Utah 2025, First Special Session, Chapter 8
77 **53H-4-306.3 (Effective 05/06/26) (Repealed 07/01/28)**, as renumbered and amended by
78 Laws of Utah 2025, First Special Session, Chapter 8
79 **53H-11-415 (Effective 05/06/26)**, as renumbered and amended by Laws of Utah 2025,
80 First Special Session, Chapter 8
81 **53H-13-301 (Effective 05/06/26)**, as renumbered and amended by Laws of Utah 2025,
82 First Special Session, Chapter 8
83 **53H-13-302 (Effective 05/06/26)**, as renumbered and amended by Laws of Utah 2025,
84 First Special Session, Chapter 8
85 **53H-13-307 (Effective 05/06/26)**, as renumbered and amended by Laws of Utah 2025,
86 First Special Session, Chapter 8
87 **53H-13-309 (Effective 05/06/26)**, as renumbered and amended by Laws of Utah 2025,
88 First Special Session, Chapter 8
89 **53H-13-403 (Effective 05/06/26)**, as renumbered and amended by Laws of Utah 2025,
90 First Special Session, Chapter 8
91 **53H-16-303 (Effective 05/06/26)**, as renumbered and amended by Laws of Utah 2025,
92 First Special Session, Chapter 8
93 **54-4-41 (Effective 05/06/26)**, as last amended by Laws of Utah 2021, Chapters 280, 282
94 **59-1-403 (Effective 05/06/26) (Partially Repealed 07/01/29)**, as last amended by Laws of
95 Utah 2025, Chapters 182, 323, 400, and 498

96 **59-7-159 (Effective 05/06/26) (Partially Repealed 12/31/26)**, as last amended by Laws of
97 Utah 2025, Chapter 292

98 **59-7-614.2 (Effective 05/06/26)**, as last amended by Laws of Utah 2025, Chapter 292

99 **59-7-614.5 (Effective 05/06/26)**, as last amended by Laws of Utah 2025, Chapter 292

100 **59-7-614.10 (Effective 05/06/26) (Repealed 12/31/26)**, as last amended by Laws of Utah
101 2025, Chapters 182, 292

102 **59-7-621 (Effective 05/06/26)**, as last amended by Laws of Utah 2022, Chapter 195

103 **59-10-137 (Effective 05/06/26) (Partially Repealed 12/31/26)**, as last amended by Laws
104 of Utah 2025, Chapter 292

105 **59-10-1025 (Effective 05/06/26)**, as last amended by Laws of Utah 2025, Chapter 292

106 **59-10-1037 (Effective 05/06/26) (Repealed 12/31/26)**, as last amended by Laws of Utah
107 2025, Chapters 182, 292

108 **59-10-1038 (Effective 05/06/26)**, as last amended by Laws of Utah 2022, Chapter 195

109 **59-10-1107 (Effective 05/06/26)**, as last amended by Laws of Utah 2025, Chapter 292

110 **59-10-1108 (Effective 05/06/26)**, as last amended by Laws of Utah 2025, Chapter 292

111 **63A-5b-403 (Effective 05/06/26)**, as last amended by Laws of Utah 2025, First Special
112 Session, Chapter 9

113 **63B-5-201 (Effective 05/06/26)**, as last amended by Laws of Utah 2025, First Special
114 Session, Chapter 9

115 **63B-18-401 (Effective 05/06/26)**, as last amended by Laws of Utah 2021, Chapter 282

116 **63B-24-201 (Effective 05/06/26)**, as last amended by Laws of Utah 2021, Chapter 282

117 **63B-30-101 (Effective 05/06/26)**, as enacted by Laws of Utah 2020, Third Special
118 Session, Chapter 2

119 **63C-4a-202 (Effective 05/06/26) (Repealed 07/01/28)**, as last amended by Laws of Utah
120 2014, Chapter 387

121 **63C-27-201 (Effective 05/06/26) (Repealed 07/01/32)**, as enacted by Laws of Utah 2022,
122 Chapter 153

123 **63G-2-305 (Effective 05/06/26)**, as last amended by Laws of Utah 2025, First Special
124 Session, Chapter 17

125 **63G-4-102 (Effective 05/06/26)**, as last amended by Laws of Utah 2025, Chapters 14,
126 260 and 340

127 **63G-6a-804 (Effective 05/06/26)**, as last amended by Laws of Utah 2024, Chapter 159

128 **63G-21-102 (Effective 05/06/26) (Repealed 07/01/28)**, as last amended by Laws of Utah
129 2021, Chapters 282, 344

130 **63G-21-201 (Effective 05/06/26) (Repealed 07/01/28)**, as last amended by Laws of Utah
131 2023, Chapter 34

132 **63H-1-801 (Effective 05/06/26)**, as last amended by Laws of Utah 2021, Chapter 282

133 **63J-1-602.2 (Effective 05/06/26) (Partially Repealed 07/01/29)**, as last amended by Laws
134 of Utah 2025, First Special Session, Chapter 17

135 **63L-2-301 (Effective 05/06/26)**, as last amended by Laws of Utah 2022, Chapter 362

136 **63L-11-402 (Effective 05/06/26) (Repealed 07/01/27)**, as last amended by Laws of Utah
137 2025, Chapter 140

138 **63M-5-306 (Effective 05/06/26)**, as last amended by Laws of Utah 2021, Chapter 282

139 **63M-11-201 (Effective 05/06/26) (Repealed 07/01/26)**, as last amended by Laws of Utah
140 2021, Chapters 196, 282

141 **63N-1a-102 (Effective 05/06/26)**, as last amended by Laws of Utah 2025, Chapter 512

142 **63N-1a-103 (Effective 05/06/26)**, as last amended by Laws of Utah 2024, Chapter 159

143 **63N-1a-301 (Effective 05/06/26)**, as last amended by Laws of Utah 2025, Chapter 512

144 **63N-1a-303 (Effective 05/06/26)**, as last amended by Laws of Utah 2025, Chapter 512

145 **63N-1a-401 (Effective 05/06/26)**, as last amended by Laws of Utah 2025, Chapter 512

146 **63N-1a-402 (Effective 05/06/26)**, as last amended by Laws of Utah 2024, Chapter 159

147 **63N-2-104.2 (Effective 05/06/26)**, as last amended by Laws of Utah 2024, Chapters 159,
148 316

149 **63N-2-504 (Effective 05/06/26)**, as last amended by Laws of Utah 2024, Chapter 159

150 **63N-2-512 (Effective 05/06/26) (Superseded 07/01/26)**, as last amended by Laws of
151 Utah 2025, First Special Session, Chapter 17

152 **63N-2-512 (Effective 07/01/26) (Repealed 07/01/28)**, as last amended by Laws of Utah
153 2025, Chapter 285

154 **63N-2-808 (Effective 05/06/26)**, as last amended by Laws of Utah 2024, Chapter 159

155 **63N-3-112 (Effective 05/06/26)**, as last amended by Laws of Utah 2024, Chapter 159

156 **63N-3-603 (Effective 05/06/26)**, as last amended by Laws of Utah 2025, First Special
157 Session, Chapter 15

158 **63N-3-603.1 (Effective 05/06/26)**, as enacted by Laws of Utah 2025, Chapter 29

159 **63N-3-604 (Effective 05/06/26)**, as last amended by Laws of Utah 2025, Chapter 29

160 **63N-3-604.1 (Effective 05/06/26)**, as enacted by Laws of Utah 2025, Chapter 29

161 **63N-3-605 (Effective 05/06/26)**, as last amended by Laws of Utah 2025, Chapter 29

162 **63N-3-606 (Effective 05/06/26)**, as last amended by Laws of Utah 2025, Chapter 29

163 **63N-3-610.1 (Effective 05/06/26)**, as enacted by Laws of Utah 2025, Chapter 29

164 **63N-3-611 (Effective 05/06/26)**, as last amended by Laws of Utah 2025, Chapter 29
165 **63N-3-1101 (Effective 05/06/26) (Repealed 07/01/28)**, as last amended by Laws of Utah
166 2024, Chapter 159
167 **63N-3-1102 (Effective 05/06/26) (Repealed 07/01/28)**, as last amended by Laws of Utah
168 2024, Chapter 159
169 **63N-3-1602 (Effective 05/06/26)**, as last amended by Laws of Utah 2025, First Special
170 Session, Chapter 15
171 **63N-3-1603 (Effective 05/06/26)**, as enacted by Laws of Utah 2024, Chapter 537
172 **63N-3-1604 (Effective 05/06/26)**, as enacted by Laws of Utah 2024, Chapter 537
173 **63N-3-1702 (Effective 05/06/26)**, as enacted by Laws of Utah 2025, Chapter 495
174 **63N-4-103 (Effective 05/06/26)**, as last amended by Laws of Utah 2024, Chapter 159
175 **63N-4-104 (Effective 05/06/26)**, as last amended by Laws of Utah 2024, Chapter 159
176 **63N-7-102 (Effective 05/06/26) (Partially Repealed 07/01/30)**, as last amended by Laws
177 of Utah 2024, Chapter 159
178 **63N-16-102 (Effective 05/06/26)**, as last amended by Laws of Utah 2024, Chapter 400
179 **63N-16-301 (Effective 05/06/26)**, as last amended by Laws of Utah 2024, Chapter 159
180 **63N-18-201 (Effective 05/06/26)**, as renumbered and amended by Laws of Utah 2023,
181 Chapter 499
182 **63N-20-101 (Effective 05/06/26)**, as last amended by Laws of Utah 2023, Chapters 252,
183 328 and renumbered and amended by Laws of Utah 2023, Chapter 380
184 **67-1-2 (Effective 05/06/26)**, as last amended by Laws of Utah 2023, Chapter 250
185 **67-3-1 (Effective 05/06/26)**, as last amended by Laws of Utah 2025, First Special
186 Session, Chapter 17
187 **67-22-2 (Effective 05/06/26)**, as last amended by Laws of Utah 2025, Chapter 232
188 **71A-9-303 (Effective 05/06/26)**, as enacted by Laws of Utah 2025, Chapter 71
189 **72-1-209 (Effective 05/06/26)**, as last amended by Laws of Utah 2021, Chapter 282
190 **72-2-503 (Effective 05/06/26)**, as enacted by Laws of Utah 2025, Chapter 502
191 **72-4-302 (Effective 05/06/26) (Repealed 01/02/30)**, as last amended by Laws of Utah
192 2021, Chapters 184, 280 and 282
193 **72-7-504 (Effective 05/06/26)**, as last amended by Laws of Utah 2021, Chapter 282
194 **79-6-902 (Effective 05/06/26)**, as last amended by Laws of Utah 2025, First Special
195 Session, Chapter 17
196 **79-7-203 (Effective 05/06/26)**, as last amended by Laws of Utah 2025, Chapter 270

197 ENACTS:

198 **63N-1a-501 (Effective 05/06/26)**, Utah Code Annotated 1953

199 **63N-1a-502 (Effective 05/06/26)**, Utah Code Annotated 1953

200 **63N-1a-503 (Effective 05/06/26)**, Utah Code Annotated 1953

201

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

203 Section 1. Section **9-9-104.6** is amended to read:

204 **9-9-104.6 (Effective 05/06/26). Participation of state agencies in meetings with**
 205 **tribal leaders -- Contact information.**

206 (1) For at least three of the joint meetings described in Subsection 9-9-104.5(2)(a), the
 207 division shall coordinate with representatives of tribal governments and the entities
 208 listed in Subsection (2) to provide for the broadest participation possible in the joint
 209 meetings.

210 (2) The following may participate in all meetings described in Subsection (1):

211 (a) the chairs of the Native American Legislative Liaison Committee created in Section
 212 36-22-1;

213 (b) the governor or the governor's designee;

214 (c) the American Indian-Alaska Native Public Education Liaison appointed in
 215 accordance with Section 53F-5-604; and

216 (d) a representative appointed by the chief administrative officer of the following:

217 (i) the Department of Health and Human Services;

218 (ii) the Department of Natural Resources;

219 (iii) the Department of Workforce Services;

220 (iv) the Governor's Office of Economic [Opportunity] Development;

221 (v) the State Board of Education; and

222 (vi) the Utah Board of Higher Education.

223 (3)(a) The chief administrative officer of the agencies listed in Subsection (3)(b) shall:

224 (i) designate the name of a contact person for that agency that can assist in
 225 coordinating the efforts of state and tribal governments in meeting the needs of the
 226 Native Americans residing in the state; and

227 (ii) notify the division:

228 (A) who is the designated contact person described in Subsection (3)(a)(i); and

229 (B) of any change in who is the designated contact person described in Subsection

230 (3)(a)(i).

231 (b) This Subsection (3) applies to:

- 232 (i) the Department of Agriculture and Food;
- 233 (ii) the Department of Cultural and Community Engagement;
- 234 (iii) the Department of Corrections;
- 235 (iv) the Department of Environmental Quality;
- 236 (v) the Department of Public Safety;
- 237 (vi) the Department of Transportation;
- 238 (vii) the Office of the Attorney General;
- 239 (viii) the State Tax Commission; and
- 240 (ix) any individual or agency described in Subsections (2)(c) through (d).
- 241 (c) At the request of the division, a contact person listed in Subsection (3)(a)(i) may
- 242 participate in a meeting described in Subsection (1).
- 243 (4)(a) A participant under this section who is not a legislator may not receive
- 244 compensation or benefits for the participant's service, but may receive per diem and
- 245 travel expenses as allowed in:
- 246 (i) Section 63A-3-106;
- 247 (ii) Section 63A-3-107; and
- 248 (iii) rules made by the Division of Finance according to Sections 63A-3-106 and
- 249 63A-3-107.
- 250 (b) Compensation and expenses of a participant who is a legislator are governed by
- 251 Section 36-2-2 and Legislative Joint Rules, Title 5, Legislative Compensation and
- 252 Expenses.
- 253 Section 2. Section **9-9-112** is amended to read:
- 254 **9-9-112 (Effective 05/06/26) (Repealed 12/31/26). Bears Ears Visitor Center**
- 255 **Advisory Committee.**
- 256 (1) Utah extends an invitation to the Navajo Nation, the Ute Mountain Ute Tribe, the Hopi
- 257 Nation, the Zuni Tribe, and the Ute Indian Tribe of the Uintah Ouray to form an
- 258 advisory committee for the purpose of exploring the feasibility, location, functions, and
- 259 other important matters surrounding the creation of a visitor center at Bears Ears.
- 260 (2) As used in this section:
- 261 (a) "Advisory committee" means the Bears Ears Visitor Center Advisory Committee
- 262 created by this section.
- 263 (b) "Bears Ears" means the Bears Ears National Monument.
- 264 (3)(a) Subject to Subsection (3)(b), there is created the Bears Ears Visitor Center
- 265 Advisory Committee consisting of the following voting members:

- 266 (i) a representative of the Navajo Nation, appointed by the Navajo Nation;
267 (ii) a representative of the Ute Mountain Ute Tribe, appointed by the Ute Mountain
268 Ute Tribe;
269 (iii) a representative of the Hopi Nation, appointed by the Hopi Nation;
270 (iv) a representative of the Zuni Tribe, appointed by the Zuni Tribe; and
271 (v) a representative of the Ute Indian Tribe of the Uintah Ouray, appointed by the Ute
272 Indian Tribe of the Uintah Ouray.
- 273 (b) The advisory committee is formed when all of the tribes described in Subsection (1)
274 have communicated to the other tribes and to the Division of Indian Affairs that the
275 tribe has appointed a member to the advisory committee.
- 276 (c)(i) The president of the Senate and the speaker of the House of Representatives
277 may each appoint to the advisory committee one nonvoting individual.
278 (ii) If an individual appointed under Subsection (3)(c)(i) is a member of the
279 Legislature, the member serves as a member of the public and not in the member's
280 legislative capacity.
- 281 (4) The advisory committee may select from the advisory committee members the chair or
282 other officers of the advisory committee.
- 283 (5)(a) If a vacancy occurs in the membership of the advisory committee appointed under
284 Subsection (3), the member shall be replaced in the same manner in which the
285 original appointment was made.
- 286 (b) A member appointed under Subsection (3) serves until the member's successor is
287 appointed and qualified.
- 288 (6)(a) A majority of the voting members of the advisory committee constitutes a quorum.
289 (b) The action of a majority of a quorum constitutes an action of the advisory committee.
- 290 (7) An advisory committee member may not receive compensation or benefits for the
291 member's service on the advisory committee, but may receive per diem and
292 reimbursement for travel expenses incurred as an advisory committee member at the
293 rates established by the Division of Finance under:
- 294 (a) Sections 63A-3-106 and 63A-3-107; and
295 (b) rules made by the Division of Finance pursuant to Sections 63A-3-106 and
296 63A-3-107.
- 297 (8) The advisory committee may invite the United States Forest Service, the Bureau of
298 Land Management, the Division of State Parks, the Division of Outdoor Recreation, and
299 the Utah Office of Tourism within the Governor's Office of Economic [Opportunity]

- 300 Development, to serve as technical advisors to the advisory committee.
- 301 (9) The Division of Indian Affairs shall staff the advisory committee.
- 302 (10) The advisory committee shall study and make recommendations concerning:
- 303 (a) the need for a visitor center associated with Bears Ears;
- 304 (b) the feasibility of a visitor center associated with Bears Ears, including investigating:
- 305 (i) potential locations for the visitor center;
- 306 (ii) purposes for the visitor center; and
- 307 (iii) sources of funding to build and maintain the visitor center;
- 308 (c) whether a visitor center will increase visitorship to Bears Ears; and
- 309 (d) whether a visitor center at Bears Ears could function as a repository of traditional
- 310 knowledge and practices.
- 311 (11) The advisory committee may contract with one or more consultants to conduct work
- 312 related to the issues raised in Subsection (10) if the Legislature appropriates money
- 313 expressly for the purpose of the advisory committee contracting with a consultant.
- 314 (12) The advisory committee shall hold at least one public hearing to obtain public
- 315 comment on the creation of a Bears Ears visitor center.
- 316 (13) The advisory committee shall report the advisory committee's recommendations to one
- 317 or more of the following:
- 318 (a) the Economic Development and Workforce Services Interim Committee;
- 319 (b) the House Economic Development and Workforce Services Committee; or
- 320 (c) the Senate Economic Development and Workforce Services Committee.

321 Section 3. Section **10-21-203** is amended to read:

322 **10-21-203 (Effective 05/06/26). Station area plan requirements -- Contents --**

323 **Review and certification by applicable metropolitan planning organization.**

- 324 (1)(a) Subject to the requirements of this section, a municipality that has a fixed
- 325 guideway public transit station located within the municipality's boundaries shall, for
- 326 the station area:
- 327 (i) develop and adopt a station area plan; and
- 328 (ii) adopt any appropriate land use regulations to implement the station area plan.
- 329 (b) The requirements of Subsection (1)(a) shall be considered satisfied if:
- 330 (i)(A) the municipality has already adopted plans or ordinances, approved land use
- 331 applications, approved agreements or financing, or investments have been
- 332 made, before June 1, 2022, that substantially promote each of the objectives in
- 333 Subsection (6)(a) within the station area, and can demonstrate that such plans,

- 334 ordinances, approved land use applications, approved agreements or financing,
335 or investments are still relevant to making meaningful progress towards
336 achieving such objectives; and
- 337 (B) the municipality adopts a resolution finding that the objectives of Subsection
338 (6)(a) have been substantially promoted; or
- 339 (ii)(A) the municipality has determined that conditions exist that make satisfying a
340 portion or all of the requirements of Subsection (1)(a) for a station area
341 impracticable, including conditions that relate to existing development,
342 entitlements, land ownership, land uses that make opportunities for new
343 development and long-term redevelopment infeasible, environmental
344 limitations, market readiness, development impediment conditions, or other
345 similar conditions; and
- 346 (B) the municipality adopts a resolution describing the conditions that exist to
347 make satisfying the requirements of Subsection (1)(a) impracticable.
- 348 (c) To the extent that previous actions by a municipality do not satisfy the requirements
349 of Subsection (1)(a) for a station area, the municipality shall take the actions
350 necessary to satisfy those requirements.
- 351 (2)(a) A municipality that has a new fixed guideway public transit station located within
352 the municipality's boundaries shall satisfy the requirements of Subsection (1)(a) for
353 the station area surrounding the new fixed guideway public transit station before the
354 new fixed guideway public transit station begins transit services.
- 355 (b) Except as provided in Subsections (2)(c) and (d), a municipality that has an existing
356 fixed guideway public transit station located within the municipality's boundaries
357 shall satisfy the requirements of Subsection (1)(a) for the station area surrounding the
358 existing fixed guideway public transit station on or before December 31, 2025.
- 359 (c) If a municipality has more than four existing fixed guideway public transit stations
360 located within the municipality's boundaries, the municipality shall:
- 361 (i) on or before December 31, 2025, satisfy the requirements of Subsection (1)(a) for
362 four or more station areas located within the municipality; and
- 363 (ii) on or before December 31 of each year thereafter, satisfy the requirements of
364 Subsection (1)(a) for no less than two station areas located within the municipality
365 until the municipality has satisfied the requirements of Subsection (1)(a) for each
366 station area located within the municipality.
- 367 (d)(i) Subject to Subsection (2)(d)(ii):

- 368 (A) if a municipality receives a complete qualifying land use petition on or before
369 July 1, 2022, the municipality shall satisfy the requirements of Subsection
370 (1)(a) for the station area in which the development is proposed on or before
371 July 1, 2023; and
- 372 (B) if a municipality receives a complete qualifying land use petition after July 1,
373 2022, the municipality shall satisfy the requirements of Subsection (1)(a) for
374 the station area in which the development is proposed within a 12-month
375 period beginning on the first day of the month immediately following the
376 month in which the qualifying land use petition is submitted to the
377 municipality, and shall notify the applicable metropolitan planning
378 organization of the receipt of the qualified land use petition within 45 days of
379 the date of receipt.
- 380 (ii)(A) A municipality is not required to satisfy the requirements of Subsection
381 (1)(a) for more than two station areas under Subsection (2)(d)(i) within any
382 12-month period.
- 383 (B) If a municipality receives more than two complete qualifying land use
384 petitions on or before July 1, 2022, the municipality shall select two station
385 areas for which the municipality will satisfy the requirements of Subsection
386 (1)(a) in accordance with Subsection (2)(d)(i)(A).
- 387 (iii) A municipality shall process on a first priority basis a land use application,
388 including an application for a building permit, if:
- 389 (A) the land use application is for a residential use within a station area for which
390 the municipality has not satisfied the requirements of Subsection (1)(a); and
391 (B) the municipality would be required to change a zoning designation for the
392 land use application to be approved.
- 393 (e) Notwithstanding Subsections (2)(a) through (d), the time period for satisfying the
394 requirements of Subsection (1)(a) for a station area may be extended once for a
395 period of 12 months if:
- 396 (i) the municipality demonstrates to the applicable metropolitan planning
397 organization that conditions exist that make satisfying the requirements of
398 Subsection (1)(a) within the required time period infeasible, despite the
399 municipality's good faith efforts; and
- 400 (ii) the applicable metropolitan planning organization certifies to the municipality in
401 writing that the municipality satisfied the demonstration in Subsection (2)(e)(i).

- 402 (3)(a) Except as provided in Subsection (3)(b), if a station area is included within the
403 boundaries of more than one municipality, each municipality with jurisdiction over
404 the station area shall satisfy the requirements of Subsection (1)(a) for the portion of
405 the station area over which the municipality has jurisdiction.
- 406 (b) Two or more municipalities with jurisdiction over a station area may coordinate to
407 develop a shared station area plan for the entire station area.
- 408 (4) A municipality that has more than one fixed guideway public transit station located
409 within the municipality may, through an integrated process, develop station area plans
410 for multiple station areas if the station areas are within close proximity of each other.
- 411 (5)(a) A municipality that is required to develop and adopt a station area plan under this
412 section may request technical assistance from the applicable metropolitan planning
413 organization.
- 414 (b) An applicable metropolitan planning organization that receives funds from the
415 Governor's Office of Economic [Opportunity] Development under Section 63N-3-113
416 shall, when utilizing the funds, give priority consideration to requests for technical
417 assistance for station area plans required under Subsection (2)(d).
- 418 (6)(a) A station area plan shall promote the following objectives within the station area:
419 (i) increasing the availability and affordability of housing, including moderate
420 income housing;
421 (ii) promoting sustainable environmental conditions;
422 (iii) enhancing access to opportunities; and
423 (iv) increasing transportation choices and connections.
- 424 (b)(i) To promote the objective described in Subsection (6)(a)(i), a municipality may
425 consider implementing the following actions:
426 (A) aligning the station area plan with the moderate income housing element of
427 the municipality's general plan;
428 (B) providing for densities necessary to facilitate the development of moderate
429 income housing;
430 (C) providing for affordable costs of living in connection with housing,
431 transportation, and parking; or
432 (D) any other similar action that promotes the objective described in Subsection
433 (6)(a)(i).
- 434 (ii) To promote the objective described in Subsection (6)(a)(ii), a municipality may
435 consider implementing the following actions:

- 436 (A) conserving water resources through efficient land use;
- 437 (B) improving air quality by reducing fuel consumption and motor vehicle trips;
- 438 (C) establishing parks, open spaces, and recreational opportunities; or
- 439 (D) any other similar action that promotes the objective described in Subsection
- 440 (6)(a)(ii).
- 441 (iii) To promote the objective described in Subsection (6)(a)(iii), a municipality may
- 442 consider the following actions:
- 443 (A) maintaining and improving the connections between housing, transit,
- 444 employment, education, recreation, and commerce;
- 445 (B) encouraging mixed-use development;
- 446 (C) enabling employment and educational opportunities within the station area;
- 447 (D) encouraging and promoting enhanced broadband connectivity; or
- 448 (E) any other similar action that promotes the objective described in Subsection
- 449 (6)(a)(iii).
- 450 (iv) To promote the objective described in Subsection (6)(a)(iv), a municipality may
- 451 consider the following:
- 452 (A) supporting investment in infrastructure for all modes of transportation;
- 453 (B) increasing utilization of public transit;
- 454 (C) encouraging safe streets through the designation of pedestrian walkways and
- 455 bicycle lanes;
- 456 (D) encouraging manageable and reliable traffic conditions;
- 457 (E) aligning the station area plan with the regional transportation plan of the
- 458 applicable metropolitan planning organization; or
- 459 (F) any other similar action that promotes the objective described in Subsection
- 460 (6)(a)(iv).
- 461 (7) A station area plan shall include the following components:
- 462 (a) a station area vision that:
- 463 (i) is consistent with Subsection (6); and
- 464 (ii) describes the following:
- 465 (A) opportunities for the development of land within the station area under
- 466 existing conditions;
- 467 (B) constraints on the development of land within the station area under existing
- 468 conditions;
- 469 (C) the municipality's objectives for the transportation system within the station

- 470 area and the future transportation system that meets those objectives;
- 471 (D) the municipality's objectives for land uses within the station area and the
- 472 future land uses that meet those objectives;
- 473 (E) the municipality's objectives for public and open spaces within the station area
- 474 and the future public and open spaces that meet those objectives; and
- 475 (F) the municipality's objectives for the development of land within the station
- 476 area and the future development standards that meet those objectives;
- 477 (b) a map that depicts:
- 478 (i) the station area;
- 479 (ii) the area within the station area to which the station area plan applies, provided
- 480 that the station area plan may apply to areas outside the station area, and the
- 481 station area plan is not required to apply to the entire station area; and
- 482 (iii) the area where each action is needed to implement the station area plan;
- 483 (c) an implementation plan that identifies and describes each action needed within the
- 484 next five years to implement the station area plan, and the party responsible for
- 485 taking each action, including any actions to:
- 486 (i) modify land use regulations;
- 487 (ii) make infrastructure improvements;
- 488 (iii) modify deeds or other relevant legal documents;
- 489 (iv) secure funding or develop funding strategies;
- 490 (v) establish design standards for development within the station area; or
- 491 (vi) provide environmental remediation;
- 492 (d) a statement that explains how the station area plan promotes the objectives described
- 493 in Subsection (6)(a); and
- 494 (e) as an alternative or supplement to the requirements of Subsection (6) or this
- 495 Subsection (7), and for purposes of Subsection (1)(b)(ii), a statement that describes
- 496 any conditions that would make the following impracticable:
- 497 (i) promoting the objectives described in Subsection (6)(a); or
- 498 (ii) satisfying the requirements of this Subsection (7).
- 499 (8) A municipality shall develop a station area plan with the involvement of all relevant
- 500 stakeholders that have an interest in the station area through public outreach and
- 501 community engagement, including:
- 502 (a) other impacted communities;
- 503 (b) the applicable public transit district;

- 504 (c) the applicable metropolitan planning organization;
- 505 (d) the Department of Transportation;
- 506 (e) owners of property within the station area; and
- 507 (f) the municipality's residents and business owners.
- 508 (9)(a) A municipality that is required to develop and adopt a station area plan for a
- 509 station area under this section shall submit to the applicable metropolitan planning
- 510 organization and the applicable public transit district documentation evidencing that
- 511 the municipality has satisfied the requirement of Subsection (1)(a)(i) for the station
- 512 area, including:
- 513 (i) a station area plan; or
- 514 (ii) a resolution adopted under Subsection (1)(b)(i) or (ii).
- 515 (b) The applicable metropolitan planning organization, in consultation with the
- 516 applicable public transit district, shall:
- 517 (i) review the documentation submitted under Subsection (9)(a) to determine the
- 518 municipality's compliance with this section; and
- 519 (ii) provide written certification to the municipality if the applicable metropolitan
- 520 planning organization determines that the municipality has satisfied the
- 521 requirement of Subsection (1)(a)(i) for the station area.
- 522 (c) The municipality shall include the certification described in Subsection (9)(b)(ii) in
- 523 the municipality's report to the Department of Workforce Services under Section
- 524 10-21-202.
- 525 (10)(a) Following certification by a metropolitan planning organization of a
- 526 municipality's station area plan under Subsection (9)(b)(ii), the municipality shall
- 527 provide a report to the applicable metropolitan planning organization on or before
- 528 December 31 of the fifth year after the year in which the station area plan was
- 529 certified, and every five years thereafter for a period not to exceed 15 years.
- 530 (b) The report described in Subsection (10)(a) shall:
- 531 (i) contain the status of advancing the station area plan objectives, including, if
- 532 applicable, actions described in the implementation plan required in Subsection
- 533 (7)(c); and
- 534 (ii) identify potential actions over the next five years that would advance the station
- 535 area plan objectives.
- 536 (c) If a municipality has multiple certified station area plans, the municipality may
- 537 consolidate the reports required in Subsection (10)(a) for the purpose of submitting

538 reports to the metropolitan planning organization.

539 Section 4. Section **11-17-1.5** is amended to read:

540 **11-17-1.5 (Effective 05/06/26). Purpose of chapter.**

541 (1)(a) The purposes of this chapter are to stimulate the economic growth of the state, to
542 promote employment and achieve greater industrial development in the state, to
543 maintain or enlarge domestic or foreign markets for Utah industrial products, to
544 authorize municipalities and counties in the state to facilitate capital formation,
545 finance, acquire, own, lease, or sell projects for the purpose of reducing, abating, or
546 preventing pollution and to protect and promote the health, welfare, and safety of the
547 citizens of the state and to improve local health and the general welfare by inducing
548 corporations, persons, or entities engaged in health care services, including hospitals,
549 nursing homes, extended care facilities, facilities for the care of persons with a
550 physical or mental disability, and administrative and support facilities, to locate,
551 relocate, modernize, or expand in this state and to assist in the formation of
552 investment capital with respect thereto.

553 (b) The Legislature declares that the acquisition or financing, or both, of projects under [
554 ~~the Utah Industrial Facilities and Development Act~~] this chapter and the issuance of
555 bonds under [it] this chapter constitutes a proper public purpose.

556 (2)(a) It is declared that the policy of the state is to encourage the development of free
557 enterprise and entrepreneurship for the purpose of the expansion of employment
558 opportunities and economic development.

559 (b) It is declared that there exists in the state an inadequate amount of locally managed,
560 pooled venture capital in the private sector available to invest in early stage
561 businesses having high growth potential and that can provide jobs for Utah citizens.

562 (c) It is found that venture capital is required for healthy economic development of
563 sectors of the economy having high growth and employment potential.

564 (d) It is further found that the public economic development purposes of the state[~~and its~~] ,
565 counties, and municipalities can be fostered by the sale of industrial revenue bonds
566 for the purpose of providing funding for locally managed, pooled new venture and
567 economic development funds in accordance with the provisions of this chapter.

568 (e) It is declared that in order to assure adequate investment of private capital for these
569 uses, cooperation between private enterprise and state and local government is
570 necessary and in the public interest and that the facilitation of capital accumulation is
571 the appropriate activity of[~~the counties and municipalities of this state and also of~~] :

- 572 (i) a county;
- 573 (ii) a municipality; and
- 574 (iii) the Governor's Office of Economic ~~[Opportunity]~~ Development.
- 575 (f) It is found that venture capital funds historically, because of the more intensive
- 576 nature of their relationship with companies in which ~~[they]~~ the funds invest, tend to
- 577 concentrate ~~[their-]~~investments within a relatively close geographical area to their
- 578 headquarters location.
- 579 (g)(i) It is found and declared that investors in economic development or new venture
- 580 investment funds require for the overall security of their investments reasonable
- 581 diversification of investment portfolios and that, in the course of this
- 582 diversification, investments are often syndicated or jointly made among several
- 583 financial institutions or funds.
- 584 (ii) It is expressly found and declared that an economic development or new venture
- 585 investment fund shall, from time to time for ~~[its-]~~optimal profitability and
- 586 efficiency~~[-()~~ , which are important for the security and profit of bond purchasers
- 587 providing funds therefor~~)]~~ , cooperate with others who may be located outside of [
- 588 ~~Utah]~~ the state or the county or municipality where the fund is headquartered in the
- 589 making of investments and ~~[that the fund shall]~~be free in the interests of
- 590 reciprocal relationships with other financial institutions and diversification of risks
- 591 to invest from time to time in enterprises that are located outside of [~~Utah]~~ the state
- 592 or the counties or municipalities.
- 593 (iii) It is specifically found that ~~[such-]~~activity by a locally managed fund, funded in
- 594 whole or in part with the proceeds of bonds sold under this chapter, is within the
- 595 public purposes of the state and any county or municipality offering the bonds,
- 596 provided that the fund locates within [~~Utah]~~ the state or the county or municipality [
- 597 ~~its]~~ the fund's headquarters where ~~[its]~~ the fund's actual investment decisions and
- 598 management functions occur and limits the aggregate amount of ~~[its]~~ the fund's
- 599 investments in companies located outside of [~~Utah]~~ the state to an amount that in
- 600 the aggregate does not exceed the aggregate amount of investments made by
- 601 institutions and funds located outside of [~~Utah]~~ the state in Utah companies, that
- 602 the locally managed fund has sponsored or in which ~~[it]~~ the locally managed fund
- 603 has invested and that ~~[it]~~ the locally managed fund has brought to the attention of
- 604 investors outside of [~~Utah]~~ the state.

605 Section 5. Section **11-17-18** is amended to read:

606 **11-17-18 (Effective 05/06/26). Powers of Governor's Office of Economic**
 607 **Development.**

608 (1) For purposes of this chapter and for the purposes of the Utah Interlocal
 609 Cooperation Act, the Governor's Office of Economic [~~Opportunity~~] Development,
 610 created in Section 63N-1a-301, has all the powers set out in this chapter of, and is
 611 subject to the same limitations as, a municipality as though the office were defined as a
 612 municipality for purposes of this chapter, but it shall have such powers with respect to
 613 economic development or new venture investment fund projects only.~~[It]~~

614 (2) The Governor's Office of Economic Development is not authorized to exercise such
 615 powers in any manner which will create general obligations of the state or any agency,
 616 department, division, or political subdivision [~~thereof~~] of the state.

617 Section 6. Section **11-41-102** is amended to read:

618 **11-41-102 (Effective 05/06/26). Definitions.**

619 As used in this chapter:

- 620 (1) "Agreement" means an oral or written agreement between a public entity and a person.
- 621 (2) "Business entity" means a sole proprietorship, partnership, limited partnership, limited
 622 liability company, corporation, or other entity or association used to carry on a business
 623 for profit.
- 624 (3) "Determination of violation" means a determination by the Governor's Office of
 625 Economic [~~Opportunity~~] Development of substantial likelihood that a retail facility
 626 incentive payment has been made in violation of Section 11-41-103, in accordance with
 627 Section 11-41-104.
- 628 (4) "Environmental mitigation" means an action or activity intended to remedy known
 629 negative impacts to the environment.
- 630 (5) "Executive director" means the executive director of the Governor's Office of Economic [
 631 ~~Opportunity~~] Development.
- 632 (6) "General plan" means the same as that term is defined in Section 23A-6-101.
- 633 (7) "Legislative body" means the same as that term is defined in:
 634 (a) Section 10-20-102; or
 635 (b) Section 17-79-102.
- 636 (8) "Mixed-use development" means development with mixed land uses, including housing.
- 637 (9) "Moderate income housing" means housing occupied or reserved for occupancy by
 638 households with a gross household income equal to or less than 80% of the median gross
 639 income for households of the same size in the county in which the housing is located.

- 640 (10) "Moderate income housing plan" means the moderate income housing plan element of
641 a general plan.
- 642 (11) "Office" means the Governor's Office of Economic [~~Opportunity~~] Development created
643 in Section 63N-1a-301.
- 644 (12) "Political subdivision" means any county, city, town, school district, special district,
645 special service district, community reinvestment agency, or entity created by an
646 interlocal agreement adopted under Chapter 13, Interlocal Cooperation Act.
- 647 (13) "Public entity" means:
- 648 (a) a political subdivision;
- 649 (b) a department, commission, board, council, agency, institution, officer, corporation,
650 fund, division, office, committee, authority, laboratory, library, unit, bureau, panel, or
651 other administrative unit of the executive branch of the state;
- 652 (c) an institution of higher education as defined in Section 53H-1-101;
- 653 (d) the Military Installation Development Authority created in Section 63H-1-201;
- 654 (e) the Utah Inland Port Authority created in Section 11-58-201; or
- 655 (f) the Point of the Mountain State Land Authority created in Section 11-59-201.
- 656 (14) "Public funds" means any money received by a public entity that is derived from:
- 657 (a) a sales and use tax authorized under Title 59, Chapter 12, Sales and Use Tax Act; or
- 658 (b) a property tax levy.
- 659 (15) "Public infrastructure" means:
- 660 (a) a public facility, as defined in Section 11-36a-102;
- 661 (b) a system improvement, as defined in Section 11-36a-102; or
- 662 (c) infrastructure developed with public funds included as part of an infrastructure
663 master plan related to a general plan.
- 664 (16) "Retail facility" means any facility operated by a business entity for the primary
665 purpose of making retail transactions.
- 666 (17) "Retail facility incentive payment" means a payment of public funds:
- 667 (a) to a person by a public entity;
- 668 (b) for the development, construction, renovation, or operation of a retail facility within
669 an area of the state; and
- 670 (c) in the form of:
- 671 (i) a payment;
- 672 (ii) a rebate;
- 673 (iii) a refund;

674 (iv) a subsidy; or
 675 (v) any other similar incentive, award, or offset.
 676 (18) "Retail transaction" means any transaction subject to a sales and use tax under Title 59,
 677 Chapter 12, Sales and Use Tax Act.

678 (19)(a) "Small business" means a business entity that:
 679 (i) has fewer than 30 full-time equivalent employees; and
 680 (ii) maintains the business entity's principal office in the state.
 681 (b) "Small business" does not include:
 682 (i) a franchisee, as defined in 16 C.F.R. Sec. 436.1;
 683 (ii) a dealer, as defined in Section 41-1a-102; or
 684 (iii) a subsidiary or affiliate of another business entity that is not a small business.

685 Section 7. Section **11-58-901** is amended to read:

686 **11-58-901 (Effective 05/06/26). Dissolution of port authority -- Restrictions --**
 687 **Notice of dissolution -- Disposition of port authority property -- Port authority records --**
 688 **Dissolution expenses.**

689 (1) The authority may not be dissolved unless the authority has no outstanding bonded
 690 indebtedness, other unpaid loans, indebtedness, or advances, and no legally binding
 691 contractual obligations with persons or entities other than the state.
 692 (2) Upon the dissolution of the authority:
 693 (a) the Governor's Office of Economic [Opportunity] Development shall publish a notice
 694 of dissolution:
 695 (i) for the county in which the dissolved authority is located, as a class A notice under
 696 Section 63G-30-102, for at least seven days; and
 697 (ii) as required in Section 45-1-101; and
 698 (b) all title to property owned by the authority vests in the state.
 699 (3) The books, documents, records, papers, and seal of each dissolved authority shall be
 700 deposited for safekeeping and reference with the state auditor.
 701 (4) The authority shall pay all expenses of the deactivation and dissolution.

702 Section 8. Section **11-59-304** is amended to read:

703 **11-59-304 (Effective 05/06/26) (Repealed 01/01/29). Staff and other support**
 704 **services -- Cooperation from state and local government entities -- Services from state**
 705 **agencies.**

706 (1) As used in this section, "office" means the Governor's Office of Economic [Opportunity]
 707 Development, created in Section 63N-1a-301.

- 708 (2) If and as requested by the board:
- 709 (a) the facilities division shall:
- 710 (i) provide staff support to the board; and
- 711 (ii) make available to the board existing division resources and expertise to assist the
- 712 board in the development, marketing, and disposition of the point of the mountain
- 713 state land; and
- 714 (b) the office shall cooperate with and provide assistance to the board in the board's:
- 715 (i) formulation of a development plan for the point of the mountain state land; and
- 716 (ii) management and implementation of a development plan, including the marketing
- 717 of property and recruitment of businesses and others to locate on the point of the
- 718 mountain state land.
- 719 (3) A department, division, or other agency of the state and a political subdivision of the
- 720 state shall cooperate with the authority and the board to the fullest extent possible to
- 721 provide whatever support, information, or other assistance the board requests that is
- 722 reasonably necessary to help the authority fulfill [its] the authority's duties and
- 723 responsibilities under this chapter.
- 724 (4)(a) The authority may request and, upon request, shall receive services that include:
- 725 (i) fuel dispensing and motor pool services provided by the Division of Fleet
- 726 Operations;
- 727 (ii) surplus property services provided by the Division of Purchasing and General
- 728 Service;
- 729 (iii) information technology services provided by the Division of Technology
- 730 Services;
- 731 (iv) archive services provided by the Division of Archives and Records Service;
- 732 (v) financial services provided by the Division of Finance;
- 733 (vi) human resource management services provided by the Division of Human
- 734 Resource Management;
- 735 (vii) legal services provided by the Office of the Attorney General; and
- 736 (viii) banking services provided by the Office of the State Treasurer.
- 737 (b) Nothing in Subsection (4)(a) may be construed to relieve the authority of the
- 738 obligation to pay the applicable fee for the service provided.

739 Section 9. Section **11-59-501** is amended to read:

740 **11-59-501 (Effective 05/06/26) (Repealed 01/01/29). Dissolution of authority --**

741 **Restrictions -- Publishing notice of dissolution -- Authority records -- Dissolution**

742 **expenses.**

743 (1) The authority may not be dissolved unless:

744 (a) the authority board first receives approval from the Legislative Management

745 Committee of the Legislature to dissolve the authority; and

746 (b) the authority has no outstanding bonded indebtedness, other unpaid loans,

747 indebtedness, or advances, and no legally binding contractual obligations with

748 persons or entities other than the state.

749 (2) To dissolve the authority, the board shall:

750 (a) obtain the approval of the Legislative Management Committee of the Legislature; and

751 (b) adopt a resolution dissolving the authority, to become effective as provided in the

752 resolution.

753 (3) Upon the dissolution of the authority:

754 (a) the Governor's Office of Economic [~~Opportunity~~] Development shall publish a notice
755 of dissolution:

756 (i) for the county in which the dissolved authority is located, as a class A notice under
757 Section 63G-30-102, for at least seven days; and

758 (ii) as required in Section 45-1-101; and

759 (b) all title to property owned by the authority vests in the facilities division for the
760 benefit of the state.

761 (4) The board shall deposit all books, documents, records, papers, and seal of the dissolved
762 authority with the state auditor for safekeeping and reference.

763 (5) The authority shall pay all expenses of the deactivation and dissolution.

764 Section 10. Section **11-65-302** is amended to read:

765 **11-65-302 (Effective 05/06/26). Number of board members -- Appointment --**

766 **Vacancies.**

767 (1) The lake authority's board shall consist of 15 members, as provided in Subsection (2).

768 (2)(a) The governor shall appoint two board members, at least one of whom shall be

769 from the Governor's Office of Economic [~~Opportunity~~] Development created in

770 Section 63N-1a-301.

771 (b) The president of the Senate shall appoint as one board member an individual who

772 holds office as a member of the Senate and whose Senate district includes an area

773 within Utah County.

774 (c) The speaker of the House of Representatives shall appoint as one board member an

775 individual who holds office as a member of the House of Representatives and whose

- 776 House of Representatives district includes an area within Utah County.
- 777 (d) The legislative body of Utah County shall appoint a member of the legislative body
778 of Utah County as a board member.
- 779 (e)(i) The Utah County Council of Governments shall appoint eight board members,
780 at least one of whom shall be an individual selected from among individuals
781 designated by chambers of commerce in Utah County, each of which may
782 recommend an individual for appointment to the board.
- 783 (ii) Except for a member appointed as designated by a chamber of commerce in Utah
784 County, all members appointed by the Utah County Council of Governments shall
785 be elected officials from municipalities whose boundaries are no more than one
786 half mile from the lake authority boundary.
- 787 (iii) The initial members appointed by the Utah County Council of Governments
788 shall include:
- 789 (A) an individual designated by the legislative body of the city of Lehi;
790 (B) an individual designated by the legislative body of the city of Lindon;
791 (C) an individual designated by the legislative body of the city of Spanish Fork;
792 (D) an individual who is an elected officer of the city of Provo, designated by the
793 mayor of the city of Provo;
794 (E) an individual who is an elected officer of the city of Orem, designated by the
795 legislative body of the city of Orem;
796 (F) an individual who is an elected officer of the city of Vineyard, designated by
797 the legislative body of the city of Vineyard; and
798 (G) an individual who is an elected officer of the city of Saratoga Springs,
799 designated by the legislative body of the city of Saratoga Springs.
- 800 (f) The executive director of the Department of Natural Resources shall appoint one
801 board member.
- 802 (g) The executive director of the Department of Environmental Quality shall appoint one
803 board member.
- 804 (3) Appointments required under Subsection (2) shall be made no later than June 1, 2022.
- 805 (4)(a) A vacancy in the board shall be filled in the same manner under this section as the
806 appointment of the member whose vacancy is being filled.
- 807 (b) An individual appointed to fill a vacancy shall serve the remaining unexpired term of
808 the member whose vacancy the individual is filling.
- 809 (5) A member of the board appointed by the governor, president of the Senate, or speaker

810 of the House of Representatives serves at the pleasure of and may be removed and
 811 replaced at any time, with or without cause, by the governor, president of the Senate, or
 812 speaker of the House of Representatives, respectively.

813 (6) The lake authority may appoint nonvoting members of the board and set terms for those
 814 nonvoting members.

815 (7) Upon a vote of a majority of all board members, the board may appoint a board chair
 816 and any other officer of the board.

817 (8) The board:

818 (a) may appoint one or more advisory committees that may include individuals from
 819 impacted public entities, community organizations, environmental organizations,
 820 business organizations, or other organizations or associations; and

821 (b) shall appoint an advisory committee to advise on:

822 (i) water rights, water projects, and water facilities associated with Utah Lake; and

823 (ii) recreation and avian and other wildlife activities on Utah Lake.

824 Section 11. Section **11-65-701** is amended to read:

825 **11-65-701 (Effective 05/06/26). Dissolution of lake authority -- Restrictions --**

826 **Notice of dissolution -- Disposition of lake authority property -- Lake authority records --**

827 **Dissolution expenses.**

828 (1) The lake authority may not be dissolved unless the lake authority has no outstanding
 829 bonded indebtedness, other unpaid loans, indebtedness, or advances, and no legally
 830 binding contractual obligations with persons or entities other than the state.

831 (2) Upon the dissolution of the lake authority:

832 (a) the Governor's Office of Economic [Opportunity] Development shall publish a notice
 833 of dissolution as required in Section 45-1-101; and

834 (b) all title to property owned by the lake authority vests in the state.

835 (3) The books, documents, records, papers, and seal of the dissolved lake authority shall be
 836 deposited for safekeeping and reference with the state auditor.

837 (4) The lake authority shall pay all expenses of the deactivation and dissolution.

838 Section 12. Section **11-70-801** is amended to read:

839 **11-70-801 (Effective 05/06/26). Dissolution of fairpark district -- Restrictions --**

840 **Notice of dissolution -- Disposition of fairpark district property -- Fairpark district**

841 **records -- Dissolution expenses.**

842 (1) The fairpark district may not be dissolved unless the fairpark district has no outstanding
 843 bonded indebtedness, other unpaid loans, indebtedness, or advances, and no legally

- 844 binding contractual obligations with persons or entities other than the state.
- 845 (2) Upon the dissolution of the fairpark district:
- 846 (a) the Governor's Office of Economic [Opportunity] Development shall publish a notice
- 847 of dissolution:
- 848 (i) for the county in which the dissolved fairpark district is located, as a class A
- 849 notice under Section 63G-30-102, for at least seven days; and
- 850 (ii) as required in Section 45-1-101; and
- 851 (b) all title to property owned by the fairpark district vests in the state.
- 852 (3) The books, documents, records, papers, and seal of each dissolved fairpark district shall
- 853 be deposited for safekeeping and reference with the state auditor.
- 854 (4) The fairpark district shall pay all expenses of the deactivation and dissolution.

855 Section 13. Section **17-78-707** is amended to read:

856 **17-78-707 (Effective 05/06/26). Payment to Stay Another Day and Bounce Back**

857 **Fund and Hotel Impact Mitigation Fund.**

858 A county in which a qualified hotel, as defined in Section 63N-2-502, is located shall:

- 859 (1) make an annual payment to the Division of Finance:
- 860 (a) for deposit into the Stay Another Day and Bounce Back Fund, established in Section
- 861 63N-2-511;
- 862 (b) for any year in which the Governor's Office of Economic [Opportunity] Development
- 863 provides a convention incentive, as defined in Section 63N-2-502; and
- 864 (c) in the amount of 5% of the state portion, as defined in Section 63N-2-502; and
- 865 (2) make payments to the Division of Finance:
- 866 (a) for deposit into the Hotel Impact Mitigation Fund, created in Section 63N-2-512;
- 867 (b) for each year described in Subsection 63N-2-512(5) during which the balance of the
- 868 Hotel Impact Mitigation Fund, defined in Section 63N-2-512, is less than \$2,100,000
- 869 before any payment for that year under Subsection 63N-2-512(5); and
- 870 (c) in the amount of the difference between \$2,100,000 and the balance of the Hotel
- 871 Impact Mitigation Fund, defined in Section 63N-2-512, before any payment for that
- 872 year under Subsection 63N-2-512(5).

873 Section 14. Section **17C-1-603** is amended to read:

874 **17C-1-603 (Effective 05/06/26). Reporting requirements -- Governor's Office of**

875 **Economic Development to maintain a database.**

- 876 (1) As used in this section:
- 877 (a) "Database" means the collection of electronic data described in Subsection (2)(a).

- 878 (b) "Office" means the Governor's Office of Economic [Opportunity] Development
879 created in Section 63N-1a-301.
- 880 (c) "Office website" means a public website maintained by the office.
- 881 (2) The office shall:
- 882 (a) create and maintain electronic data to track information for each agency located
883 within the state; and
- 884 (b) make the database publicly accessible from the office website.
- 885 (3)(a) The office may:
- 886 (i) contract with a third party to create and maintain the database; and
887 (ii) charge a fee for a county, city, or agency to provide information to the database.
- 888 (b) The office shall make rules, in accordance with Title 63G, Chapter 3, Utah
889 Administrative Rulemaking Act, to establish a fee schedule for the fee described in
890 Subsection (3)(a)(ii).
- 891 (4) On or before June 30 of each year, an agency shall, for each active project area for
892 which the project area funds collection period has not expired, submit to the office for
893 inclusion in the database the following information:
- 894 (a) an assessment of the change in marginal value, including:
- 895 (i) the base year;
896 (ii) the estimated current assessed value;
897 (iii) the percentage change in marginal value; and
898 (iv) a narrative description of the relative growth in assessed value;
- 899 (b) the amount of project area funds the agency received and the amount of project area
900 funds the agency spent for each year of the project area funds collection period,
901 broken down by the applicable budget or funds analysis category described in
902 Subsection (4)(d), including:
- 903 (i) a comparison of the actual project area funds received and spent for each year to
904 the amount of project area funds forecasted for each year when the project area
905 was created, if available;
- 906 (ii)(A) the agency's historical receipts and expenditures of project area funds,
907 including the tax year for which the agency first received project area funds
908 from the project area; or
- 909 (B) if the agency has not yet received project area funds from the project area, the
910 year in which the agency expects each project area funds collection period to
911 begin;

- 912 (iii) a list of each taxing entity that levies or imposes a tax within the project area and
913 a description of the benefits that each taxing entity receives from the project area;
914 and
- 915 (iv) the amount paid to other taxing entities under Section 17C-1-410, if applicable;
- 916 (c) a description of current and anticipated project area development, including:
- 917 (i) a narrative of any significant project area development, including infrastructure
918 development, site development, participation agreements, or vertical construction;
919 and
- 920 (ii) other details of development within the project area, including:
- 921 (A) the total developed acreage;
922 (B) the total undeveloped acreage;
923 (C) the percentage of residential development; and
924 (D) the total number of housing units authorized, if applicable;
- 925 (d) the project area budget, if applicable, or other project area funds analyses, with
926 receipts and expenditures categorized by the type of receipt and expenditure related
927 to the development performed or to be performed under the project area plan,
928 including:
- 929 (i) each project area funds collection period, including:
- 930 (A) the start and end date of the project area funds collection period; and
931 (B) the number of years remaining in each project area funds collection period;
- 932 (ii) the amount of project area funds the agency is authorized to receive from the
933 project area cumulatively and from each taxing entity, including:
- 934 (A) the total dollar amount; and
935 (B) the percentage of the total amount of project area funds generated within the
936 project area;
- 937 (iii) the remaining amount of project area funds the agency is authorized to receive
938 from the project area cumulatively and from each taxing entity; and
- 939 (iv) the amount of project area funds the agency is authorized to use to pay for the
940 agency's administrative costs, as described in Subsection 17C-1-409(1), including:
- 941 (A) the total dollar amount; and
942 (B) the percentage of the total amount of all project area funds;
- 943 (e) the estimated amount of project area funds that the agency is authorized to receive
944 from the project area for the current calendar year;
- 945 (f) the estimated amount of project area funds to be paid to the agency for the next

- 946 calendar year;
- 947 (g) a map of the project area;
- 948 (h) a description of how the goals, policies, and purposes of the project area plan have
949 been furthered during the preceding year; and
- 950 (i) any other relevant information the agency elects to provide.
- 951 (5) An agency with no active project area shall, no later than June 30 of each year until the
952 agency is dissolved under Section 17C-1-701.5, submit a report to the office stating that
953 the agency has no active project area.
- 954 (6) Any information an agency submits in accordance with this section:
- 955 (a) is for informational purposes only; and
- 956 (b) does not alter the amount of project area funds that an agency is authorized to receive
957 from a project area.
- 958 (7) The provisions of this section apply regardless of when the agency or project area is
959 created.
- 960 (8) On or before September 1 of each year, the office shall prepare and submit an annual
961 written report to the Political Subdivisions Interim Committee that identifies the
962 agencies that complied and the agencies that failed to comply with the reporting
963 requirements of this section during the preceding reporting period.
- 964 (9)(a) If, by September 30 of the year the information is due, the office does not receive
965 the information that an agency is required to submit under Subsection (4), the office
966 shall:
- 967 (i) refer the noncompliant agency to the state auditor for review; and
- 968 (ii) post a notice on the office website identifying the noncompliant agency and
969 describing the agency's noncompliance.
- 970 (b) If the office does not receive a report an agency is required to submit under
971 Subsection (5), the office shall refer the noncompliant agency to the state auditor for
972 review.
- 973 (c) If, for two consecutive years, the office does not receive information an agency is
974 required to submit under Subsection (4):
- 975 (i) the office shall, no later than July 31 of the second consecutive year, notify the
976 auditor and treasurer of the county in which the noncompliant agency is located of
977 the agency's noncompliance; and
- 978 (ii) upon receiving the notice described in Subsection (9)(c)(i), the county treasurer
979 shall withhold from the agency 20% of the amount of tax increment the agency is

980 otherwise entitled to receive.

981 (d) If, after having funds withheld under Subsection (9)(c)(ii), an agency complies with
982 Subsection (4):

983 (i) the office shall notify the county auditor and treasurer that the agency has
984 complied with the requirement of Subsection (4); and

985 (ii) the county treasurer shall disburse the withheld funds to the agency.

986 Section 15. Section **17C-1-606** is amended to read:

987 **17C-1-606 (Effective 05/06/26). County auditor report on project areas.**

988 (1)(a) On or before March 31 of each year, the auditor of each county in which an
989 agency is located shall prepare a report on the project areas within each agency.

990 (b) The county auditor shall send a copy of each report under Subsection (1)(a) to the
991 agency that is the subject of the report, the State Tax Commission, the State Board of
992 Education, and each taxing entity from which the agency receives tax increment.

993 (c) On or before March 31 of each year, the county auditor shall submit a copy of each
994 report under Subsection (1)(a) to the Governor's Office of Economic [~~Opportunity~~]
995 Development for inclusion in the database described in Section 17C-1-603.

996 (2) Each report under Subsection (1)(a) shall report:

997 (a) the total assessed property value within each project area for the previous tax year;

998 (b) the base taxable value of each project area for the previous tax year;

999 (c) the tax increment available to be paid to the agency for the previous tax year;

1000 (d) the tax increment requested by the agency for the previous tax year; and

1001 (e) the tax increment paid to the agency for the previous tax year.

1002 (3) Within 30 days after a request by an agency, the State Tax Commission, the State Board
1003 of Education, or any taxing entity from which the agency receives tax increment, the
1004 county auditor or the county assessor shall provide access to:

1005 (a) the county auditor's method and calculations used to make adjustments under Section
1006 17C-1-408;

1007 (b) the unequalized assessed valuation of an existing or proposed project area, or any
1008 parcel or parcels within an existing or proposed project area, if the equalized assessed
1009 valuation has not yet been determined for that year;

1010 (c) the most recent equalized assessed valuation of an existing or proposed project area
1011 or any parcel or parcels within an existing or proposed project area; and

1012 (d) the tax rate of each taxing entity adopted as of November 1 for the previous tax year.

1013 (4) Each report described in Subsection (1)(a) shall include:

- 1014 (a) sufficient detail regarding the calculations performed by a county auditor so that an
1015 agency or other interested party could repeat and verify the calculations; and
1016 (b) a detailed explanation of any adjustments made to the base taxable value of each
1017 project area.

1018 Section 16. Section **17C-1-1001** is amended to read:

1019 **17C-1-1001 (Effective 05/06/26). Definitions.**

1020 As used in this part:

- 1021 (1)(a) "Agency-wide project development" means activity within the agency's
1022 boundaries that, as determined by the board, encourages, promotes, or provides
1023 development or redevelopment for the purpose of achieving the results described in
1024 an implementation plan, including affordable housing.
- 1025 (b) "Agency-wide project development" does not include project area development
1026 under a project area plan.
- 1027 (2) "Certified tax rate" means the same as that term is defined in Section 59-2-924.
- 1028 (3) "Cooperative development project" means project area development with impacts that
1029 extend beyond an agency's geographic boundaries to the benefit of two or more
1030 communities.
- 1031 (4) "Economic development project" means project area development for the purpose of:
1032 (a) creating, developing, attracting, and retaining business;
1033 (b) creating or preserving jobs;
1034 (c) stimulating business and economic activity; or
1035 (d) providing a local incentive as required by the Governor's Office of Economic [
1036 ~~Opportunity~~] Development under Title 63N, Economic Opportunity Act.
- 1037 (5) "Eligible taxing entity" means a taxing entity that:
1038 (a) is a municipality, a county, or a school district; and
1039 (b) contains an agency partially or completely within the taxing entity's geographic
1040 boundaries.
- 1041 (6) "Final tax rate" means:
1042 (a) the certified rate; or
1043 (b) if the agency adopts a rate that is different than the certified rate, the rate the agency
1044 adopts in accordance with the provisions of Title 59, Chapter 2, Part 9, Levies.
- 1045 (7) "Implementation plan" means a plan adopted in accordance with Section 17C-1-1004
1046 that:
1047 (a) describes how the agency uses property tax revenue; and

1048 (b) guides and controls agency-wide project development.
 1049 (8) "Project area incremental revenue" means the amount of revenue generated by the
 1050 incremental value that a taxing entity receives after a project area funds collection period
 1051 ends.

1052 (9) "Property tax revenue" means the amount of revenue generated by an agency from the
 1053 property within the agency using the current taxable value of the property and the
 1054 agency's final tax rate.

1055 Section 17. Section **17D-1-507** is amended to read:

1056 **17D-1-507 (Effective 05/06/26). Guaranteed bonds.**

1057 (1) Before a special service district may issue guaranteed bonds:

1058 (a) the special service district shall:

1059 (i) obtain a report:

1060 (A) prepared by:

1061 (I) a qualified, registered architect or engineer; or

1062 (II) a person qualified by experience appropriate to the project proposed to be
 1063 funded by the proceeds from the guaranteed bonds; and

1064 (B) setting forth:

1065 (I) a description of the project proposed to be funded by the proceeds from the
 1066 guaranteed bonds;

1067 (II) the estimated or, if available, the actual cost of the project;

1068 (III) the principal amount and date and amount of each stated maturity of:

1069 (Aa) the guaranteed bonds to be issued; and

1070 (Bb) any outstanding guaranteed bonds of the special service district;

1071 (IV) the interest rate or rates of any outstanding guaranteed bonds of the
 1072 special service district;

1073 (V) the amount of the annual debt service for each year during the life of all
 1074 outstanding guaranteed bonds issued by the special service district;

1075 (VI) the estimated amount of the annual debt service for each year during the
 1076 life of all guaranteed bonds that the special service district intends to issue
 1077 to finance all or any part of the project; and

1078 (VII) the date or estimated date that the project will be complete; and

1079 (ii) submit to the Governor's Office of Economic [~~Opportunity~~] Development:

1080 (A) the report described in Subsection (1)(a)(i);

1081 (B) a copy of each proposed guarantee of the guaranteed bonds, certified by the

- 1082 special service district;
- 1083 (C) a legal opinion indicating that each guarantee, when executed, will be the
- 1084 legal and binding obligation of the taxpayer executing the guarantee in
- 1085 accordance with the terms of the guarantee; and
- 1086 (D) evidence satisfactory to the Governor's Office of Economic [~~Opportunity~~]
- 1087 Development from each taxpayer executing a guarantee of the guaranteed
- 1088 bonds as to the financial ability of the taxpayer to perform under the guarantee;
- 1089 (b) the Governor's Office of Economic [~~Opportunity~~] Development shall, if [~~it~~] the office
- 1090 approves the issuance of the guaranteed bonds, deliver to the special service district
- 1091 governing body a written statement of [~~its~~] the office's approval; and
- 1092 (c) the special service district governing body shall file the written approval statement
- 1093 under Subsection (1)(b) with the recorder of the county in which the special service
- 1094 district is located.
- 1095 (2) The issuance of guaranteed bonds is conditioned upon the approval of special service
- 1096 district voters at an election held for that purpose as provided in Title 11, Chapter 14,
- 1097 Local Government Bonding Act.
- 1098 (3) Guaranteed bonds that have been issued and remain outstanding shall be included in the
- 1099 determination of the debt limit under Subsection 17D-1-502(4) if the bonds by their
- 1100 terms no longer enjoy the benefit of the guarantee.
- 1101 (4) On July 1 of each year, the governing body shall file with the department of community
- 1102 affairs a report certifying:
- 1103 (a) the total amount of bonds issued by the special service district and other debt then
- 1104 outstanding and subject to the debt limit of Subsection 17D-1-502(4);
- 1105 (b) the total amount of guaranteed bonds then outstanding and not subject to the debt
- 1106 limit of Subsection 17D-1-502(4); and
- 1107 (c) the total amount of guaranteed bonds that, during the preceding 12 months,
- 1108 discontinued to enjoy the benefit of the guarantee.
- 1109 Section 18. Section **35A-1-104.5** is amended to read:
- 1110 **35A-1-104.5 (Effective 05/06/26). Other department duties -- Strategic plan for**
- 1111 **health system reform -- Reporting suspected misuse of a social security number.**
- 1112 (1) The department shall work with the Department of Health and Human Services, the
- 1113 Insurance Department, the Governor's Office of Economic [~~Opportunity~~] Development,
- 1114 and the Legislature to develop the health system reform.
- 1115 (2) In the process of determining an individual's eligibility for a public benefit or service

- 1116 under this title or under federal law, if the department determines that a valid social
 1117 security number is being used by an unauthorized individual, the department shall:
- 1118 (a) inform the individual who the department determines to be the likely actual owner of
 1119 the social security number or, if the likely actual owner is a minor, the minor's parent
 1120 or guardian, of the suspected misuse; and
- 1121 (b) subject to federal law, provide information of the suspected misuse to an appropriate
 1122 law enforcement agency responsible for investigating identity fraud.
- 1123 (3) If the department learns or determines that providing information under Subsection
 1124 (2)(b) is prohibited by federal law, the department shall notify the Legislative
 1125 Management Committee.

1126 Section 19. Section **35A-1-201** is amended to read:

1127 **35A-1-201 (Effective 05/06/26). Executive director -- Appointment -- Removal --**
 1128 **Compensation -- Qualifications -- Responsibilities -- Deputy directors.**

- 1129 (1)(a) The chief administrative officer of the department is the executive director, who is
 1130 appointed by the governor with the advice and consent of the Senate.
- 1131 (b) The executive director serves at the pleasure of the governor.
- 1132 (c) The executive director shall receive a salary established by the governor within the
 1133 salary range fixed by the Legislature in Title 67, Chapter 22, State Officer
 1134 Compensation.
- 1135 (d) The executive director shall be experienced in administration, management, and
 1136 coordination of complex organizations.
- 1137 (2) The executive director shall:
- 1138 (a) administer and supervise the department in compliance with Title 63A, Chapter 17,
 1139 Utah State Personnel Management Act;
- 1140 (b) supervise and coordinate between the economic service areas and directors created
 1141 under Chapter 2, Economic Service Areas;
- 1142 (c) coordinate policies and program activities conducted through the divisions and
 1143 economic service areas of the department;
- 1144 (d) approve the proposed budget of each division, the Workforce Appeals Board, and
 1145 each economic service area within the department;
- 1146 (e) approve all applications for federal grants or assistance in support of any department
 1147 program;
- 1148 (f) coordinate with the executive directors of the Governor's Office of Economic [
 1149 ~~Opportunity~~] Development and the Governor's Office of Planning and Budget to

1150 review data and metrics to be reported to the Legislature as described in Subsection
1151 35A-1-109(2)(b); and
1152 (g) fulfill such other duties as assigned by the Legislature or as assigned by the governor
1153 that are not inconsistent with this title.

1154 (3) The executive director may appoint deputy or assistant directors to assist the executive
1155 director in carrying out the department's responsibilities.

1156 (4) The executive director shall at least annually provide for the sharing of information
1157 between the advisory councils established under this title.

1158 Section 20. Section **35A-1-206** is amended to read:

1159 **35A-1-206 (Effective 05/06/26). State Workforce Development Board --**
1160 **Appointment -- Membership -- Terms of members -- Compensation.**

1161 (1) There is created within the department the State Workforce Development Board in
1162 accordance with the provisions of the Workforce Innovation and Opportunity Act, 29
1163 U.S.C. Sec. 3101 et seq.

1164 (2) The board shall consist of the following members:

1165 (a) the governor or the governor's designee;

1166 (b) the executive director or the executive director's designee;

1167 (c) the executive director of the Department of Health and Human Services or the
1168 executive director's designee;

1169 (d) the director of the Utah State Office of Rehabilitation or the director's designee;

1170 (e) the state superintendent of public instruction or the superintendent's designee;

1171 (f) the commissioner of higher education or the commissioner's designee;

1172 (g) the executive director of the Governor's Office of Economic [~~Opportunity~~]
1173 Development or the executive director's designee;

1174 (h) the executive director of the Department of Veterans and Military Affairs or the
1175 executive director's designee; and

1176 (i) the following members appointed by the governor:

1177 (i) 20 representatives of business in the state, selected among the following:

1178 (A) owners of businesses, chief executive or operating officers of businesses, or
1179 other business executives or employers with policymaking or hiring authority;

1180 (B) representatives of businesses, including small businesses, that provide
1181 employment opportunities that include high-quality, work-relevant training and
1182 development in in-demand industry sectors or occupations in the state; and

1183 (C) representatives of businesses appointed from among individuals nominated by

- 1184 state business organizations or business trade associations;
- 1185 (ii) six representatives of the workforce within the state, which:
- 1186 (A) shall include at least two representatives of labor organizations who have been
- 1187 nominated by state labor federations;
- 1188 (B) shall include at least one representative from a registered apprentice program;
- 1189 (C) may include one or more representatives from a community-based
- 1190 organization that has demonstrated experience and expertise in addressing the
- 1191 employment, training, or educational needs of individuals with barriers to
- 1192 employment; and
- 1193 (D) may include one or more representatives from an organization that has
- 1194 demonstrated experience and expertise in addressing the employment, training,
- 1195 or education needs of eligible youth, including organizations that serve out of
- 1196 school youth; and
- 1197 (iii) two elected officials that represent a city or a county.
- 1198 (3)(a) The governor shall appoint one of the appointed business representatives as chair
- 1199 of the board.
- 1200 (b) The chair shall serve at the pleasure of the governor.
- 1201 (4)(a) The governor shall ensure that members appointed to the board represent diverse
- 1202 geographic areas of the state, including urban, suburban, and rural areas.
- 1203 (b) A member appointed by the governor shall serve a term of four years and may be
- 1204 reappointed to one additional term.
- 1205 (c) A member shall continue to serve until the member's successor has been appointed
- 1206 and qualified.
- 1207 (d) Except as provided in Subsection (4)(e), as terms of board members expire, the
- 1208 governor shall appoint each new member or reappointed member to a four-year term.
- 1209 (e) Notwithstanding the requirements of Subsection (4)(d), the governor shall, at the
- 1210 time of appointment or reappointment, adjust the length of terms to ensure that the
- 1211 terms of board members are staggered so that approximately one half of the board is
- 1212 appointed every two years.
- 1213 (f) When a vacancy occurs in the membership for any reason, the replacement shall be
- 1214 appointed for the unexpired term.
- 1215 (g) The executive director shall terminate the term of any governor-appointed member
- 1216 of the board if the member leaves the position that qualified the member for the
- 1217 appointment.

- 1218 (5) A majority of members constitutes a quorum for the transaction of business.
- 1219 (6) A member of the board may not receive compensation or benefits for the member's
1220 service, but may receive per diem and travel expenses as allowed in:
- 1221 (a) Section 63A-3-106;
- 1222 (b) Section 63A-3-107; and
- 1223 (c) rules made by the Division of Finance according to Sections 63A-3-106 and
1224 63A-3-107.
- 1225 (7) The department shall provide staff and administrative support to the board at the
1226 direction of the executive director.
- 1227 (8) The board has the duties, responsibilities, and powers described in 29 U.S.C. Sec. 3111,
1228 including:
- 1229 (a) identifying opportunities to align initiatives in education, training, workforce
1230 development, and economic development;
- 1231 (b) developing and implementing the state workforce services plan described in Section
1232 35A-1-207;
- 1233 (c) utilizing strategic partners to ensure the needs of industry are met, including the
1234 development of expanded strategies for partnerships for in-demand occupations and
1235 understanding and adapting to economic changes;
- 1236 (d) developing strategies for staff training;
- 1237 (e) developing and improving employment centers; and
- 1238 (f) performing other responsibilities within the scope of workforce services as requested
1239 by:
- 1240 (i) the Legislature;
- 1241 (ii) the governor; or
- 1242 (iii) the executive director.
- 1243 Section 21. Section **35A-4-312** is amended to read:
- 1244 **35A-4-312 (Effective 05/06/26). Records.**
- 1245 (1)(a) An employing unit shall keep true and accurate work records containing
1246 information the department may prescribe by rule.
- 1247 (b) A record shall be open to inspection and subject to being copied by the division or [its]
1248 the division's authorized representatives at a reasonable time and as often as
1249 necessary.
- 1250 (c) An employing unit shall make a record available in the state for three years after the
1251 calendar year in which the services are rendered.

- 1252 (2) The division may require from an employing unit a sworn or unsworn report with
1253 respect to a person employed by the employing unit that the division considers necessary
1254 for the effective administration of this chapter.
- 1255 (3) Except as provided in this section or in Sections 35A-4-103 and 35A-4-106, information
1256 obtained under this chapter or obtained from an individual may not be published or open
1257 to public inspection in a manner revealing the employing unit's or individual's identity.
- 1258 (4)(a) The information obtained by the division under this section may not be used in
1259 court or admitted into evidence in an action or proceeding, except:
- 1260 (i) in an action or proceeding arising out of this chapter;
 - 1261 (ii) if the Labor Commission enters into a written agreement with the division under
1262 Subsection (6)(b), in an action or proceeding by the Labor Commission to enforce:
 - 1263 (A) Title 34, Chapter 23, Employment of Minors;
 - 1264 (B) Title 34, Chapter 28, Payment of Wages;
 - 1265 (C) Title 34, Chapter 40, Utah Minimum Wage Act; or
 - 1266 (D) Title 34A, Utah Labor Code;
 - 1267 (iii) under the terms of a court order obtained under Subsection 63G-2-202(7) and
1268 Section 63G-2-207; or
 - 1269 (iv) under the terms of a written agreement between the Office of State Debt
1270 Collection and the division as provided in Subsection (5).
- 1271 (b) The information obtained by the division under this section shall be disclosed to:
- 1272 (i) a party to an unemployment insurance hearing before an administrative law judge
1273 of the department or a review by the Workforce Appeals Board to the extent
1274 necessary for the proper presentation of the party's case; or
 - 1275 (ii) an employer, upon request in writing for information concerning a claim for a
1276 benefit with respect to a former employee of the employer.
- 1277 (5) The information obtained by the division under this section may be disclosed to:
- 1278 (a) an employee of the department in the performance of the employee's duties in
1279 administering this chapter or other programs of the department;
 - 1280 (b) an employee of the Labor Commission for the purpose of carrying out the programs
1281 administered by the Labor Commission;
 - 1282 (c) an employee of the Department of Commerce for the purpose of carrying out the
1283 programs administered by the Department of Commerce;
 - 1284 (d) an employee of the governor's office or another state governmental agency
1285 administratively responsible for statewide economic development, to the extent

- 1286 necessary for economic development policy analysis and formulation;
- 1287 (e) an employee of another governmental agency that is specifically identified and
- 1288 authorized by federal or state law to receive the information for the purposes stated in
- 1289 the law authorizing the employee of the agency to receive the information;
- 1290 (f) an employee of a governmental agency or workers' compensation insurer to the
- 1291 extent the information will aid in:
- 1292 (i) the detection or avoidance of duplicate, inconsistent, or fraudulent claims against:
- 1293 (A) a workers' compensation program; or
- 1294 (B) public assistance funds; or
- 1295 (ii) the recovery of overpayments of workers' compensation or public assistance
- 1296 funds;
- 1297 (g) an employee of a law enforcement agency to the extent the disclosure is necessary to
- 1298 avoid a significant risk to public safety or in aid of a felony criminal investigation;
- 1299 (h) an employee of the State Tax Commission or the Internal Revenue Service for the
- 1300 purposes of:
- 1301 (i) audit verification or simplification;
- 1302 (ii) state or federal tax compliance;
- 1303 (iii) verification of a code or classification of the:
- 1304 (A) 1987 Standard Industrial Classification Manual of the federal Executive
- 1305 Office of the President, Office of Management and Budget; or
- 1306 (B) 2002 North American Industry Classification System of the federal Executive
- 1307 Office of the President, Office of Management and Budget; and
- 1308 (iv) statistics;
- 1309 (i) an employee or contractor of the department or an educational institution, or other
- 1310 governmental entity engaged in workforce investment and development activities
- 1311 under the Workforce Innovation and Opportunity Act, 29 U.S.C. Sec. 3101 et seq.,
- 1312 for the purpose of:
- 1313 (i) coordinating services with the department;
- 1314 (ii) evaluating the effectiveness of those activities; and
- 1315 (iii) measuring performance;
- 1316 (j) an employee of the Governor's Office of Economic ~~[Opportunity]~~ Development, for
- 1317 the purpose of periodically publishing in the Directory of Business and Industry, the
- 1318 name, address, telephone number, number of employees by range, code or
- 1319 classification of an employer, and type of ownership of Utah employers;

- 1320 (k) the public for any purpose following a written waiver by all interested parties of their
 1321 rights to nondisclosure;
- 1322 (l) an individual whose wage data is submitted to the department by an employer, if no
 1323 information other than the individual's wage data and the identity of the employer
 1324 who submitted the information is provided to the individual;
- 1325 (m) an employee of the Insurance Department for the purpose of administering Title
 1326 31A, Chapter 40, Professional Employer Organization Licensing Act;
- 1327 (n) an employee of the Office of State Debt Collection for the purpose of collecting state
 1328 accounts receivable as provided in Section 63A-3-502; or
- 1329 (o) a creditor, under a court order, to collect on a judgment as provided in Section
 1330 35A-4-314.
- 1331 (6) Disclosure of private information under Subsection (4)(a)(ii) or Subsection (5), with the
 1332 exception of Subsections (5)(a), (g), and (o), may be made if:
- 1333 (a) the division determines that the disclosure will not have a negative effect on:
- 1334 (i) the willingness of employers to report wage and employment information; or
 1335 (ii) the willingness of individuals to file claims for unemployment benefits; and
- 1336 (b) the agency enters into a written agreement with the division in accordance with rules
 1337 made by the department.
- 1338 (7)(a) The employees of a division of the department other than the Workforce Research
 1339 and Analysis Division and the Unemployment Insurance Division or an agency
 1340 receiving private information from the division under this chapter are subject to the
 1341 same requirements of privacy and confidentiality and to the same penalties for
 1342 misuse or improper disclosure of the information as employees of the division.
- 1343 (b) Use of private information obtained from the department by a person or for a
 1344 purpose other than one authorized in Subsection (4) or (5) violates Section 76-8-1304.
 1345 Section 22. Section **35A-6-105** is amended to read:
- 1346 **35A-6-105 (Effective 05/06/26). Commissioner of apprenticeship programs.**
- 1347 (1) There is created the position of [~~Commissioner of Apprenticeship Programs~~]
 1348 commissioner of apprenticeship programs within the department.
- 1349 (2) The commissioner shall be appointed by the executive director and chosen from one or
 1350 more recommendations provided by a majority vote of the State Workforce
 1351 Development Board.
- 1352 (3) The commissioner may be terminated without cause by the executive director.
- 1353 (4) The commissioner shall:

- 1354 (a) promote and educate the public, including high school guidance counselors and
1355 potential participants in apprenticeship programs, about apprenticeship programs,
1356 youth apprenticeship, and pre-apprenticeship programs offered in the state, including
1357 apprenticeship, youth apprenticeship, and pre-apprenticeship programs offered by
1358 private sector businesses, trade groups, labor unions, partnerships with educational
1359 institutions, and other associations in the state;
- 1360 (b) coordinate with the department and other stakeholders, including union and
1361 nonunion apprenticeship programs, the Office of Apprenticeship, the State Board of
1362 Education, the Utah [~~system of higher education~~] System of Higher Education, the
1363 Department of Commerce, the Division of Professional Licensing, and the
1364 Governor's Office of Economic [~~Opportunity~~] Development to improve and promote
1365 apprenticeship opportunities in the state; and
- 1366 (c) provide an annual written report to:
- 1367 (i) the department for inclusion in the department's annual written report described in
1368 Section 35A-1-109;
- 1369 (ii) the Economic and Community Development Appropriations Subcommittee; and
1370 (iii) the Higher Education Appropriations Subcommittee.
- 1371 (5) The annual written report described in Subsection (4)(c) shall provide information
1372 concerning:
- 1373 (a) the number of available apprenticeship, youth apprenticeship, and pre-apprenticeship
1374 programs in the state;
- 1375 (b) the number of apprentice participants in each program;
- 1376 (c) the completion rate of each program;
- 1377 (d) the cost of state funding for each program; and
- 1378 (e) recommendations for improving apprenticeship, youth apprenticeship, and
1379 pre-apprenticeship programs.
- 1380 Section 23. Section **35A-8-2103** is amended to read:
- 1381 **35A-8-2103 (Effective 05/06/26). Private Activity Bond Review Board.**
- 1382 (1) There is created within the department the Private Activity Bond Review Board,
1383 composed of the following 11 members:
- 1384 (a)(i) the executive director of the department or the executive director's designee;
- 1385 (ii) the executive director of the Governor's Office of Economic [~~Opportunity~~]
1386 Development or the executive director's designee;
- 1387 (iii) the state treasurer or the state treasurer's designee;

- 1388 (iv) the chair of the Utah Board of Higher Education or the chair's designee; and
1389 (v) the chair of the Utah Housing Corporation or the chair's designee; and
1390 (b) six local government members who are:
- 1391 (i) three elected or appointed county officials, nominated by the Utah Association of
1392 Counties and appointed or reappointed by the governor with the advice and
1393 consent of the Senate and in accordance with Title 63G, Chapter 24, Part 2,
1394 Vacancies; and
- 1395 (ii) three elected or appointed municipal officials, nominated by the Utah League of
1396 Cities and Towns and appointed or reappointed by the governor with the advice
1397 and consent of the Senate and in accordance with Title 63G, Chapter 24, Part 2,
1398 Vacancies.
- 1399 (2)(a) Except as required by Subsection (2)(b), the terms of office for the local
1400 government members of the board of review shall be four-year terms.
- 1401 (b) Notwithstanding the requirements of Subsection (2)(a), the governor shall, at the
1402 time of appointment or reappointment, adjust the length of terms to ensure that the
1403 terms of board of review members are staggered so that approximately half of the
1404 board of review is appointed every two years.
- 1405 (c) Members may be reappointed only once.
- 1406 (3)(a) If a local government member ceases to be an elected or appointed official of the
1407 city or county the member is appointed to represent, that membership on the board of
1408 review terminates immediately and there shall be a vacancy in the membership.
- 1409 (b) When a vacancy occurs in the local government membership for any reason:
- 1410 (i) the Utah Association of Counties or the Utah League of Cities and Towns shall,
1411 within 30 days after the date of the vacancy, nominate an official described in
1412 Subsection (1)(b)(i) or (ii), as applicable, to fill the vacancy; and
- 1413 (ii) the governor shall, with the advice and consent of the Senate in accordance with
1414 Title 63G, Chapter 24, Part 2, Vacancies, appoint the nominee for the unexpired
1415 term.
- 1416 (4)(a) The chair of the board of review is the executive director of the department or the
1417 executive director's designee.
- 1418 (b) The chair is nonvoting except in the case of a tie vote.
- 1419 (5) Six members of the board of review constitute a quorum.
- 1420 (6) Formal action by the board of review requires a majority vote of a quorum.
- 1421 (7) A member may not receive compensation or benefits for the member's service, but may

- 1422 receive per diem and travel expenses in accordance with:
- 1423 (a) Section 63A-3-106;
- 1424 (b) Section 63A-3-107; and
- 1425 (c) rules made by the Division of Finance under Sections 63A-3-106 and 63A-3-107.
- 1426 (8) The chair of the board of review serves as the state official designated under state law to
- 1427 make certifications required to be made under Section 146 of the code including the
- 1428 certification required by Section 149(e)(2)(F) of the code.
- 1429 (9) A member appointed to fill a position described in Subsection (1)(b) shall comply with
- 1430 the conflict of interest provisions described in Title 63G, Chapter 24, Part 3, Conflicts of
- 1431 Interest.
- 1432 Section 24. Section **35A-8-2202** is amended to read:
- 1433 **35A-8-2202 (Effective 05/06/26). Commission on Housing Affordability.**
- 1434 (1) There is created within the department the Commission on Housing Affordability.
- 1435 (2) The commission shall consist of 21 members as follows:
- 1436 (a) one senator appointed by the president of the Senate;
- 1437 (b) two representatives appointed by the speaker of the House of Representatives;
- 1438 (c) the executive director of the department or the executive director's designee;
- 1439 (d) the director of the division;
- 1440 (e) the executive director of the Governor's Office of Economic [~~Opportunity~~]
- 1441 Development or the executive director's designee;
- 1442 (f) the president of the Utah Transit Authority or the president's designee;
- 1443 (g) the chair of the board of trustees of the Utah Housing Corporation or the chair's
- 1444 designee;
- 1445 (h) the state homelessness coordinator appointed under Section 63J-4-202 or the state
- 1446 homelessness coordinator's designee; and
- 1447 (i) 12 members appointed by the governor as follows:
- 1448 (i) one individual representing the land development community with experience and
- 1449 expertise in affordable, subsidized multi-family development, recommended by
- 1450 the Utah Homebuilders Association;
- 1451 (ii) one individual representing the real estate industry, recommended by the Utah
- 1452 Association of Realtors;
- 1453 (iii) one individual representing the banking industry, recommended by the Utah
- 1454 Bankers Association;
- 1455 (iv) one individual representing public housing authorities, recommended by the

- 1456 director of the division;
- 1457 (v) two individuals representing municipal government, recommended by the Utah
1458 League of Cities and Towns;
- 1459 (vi) one individual representing redevelopment agencies and community
1460 reinvestment agencies, recommended by the Utah Redevelopment Association;
- 1461 (vii) two individuals representing county government, recommended by the Utah
1462 Association of Counties, where:
- 1463 (A) one of the individuals is from a county of the first class; and
1464 (B) one of the individuals is from a county of the third, fourth, fifth, or sixth class;
- 1465 (viii) one individual representing a nonprofit organization that addresses issues
1466 related to housing affordability;
- 1467 (ix) one individual with expertise on housing affordability issues in rural
1468 communities; and
- 1469 (x) one individual representing the Salt Lake Chamber, recommended by the Salt
1470 Lake Chamber.
- 1471 (3)(a) When a vacancy occurs in a position appointed by the governor under Subsection
1472 (2)(i), the governor shall appoint a person to fill the vacancy.
- 1473 (b) Members appointed under Subsection (2)(i) may be removed by the governor for
1474 cause.
- 1475 (c) A member appointed under Subsection (2)(i) shall be removed from the commission
1476 and replaced by an appointee of the governor if the member is absent for three
1477 consecutive meetings of the commission without being excused by a cochair of the
1478 commission.
- 1479 (d) A member serves until the member's successor is appointed.
- 1480 (4)(a) The commission shall select two members to serve as cochairs, one of whom shall
1481 be a legislator.
- 1482 (b) Subject to the other provisions of this Subsection (4), the cochairs are responsible for
1483 the call and conduct of meetings.
- 1484 (c) The cochairs shall call and hold meetings of the commission at least four times each
1485 year.
- 1486 (d) One or more additional meetings may be called upon request by a majority of the
1487 commission's members.
- 1488 (5)(a) A majority of the members of the commission constitutes a quorum.
- 1489 (b) The action of a majority of a quorum constitutes the action of the commission.

- 1490 (6)(a) A member of the commission described in Subsections (2)(c) through (i) may not
1491 receive compensation or benefits for the member's service, but may receive per diem
1492 and travel expenses in accordance with:
- 1493 (i) Section 63A-3-106;
 - 1494 (ii) Section 63A-3-107; and
 - 1495 (iii) rules made by the Division of Finance pursuant to Sections 63A-3-106 and
1496 63A-3-107.
- 1497 (b) Compensation and expenses of a member who is a legislator are governed by Section
1498 36-2-2 and Legislative Joint Rules, Title 5, Legislative Compensation and Expenses.
- 1499 (7) The division shall provide staff support to the commission.
- 1500 Section 25. Section **46-4-503** is amended to read:
- 1501 **46-4-503 (Effective 05/06/26). Government products and services provided**
1502 **electronically.**
- 1503 (1) Notwithstanding Section 46-4-501, a state governmental agency that administers one or
1504 more of the following transactions shall allow those transactions to be conducted
1505 electronically:
- 1506 (a) an application for or renewal of a professional or occupational license issued under
1507 Title 58, Occupations and Professions;
 - 1508 (b) the renewal of a drivers license;
 - 1509 (c) an application for a hunting or fishing license;
 - 1510 (d) the filing of:
 - 1511 (i) a return under Title 59, Chapter 10, Individual Income Tax Act, or Title 59,
1512 Chapter 12, Sales and Use Tax Act;
 - 1513 (ii) a court document, as defined by the Judicial Council; or
 - 1514 (iii) a document under Title 70A, Uniform Commercial Code;
 - 1515 (e) a registration for:
 - 1516 (i) a product; or
 - 1517 (ii) a brand;
 - 1518 (f) a renewal of a registration of a motor vehicle;
 - 1519 (g) a registration under:
 - 1520 (i) Title 16, Corporations;
 - 1521 (ii) Title 42, Names; or
 - 1522 (iii) Title 48, Unincorporated Business Entity Act; or
 - 1523 (h) submission of an application for benefits:

- 1524 (i) under Title 35A, Chapter 3, Employment Support Act;
1525 (ii) under Title 35A, Chapter 4, Employment Security Act; or
1526 (iii) related to accident and health insurance.
- 1527 (2) The state system of public education, in coordination with the Utah Education and
1528 Telehealth Network, shall make reasonable progress toward making the following
1529 services available electronically:
- 1530 (a) secure access by parents and students to student grades and progress reports;
1531 (b) email communications with:
1532 (i) teachers;
1533 (ii) parent-teacher associations; and
1534 (iii) school administrators;
1535 (c) access to school calendars and schedules; and
1536 (d) teaching resources that may include:
1537 (i) teaching plans;
1538 (ii) curriculum guides; and
1539 (iii) media resources.
- 1540 (3) A state governmental agency shall:
1541 (a) in carrying out the requirements of this section, take reasonable steps to ensure the
1542 security and privacy of records that are private or controlled as defined by Title 63G,
1543 Chapter 2, Government Records Access and Management Act;
1544 (b) in addition to those transactions listed in Subsections (1) and (2), determine any
1545 additional services that may be made available to the public through electronic
1546 means; and
1547 (c) as part of the agency's information technology plan required by Section 63A-16-203,
1548 report on the progress of compliance with Subsections (1) through this (3).
- 1549 (4) Notwithstanding the other provisions of this part, a state governmental agency is not
1550 required by this part to conduct a transaction electronically if:
1551 (a) conducting the transaction electronically is not required by federal law; and
1552 (b) conducting the transaction electronically is:
1553 (i) impractical;
1554 (ii) unreasonable; or
1555 (iii) not permitted by laws pertaining to privacy or security.
- 1556 (5)(a) For purposes of this Subsection (5), "one-stop shop" means the consolidation of
1557 access to diverse services and agencies at one location including virtual colocation.

- 1558 (b)(i) State agencies that provide services or offer direct assistance to the business
1559 community shall participate in the establishment, maintenance, and enhancement
1560 of an integrated Utah business web portal known as Business.utah.gov.
- 1561 (ii) The purpose of the business web portal is to provide [~~"one-stop-shop"~~] one-stop
1562 shop assistance to businesses.
- 1563 (c) State agencies shall partner with other governmental and nonprofit agencies whose
1564 primary mission is to provide services or offer direct assistance to the business
1565 community in Utah in fulfilling the requirements of this section.
- 1566 (d) The following state entities shall comply with the provisions of this Subsection (5):
- 1567 (i) Governor's Office of Economic [~~Opportunity~~] Development created in Section
1568 63N-1a-301, which shall serve as the managing partner for the website;
- 1569 (ii) Department of Workforce Services;
- 1570 (iii) Department of Commerce;
- 1571 (iv) State Tax Commission;
- 1572 (v) Department of Government Operations - Division of Purchasing and General
1573 Services, including other state agencies operating under a grant of authority from
1574 the division to procure goods and services in excess of \$5,000;
- 1575 (vi) Department of Agriculture;
- 1576 (vii) Department of Natural Resources; and
- 1577 (viii) other state agencies that provide services or offer direct assistance to the
1578 business sector.
- 1579 (e) The business services available on the business web portal may include:
- 1580 (i) business life cycle information;
- 1581 (ii) business searches;
- 1582 (iii) employment needs and opportunities;
- 1583 (iv) motor vehicle registration;
- 1584 (v) permit applications and renewal;
- 1585 (vi) tax information;
- 1586 (vii) government procurement bid notifications;
- 1587 (viii) general business information;
- 1588 (ix) business directories; and
- 1589 (x) business news.

1590 Section 26. Section **49-11-406** is amended to read:

1591 **49-11-406 (Effective 05/06/26). Governor's appointed executives and senior staff**

1592 -- **Appointed legislative employees -- Transfer of value of accrued defined benefit --**
1593 **Procedures.**

1594 (1) As used in this section:

1595 (a) "Defined benefit balance" means the total amount of the contributions made on
1596 behalf of a member to a defined benefit system plus refund interest.

1597 (b) "Senior staff" means an at-will employee who reports directly to an elected official,
1598 executive director, or director and includes a deputy director and other similar, at-will
1599 employee positions designated by the governor, the speaker of the House of
1600 Representatives, or the president of the Senate and filed with the Division of Human
1601 Resource Management and the Utah State Retirement Office.

1602 (2) In accordance with this section and subject to requirements under federal law and rules
1603 made by the board, a member who has service credit from a system may elect to be
1604 exempt from coverage under a defined benefit system and to have the member's defined
1605 benefit balance transferred from the defined benefit system or plan to a defined
1606 contribution plan in the member's own name if the member is:

1607 (a) the state auditor;

1608 (b) the state treasurer;

1609 (c) an appointed executive under Subsection 67-22-2(1)(a);

1610 (d) an employee in the [~~Governor's Office~~] Office of the Governor;

1611 (e) senior staff in the Governor's Office of Planning and Budget;

1612 (f) senior staff in the Governor's Office of Economic [~~Opportunity~~] Development;

1613 (g) senior staff in the State Commission on Criminal and Juvenile Justice;

1614 (h) senior staff in the Public Lands Policy Coordinating Office, created in Section
1615 63L-11-201;

1616 (i) a legislative employee appointed under Subsection 36-12-7(3); or

1617 (j) a legislative employee appointed by the speaker of the House of Representatives, the
1618 House of Representatives minority leader, the president of the Senate, or the Senate
1619 minority leader.

1620 (3) An election made under Subsection (2):

1621 (a) is final, and no right exists to make any further election;

1622 (b) is considered a request to be exempt from coverage under a defined benefits system;
1623 and

1624 (c) shall be made on forms provided by the office.

1625 (4) The board shall adopt rules to implement and administer this section.

1626 Section 27. Section **49-12-203** is amended to read:

1627 **49-12-203 (Effective 05/06/26). Exclusions from membership in system.**

1628 (1) The following employees are not eligible for service credit in this system:

1629 (a) subject to the requirements of Subsection (2), an employee whose employment status
1630 is temporary in nature due to the nature or the type of work to be performed;

1631 (b) except as provided under Subsection (3)(a), an employee of an institution of higher
1632 education who participates in a retirement system with a public or private retirement
1633 system, organization, or company designated by the Utah Board of Higher Education,
1634 or the technical college board of trustees for an employee of each technical college,
1635 during any period in which required contributions based on compensation have been
1636 paid on behalf of the employee by the employer;

1637 (c) an employee serving as an exchange employee from outside the state for an employer
1638 who has not elected to make all of the employer's exchange employees eligible for
1639 service credit in this system;

1640 (d) an executive department head of the state, a member of the State Tax Commission,
1641 the Public Service Commission, and a member of a full-time or part-time board or
1642 commission who files a formal request for exemption;

1643 (e) an employee of the Department of Workforce Services who is covered under another
1644 retirement system allowed under Title 35A, Chapter 4, Employment Security Act;

1645 (f) an employee who is employed on or after July 1, 2009, with an employer that has
1646 elected, prior to July 1, 2009, to be excluded from participation in this system under
1647 Subsection 49-12-202(2)(c);

1648 (g) an employee who is employed on or after July 1, 2014, with an employer that has
1649 elected, prior to July 1, 2014, to be excluded from participation in this system under
1650 Subsection 49-12-202(2)(d);

1651 (h) an employee who is employed with a withdrawing entity that has elected under
1652 Section 49-11-623, prior to January 1, 2017, to exclude:

1653 (i) new employees from participation in this system under Subsection 49-11-623(3)(a);
1654 or

1655 (ii) all employees from participation in this system under Subsection 49-11-623(3)(b);

1656 (i) an employee described in Subsection (1)(i)(i) or (ii) who is employed with a
1657 withdrawing entity that has elected under Section 49-11-624, before January 1, 2018,
1658 to exclude:

1659 (i) new employees from participation in this system under Subsection 49-11-624(3)(a);

- 1660 or
- 1661 (ii) all employees from participation in this system under Subsection 49-11-624(3)(b);
- 1662 (j) an employee who is employed with a withdrawing entity that has elected under
- 1663 Section 49-11-625, before July 1, 2022, to exclude all employees from participation
- 1664 in this system; or
- 1665 (k) an employee who is employed with a withdrawing entity that elects under Section
- 1666 49-11-626 to exclude:
- 1667 (i) new employees from participation in this system under Subsection 49-11-626(3)(a);
- 1668 or
- 1669 (ii) all employees from participation in this system under Subsection 49-11-626(3)(b).
- 1670 (2) If an employee whose status is temporary in nature due to the nature of type of work to
- 1671 be performed:
- 1672 (a) is employed for a term that exceeds six months and the employee otherwise qualifies
- 1673 for service credit in this system, the participating employer shall report and certify to
- 1674 the office that the employee is a regular full-time employee effective the beginning of
- 1675 the seventh month of employment; or
- 1676 (b) was previously terminated prior to being eligible for service credit in this system and
- 1677 is reemployed within three months of termination by the same participating
- 1678 employer, the participating employer shall report and certify that the member is a
- 1679 regular full-time employee when the total of the periods of employment equals six
- 1680 months and the employee otherwise qualifies for service credits in this system.
- 1681 (3)(a) Upon cessation of the participating employer contributions, an employee under
- 1682 Subsection (1)(b) is eligible for service credit in this system.
- 1683 (b) Notwithstanding the provisions of Subsection (1)(f), any eligibility for service credit
- 1684 earned by an employee under this chapter before July 1, 2009, is not affected under
- 1685 Subsection (1)(f).
- 1686 (c) Notwithstanding the provisions of Subsection (1)(g), any eligibility for service credit
- 1687 earned by an employee under this chapter before July 1, 2014, is not affected under
- 1688 Subsection (1)(g).
- 1689 (4) Upon filing a written request for exemption with the office, the following employees
- 1690 shall be exempt from coverage under this system:
- 1691 (a) a full-time student or the spouse of a full-time student and individuals employed in a
- 1692 trainee relationship;
- 1693 (b) an elected official;

- 1694 (c) an executive department head of the state, a member of the State Tax Commission, a
1695 member of the Public Service Commission, and a member of a full-time or part-time
1696 board or commission;
- 1697 (d) an employee of the Governor's Office of Planning and Budget;
- 1698 (e) an employee of the Governor's Office of Economic ~~[Opportunity]~~ Development;
- 1699 (f) an employee of the Commission on Criminal and Juvenile Justice;
- 1700 (g) an employee of the ~~[Governor's Office]~~ Office of the Governor;
- 1701 (h) an employee of the Public Lands Policy Coordinating Office, created in Section
1702 63L-11-201;
- 1703 (i) an employee of the ~~[State Auditor's Office]~~ state auditor's office;
- 1704 (j) an employee of the ~~[State Treasurer's Office]~~ state treasurer's office;
- 1705 (k) any other member who is permitted to make an election under Section 49-11-406;
- 1706 (l) a person appointed as a city manager or chief city administrator or another person
1707 employed by a municipality, county, or other political subdivision, who is an at-will
1708 employee;
- 1709 (m) an employee of an interlocal cooperative agency created under Title 11, Chapter 13,
1710 Interlocal Cooperation Act, who is engaged in a specialized trade customarily
1711 provided through membership in a labor organization that provides retirement
1712 benefits to the organization's members;
- 1713 (n) an employee serving as an exchange employee from outside the state for an
1714 employer who has elected to make all of the employer's exchange employees eligible
1715 for service credit in this system; and
- 1716 (o) the adjutant general of the Utah National Guard appointed under Section 39A-1-201
1717 and each individual listed in Subsection 39A-1-203(1).
- 1718 (5)(a) Each participating employer shall prepare and maintain a list designating those
1719 positions eligible for exemption under Subsection (4).
- 1720 (b) An employee may not be exempted unless the employee is employed in an exempted
1721 position designated by the participating employer.
- 1722 (6)(a) In accordance with this section, Section 49-13-203, and Section 49-22-205, a
1723 municipality, county, or political subdivision may not exempt a total of more than 50
1724 positions or a number equal to 10% of the eligible employees of the municipality,
1725 county, or political subdivision, whichever is less.
- 1726 (b) A municipality, county, or political subdivision may exempt at least one regular
1727 full-time employee.

- 1728 (7) Each participating employer shall:
- 1729 (a) maintain a list of employee exemptions; and
- 1730 (b) update the employee exemptions in the event of any change.
- 1731 (8) The office may make rules to implement this section.
- 1732 (9) An employee's exclusion, exemption, participation, or election described in this section:
- 1733 (a) shall be made in accordance with this section; and
- 1734 (b) is subject to requirements under federal law and rules made by the board.
- 1735 Section 28. Section **49-13-203** is amended to read:
- 1736 **49-13-203 (Effective 05/06/26). Exclusions from membership in system.**
- 1737 (1) The following employees are not eligible for service credit in this system:
- 1738 (a) subject to the requirements of Subsection (2), an employee whose employment status
- 1739 is temporary in nature due to the nature or the type of work to be performed;
- 1740 (b) except as provided under Subsection (3)(a), an employee of an institution of higher
- 1741 education who participates in a retirement system with a public or private retirement
- 1742 system, organization, or company designated by the Utah Board of Higher Education,
- 1743 or the technical college board of trustees for an employee of each technical college,
- 1744 during any period in which required contributions based on compensation have been
- 1745 paid on behalf of the employee by the employer;
- 1746 (c) an employee serving as an exchange employee from outside the state for an employer
- 1747 who has not elected to make all of the employer's exchange employees eligible for
- 1748 service credit in this system;
- 1749 (d) an executive department head of the state or a legislative director, senior executive
- 1750 employed by the governor's office, a member of the State Tax Commission, a
- 1751 member of the Public Service Commission, and a member of a full-time or part-time
- 1752 board or commission who files a formal request for exemption;
- 1753 (e) an employee of the Department of Workforce Services who is covered under another
- 1754 retirement system allowed under Title 35A, Chapter 4, Employment Security Act;
- 1755 (f) an employee who is employed with an employer that has elected to be excluded from
- 1756 participation in this system under Subsection 49-13-202(5), effective on or after the
- 1757 date of the employer's election under Subsection 49-13-202(5);
- 1758 (g) an employee who is employed with a withdrawing entity that has elected under
- 1759 Section 49-11-623, prior to January 1, 2017, to exclude:
- 1760 (i) new employees from participation in this system under Subsection 49-11-623(3)(a);
- 1761 or

- 1762 (ii) all employees from participation in this system under Subsection 49-11-623(3)(b);
1763 (h) an employee described in Subsection (1)(h)(i) or (ii) who is employed with a
1764 withdrawing entity that has elected under Section 49-11-624, before January 1, 2018,
1765 to exclude:
1766 (i) new employees from participation in this system under Subsection 49-11-624(3)(a);
1767 or
1768 (ii) all employees from participation in this system under Subsection 49-11-624(3)(b);
1769 (i) an employee who is employed with a withdrawing entity that has elected under
1770 Section 49-11-625, before July 1, 2022, to exclude all employees from participation
1771 in this system; or
1772 (j) an employee who is employed with a withdrawing entity that elects under Section
1773 49-11-626 to exclude:
1774 (i) new employees from participation in this system under Subsection 49-11-626(3)(a);
1775 or
1776 (ii) all employees from participation in this system under Subsection 49-11-626(3)(b).
1777 (2) If an employee whose status is temporary in nature due to the nature of type of work to
1778 be performed:
1779 (a) is employed for a term that exceeds six months and the employee otherwise qualifies
1780 for service credit in this system, the participating employer shall report and certify to
1781 the office that the employee is a regular full-time employee effective the beginning of
1782 the seventh month of employment; or
1783 (b) was previously terminated prior to being eligible for service credit in this system and
1784 is reemployed within three months of termination by the same participating
1785 employer, the participating employer shall report and certify that the member is a
1786 regular full-time employee when the total of the periods of employment equals six
1787 months and the employee otherwise qualifies for service credits in this system.
1788 (3)(a) Upon cessation of the participating employer contributions, an employee under
1789 Subsection (1)(b) is eligible for service credit in this system.
1790 (b) Notwithstanding the provisions of Subsection (1)(f), any eligibility for service credit
1791 earned by an employee under this chapter before the date of the election under
1792 Subsection 49-13-202(5) is not affected under Subsection (1)(f).
1793 (4) Upon filing a written request for exemption with the office, the following employees
1794 shall be exempt from coverage under this system:
1795 (a) a full-time student or the spouse of a full-time student and individuals employed in a

- 1796 trainee relationship;
- 1797 (b) an elected official;
- 1798 (c) an executive department head of the state, a member of the State Tax Commission, a
- 1799 member of the Public Service Commission, and a member of a full-time or part-time
- 1800 board or commission;
- 1801 (d) an employee of the Governor's Office of Planning and Budget;
- 1802 (e) an employee of the Governor's Office of Economic [Opportunity] Development;
- 1803 (f) an employee of the Commission on Criminal and Juvenile Justice;
- 1804 (g) an employee of the Governor's Office;
- 1805 (h) an employee of the State Auditor's Office;
- 1806 (i) an employee of the State Treasurer's Office;
- 1807 (j) any other member who is permitted to make an election under Section 49-11-406;
- 1808 (k) a person appointed as a city manager or chief city administrator or another person
- 1809 employed by a municipality, county, or other political subdivision, who is an at-will
- 1810 employee;
- 1811 (l) an employee of an interlocal cooperative agency created under Title 11, Chapter 13,
- 1812 Interlocal Cooperation Act, who is engaged in a specialized trade customarily
- 1813 provided through membership in a labor organization that provides retirement
- 1814 benefits to its members;
- 1815 (m) an employee serving as an exchange employee from outside the state for an
- 1816 employer who has elected to make all of the employer's exchange employees eligible
- 1817 for service credit in this system; and
- 1818 (n) the adjutant general of the Utah National Guard appointed under Section 39A-1-201
- 1819 and each individual listed in Subsection 39A-1-203(1).
- 1820 (5)(a) Each participating employer shall prepare and maintain a list designating those
- 1821 positions eligible for exemption under Subsection (4).
- 1822 (b) An employee may not be exempted unless the employee is employed in a position
- 1823 designated by the participating employer.
- 1824 (6)(a) In accordance with this section, Section 49-12-203, and Section 49-22-205, a
- 1825 municipality, county, or political subdivision may not exempt a total of more than 50
- 1826 positions or a number equal to 10% of the eligible employees of the municipality,
- 1827 county, or political subdivision, whichever is less.
- 1828 (b) A municipality, county, or political subdivision may exempt at least one regular
- 1829 full-time employee.

- 1830 (7) Each participating employer shall:
- 1831 (a) maintain a list of employee exemptions; and
- 1832 (b) update the employee exemptions in the event of any change.
- 1833 (8) The office may make rules to implement this section.
- 1834 (9) An employee's exclusion, exemption, participation, or election described in this section:
- 1835 (a) shall be made in accordance with this section; and
- 1836 (b) is subject to requirements under federal law and rules made by the board.
- 1837 Section 29. Section **49-22-205** is amended to read:
- 1838 **49-22-205 (Effective 05/06/26). Exemptions from participation in system.**
- 1839 (1) Upon filing a written request for exemption with the office, the following employees are
- 1840 exempt from participation in the system as provided in this section:
- 1841 (a) an executive department head of the state;
- 1842 (b) a member of the State Tax Commission;
- 1843 (c) a member of the Public Service Commission;
- 1844 (d) a member of a full-time or part-time board or commission;
- 1845 (e) an employee of the Governor's Office of Planning and Budget;
- 1846 (f) an employee of the Governor's Office of Economic [Opportunity] Development;
- 1847 (g) an employee of the Commission on Criminal and Juvenile Justice;
- 1848 (h) an employee of the Governor's Office;
- 1849 (i) an employee of the State Auditor's Office;
- 1850 (j) an employee of the State Treasurer's Office;
- 1851 (k) any other member who is permitted to make an election under Section 49-11-406;
- 1852 (l) a person appointed as a city manager or appointed as a city administrator or another
- 1853 at-will employee of a municipality, county, or other political subdivision;
- 1854 (m) an employee of an interlocal cooperative agency created under Title 11, Chapter 13,
- 1855 Interlocal Cooperation Act, who is engaged in a specialized trade customarily
- 1856 provided through membership in a labor organization that provides retirement
- 1857 benefits to its members;
- 1858 (n) an employee serving as an exchange employee from outside the state for an
- 1859 employer who has elected to make all of the employer's exchange employees eligible
- 1860 for service credit in this system; and
- 1861 (o) the adjutant general of the Utah National Guard appointed under Section 39A-1-201
- 1862 and each individual listed in Subsection 39A-1-203(1).
- 1863 (2)(a) A participating employer shall prepare and maintain a list designating those

- 1864 positions eligible for exemption under Subsection (1).
- 1865 (b) An employee may not be exempted unless the employee is employed in a position
1866 designated by the participating employer under Subsection (1).
- 1867 (3)(a) In accordance with this section, Section 49-12-203, and Section 49-13-203, a
1868 municipality, county, or political subdivision may not exempt a total of more than 50
1869 positions or a number equal to 10% of the eligible employees of the municipality,
1870 county, or political subdivision, whichever is less.
- 1871 (b) A municipality, county, or political subdivision may exempt at least one regular
1872 full-time employee.
- 1873 (4) Each participating employer shall:
- 1874 (a) maintain a list of employee exemptions; and
1875 (b) update an employee exemption in the event of any change.
- 1876 (5) Beginning on the effective date of the exemption for an employee who elects to be
1877 exempt in accordance with Subsection (1):
- 1878 (a) for a member of the Tier II defined contribution plan:
- 1879 (i) the participating employer shall contribute the nonelective contribution and the
1880 amortization rate described in Section 49-22-401, except that the nonelective
1881 contribution is exempt from the vesting requirements of Subsection
1882 49-22-401(3)(a);
- 1883 (ii) the member may make voluntary deferrals as provided in Section 49-22-401; and
1884 (iii) the member is not eligible for additional service credit in the plan for the period
1885 of exempt employment; and
- 1886 (b) for a member of the Tier II hybrid retirement system:
- 1887 (i) the participating employer shall contribute the nonelective contribution and the
1888 amortization rate described in Section 49-22-401, except that the contribution is
1889 exempt from the vesting requirements of Subsection 49-22-401(3)(a);
- 1890 (ii) the member may make voluntary deferrals as provided in Section 49-22-401; and
1891 (iii) the member is not eligible for additional service credit in the system for the
1892 period of exempt employment.
- 1893 (6) If an employee who is a member of the Tier II hybrid retirement system subsequently
1894 revokes the election of exemption made under Subsection (1), the provisions described
1895 in Subsection (5)(b) shall no longer be applicable and the coverage for the employee
1896 shall be effective prospectively as provided in Part 3, Tier II Hybrid Retirement System.
- 1897 (7)(a) All employer contributions made on behalf of an employee shall be invested in

- 1898 accordance with Subsection 49-22-303(3)(a) or 49-22-401(4)(a) until the one-year
 1899 election period under Subsection 49-22-201(2)(c) is expired if the employee:
- 1900 (i) elects to be exempt in accordance with Subsection (1); and
 1901 (ii) continues employment with the participating employer through the one-year
 1902 election period under Subsection 49-22-201(2)(c).
- 1903 (b) An employee is entitled to receive a distribution of the employer contributions made
 1904 on behalf of the employee and all associated investment gains and losses if the
 1905 employee:
- 1906 (i) elects to be exempt in accordance with Subsection (1); and
 1907 (ii) terminates employment prior to the one-year election period under Subsection
 1908 49-22-201(2)(c).
- 1909 (8)(a) The office shall make rules to implement this section.
- 1910 (b) The rules made under this Subsection (8) shall include provisions to allow the
 1911 exemption provided under Subsection (1) to apply to all contributions made
 1912 beginning on or after July 1, 2011, on behalf of an exempted employee who began
 1913 the employment before May 8, 2012.
- 1914 (9) An employee's exemption, participation, or election described in this section:
- 1915 (a) shall be made in accordance with this section; and
 1916 (b) is subject to requirements under federal law and rules made by the board.
- 1917 Section 30. Section **53E-1-201** is amended to read:
- 1918 **53E-1-201 (Effective 05/06/26) (Partially Repealed 07/01/27). Reports to and**
 1919 **action required of the Education Interim Committee.**
- 1920 (1) In accordance with applicable provisions and Section 68-3-14, the following recurring
 1921 reports are due to the Education Interim Committee:
- 1922 (a) the report described in Section 9-22-109 by the STEM Action Center Board,
 1923 including the information described in Section 9-22-113 on the status of the computer
 1924 science initiative and Section 9-22-114 on the Computing Partnerships Grants
 1925 Program;
- 1926 (b) the prioritized list of data research described in Section 53H-15-303 and the report
 1927 on research and activities described in Section 53H-15-305 by the Utah Data
 1928 Research Center;
- 1929 (c) the report described in Section 53H-1-203 by the Utah Board of Higher Education on
 1930 career and technical education issues and addressing workforce needs;
- 1931 (d) the annual report of the Utah Board of Higher Education described in Section

- 1932 53H-1-203;
- 1933 (e) the reports described in Section 53H-7-603 by the Utah Board of Higher Education
- 1934 regarding activities related to campus safety;
- 1935 (f) the State Superintendent's Annual Report by the state board described in Section
- 1936 53E-1-203;
- 1937 (g) the annual report described in Section 53E-2-202 by the state board on the strategic
- 1938 plan to improve student outcomes;
- 1939 (h) the report described in Section 53E-3-501 by the state board on students in an LEA
- 1940 who receive academic credit through the packet method;
- 1941 (i) the report described in Section 53E-8-204 by the state board on the Utah Schools for
- 1942 the Deaf and the Blind;
- 1943 (j) the report described in Section 53E-10-703 by the Utah Leading through Effective,
- 1944 Actionable, and Dynamic Education director on research and other activities;
- 1945 (k) the report described in Section 53F-2-522 regarding mental health screening
- 1946 programs;
- 1947 (l) the report described in Section 53F-4-203 by the state board and the independent
- 1948 evaluator on an evaluation of early interactive reading software;
- 1949 (m) the report described in Section 53F-6-412 by the program manager of the Utah Fits
- 1950 All Scholarship Program;
- 1951 (n) the report described in Section 63N-20-107 by the Governor's Office of Economic [
- 1952 ~~Opportunity~~] Development on UPSTART;
- 1953 (o) the report described in Section 53F-5-215 by the state board related to a grant for an
- 1954 elementary teacher preparation assessment;
- 1955 (p) upon request, the report described in Section 53F-5-219 by the state board on the
- 1956 Local Innovations Civics Education Pilot Program;
- 1957 (q) the report described in Section 53F-5-405 by the state board regarding an evaluation
- 1958 of a partnership that receives a grant to improve educational outcomes for students
- 1959 who are low-income;
- 1960 (r) the report described in Section 53H-1-604 regarding the Higher Education and
- 1961 Corrections Council;
- 1962 (s) the report described in Section 53G-7-221 by the state board regarding innovation
- 1963 plans; and
- 1964 (t) the reports described in Section 53F-6-412 regarding the Utah Fits All Scholarship
- 1965 Program.

- 1966 (2) In accordance with applicable provisions and Section 68-3-14, the following occasional
1967 reports are due to the Education Interim Committee:
- 1968 (a) in 2027, 2030, 2033, and 2035, the reports described in Sections 53H-1-502,
1969 53H-1-503, and 53H-1-504;
- 1970 (b) in 2025, the report described in Section 53H-6-203 by a degree-granting institution
1971 regarding policies on abusive coaching practices;
- 1972 (c) if required, the report described in Section 53E-4-309 by the state board explaining
1973 the reasons for changing the grade level specification for the administration of
1974 specific assessments;
- 1975 (d) if required, the report described in Section 53E-5-210 by the state board of an
1976 adjustment to the minimum level that demonstrates proficiency for each statewide
1977 assessment;
- 1978 (e) the report described in Section 53E-10-702 by Utah Leading through Effective,
1979 Actionable, and Dynamic Education;
- 1980 (f) if required, the report described in Section 53F-2-513 by the state board evaluating
1981 the effects of salary bonuses on the recruitment and retention of effective teachers in
1982 high-poverty schools;
- 1983 (g) upon request, the report described in Section 53F-10-303 by the state board
1984 regarding the Rural School Sports Facilities Grant Program;
- 1985 (h) upon request, a report described in Section 53G-7-222 by an LEA regarding
1986 expenditure of a percentage of state restricted funds to support an innovative
1987 education program;
- 1988 (i) the reports described in Section 53G-11-304 by the state board regarding proposed
1989 rules and results related to educator exit surveys; and
- 1990 (j) the report described in Section 26B-5-113 by the Office of Substance Use and Mental
1991 Health, the state board, and the Department of Health and Human Services regarding
1992 recommendations related to Medicaid reimbursement for school-based health
1993 services.
- 1994 (3) In accordance with applicable provisions and Section 68-3-14, every five years the
1995 Education Interim Committee shall review the programs described in the following
1996 sections of code:
- 1997 (a) beginning July 1, 2027, [~~Title 53E, Chapter 10, Part 3~~] Chapter 10, Part 3, Concurrent
1998 Enrollment;
- 1999 (b) beginning July 1, 2027, Section 53F-2-408, Enhancement for Accelerated Students

- 2000 Program;
- 2001 (c) beginning July 1, 2027, Section 53F-2-409, Concurrent enrollment funding;
- 2002 (d) beginning July 1, 2027, Section 53F-2-415, Student health and counseling support --
- 2003 Qualifying personnel -- Distribution formula -- Rulemaking;
- 2004 (e) beginning July 1, 2028, Section 53F-2-416, Appropriation and distribution for the
- 2005 Teacher and Student Success Program;
- 2006 (f) beginning July 1, 2028, Section 53F-2-510, Digital Teaching and Learning Grant
- 2007 Program;
- 2008 (g) beginning July 1, 2028, Section 53F-9-306, Teacher and Student Success Account;
- 2009 (h) beginning July 1, 2028, Title 53G, Chapter 7, Part 13, Teacher and Student Success
- 2010 Program; and
- 2011 (i) beginning July 1, 2029, Section 53F-2-502, Dual language immersion.
- 2012 Section 31. Section **53E-4-308** is amended to read:
- 2013 **53E-4-308 (Effective 05/06/26). Unique student identifier -- Coordination of**
- 2014 **higher education and public education information technology systems -- Coordination of**
- 2015 **preschool and public education information technology systems.**
- 2016 (1) As used in this section, "unique student identifier" means an alphanumeric code
- 2017 assigned to each public education student for identification purposes, which:
- 2018 (a) is not assigned to any former or current student; and
- 2019 (b) does not incorporate personal information, including a birth date or social security
- 2020 number.
- 2021 (2) The state board, through the state superintendent, shall assign each public education
- 2022 student a unique student identifier, which shall be used to track individual student
- 2023 performance on achievement tests administered under this part.
- 2024 (3) The state board and the Utah Board of Higher Education, in collaboration with the Utah
- 2025 Data Research Center created in Section 53H-15-202, shall:
- 2026 (a) coordinate public education and higher education information technology systems to
- 2027 allow individual student academic achievement to be tracked through both education
- 2028 systems in accordance with this section and Section 53H-1-207; and
- 2029 (b) coordinate access to the unique student identifier of a public education student who
- 2030 later attends an institution within the state system of higher education.
- 2031 (4)(a) The state board and the Department of Workforce Services shall coordinate
- 2032 assignment of a unique student identifier to each student enrolled in a program
- 2033 described in Title 35A, Chapter 15, Preschool Programs.

2034 (b) A unique student identifier assigned to a student under Subsection (4)(a) shall remain
2035 the student's unique student identifier used by the state board when the student enrolls
2036 in a public school in kindergarten or a later grade.

2037 (c) The Governor's Office of Economic [Opportunity] Development, the state board, the
2038 Department of Workforce Services, and a contractor as defined in Section
2039 63N-20-101, shall coordinate access to the unique student identifier of a preschool
2040 student who later attends an LEA.

2041 Section 32. Section **53H-1-402** is amended to read:

2042 **53H-1-402 (Effective 05/06/26) (Partially Repealed 07/01/27). Reports to and**
2043 **actions of the Higher Education Appropriations Subcommittee.**

2044 (1) In accordance with applicable provisions and Section 68-3-14, the following recurring
2045 reports are due to the Higher Education Appropriations Subcommittee:

2046 (a) the reports described in Sections 53H-1-502, 53H-1-503, and 53H-1-504;

2047 (b) the reports described in Section 53H-1-203 by the board on:

2048 (i) system wide responses to changing demographics and workforce; and

2049 (ii) the board's activities and performance against the board's goals and metrics;

2050 (c) the report described in Section 53H-5-205;

2051 (d) the report described in Section 53H-8-202 by the board on recommended
2052 appropriations for higher education institutions and the board, including the report
2053 described in Section 53H-11-406 by the board on the effects of offering nonresident
2054 partial tuition scholarships;

2055 (e) the report described in Section 53H-8-306 by the Department of Workforce Services
2056 and the Governor's Office of Economic [Opportunity] Development on targeted jobs;

2057 (f) the reports described in Section 53H-8-303 by the board on performance;

2058 (g) the report described in Section 53H-11-402 by the board on the Opportunity
2059 Scholarship Program;

2060 (h) the report described in Section 53H-13-309 regarding the talent advisory councils;

2061 (i) the report described in Section 53H-11-414 by the board on the Utah Promise
2062 Program;

2063 (j) the report described in Section 53H-6-202 by the board on an institution
2064 compensating a student athlete for the use of the student athlete's name, image, or
2065 likeness;

2066 (k) the report described in Section 53H-1-604 regarding the Higher Education and
2067 Corrections Council; and

- 2068 (1) the report described in Section 53E-10-308 by the State Board of Education and
 2069 board on student participation in the concurrent enrollment program.
- 2070 (2) In accordance with applicable provisions and Section 68-3-14, the [~~following occasional~~
 2071 ~~report]~~ board's report regarding each institution's strategic reinvestment plan described in
 2072 Section 53H-8-210 is due, on occasion, to the Higher Education Appropriations
 2073 Subcommittee[~~: the board's report regarding each institution's strategic reinvestment~~
 2074 ~~plan described in Section 53H-8-210]~~.
- 2075 (3) In accordance with applicable provisions, the Higher Education Appropriations
 2076 Subcommittee shall complete the following:
- 2077 (a) an appropriation recommendation described in Section 53H-1-504 regarding
 2078 compliance with Subsections 53H-1-504(5) and (14); and
- 2079 (b) as required by Section 53H-8-304, the review of performance funding described in
 2080 Section 53H-8-304.
- 2081 (4) In consultation with the board, the Higher Education Appropriations Subcommittee
 2082 shall study a re-design of:
- 2083 (a) the performance funding model described in Chapter 8, Part 3, Performance Funding,
 2084 to better ensure:
- 2085 (i) institutional alignment with the statewide system of higher education and the
 2086 institution's mission within the statewide system; and
- 2087 (ii) investment in meeting localized and statewide workforce demands and securing
 2088 post-graduation employment outcomes; and
- 2089 (b) enrollment-based funding, including, for technical colleges, funding distribution
 2090 models that:
- 2091 (i) include equivalent funding value for secondary and adult students; and
 2092 (ii) reflect the full responsibility of the technical college's statutorily-required
 2093 services.
- 2094 Section 33. Section **53H-3-305** is amended to read:
- 2095 **53H-3-305 (Effective 05/06/26). Technical college presidents.**
- 2096 (1) The board shall appoint a president for each technical college in accordance with
 2097 Section 53H-3-302.
- 2098 (2) A technical college president is the chief executive officer of the technical college.
- 2099 (3) A technical college president:
- 2100 (a) does not need to have a doctorate degree; and
- 2101 (b) shall have extensive experience in career and technical education.

- 2102 (4) In addition to the duties described in Section 53H-3-303, a technical college president
 2103 shall:
- 2104 (a) after consulting with the board, other institutions of higher education, school
 2105 districts, and charter schools within the technical college's region, prepare a
 2106 comprehensive strategic plan for delivering technical education within the region;
- 2107 (b) consult with business, industry, the Department of Workforce Services, the
 2108 Governor's Office of Economic [~~Opportunity~~] Development, and the Governor's
 2109 Office of Planning and Budget on an ongoing basis to determine what workers and
 2110 skills are needed for employment in Utah businesses and industries;
- 2111 (c) coordinate with local school boards, school districts, and charter schools to meet the
 2112 technical education needs of secondary students; and
- 2113 (d) develop policies and procedures for the admission, classification, instruction, and
 2114 examination of students in accordance with the policies and accreditation guidelines
 2115 of the board and the State Board of Education.

2116 Section 34. Section **53H-4-306.1** is amended to read:

2117 **53H-4-306.1 (Effective 05/06/26) (Repealed 07/01/28). Electrification of**
 2118 **Transportation Infrastructure Research Center -- Definitions.**

2119 As used in Sections 53H-4-306.1 through 53H-4-306.6:

- 2120 (1) "Department of Environmental Quality" means the Department of Environmental
 2121 Quality created in Section 19-1-104.
- 2122 (2) "Department of Transportation" means the Department of Transportation created in
 2123 Section 72-1-201.
- 2124 (3) "Governor's Office of Economic [~~Opportunity~~] Development" means the Governor's
 2125 Office of Economic [~~Opportunity~~] Development created in Section 63N-1a-301.
- 2126 (4) "Industry advisory board" means the industry advisory board created in accordance with
 2127 Section 53H-4-306.4.
- 2128 (5) "Initiative" means the strategic planning and development initiative to guide the
 2129 transition to an electrified and intelligent transportation system in this state.
- 2130 (6) "Large public transit district" means the same as that term is defined in Section
 2131 17B-2a-802.
- 2132 (7) "Office of Energy Development" means the Office of Energy Development created in
 2133 Section 79-6-401.
- 2134 (8) "Project director" means the project director of the research center appointed under
 2135 Subsection 53H-4-306.2(2)(b).

- 2136 (9) "Research center" means the ASPIRE Engineering Research Center at Utah State
 2137 University.
- 2138 (10) "Steering committee" means the Electrification of Transportation Infrastructure
 2139 Steering Committee created in Section 53H-4-306.3.
- 2140 Section 35. Section **53H-4-306.3** is amended to read:
- 2141 **53H-4-306.3 (Effective 05/06/26) (Repealed 07/01/28). Electrification of**
 2142 **Transportation Infrastructure Research Center -- Steering committee.**
- 2143 (1) There is created the Electrification of Transportation Infrastructure Steering Committee.
- 2144 (2) The Electrification of Transportation Infrastructure Steering Committee consists of the
 2145 following members:
- 2146 (a) the executive director of the Department of Transportation, or the executive director's
 2147 designee;
- 2148 (b) the executive director of the Department of Environmental Quality, or the executive
 2149 director's designee;
- 2150 (c) the director of the Office of Energy Development, or the director's designee;
- 2151 (d) the executive director of a large public transit district, or the executive director's
 2152 designee;
- 2153 (e) the executive director of the Governor's Office of Economic [Opportunity]
 2154 Development, or the executive director's designee;
- 2155 (f) one representative of a major electrical power provider in the state, appointed by the
 2156 governor; and
- 2157 (g) the chair of the industry advisory board created in Section 53H-4-306.4.
- 2158 (3) The steering committee member representing the Department of Transportation shall
 2159 serve as the chair of the steering committee.
- 2160 (4) The steering committee shall:
- 2161 (a) provide direction to the project director on the nature and priorities of the strategic
 2162 planning and development initiative;
- 2163 (b) assist the project director in the development of a strategic action plan and
 2164 implementation related to the electrification of transportation infrastructure;
- 2165 (c) approve annual reports on the strategic planning and development initiative as
 2166 required in Section 53H-4-306.6;
- 2167 (d) consider and approve the budget proposed by the project director for the expenditure
 2168 of funds for the initiative; and
- 2169 (e) review expenditures authorized by the project director made before October 1, 2023.

- 2170 (5) The steering committee shall convene no later than October 1, 2023.
- 2171 Section 36. Section **53H-11-415** is amended to read:
- 2172 **53H-11-415 (Effective 05/06/26). Talent Development Award Program.**
- 2173 (1) As used in this section:
- 2174 (a) "Award" means a monetary grant awarded in accordance with this section.
- 2175 (b) "Full-time" means the number of credit hours the board determines is full-time
- 2176 enrollment for a student for purposes of the program.
- 2177 (c) [~~"GOEO"~~] "GOED" means the Governor's Office of Economic [~~Opportunity~~]
- 2178 Development created in Section 63N-1a-301.
- 2179 (d) "Program" means the Talent Development Award Program created in this section.
- 2180 (e) "Qualifying degree" means an associate's or a bachelor's degree that qualifies an
- 2181 individual to work in a qualifying job, as determined by [~~GOEO~~] GOED under this
- 2182 section.
- 2183 (f) "Qualifying job" means a job:
- 2184 (i) described in this section for which an individual may receive an award for the
- 2185 current two-year period; or
- 2186 (ii)(A) that was identified in accordance with this section at the time a recipient
- 2187 received an award; and
- 2188 (B) for which the recipient is pursuing a qualifying degree, for which the recipient
- 2189 completed a qualifying degree, or in which the recipient is working.
- 2190 (g) "Recipient" means an individual who receives an award.
- 2191 (2) There is created the Talent Development Award Program to recruit and train individuals
- 2192 to work in certain jobs that have a high demand for new employees and offer high wages.
- 2193 (3) Subject to available funds, an institution shall award an individual who:
- 2194 (a) is pursuing or declares an intent to pursue a qualifying degree;
- 2195 (b) declares an intent to work in a qualifying job described in this section in Utah
- 2196 following graduation;
- 2197 (c) applies to the institution to receive an award; and
- 2198 (d) meets other criteria determined by the board in the rules described in this section.
- 2199 (4)(a) An institution may award a recipient in an amount up to the cost of resident
- 2200 tuition, fees, and books for the number of credit hours in which the recipient is
- 2201 enrolled each semester.
- 2202 (b) An institution may award a recipient for up to the expected amount of time for the
- 2203 recipient to complete the qualifying degree, as determined by the institution.

- 2204 (c) An institution may cancel an award in accordance with the rules described in this
 2205 section.
- 2206 (5) An institution may use money from a partnership with an industry or business for
 2207 funding or repaying an award.
- 2208 (6) The board may use up to 5% of money appropriated for the program for administration.
- 2209 (7) Every other year, [~~GÖEÖ~~] GOED shall identify:
- 2210 (a) five qualifying jobs that:
- 2211 (i) have the highest demand for new employees; and
- 2212 (ii) offer high wages; and
- 2213 (b) the qualifying degrees for each qualifying job.
- 2214 (8) [~~GÖEÖ~~] GOED shall:
- 2215 (a) ensure that each qualifying job:
- 2216 (i) ranks in the top 40% of jobs based on an employment index that considers the
 2217 job's growth rate and total openings;
- 2218 (ii) ranks in the top 40% of jobs for wages; and
- 2219 (iii) requires an associate's degree or a bachelor's degree; and
- 2220 (b) report the five qualifying jobs and qualifying degrees to the board.
- 2221 (9) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the
 2222 board shall make rules to:
- 2223 (a) establish an application process for an individual to apply for an award;
- 2224 (b) subject to this section, establish qualifying criteria for an individual to receive an
 2225 award, including enrollment status;
- 2226 (c) establish a process to evaluate applications that prioritizes awards to students who
 2227 demonstrate financial need;
- 2228 (d) establish how state funding available for awards is divided among institutions;
- 2229 (e) establish how to determine an amount of money for an award;
- 2230 (f) establish the circumstances under which an institution may cancel an award; and
- 2231 (g) require an institution to provide specified information to the board relevant to
 2232 administering the program.
- 2233 (10) In administering the program, the board shall use a packaging approach that ensures
 2234 that institutions combine loans, grants, employment, and family and individual
 2235 contributions toward financing the cost of attendance.

2236 Section 37. Section **53H-13-301** is amended to read:

2237 **53H-13-301 (Effective 05/06/26). General provisions -- Definitions.**

- 2238 As used in this part:
- 2239 (1) "Apprenticeship program" means a program that:
- 2240 (a) combines paid on-the-job learning with formal classroom instruction to prepare
- 2241 students for careers; and
- 2242 (b) includes:
- 2243 (i) structured on-the-job learning for students under the supervision of a skilled
- 2244 employee;
- 2245 (ii) classroom instruction for students related to the on-the-job learning;
- 2246 (iii) ongoing student assessments using established competency and skills standards;
- 2247 and
- 2248 (iv) the student receiving an industry-recognized credential or degree upon
- 2249 completion of the program.
- 2250 (2) "Career and technical education region" means an economic service area created in
- 2251 Section 35A-2-101.
- 2252 (3) [~~GOEO~~] "GOED" means the Governor's Office of Economic [~~Opportunity~~]
- 2253 Development created in Section 63N-1a-301.
- 2254 (4) "High quality professional learning" means the professional learning standards for
- 2255 teachers and principals described in Section 53G-11-303.
- 2256 (5) "Institution of higher education" means the University of Utah, Utah State University,
- 2257 Southern Utah University, Weber State University, Snow College, Utah Tech
- 2258 University, Utah Valley University, or Salt Lake Community College.
- 2259 (6) "Local education agency" means a school district, a charter school, or the Utah Schools
- 2260 for the Deaf and the Blind.
- 2261 (7) "Master plan" means the computer science education master plan described in Section
- 2262 53H-13-305.
- 2263 (8) "Participating employer" means an employer that:
- 2264 (a) partners with an educational institution on a curriculum for an apprenticeship
- 2265 program or work-based learning program; and
- 2266 (b) provides an apprenticeship or work-based learning program for students.
- 2267 (9) "State board" means the State Board of Education.
- 2268 (10) "Talent board" means the Talent, Education, and Industry Alignment Board created in
- 2269 Section 53H-13-302.
- 2270 (11) "Talent program" means the Talent Ready Utah Program created in Section
- 2271 53H-13-303.

- 2272 (12) "Targeted industry" means an industry or group of industries targeted by [GOEO]
 2273 GOED for economic development in the state.
- 2274 (13) "Technical college" means:
 2275 (a) the same as that term is defined in Section 53H-1-101; and
 2276 (b) a degree-granting institution acting in the degree-granting institution's technical
 2277 education role described in Section 53H-3-608.
- 2278 (14)(a) "Work-based learning program" means a program that combines structured and
 2279 supervised learning activities with authentic work experiences and that is
 2280 implemented through industry and education partnerships.
- 2281 (b) "Work-based learning program" includes the following objectives:
 2282 (i) providing students an applied workplace experience using knowledge and skills
 2283 attained in a program of study that includes an internship, externship, or work
 2284 experience;
 2285 (ii) providing an educational institution with objective input from a participating
 2286 employer regarding the education requirements of the current workforce; and
 2287 (iii) providing funding for programs that are associated with high-wage, in-demand,
 2288 or emerging occupations.
- 2289 (15) "Workforce programs" means education or industry programs that facilitate training
 2290 the state's workforce to meet industry demand.
- 2291 Section 38. Section **53H-13-302** is amended to read:
 2292 **53H-13-302 (Effective 05/06/26). Talent, Education, and Industry Alignment**
 2293 **Board -- Creation -- Membership -- Expenses -- Duties.**
- 2294 (1) There is created the Talent, Education, and Industry Alignment Board composed of the
 2295 following members:
 2296 (a) the state superintendent of public instruction or the superintendent's designee;
 2297 (b) the commissioner or the commissioner's designee;
 2298 (c) the chair of the State Board of Education or the chair's designee;
 2299 (d) the executive director of the Department of Workforce Services or the executive
 2300 director's designee;
 2301 (e) the executive director of the Governor's Office of Economic [Opportunity]
 2302 Development or the executive director's designee;
 2303 (f) the director of the Division of Professional Licensing or the director's designee;
 2304 (g) the governor's education advisor or the advisor's designee;
 2305 (h) one member of the Senate, appointed by the president of the Senate;

- 2306 (i) one member of the House of Representatives, appointed by the speaker of the House
2307 of Representatives;
- 2308 (j) the president of the Salt Lake Chamber or the president's designee;
- 2309 (k) six representatives of private industry chosen to represent targeted industries,
2310 appointed by [GOEØ] GOED;
- 2311 (l) the lieutenant governor or the lieutenant governor's designee; and
- 2312 (m) any additional individuals appointed by [GOEØ] GOED who represent:
- 2313 (i) one or more individual educational institutions; or
2314 (ii) education or industry professionals.
- 2315 (2) The talent board shall select a chair and vice chair from among the members of the
2316 talent board.
- 2317 (3) The talent board shall meet at least quarterly.
- 2318 (4) Attendance of a majority of the members of the talent board constitutes a quorum for
2319 the transaction of official talent board business.
- 2320 (5) Formal action by the talent board requires the majority vote of a quorum.
- 2321 (6) A member of the talent board:
- 2322 (a) may not receive compensation or benefits for the member's service; and
2323 (b) who is not a legislator may receive per diem and travel expenses in accordance with:
- 2324 (i) Section 63A-3-106;
2325 (ii) Section 63A-3-107; and
2326 (iii) rules made by the Division of Finance pursuant to Sections 63A-3-106 and
2327 63A-3-107.
- 2328 (7) The talent board shall:
- 2329 (a)(i) review and develop metrics to measure the progress, performance,
2330 effectiveness, and scope of any state operation, activity, program, or service that
2331 primarily involves employment training or placement; and
2332 (ii) ensure that the metrics described in Subsection (7)(a) are consistent and
2333 comparable for each state operation, activity, program, or service that primarily
2334 involves employment training or placement;
- 2335 (b) make recommendations to the board and [GOEØ] GOED regarding how to better
2336 align training and education in the state with industry demand;
- 2337 (c) make recommendations to the board and [GOEØ] GOED regarding how to better
2338 align technical education with current and future workforce needs;
- 2339 (d) coordinate with the talent program to meet the responsibilities described in Section

- 2340 53H-13-303;
- 2341 (e) develop a computer science education master plan in accordance with Section
- 2342 53H-13-305;
- 2343 (f) coordinate with the talent program to meet the responsibilities described in Section
- 2344 53H-13-310; and
- 2345 (g) administer the Utah Works Program in accordance with Section 53H-13-307.
- 2346 (8) Nothing in this section prohibits an individual who, on June 30, 2022, is a member of a
- 2347 subcommittee within the Governor's Office of Economic ~~Opportunity~~ Development
- 2348 known as the Talent, Education, and Industry Alignment Subcommittee from serving as
- 2349 a member of the talent board.
- 2350 Section 39. Section **53H-13-307** is amended to read:
- 2351 **53H-13-307 (Effective 05/06/26). Utah Works Program.**
- 2352 (1) There is created the Utah Works Program.
- 2353 (2) The Utah Works Program, under the direction of the talent board, shall partner with the
- 2354 following entities to develop short-term pre-employment training and short-term early
- 2355 employment training for student and workforce participants that meet the needs of
- 2356 businesses that are creating jobs and economic growth in the state:
- 2357 (a) the Department of Workforce Services;
- 2358 (b) the Governor's Office of Economic ~~Opportunity~~ Development; and
- 2359 (c) businesses that have significant hiring demands for primarily newly created jobs in
- 2360 the state.
- 2361 (3) In addition to the duties described in Subsection (2), the Utah Works Program may:
- 2362 (a) coordinate with the Department of Workforce Services, education agencies, and
- 2363 employers to create effective recruitment initiatives to attract student and workforce
- 2364 participants and business participants to the program;
- 2365 (b) coordinate with the board to develop educational and training resources to provide
- 2366 student participants in the program qualifications to be hired by business participants
- 2367 in the program; and
- 2368 (c) coordinate with the state board and local education agencies when appropriate to
- 2369 develop educational and training resources to provide student participants in the
- 2370 program qualifications to be hired by business participants in the program.
- 2371 (4) The board, in consultation with the talent board, may, in accordance with Title 63G,
- 2372 Chapter 3, Utah Administrative Rulemaking Act, make rules regarding the development
- 2373 and administration of the Utah Works Program.

- 2374 (5) The Utah Works Program shall annually report the following metrics to the board:
2375 (a) the number of participants in the program;
2376 (b) how program participants learned about or were referred to the program;
2377 (c) the number of participants who have completed training offered by the program; and
2378 (d) the number of participants who have been hired by a business participating in the
2379 program.

2380 Section 40. Section **53H-13-309** is amended to read:

2381 **53H-13-309 (Effective 05/06/26). Talent advisory councils.**

2382 (1) As used in this section:

2383 (a) "Advisory council" means an advisory council the talent board creates under
2384 Subsection (10).

2385 (b) "Talent initiative" means an initiative the board creates under Subsection (2).

2386 (2)(a) Subject to legislative appropriations and in accordance with the proposal process
2387 and other provisions of this section, the board shall develop and oversee one or more
2388 talent initiatives that include providing funding for expanded programs at an
2389 institution of higher education related to the talent initiative.

2390 (b) The board shall ensure that a talent initiative the board creates:

2391 (i) uses a name for the talent initiative that reflects the area the initiative is targeting;

2392 (ii) contains an outline of the disciplines, industries, degrees, certifications,
2393 credentials, and types of skills the talent initiative will target; and

2394 (iii) uses a corresponding advisory council created in Subsection (10).

2395 (3) In creating a talent initiative, the board shall facilitate collaborations between an
2396 institution of higher education and participating employers that:

2397 (a) create expanded, multidisciplinary programs or stackable credential programs offered
2398 at a technical college, undergraduate, or graduate level of study; and

2399 (b) prepare students to be workforce participants in jobs requiring skills related to a
2400 talent initiative.

2401 (4)(a) An institution of higher education seeking to partner with one or more
2402 participating employers to create a program related to a talent initiative shall submit a
2403 proposal to the talent board through a process the talent board creates.

2404 (b) An institution of higher education shall submit a proposal that contains:

2405 (i) a description of the proposed program, including:

2406 (A) implementation timelines for the program;

2407 (B) a demonstration of how the program will be responsive to the talent needs

- 2408 related to the talent initiative;
- 2409 (C) an outline of relevant industry involvement that includes at least one
- 2410 participating employer that partners with the institution of higher education; and
- 2411 (D) an explanation of how the program addresses an unmet regional workforce
- 2412 need related to a talent initiative;
- 2413 (ii) an estimate of:
- 2414 (A) projected student enrollment and completion rates for a program;
- 2415 (B) the academic credit or credentials that a program will provide; and
- 2416 (C) occupations for which a graduate will qualify;
- 2417 (iii) evidence that each participating employer is committed to participating and
- 2418 contributing to the program by providing any combination of:
- 2419 (A) instruction;
- 2420 (B) curriculum review;
- 2421 (C) feedback regarding effectiveness of program graduates as employees;
- 2422 (D) work-based learning opportunities; or
- 2423 (E) mentoring;
- 2424 (iv) a description of any resources a participating employer will provide within the
- 2425 program; and
- 2426 (v) the amount of funding requested for the program, including:
- 2427 (A) the justification for the funding; and
- 2428 (B) the cost per student served as estimated under Subsection (4)(b)(ii).
- 2429 (5) In reviewing a proposal, the talent board shall provide a proposal to the relevant
- 2430 advisory council described in Subsections (10) and (11).
- 2431 (6) The relevant advisory council shall:
- 2432 (a) review and prioritize each proposal the advisory council receives; and
- 2433 (b) recommend to the talent board whether the proposal should be funded and the
- 2434 funding amount based on:
- 2435 (i) the quality and completeness of the elements of the proposal described in
- 2436 Subsection (4)(b);
- 2437 (ii) to what extent the proposed program:
- 2438 (A) would expand the capacity to meet state or regional workforce needs related
- 2439 to the talent initiative;
- 2440 (B) would integrate industry-relevant competencies with disciplinary expertise;
- 2441 (C) would incorporate internships or significant project experiences, including

- 2442 team-based experiences;
- 2443 (D) identifies how industry professionals would participate in elements described
- 2444 in Subsection (4)(b)(iii); and
- 2445 (E) would be cost effective; and
- 2446 (iii) other relevant criteria as the relevant advisory council and the talent board
- 2447 determines.
- 2448 (7) The board shall review the recommendations of an advisory council and may provide
- 2449 funding for a program related to a talent initiative using the criteria described in
- 2450 Subsection (6)(b).
- 2451 (8) In a form that the board approves, each institution of higher education that receives
- 2452 funding shall annually provide written information to the board regarding the activities,
- 2453 successes, and challenges related to administering the program related to the talent
- 2454 initiative, including:
- 2455 (a) specific entities that received funding under this section;
- 2456 (b) the amount of funding provided to each entity;
- 2457 (c) the number of participating students in each program;
- 2458 (d) the number of graduates of the program;
- 2459 (e) the number of graduates of the program employed in jobs requiring skills related to
- 2460 the talent initiative; and
- 2461 (f) progress and achievements relevant to the implementation timeline submitted under
- 2462 Subsection (4)(b)(i)(A).
- 2463 (9) On or before October 1 of each year, the board shall provide an annual written report
- 2464 containing the information described in Subsection (8) to the:
- 2465 (a) Education Interim Committee; and
- 2466 (b) Higher Education Appropriations Subcommittee.
- 2467 (10) The talent board shall create a talent advisory council for each talent initiative created
- 2468 under Subsection (2) to make recommendations to the board regarding the
- 2469 administration of a talent initiative including:
- 2470 (a) a deep technology initiative;
- 2471 (b) a life sciences workforce initiative;
- 2472 (c) engineering and computer technology; and
- 2473 (d) health professions initiatives including a nursing initiative.
- 2474 (11) An advisory council shall consist of the following members:
- 2475 (a) a minimum of four members who have extensive experience in the talent initiative's

- 2476 subject matter from the private sector whom the chair of the talent board appoints and
 2477 the board approves;
- 2478 (b) a representative of the board described in Section 53H-1-203 whom the chair of the
 2479 board appoints;
- 2480 (c) a representative of the Governor's Office of Economic [~~Opportunity~~] Development
 2481 whom the executive director of the Governor's Office of Economic [~~Opportunity~~]
 2482 Development appoints;
- 2483 (d) a representative from Talent Ready Utah; and
- 2484 (e) any other specialized industry experts whom a majority of the advisory council may
 2485 invite to participate as needed as nonvoting members.
- 2486 (12) Talent Ready Utah shall provide staff support for an advisory council.
- 2487 (13)(a) Two advisory council members appointed under Subsection (11)(a) shall serve
 2488 an initial term of two years.
- 2489 (b) Except as described in Subsection (13)(a), all other advisory council members shall
 2490 serve an initial term of four years.
- 2491 (c) Successor advisory council members upon appointment or reappointment shall each
 2492 serve a term of four years.
- 2493 (d) When a vacancy occurs in the membership for any reason, the initial appointing
 2494 authority shall appoint a replacement for the unexpired term.
- 2495 (e) An advisory council member may not serve more than two consecutive terms.
- 2496 (14) A vote of a majority of the advisory council members constitutes an action of the
 2497 advisory council.
- 2498 (15) The duties of the advisory council include reviewing, prioritizing, and making
 2499 recommendations to the board regarding proposals for funding under the talent initiative
 2500 created in accordance with Subsection (2) for which the council was created.
- 2501 (16) An advisory council member may not receive compensation or benefits for the
 2502 member's service, but may receive per diem and travel expenses in accordance with:
- 2503 (a) Sections 63A-3-106 and 63A-3-107; and
- 2504 (b) rules made by the Division of Finance pursuant to Sections 63A-3-106 and
 2505 63A-3-107.
- 2506 (17) The board may discontinue a talent initiative and the related talent advisory council by
 2507 majority vote.
- 2508 Section 41. Section **53H-13-403** is amended to read:
- 2509 **53H-13-403 (Effective 05/06/26). Talent portal requirements -- Administration --**

2510 **Labor market data integration.**

- 2511 (1) The talent portal shall:
- 2512 (a) focus on industries and occupations identified as high-demand in collaboration with
2513 Talent Ready Utah, the Governor's Office of Economic ~~[Opportunity]~~ Development,
2514 and the Department of Workforce Services and in coordination with state labor
2515 market data;
- 2516 (b) provide an intuitive, user-friendly interface for job seekers and employers;
- 2517 (c) include robust search, filtering, and geolocation options;
- 2518 (d) offer mobile-optimized access;
- 2519 (e) allow users to create profiles and upload resumes;
- 2520 (f) integrate with relevant training, credentialing, and educational resources;
- 2521 (g) connect prospective talent to industry requirements for posted high-demand jobs;
- 2522 (h) highlight internships, apprenticeships, and career pathway opportunities;
- 2523 (i) provide data analytics to employers on job listing performance;
- 2524 (j) implement security measures to protect user data and verify employer listings; and
- 2525 (k) be accessible to users with disabilities in compliance with the Americans with
2526 Disabilities Act.
- 2527 (2) In accordance with Subsection (3), the talent portal administrator shall:
- 2528 (a) partner with:
- 2529 (i) Talent Ready Utah;
- 2530 (ii) the Governor's Office of Economic ~~[Opportunity]~~ Development;
- 2531 (iii) the Department of Workforce Services;
- 2532 (iv) industry associations; and
- 2533 (v) employers to enhance talent portal offerings;
- 2534 (b) partner with the State Tax Commission to reconcile that employers registering to
2535 utilize the talent portal are businesses registered to do business in the state of Utah
2536 and are in good standing;
- 2537 (c) conduct targeted outreach to promote the talent portal to:
- 2538 (i) institutions of higher education within the Utah System of Higher Education;
- 2539 (ii) students; and
- 2540 (iii) Utah employers;
- 2541 (d) regularly collect and analyze user feedback to improve the talent portal; and
- 2542 (e) provide annual reports on talent portal performance metrics, including:
- 2543 (i) usage statistics;

- 2544 (ii) placement rates; and
 2545 (iii) user demographics.
- 2546 (3) The talent portal administrator shall:
- 2547 (a) utilize current labor market data to inform job listings, industry focus, and emerging
 2548 opportunities;
- 2549 (b) update high-demand job categories at least annually based on projected growth,
 2550 wage data, and workforce needs; and
- 2551 (c) provide labor market insights to users, including salary ranges, career growth trends,
 2552 and skill requirements.
- 2553 (4) The talent portal administrator shall ensure that the talent portal has the ability to
 2554 dynamically adjust to reflect changes in labor market trends and high-demand
 2555 occupations.

2556 Section 42. Section **53H-16-303** is amended to read:

2557 **53H-16-303 (Effective 05/06/26). Institute board duties and powers.**

- 2558 (1) The institute board shall:
- 2559 (a) manage and conduct the business and affairs of the institute and determine all
 2560 questions of institute and Utah innovation fund policy;
- 2561 (b) provide strategic oversight for all institute initiatives;
- 2562 (c) support and guide workforce development, innovation, and policy integration across
 2563 institutions and industry;
- 2564 (d) consistent with this chapter, oversee the Utah innovation fund and investment
 2565 committee;
- 2566 (e) coordinate efforts and collaborations across innovation districts;
- 2567 (f) create opportunities for students through projects and partnerships;
- 2568 (g) set compensation and incentives for the executive director;
- 2569 (h) advance the purposes of the Utah innovation fund as described in Section
 2570 53H-16-402; and
- 2571 (i) consider investment proposals and determine whether a proposal furthers the
 2572 objectives of the fund.
- 2573 (2) The institute board may establish independent committees for the purpose of assisting
 2574 the institute board in an advisory role.
- 2575 (3) In coordination with the Governor's Office of Economic [~~Opportunity~~] Development
 2576 created in Section 63N-1a-301, the institute board shall convene and facilitate
 2577 discussions with industry, education, and policy makers to promote regulatory

2578 innovation.

2579 Section 43. Section **54-4-41** is amended to read:

2580 **54-4-41 (Effective 05/06/26). Recovery of investment in utility-owned vehicle**
2581 **charging infrastructure.**

2582 (1) As used in this section, "charging infrastructure program" means the program described
2583 in Subsection (2).

2584 (2) The commission shall authorize a large-scale electric utility program that:

2585 (a) allows for funding from large-scale electric utility customers for a maximum of
2586 \$50,000,000 for all costs and expenses associated with:

2587 (i) the deployment of utility-owned vehicle charging infrastructure; and

2588 (ii) utility vehicle charging service provided by the large-scale electric utility;

2589 (b) creates a new customer class, with a utility vehicle charging service rate structure
2590 that:

2591 (i) is determined by the commission to be in the public interest;

2592 (ii) is a transitional rate structure expected to allow the large-scale electric utility to
2593 recover, through charges to utility vehicle charging service customers, the
2594 large-scale electric utility's full cost of service for utility-owned vehicle charging
2595 infrastructure and utility vehicle charging service over a reasonable time frame
2596 determined by the commission; and

2597 (iii) may allow different rates for large-scale electric utility customers to reflect
2598 contributions to investment; and

2599 (c) includes a transportation plan that promotes:

2600 (i) the deployment of utility-owned vehicle charging infrastructure in the public
2601 interest; and

2602 (ii) the availability of utility vehicle charging service.

2603 (3) Before submitting a proposed charging infrastructure program to the commission for
2604 commission approval under Subsection (2), a large-scale electric utility shall seek and
2605 consider input from:

2606 (a) the Division of Public Utilities, established in Section 54-4a-1;

2607 (b) the Office of Consumer Services, created in Section 54-10a-201;

2608 (c) the Division of Air Quality, created in Section 19-1-105;

2609 (d) the Department of Transportation, created in Section 72-1-201;

2610 (e) the Governor's Office of Economic [Opportunity] Development, created in Section
2611 63N-1a-301;

- 2612 (f) the Office of Energy Development, created in Section 79-6-401;
- 2613 (g) the board of the Utah Inland Port Authority, created in Section 11-58-201;
- 2614 (h) representatives of the Point of the Mountain State Land Development Authority,
2615 created in Section 11-59-201;
- 2616 (i) third-party electric vehicle battery charging service operators; and
- 2617 (j) any other person who files a request for notice with the commission.
- 2618 (4) The commission shall find a charging infrastructure program to be in the public interest
2619 if the commission finds that the charging infrastructure program:
- 2620 (a) increases the availability of electric vehicle battery charging service in the state;
- 2621 (b) enables the significant deployment of infrastructure that supports electric vehicle
2622 battery charging service and utility-owned vehicle charging infrastructure in a
2623 manner reasonably expected to increase electric vehicle adoption;
- 2624 (c) includes an evaluation of investments in the areas of the authority jurisdictional land,
2625 as defined in Section 11-58-102, and the point of the mountain state land, as defined
2626 in Section 11-59-102;
- 2627 (d) enables competition, innovation, and customer choice in electric vehicle battery
2628 charging services, while promoting low-cost services for electric vehicle battery
2629 charging customers; and
- 2630 (e) provides for ongoing coordination with the Department of Transportation, created in
2631 Section 72-1-201.
- 2632 (5) The commission may, consistent with Subsection (2), approve an amendment to the
2633 charging infrastructure program if the large-scale electric utility demonstrates that the
2634 amendment:
- 2635 (a) is prudent;
- 2636 (b) will provide net benefits to customers; and
- 2637 (c) is otherwise consistent with the requirements of Subsection (2).
- 2638 (6) The commission shall authorize recovery of a large-scale electric utility's investment in
2639 utility-owned vehicle charging infrastructure through a balancing account or other
2640 ratemaking treatment that reflects:
- 2641 (a) charging infrastructure program costs associated with prudent investment, including
2642 the large-scale electric utility's pre-tax average weighted cost of capital approved by
2643 the commission in the large-scale electric utility's most recent general rate
2644 proceeding, and associated revenue and prudently incurred expenses; and
- 2645 (b) a carrying charge.

- 2646 (7) A large-scale electric utility's investment in utility-owned vehicle charging
2647 infrastructure is prudently made if the large-scale electric utility demonstrates in a
2648 formal adjudicative proceeding before the commission that the investment can
2649 reasonably be anticipated to:
- 2650 (a) result in one or more projects that are in the public interest of the large-scale electric
2651 utility's customers to reduce transportation sector emissions over a reasonable time
2652 period as determined by the commission;
 - 2653 (b) provide the large-scale electric utility's customers significant benefits that may
2654 include revenue from utility vehicle charging service that offsets the large-scale
2655 electric utility's costs and expenses; and
 - 2656 (c) facilitate any other measure that the commission determines:
 - 2657 (i) promotes deployment of utility-owned vehicle charging infrastructure and utility
2658 vehicle charging service; or
 - 2659 (ii) creates significant benefits in the long term for customers of the large-scale
2660 electric utility.
- 2661 (8) A large-scale electric utility that establishes and implements a charging infrastructure
2662 program shall annually, on or before June 1, submit a written report to the Public
2663 Utilities, Energy, and Technology Interim Committee [~~of the Legislature~~] about the
2664 charging infrastructure program's activities during the previous calendar year, including
2665 information on:
- 2666 (a) the charging infrastructure program's status, operation, funding, and benefits;
 - 2667 (b) the disposition of charging infrastructure program funds; and
 - 2668 (c) the charging infrastructure program's impact on rates.

2669 Section 44. Section **59-1-403** is amended to read:

2670 **59-1-403 (Effective 05/06/26) (Partially Repealed 07/01/29). Confidentiality --**

2671 **Exceptions -- Penalty -- Application to property tax.**

2672 (1) As used in this section:

- 2673 (a) "Distributed tax, fee, or charge" means a tax, fee, or charge:
 - 2674 (i) the commission administers under:
 - 2675 (A) this title, other than a tax under Chapter 12, Part 2, Local Sales and Use Tax
2676 Act;
 - 2677 (B) Title 10, Chapter 1, Part 3, Municipal Energy Sales and Use Tax Act;
 - 2678 (C) Title 10, Chapter 1, Part 4, Municipal Telecommunications License Tax Act;
 - 2679 (D) Section 19-6-805;

- 2680 (E) Section 63H-1-205; or
- 2681 (F) Title 69, Chapter 2, Part 4, Prepaid Wireless Telecommunications Service
- 2682 Charges; and
- 2683 (ii) with respect to which the commission distributes the revenue collected from the
- 2684 tax, fee, or charge to a qualifying jurisdiction.
- 2685 (b) [~~"GOEO"~~] "GOED" means the Governor's Office of Economic [~~Opportunity~~]
- 2686 Development created in Section 63N-1a-301.
- 2687 (c) "Qualifying jurisdiction" means:
- 2688 (i) a county, city, or town;
- 2689 (ii) the military installation development authority created in Section 63H-1-201;
- 2690 (iii) the Utah Inland Port Authority created in Section 11-58-201; or
- 2691 (iv) the Utah Fairpark Area Investment and Restoration District created in Section
- 2692 11-70-201.
- 2693 (2)(a) Any of the following may not divulge or make known in any manner any
- 2694 information gained by that person from any return filed with the commission:
- 2695 (i) a tax commissioner;
- 2696 (ii) an agent, clerk, or other officer or employee of the commission; or
- 2697 (iii) a representative, agent, clerk, or other officer or employee of any county, city, or
- 2698 town.
- 2699 (b) An official charged with the custody of a return filed with the commission is not
- 2700 required to produce the return or evidence of anything contained in the return in any
- 2701 action or proceeding in any court, except:
- 2702 (i) in accordance with judicial order;
- 2703 (ii) on behalf of the commission in any action or proceeding under:
- 2704 (A) this title; or
- 2705 (B) other law under which persons are required to file returns with the
- 2706 commission;
- 2707 (iii) on behalf of the commission in any action or proceeding to which the
- 2708 commission is a party; or
- 2709 (iv) on behalf of any party to any action or proceeding under this title if the report or
- 2710 facts shown by the return are directly involved in the action or proceeding.
- 2711 (c) Notwithstanding Subsection (2)(b), a court may require the production of, and may
- 2712 admit in evidence, any portion of a return or of the facts shown by the return, as are
- 2713 specifically pertinent to the action or proceeding.

- 2714 (d) Notwithstanding any other provision of state law, a person described in Subsection
2715 (2)(a) may not divulge or make known in any manner any information gained by that
2716 person from any return filed with the commission to the extent that the disclosure is
2717 prohibited under federal law.
- 2718 (3) This section does not prohibit:
- 2719 (a) a person or that person's [~~duly~~]authorized representative from receiving a copy of
2720 any return or report filed in connection with that person's own tax;
- 2721 (b) the publication of statistics as long as the statistics are classified to prevent the
2722 identification of particular reports or returns; and
- 2723 (c) the inspection by the attorney general or other legal representative of the state of the
2724 report or return of any taxpayer:
- 2725 (i) who brings action to set aside or review a tax based on the report or return;
- 2726 (ii) against whom an action or proceeding is contemplated or has been instituted
2727 under this title; or
- 2728 (iii) against whom the state has an unsatisfied money judgment.
- 2729 (4)(a) Notwithstanding Subsection (2) and for purposes of administration, the
2730 commission may by rule, made in accordance with Title 63G, Chapter 3, Utah
2731 Administrative Rulemaking Act, provide for a reciprocal exchange of information
2732 with:
- 2733 (i) the United States Internal Revenue Service; or
- 2734 (ii) the revenue service of any other state.
- 2735 (b) Notwithstanding Subsection (2) and for all taxes except individual income tax and
2736 corporate franchise tax, the commission may by rule, made in accordance with Title
2737 63G, Chapter 3, Utah Administrative Rulemaking Act, share information gathered
2738 from returns and other written statements with the federal government, any other
2739 state, any of the political subdivisions of another state, or any political subdivision of
2740 this state, except as limited by Sections 59-12-209 and 59-12-210, if the political
2741 subdivision, other state, or the federal government grant substantially similar
2742 privileges to this state.
- 2743 (c) Notwithstanding Subsection (2) and for all taxes except individual income tax and
2744 corporate franchise tax, the commission may by rule, in accordance with Title 63G,
2745 Chapter 3, Utah Administrative Rulemaking Act, provide for the issuance of
2746 information concerning the identity and other information of taxpayers who have
2747 failed to file tax returns or to pay any tax due.

- 2748 (d) Notwithstanding Subsection (2), the commission shall provide to the director of the
2749 Division of Environmental Response and Remediation, as defined in Section
2750 19-6-402, as requested by the director of the Division of Environmental Response
2751 and Remediation, any records, returns, or other information filed with the
2752 commission under Chapter 13, Motor and Special Fuel Tax Act, or Section
2753 19-6-410.5 regarding the environmental assurance program participation fee.
- 2754 (e) Notwithstanding Subsection (2), at the request of any person the commission shall
2755 provide that person sales and purchase volume data reported to the commission on a
2756 report, return, or other information filed with the commission under:
- 2757 (i) Chapter 13, Part 2, Motor Fuel; or
2758 (ii) Chapter 13, Part 4, Aviation Fuel.
- 2759 (f) Notwithstanding Subsection (2), upon request from a tobacco product manufacturer,
2760 as defined in Section 59-22-202, the commission shall report to the manufacturer:
- 2761 (i) the quantity of cigarettes, as defined in Section 59-22-202, produced by the
2762 manufacturer and reported to the commission for the previous calendar year under
2763 Section 59-14-407; and
- 2764 (ii) the quantity of cigarettes, as defined in Section 59-22-202, produced by the
2765 manufacturer for which a tax refund was granted during the previous calendar
2766 year under Section 59-14-401 and reported to the commission under Subsection
2767 59-14-401(1)(a)(v).
- 2768 (g) Notwithstanding Subsection (2), the commission shall notify manufacturers,
2769 distributors, wholesalers, and retail dealers of a tobacco product manufacturer that is
2770 prohibited from selling cigarettes to consumers within the state under Subsection
2771 59-14-210(2).
- 2772 (h) Notwithstanding Subsection (2), the commission may:
- 2773 (i) provide to the Division of Consumer Protection within the Department of
2774 Commerce and the attorney general data:
- 2775 (A) reported to the commission under Section 59-14-212; or
2776 (B) related to a violation under Section 59-14-211; and
- 2777 (ii) upon request, provide to any person data reported to the commission under
2778 Subsections 59-14-212(1)(a) through (c) and Subsection 59-14-212(1)(g).
- 2779 (i) Notwithstanding Subsection (2), the commission shall, at the request of a committee
2780 of the Legislature, the Office of the Legislative Fiscal Analyst, or the Governor's
2781 Office of Planning and Budget, provide to the committee or office the total amount of

- 2782 revenue collected by the commission under Chapter 24, Radioactive Waste Facility
2783 Tax Act, for the time period specified by the committee or office.
- 2784 (j) Notwithstanding Subsection (2), the commission shall make the directory required by
2785 Section 59-14-603 available for public inspection.
- 2786 (k) Notwithstanding Subsection (2), the commission may share information with federal,
2787 state, or local agencies as provided in Subsection 59-14-606(3).
- 2788 (l)(i) Notwithstanding Subsection (2), the commission shall provide the Office of
2789 Recovery Services within the Department of Health and Human Services any
2790 relevant information obtained from a return filed under Chapter 10, Individual
2791 Income Tax Act, regarding a taxpayer who has become obligated to the Office of
2792 Recovery Services.
- 2793 (ii) The information described in Subsection (4)(l)(i) may be provided by the Office
2794 of Recovery Services to any other state's child support collection agency involved
2795 in enforcing that support obligation.
- 2796 (m)(i) Notwithstanding Subsection (2), upon request from the state court
2797 administrator, the commission shall provide to the state court administrator, the
2798 name, address, telephone number, county of residence, and social security number
2799 on resident returns filed under Chapter 10, Individual Income Tax Act.
- 2800 (ii) The state court administrator may use the information described in Subsection
2801 (4)(m)(i) only as a source list for the master jury list described in Section
2802 78B-1-106.
- 2803 (n)(i) As used in this Subsection (4)(n):
- 2804 (A) "GOED" means the Governor's Office of Economic Development created in
2805 Section 63N-1a-301.
- 2806 (B) "Income tax information" means information gained by the commission that is
2807 required to be attached to or included in a return filed with the commission
2808 under Chapter 7, Corporate Franchise and Income Taxes, or Chapter 10,
2809 Individual Income Tax Act.
- 2810 [~~B~~] (C) "Other tax information" means information gained by the commission
2811 that is required to be attached to or included in a return filed with the
2812 commission except for a return filed under Chapter 7, Corporate Franchise and
2813 Income Taxes, or Chapter 10, Individual Income Tax Act.
- 2814 [~~C~~] (D) "Tax information" means income tax information or other tax
2815 information.

- 2816 (ii)(A) Notwithstanding Subsection (2) and except as provided in Subsection
 2817 (4)(n)(ii)(B) or (C), the commission shall at the request of [GØEØ] GOED
 2818 provide to [GØEØ] GOED all income tax information.
- 2819 (B) For purposes of a request for income tax information made under Subsection
 2820 (4)(n)(ii)(A), [GØEØ] GOED may not request and the commission may not
 2821 provide to [GØEØ] GOED a person's address, name, social security number, or
 2822 taxpayer identification number.
- 2823 (C) In providing income tax information to [GØEØ] GOED, the commission shall
 2824 in all instances protect the privacy of a person as required by Subsection
 2825 (4)(n)(ii)(B).
- 2826 (iii)(A) Notwithstanding Subsection (2) and except as provided in Subsection
 2827 (4)(n)(iii)(B), the commission shall at the request of [GØEØ] GOED provide to [
 2828 GØEØ] GOED other tax information.
- 2829 (B) Before providing other tax information to [GØEØ] GOED, the commission
 2830 shall redact or remove any name, address, social security number, or taxpayer
 2831 identification number.
- 2832 (iv) [GØEØ] GOED may provide tax information received from the commission in
 2833 accordance with this Subsection (4)(n) only:
- 2834 (A) as a fiscal estimate, fiscal note information, or statistical information; and
 2835 (B) if the tax information is classified to prevent the identification of a particular
 2836 return.
- 2837 (v)(A) A person may not request tax information from [GØEØ] GOED under Title
 2838 63G, Chapter 2, Government Records Access and Management Act, or this
 2839 section, if [GØEØ] GOED received the tax information from the commission in
 2840 accordance with this Subsection (4)(n).
- 2841 (B) [GØEØ] GOED may not provide to a person that requests tax information in
 2842 accordance with Subsection (4)(n)(v)(A) any tax information other than the tax
 2843 information [GØEØ] GOED provides in accordance with Subsection (4)(n)(iv).
- 2844 (o) Notwithstanding Subsection (2), the commission may provide to the governing board
 2845 of the agreement or a taxing official of another state, the District of Columbia, the
 2846 United States, or a territory of the United States:
- 2847 (i) the following relating to an agreement sales and use tax:
- 2848 (A) information contained in a return filed with the commission;
- 2849 (B) information contained in a report filed with the commission;

- 2850 (C) a schedule related to Subsection (4)(o)(i)(A) or (B); or
2851 (D) a document filed with the commission; or
2852 (ii) a report of an audit or investigation made with respect to an agreement sales and
2853 use tax.
- 2854 (p) Notwithstanding Subsection (2), the commission may provide information
2855 concerning a taxpayer's state income tax return or state income tax withholding
2856 information to the Driver License Division if the Driver License Division:
2857 (i) requests the information; and
2858 (ii) provides the commission with a signed release form from the taxpayer allowing
2859 the Driver License Division access to the information.
- 2860 (q) Notwithstanding Subsection (2), the commission shall provide to the Utah
2861 Communications Authority, or a division of the Utah Communications Authority, the
2862 information requested by the authority under Sections 63H-7a-302, 63H-7a-402, and
2863 63H-7a-502.
- 2864 (r) Notwithstanding Subsection (2), the commission shall provide to the Utah
2865 Educational Savings Plan information related to a resident or nonresident individual's
2866 contribution to a Utah Educational Savings Plan account as designated on the
2867 resident or nonresident's individual income tax return as provided under Section
2868 59-10-1313.
- 2869 (s) Notwithstanding Subsection (2), for the purpose of verifying eligibility under
2870 Sections 26B-3-106 and 26B-3-903, the commission shall provide an eligibility
2871 worker with the Department of Health and Human Services or [its] the department's
2872 designee with the adjusted gross income of an individual if:
2873 (i) an eligibility worker with the Department of Health and Human Services or [its]
2874 the department's designee requests the information from the commission; and
2875 (ii) the eligibility worker has complied with the identity verification and consent
2876 provisions of Sections 26B-3-106 and 26B-3-903.
- 2877 (t) Notwithstanding Subsection (2), the commission may provide to a county, as
2878 determined by the commission, information declared on an individual income tax
2879 return in accordance with Section 59-10-103.1 that relates to eligibility to claim a
2880 residential exemption authorized under Section 59-2-103.
- 2881 (u) Notwithstanding Subsection (2), the commission shall provide a report regarding any
2882 access line provider that is over 90 days delinquent in payment to the commission of
2883 amounts the access line provider owes under Title 69, Chapter 2, Part 4, Prepaid

- 2884 Wireless Telecommunications Service Charges, to [-]the board of the Utah
2885 Communications Authority created in Section 63H-7a-201.
- 2886 (v) Notwithstanding Subsection (2), the commission shall provide the Department of
2887 Environmental Quality a report on the amount of tax paid by a radioactive waste
2888 facility for the previous calendar year under Section 59-24-103.5.
- 2889 (w) Notwithstanding Subsection (2), the commission may, upon request, provide to the
2890 Department of Workforce Services any information received under Chapter 10, Part
2891 4, Withholding of Tax, that is relevant to the duties of the Department of Workforce
2892 Services.
- 2893 (x) Notwithstanding Subsection (2), the commission may provide the Public Service
2894 Commission or the Division of Public Utilities information related to a seller that
2895 collects and remits to the commission a charge described in Subsection 69-2-405(2),
2896 including the seller's identity and the number of charges described in Subsection
2897 69-2-405(2) that the seller collects.
- 2898 (y)(i) Notwithstanding Subsection (2), the commission shall provide to each
2899 qualifying jurisdiction the collection data necessary to verify the revenue collected
2900 by the commission for a distributed tax, fee, or charge collected within the
2901 qualifying jurisdiction.
- 2902 (ii) In addition to the information provided under Subsection (4)(y)(i), the
2903 commission shall provide a qualifying jurisdiction with copies of returns and other
2904 information relating to a distributed tax, fee, or charge collected within the
2905 qualifying jurisdiction.
- 2906 (iii)(A) To obtain the information described in Subsection (4)(y)(ii), the chief
2907 executive officer or the chief executive officer's designee of the qualifying
2908 jurisdiction shall submit a written request to the commission that states the
2909 specific information sought and how the qualifying jurisdiction intends to use
2910 the information.
- 2911 (B) The information described in Subsection (4)(y)(ii) is available only in official
2912 matters of the qualifying jurisdiction.
- 2913 (iv) Information that a qualifying jurisdiction receives in response to a request under
2914 this subsection is:
- 2915 (A) classified as a private record under Title 63G, Chapter 2, Government Records
2916 Access and Management Act; and
- 2917 (B) subject to the confidentiality requirements of this section.

- 2918 (z) Notwithstanding Subsection (2), the commission shall provide the Alcoholic
2919 Beverage Services Commission, upon request, with taxpayer status information
2920 related to state tax obligations necessary to comply with the requirements described
2921 in Section 32B-1-203.
- 2922 (aa) Notwithstanding Subsection (2), the commission shall inform the Department of
2923 Workforce Services, as soon as practicable, whether an individual claimed and is
2924 entitled to claim a federal earned income tax credit for the year requested by the
2925 Department of Workforce Services if:
- 2926 (i) the Department of Workforce Services requests this information; and
2927 (ii) the commission has received the information release described in Section
2928 35A-9-604.
- 2929 (bb)(i) As used in this Subsection (4)(bb), "unclaimed property administrator" means
2930 the administrator or the administrator's agent, as those terms are defined in Section
2931 67-4a-102.
- 2932 (ii)(A) Notwithstanding Subsection (2), upon request from the unclaimed property
2933 administrator and to the extent allowed under federal law, the commission shall
2934 provide the unclaimed property administrator the name, address, telephone
2935 number, county of residence, and social security number or federal employer
2936 identification number on any return filed under Chapter 7, Corporate Franchise
2937 and Income Taxes, or Chapter 10, Individual Income Tax Act.
- 2938 (B) The unclaimed property administrator may use the information described in
2939 Subsection (4)(bb)(ii)(A) only for the purpose of returning unclaimed property
2940 to the property's owner in accordance with Title 67, Chapter 4a, Revised
2941 Uniform Unclaimed Property Act.
- 2942 (iii) The unclaimed property administrator is subject to the confidentiality provisions
2943 of this section with respect to any information the unclaimed property
2944 administrator receives under this Subsection (4)(bb).
- 2945 (cc) Notwithstanding Subsection (2), the commission may, upon request, disclose a
2946 taxpayer's state individual income tax information to a program manager of the Utah
2947 Fits All Scholarship Program under Section 53F-6-402 if:
- 2948 (i) the taxpayer consents in writing to the disclosure;
2949 (ii) the taxpayer's written consent includes the taxpayer's name, social security
2950 number, and any other information the commission requests that is necessary to
2951 verify the identity of the taxpayer; and

- 2952 (iii) the program manager provides the taxpayer's written consent to the commission.
2953 (dd) Notwithstanding Subsection (2), the commission may provide to the Division of
2954 Finance within the Department of Government Operations any information necessary
2955 to facilitate a payment from the commission to a taxpayer, including:
2956 (i) the name of the taxpayer entitled to the payment or any other person legally
2957 authorized to receive the payment;
2958 (ii) the taxpayer identification number of the taxpayer entitled to the payment;
2959 (iii) the payment identification number and amount of the payment;
2960 (iv) the tax year to which the payment applies and date on which the payment is due;
2961 (v) a mailing address to which the payment may be directed; and
2962 (vi) information regarding an account at a depository institution to which the
2963 payment may be directed, including the name of the depository institution, the
2964 type of account, the account number, and the routing number for the account.
2965 (ee) Notwithstanding Subsection (2), the commission shall provide the total amount of
2966 revenue collected by the commission under Subsection 59-5-202(5):
2967 (i) at the request of a committee of the Legislature, the Office of the Legislative
2968 Fiscal Analyst, or the Governor's Office of Planning and Budget, to the committee
2969 or office for the time period specified by the committee or office; and
2970 (ii) to the Division of Finance for purposes of the Division of Finance administering
2971 Subsection 59-5-202(5).
2972 (ff) Notwithstanding Subsection (2), the commission may provide the Department of
2973 Agriculture and Food with information from a return filed in accordance with
2974 Chapter 31, Cannabinoid Licensing and Tax Act.
2975 (gg) Notwithstanding Subsection (2), the commission shall provide the Department of
2976 Workforce Services with the information described in Section 35A-3-105.
2977 (hh) Notwithstanding Subsection (2), the commission may provide aggregated
2978 information to the Utah Population Committee, created in Section 63C-20-103, if the
2979 Utah Population Committee requests the information in accordance with Section
2980 63C-20-105.
2981 (5)(a) Each report and return shall be preserved for at least three years.
2982 (b) After the three-year period provided in Subsection (5)(a) the commission may
2983 destroy a report or return.
2984 (6)(a) Any individual who violates this section is guilty of a class A misdemeanor.
2985 (b) If the individual described in Subsection (6)(a) is an officer or employee of the state,

2986 the individual shall be dismissed from office and be disqualified from holding public
2987 office in this state for a period of five years thereafter.

2988 (c) Notwithstanding Subsection (6)(a) or (b), [~~GOEØ~~] GOED, when requesting
2989 information in accordance with Subsection (4)(n)(iii), or an individual who requests
2990 information in accordance with Subsection (4)(n)(v):

2991 (i) is not guilty of a class A misdemeanor; and

2992 (ii) is not subject to:

2993 (A) dismissal from office in accordance with Subsection (6)(b); or

2994 (B) disqualification from holding public office in accordance with Subsection
2995 (6)(b).

2996 (d) Notwithstanding Subsection (6)(a) or (b), for a disclosure of information to the
2997 Office of the Legislative Auditor General in accordance with Title 36, Chapter 12,
2998 Legislative Organization, an individual described in Subsection (2):

2999 (i) is not guilty of a class A misdemeanor; and

3000 (ii) is not subject to:

3001 (A) dismissal from office in accordance with Subsection (6)(b); or

3002 (B) disqualification from holding public office in accordance with Subsection
3003 (6)(b).

3004 (7) Except as provided in Section 59-1-404, this part does not apply to the property tax.

3005 Section 45. Section **59-7-159** is amended to read:

3006 **59-7-159 (Effective 05/06/26) (Partially Repealed 12/31/26). Review of credits**
3007 **allowed under this chapter.**

3008 (1) As used in this section, "committee" means the Revenue and Taxation Interim
3009 Committee.

3010 (2)(a) The committee shall review each tax credit described in this chapter once every
3011 five years to determine whether to continue, modify, or repeal the tax credit.

3012 (b) In conducting the review required under Subsection (2)(a), the committee shall:

3013 (i) schedule time on a committee agenda to conduct the review as needed;

3014 (ii) invite state agencies, individuals, and organizations concerned with a tax credit
3015 under review to provide oral or written testimony;

3016 (iii)(A) invite the Governor's Office of Economic [~~Opportunity~~] Development to
3017 present a summary and analysis of the information for each tax credit [
3018 regarding] for which the Governor's Office of Economic [~~Opportunity~~]
3019 Development is required to make a report under this chapter; and

3020 (B) invite the Office of the Legislative Fiscal Analyst to present a summary and
 3021 analysis of the information for each tax credit regarding which the Office of the
 3022 Legislative Fiscal Analyst is required to make a report under this chapter;

3023 (iv) evaluate:

3024 (A) the cost of the tax credit to the state;

3025 (B) the purpose and effectiveness of the tax credit; and

3026 (C) the extent to which the state benefits from the tax credit; and

3027 (v) undertake other review efforts as determined by the committee chairs or as
 3028 otherwise required by law.

3029 Section 46. Section **59-7-614.2** is amended to read:

3030 **59-7-614.2 (Effective 05/06/26). Refundable economic development tax credit.**

3031 (1) As used in this section:

3032 (a) "Business entity" means a taxpayer that meets the definition of "business entity" as
 3033 defined in Section 63N-2-103.

3034 (b) "Incremental job" means the same as that term is defined in Section 63N-1a-102.

3035 (c) "New state revenue" means the same as that term is defined in Section 63N-1a-102.

3036 (d) "Office" means the Governor's Office of Economic [~~Opportunity~~] Development.

3037 (2) Subject to the other provisions of this section, a business entity may claim a refundable
 3038 tax credit for economic development.

3039 (3) The tax credit under this section is the amount listed as the tax credit amount on the tax
 3040 credit certificate that the office issues to the business entity for the taxable year.

3041 (4)(a) In accordance with any rules prescribed by the commission under Subsection

3042 (4)(b), the commission shall make a refund to a business entity that claims a tax

3043 credit under this section if the amount of the tax credit exceeds the business entity's

3044 tax liability for a taxable year.

3045 (b) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the
 3046 commission may make rules providing procedures for making a refund to a business
 3047 entity as required by Subsection (4)(a).

3048 (5)(a) To assist the Revenue and Taxation Interim Committee with the review required

3049 by Section 59-7-159, the office shall provide the following information, if available

3050 to the office, to the Revenue and Taxation Interim Committee by electronic means:

3051 (i) the amount of tax credit that the office grants to each business entity for each
 3052 calendar year;

3053 (ii) the criteria that the office uses in granting a tax credit;

- 3054 (iii) the new state revenue generated by the business entity for the calendar year;
- 3055 (iv) estimates for each of the next three calendar years of the following:
- 3056 (A) the amount of tax credits that the office will grant;
- 3057 (B) the amount of new state revenue that will be generated; and
- 3058 (C) the number of new incremental jobs within the state that will be generated;
- 3059 (v) the information contained in the office's latest report under Section 63N-2-106;
- 3060 and
- 3061 (vi) any other information that the Revenue and Taxation Interim Committee requests.
- 3062 (b) In providing the information described in Subsection (5)(a), the office shall redact
- 3063 information that identifies a recipient of a tax credit under this section.
- 3064 (c) If, notwithstanding the redactions made under Subsection (5)(b), reporting the
- 3065 information described in Subsection (5)(a) might disclose the identity of a recipient
- 3066 of a tax credit, the office may file a request with the Revenue and Taxation Interim
- 3067 Committee to provide the information described in Subsection (5)(a) in the aggregate
- 3068 for all business entities that receive the tax credit under this section.

3069 Section 47. Section **59-7-614.5** is amended to read:

3070 **59-7-614.5 (Effective 05/06/26). Refundable motion picture tax credit.**

- 3071 (1) As used in this section:
- 3072 (a) "Motion picture company" means a taxpayer that meets the definition of a motion
- 3073 picture company under Section 63N-8-102.
- 3074 (b) "Office" means the Governor's Office of Economic [~~Opportunity~~] Development
- 3075 created in Section 63N-1a-301.
- 3076 (c) "State-approved production" means the same as that term is defined in Section
- 3077 63N-8-102.
- 3078 (2) A motion picture company may claim a refundable tax credit for a state-approved
- 3079 production.
- 3080 (3) The tax credit under this section is the amount listed as the tax credit amount on the tax
- 3081 credit certificate that the office issues to a motion picture company under Section
- 3082 63N-8-103 for the taxable year.
- 3083 (4)(a) In accordance with any rules prescribed by the commission under Subsection
- 3084 (4)(b), the commission shall make a refund to a motion picture company that claims a
- 3085 tax credit under this section if the amount of the tax credit exceeds the motion picture
- 3086 company's tax liability for a taxable year.
- 3087 (b) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the

3088 commission may make rules providing procedures for making a refund to a motion
3089 picture company as required by Subsection (4)(a).

3090 (5)(a)(i) To assist the Revenue and Taxation Interim Committee with the review
3091 required by Section 59-7-159, the office shall provide the following information,
3092 if available to the office, to the Office of the Legislative Fiscal Analyst by
3093 electronic means:

3094 (A) the amount of tax credit that the office grants to each motion picture company
3095 for each calendar year;

3096 (B) estimates of the amount of tax credit that the office will grant for each of the
3097 next three calendar years;

3098 (C) the criteria that the office uses in granting the tax credit;

3099 (D) the dollars left in the state, as defined in Section 63N-8-102, by each motion
3100 picture company for each calendar year;

3101 (E) the information contained in the office's latest report under Section 63N-1a-306;
3102 and

3103 (F) any other information that the Office of the Legislative Fiscal Analyst requests.

3104 (ii) In providing the information described in Subsection (5)(a)(i), the office shall
3105 redact information that identifies a recipient of a tax credit under this section.

3106 (iii) If, notwithstanding the redactions made under Subsection (5)(a)(ii), reporting the
3107 information described in Subsection (5)(a)(i) might disclose the identity of a
3108 recipient of a tax credit, the office may file a request with the Revenue and
3109 Taxation Interim Committee to provide the information described in Subsection
3110 (5)(a)(i) in the aggregate for all motion picture companies that receive the tax
3111 credit under this section.

3112 (b) The Office of the Legislative Fiscal Analyst shall report to the Revenue and Taxation
3113 Interim Committee a summary and analysis of the information provided to the Office
3114 of the Legislative Fiscal Analyst by the office under Subsection (5)(a).

3115 Section 48. Section **59-7-614.10** is amended to read:

3116 **59-7-614.10 (Effective 05/06/26) (Repealed 12/31/26). Nonrefundable enterprise**
3117 **zone tax credit.**

3118 (1) As used in this section:

3119 (a) "Business entity" means a corporation that meets the definition of "business entity"
3120 as that term is defined in Section 63N-2-202.

3121 (b) "Office" means the Governor's Office of Economic [Opportunity] Development

- 3122 created in Section 63N-1a-301.
- 3123 (2) Subject to the provisions of this section, for a taxable year beginning before January 1,
3124 2025, a business entity may claim a nonrefundable enterprise zone tax credit as
3125 described in Section 63N-2-213.
- 3126 (3) The enterprise zone tax credit under this section is the amount listed as the tax credit
3127 amount on the tax credit certificate that the office issues to the business entity for the
3128 taxable year.
- 3129 (4) A business entity may carry forward a tax credit under this section for a period that does
3130 not exceed the next three taxable years, if the amount of the tax credit exceeds the
3131 business entity's tax liability under this chapter for that taxable year.
- 3132 (5)(a)(i) To assist the Revenue and Taxation Interim Committee with the review
3133 required by Section 59-7-159, the office shall provide by electronic means the
3134 following information for each calendar year to the Office of the Legislative
3135 Fiscal Analyst:
- 3136 (A) the amount of tax credits provided in each development zone;
- 3137 (B) the number of new full-time employee positions reported to obtain tax credits
3138 in each development zone;
- 3139 (C) the amount of tax credits awarded for rehabilitating a building in each
3140 development zone;
- 3141 (D) the amount of tax credits awarded for investing in a plant, equipment, or other
3142 depreciable property in each development zone;
- 3143 (E) the information related to the tax credit contained in the office's latest report
3144 under Section 63N-1a-301; and
- 3145 (F) any other information that the Office of the Legislative Fiscal Analyst requests.
- 3146 (ii) In providing the information described in Subsection (5)(a)(i), the office shall
3147 redact information that identifies a recipient of a tax credit under this section.
- 3148 (iii) If, notwithstanding the redactions made under Subsection (5)(a)(ii), reporting the
3149 information described in Subsection (5)(a)(i) might disclose the identity of a
3150 recipient of a tax credit, the office may file a request with the Revenue and
3151 Taxation Interim Committee to provide the information described in Subsection
3152 (5)(a)(i) in the aggregate for all development zones that receive the tax credit
3153 under this section.
- 3154 (b) The Office of the Legislative Fiscal Analyst shall report to the Revenue and Taxation
3155 Interim Committee a summary and analysis of the information provided to the Office

3156 of the Legislative Fiscal Analyst by the office under Subsection (5)(a).

3157 Section 49. Section **59-7-621** is amended to read:

3158 **59-7-621 (Effective 05/06/26). Nonrefundable rural job creation tax credit.**

3159 (1) As used in this section, "office" means the Governor's Office of Economic [Opportunity]
3160 Development created in Section 63N-1a-301.

3161 (2) Subject to the other provisions of this section, a taxpayer may claim a nonrefundable tax
3162 credit for rural job creation as provided in this section.

3163 (3) The tax credit under this section is the amount listed as the tax credit amount on a tax
3164 credit certificate that the office issues under Title 63N, Chapter 4, Part 3, Utah Rural
3165 Jobs Act, to the taxpayer for the taxable year.

3166 (4) If the amount of a tax credit under this section exceeds the taxpayer's tax liability under
3167 this chapter for the taxable year in which the taxpayer claims the tax credit, the taxpayer
3168 may carry forward the tax credit for:

3169 (a) the next seven taxable years, if the credit-eligible contribution as defined in Section
3170 63N-4-302 is made before November 1, 2022; or

3171 (b) the next four taxable years, if the credit-eligible contribution as defined in Section
3172 63N-4-302 is made on or after November 1, 2022.

3173 Section 50. Section **59-10-137** is amended to read:

3174 **59-10-137 (Effective 05/06/26) (Partially Repealed 12/31/26). Review of credits**
3175 **allowed under this chapter.**

3176 (1) As used in this section, "committee" means the Revenue and Taxation Interim
3177 Committee.

3178 (2)(a) The committee shall review each tax credit described in this chapter once every
3179 five years to determine whether to continue, modify, or repeal the tax credit.

3180 (b) In conducting the review required under Subsection (2)(a), the committee shall:

3181 (i) schedule time on a committee agenda to conduct the review as needed;

3182 (ii) invite state agencies, individuals, and organizations concerned with a tax credit
3183 under review to provide oral or written testimony;

3184 (iii)(A) invite the Governor's Office of Economic [Opportunity] Development to
3185 present a summary and analysis of the information for each tax credit regarding
3186 which the Governor's Office of Economic [Opportunity] Development is
3187 required to make a report under this chapter; and

3188 (B) invite the Office of the Legislative Fiscal Analyst to present a summary and
3189 analysis of the information for each tax credit regarding which the Office of the

- 3190 Legislative Fiscal Analyst is required to make a report under this chapter;
3191 (iv) evaluate:
3192 (A) the cost of the tax credit to the state;
3193 (B) the purpose and effectiveness of the tax credit; and
3194 (C) the extent to which the state benefits from the tax credit; and
3195 (v) undertake other review efforts as determined by the committee chairs or as
3196 otherwise required by law.

3197 Section 51. Section **59-10-1025** is amended to read:

3198 **59-10-1025 (Effective 05/06/26). Nonrefundable tax credit for investment in**
3199 **certain life science establishments.**

3200 (1) As used in this section:

- 3201 (a) "Commercial domicile" means the principal place from which the trade or business
3202 of a Utah small business corporation is directed or managed.
- 3203 (b) "Eligible claimant, estate, or trust" means the same as that term is defined in Section
3204 63N-2-802.
- 3205 (c) "Life science establishment" means an establishment primarily engaged in the
3206 development or manufacture of products in one or more of the following categories:
3207 (i) biotechnologies;
3208 (ii) medical devices;
3209 (iii) medical diagnostics; and
3210 (iv) pharmaceuticals.
- 3211 (d) "Office" means the Governor's Office of Economic [~~Opportunity~~] Development.
- 3212 (e) "Pass-through entity" means the same as that term is defined in Section 59-10-1402.
- 3213 (f) "Pass-through entity taxpayer" means the same as that term is defined in Section
3214 59-10-1402.
- 3215 (g) "Qualifying ownership interest" means an ownership interest that is:
3216 (i)(A) common stock;
3217 (B) preferred stock; or
3218 (C) an ownership interest in a pass-through entity;
3219 (ii) originally issued to:
3220 (A) an eligible claimant, estate, or trust; or
3221 (B) a pass-through entity if the eligible claimant, estate, or trust that claims a tax
3222 credit under this section was a pass-through entity taxpayer of the pass-through
3223 entity on the day on which the qualifying ownership interest was issued and

3224 remains a pass-through entity taxpayer of the pass-through entity until the last
 3225 day of the taxable year for which the eligible claimant, estate, or trust claims a
 3226 tax credit under this section; and

3227 (iii) issued:

3228 (A) by a Utah small business corporation;

3229 (B) on or after January 1, 2011; and

3230 (C) for money or other property, except for stock or securities.

3231 (h)(i) Except as provided in Subsection (1)(h)(ii), "Utah small business corporation"

3232 means the same as that term is defined in Section 59-10-1022.

3233 (ii) For purposes of this section, a corporation under Section 1244(c)(3)(A), Internal
 3234 Revenue Code, is considered to include a pass-through entity.

3235 (2) Subject to the other provisions of this section, an eligible claimant, estate, or trust that
 3236 holds a tax credit certificate issued to the eligible claimant, estate, or trust in accordance
 3237 with Section 63N-2-808 for that taxable year may claim a nonrefundable tax credit in an
 3238 amount up to 35% of the purchase price of a qualifying ownership interest in a Utah
 3239 small business corporation by the claimant, estate, or trust if:

3240 (a) the qualifying ownership interest is issued by a Utah small business corporation that
 3241 is a life science establishment;

3242 (b) the qualifying ownership interest in the Utah small business corporation is purchased
 3243 for at least \$25,000;

3244 (c) the eligible claimant, estate, or trust owned less than 30% of the qualifying
 3245 ownership interest of the Utah small business corporation at the time of the purchase
 3246 of the qualifying ownership interest; and

3247 (d) on each day of the taxable year in which the purchase of the qualifying ownership
 3248 interest was made, the Utah small business corporation described in Subsection (2)(a)
 3249 has at least 50% of [its] the Utah small business corporation's employees in the state.

3250 (3) Subject to Subsection (4), the tax credit under Subsection (2):

3251 (a) may only be claimed by an eligible claimant, estate, or trust:

3252 (i) for a taxable year for which the eligible claimant, estate, or trust holds a tax credit
 3253 certificate issued in accordance with Section 63N-2-808; and

3254 (ii) subject to obtaining a tax credit certificate for each taxable year as required by
 3255 Subsection (3)(a)(i), for a period of three taxable years as follows:

3256 (A) the tax credit in the taxable year in which the purchase of the qualifying
 3257 ownership interest was made may not exceed 10% of the purchase price of the

- 3258 qualifying ownership interest;
- 3259 (B) the tax credit in the taxable year after the taxable year described in Subsection
- 3260 (3)(a)(ii)(A) may not exceed 10% of the purchase price of the qualifying
- 3261 ownership interest; and
- 3262 (C) the tax credit in the taxable year two years after the taxable year described in
- 3263 Subsection (3)(a)(ii)(A) may not exceed 15% of the purchase price of the
- 3264 qualifying ownership interest; and
- 3265 (b) may not exceed the lesser of:
- 3266 (i) the amount listed on the tax credit certificate issued in accordance with Section
- 3267 63N-2-808; or
- 3268 (ii) \$350,000 in a taxable year.
- 3269 (4) An eligible claimant, estate, or trust may not claim a tax credit under this section for a
- 3270 taxable year if the eligible claimant, estate, or trust:
- 3271 (a) has sold any of the qualifying ownership interest during the taxable year; or
- 3272 (b) does not hold a tax credit certificate for that taxable year that is issued to the eligible
- 3273 claimant, estate, or trust by the office in accordance with Section 63N-2-808.
- 3274 (5) If a Utah small business corporation in which an eligible claimant, estate, or trust
- 3275 purchases a qualifying ownership interest fails, dissolves, or otherwise goes out of
- 3276 business, the eligible claimant, estate, or trust may not claim both the tax credit provided
- 3277 in this section and a capital loss on the qualifying ownership interest.
- 3278 (6) If an eligible claimant is a pass-through entity taxpayer that files a return under Chapter
- 3279 7, Corporate Franchise and Income Taxes, the eligible claimant may claim the tax credit
- 3280 under this section on the return filed under Chapter 7, Corporate Franchise and Income
- 3281 Taxes.
- 3282 (7) A claimant, estate, or trust may not carry forward or carry back a tax credit under this
- 3283 section.
- 3284 (8)(a)(i) To assist the Revenue and Taxation Interim Committee with the review
- 3285 required by Section 59-10-137, the office shall provide the following information,
- 3286 if available to the office, to the Office of the Legislative Fiscal Analyst by
- 3287 electronic means:
- 3288 (A) the amount of tax credit that the office grants to each eligible business entity
- 3289 for each taxable year;
- 3290 (B) the amount of eligible new state tax revenues generated by each eligible
- 3291 product or project;

- 3292 (C) estimates for each of the next three calendar years of the following:
- 3293 (I) the amount of tax credit that the office will grant;
- 3294 (II) the amount of eligible new state tax revenues that will be generated; and
- 3295 (III) the number of new incremental jobs within the state that will be generated;
- 3296 and
- 3297 (D) any other information that the Office of the Legislative Fiscal Analyst
- 3298 requests.
- 3299 (ii) In providing the information described in Subsection (8)(a)(i), the office shall
- 3300 redact information that identifies a recipient of a tax credit under this section.
- 3301 (iii) If, notwithstanding the redactions made under Subsection (8)(a)(ii), reporting the
- 3302 information described in Subsection (8)(a)(i) might disclose the identity of a
- 3303 recipient of a tax credit, the office may file a request with the Revenue and
- 3304 Taxation Interim Committee to provide the information described in Subsection
- 3305 (8)(a)(i) in the aggregate for all entities that receive the tax credit under this
- 3306 section.
- 3307 (b) The Office of the Legislative Fiscal Analyst shall report to the Revenue and Taxation
- 3308 Interim Committee a summary and analysis of the information provided to the Office
- 3309 of the Legislative Fiscal Analyst by the office under Subsection (8)(a).
- 3310 Section 52. Section **59-10-1037** is amended to read:
- 3311 **59-10-1037 (Effective 05/06/26) (Repealed 12/31/26). Nonrefundable enterprise**
- 3312 **zone tax credit.**
- 3313 (1) As used in this section:
- 3314 (a) "Business entity" means a claimant, estate, or trust that meets the definition of
- 3315 "business entity" as that term is defined in Section 63N-2-202.
- 3316 (b) "Office" means the Governor's Office of Economic [~~Opportunity~~] Development
- 3317 created in Section 63N-1a-301.
- 3318 (2) Subject to the provisions of this section, for a taxable year beginning before January 1,
- 3319 2025, a business entity may claim a nonrefundable enterprise zone tax credit as
- 3320 described in Section 63N-2-213.
- 3321 (3) The enterprise zone tax credit under this section is the amount listed as the tax credit
- 3322 amount on the tax credit certificate that the office issues to the business entity for the
- 3323 taxable year.
- 3324 (4) A business entity may carry forward a tax credit under this section for a period that does
- 3325 not exceed the next three taxable years, if the amount of the tax credit exceeds the

- 3326 business entity's tax liability under this chapter for that taxable year.
- 3327 (5)(a)(i) To assist the Revenue and Taxation Interim Committee with the review
 3328 required by Section 59-10-137, the office shall provide by electronic means the
 3329 following information, if available to the office, for each calendar year to the
 3330 Office of the Legislative Fiscal Analyst:
- 3331 (A) the amount of tax credits provided in each development zone;
 - 3332 (B) the number of new full-time employee positions reported to obtain tax credits
 3333 in each development zone;
 - 3334 (C) the amount of tax credits awarded for rehabilitating a building in each
 3335 development zone;
 - 3336 (D) the amount of tax credits awarded for investing in a plant, equipment, or other
 3337 depreciable property in each development zone;
 - 3338 (E) the information related to the tax credit contained in the office's latest report
 3339 under Section 63N-1a-306; and
 - 3340 (F) other information that the Office of the Legislative Fiscal Analyst requests.
- 3341 (ii) In providing the information described in Subsection (5)(a)(i), the office shall
 3342 redact information that identifies a recipient of a tax credit under this section.
- 3343 (iii) If, notwithstanding the redactions made under Subsection (5)(a)(ii), reporting the
 3344 information described in Subsection (5)(a)(i) might disclose the identity of a
 3345 recipient of a tax credit, the office may file a request with the Revenue and
 3346 Taxation Interim Committee to provide the information described in Subsection
 3347 (5)(a)(i) in the aggregate for all development zones that receive the tax credit
 3348 under this section.
- 3349 (b) The Office of the Legislative Fiscal Analyst shall report to the Revenue and Taxation
 3350 Interim Committee a summary and analysis of the information provided to the Office
 3351 of the Legislative Fiscal Analyst by the office under Subsection (5)(a).
- 3352 Section 53. Section **59-10-1038** is amended to read:
- 3353 **59-10-1038 (Effective 05/06/26). Nonrefundable rural job creation tax credit.**
- 3354 (1) As used in this section, "office" means the Governor's Office of Economic [~~Opportunity~~]
 3355 Development created in Section 63N-1a-301.
 - 3356 (2) Subject to the other provisions of this section, a taxpayer may claim a nonrefundable tax
 3357 credit for rural job creation as provided in this section.
 - 3358 (3) The tax credit under this section is the amount listed as the tax credit amount on a tax
 3359 credit certificate that the office issues under Title 63N, Chapter 4, Part 3, Utah Rural

- 3360 Jobs Act, to the taxpayer for the taxable year.
- 3361 (4) If the amount of a tax credit under this section exceeds the taxpayer's tax liability under
 3362 this chapter for the taxable year in which the taxpayer claims the tax credit, the taxpayer
 3363 may carry forward the tax credit for:
- 3364 (a) the next seven taxable years, if the credit-eligible contribution as defined in Section
 3365 63N-4-302 is made before November 1, 2022; or
- 3366 (b) the next four taxable years, if the credit-eligible contribution as defined in Section
 3367 63N-4-302 is made on or after November 1, 2022.
- 3368 Section 54. Section **59-10-1107** is amended to read:
- 3369 **59-10-1107 (Effective 05/06/26). Refundable economic development tax credit.**
- 3370 (1) As used in this section:
- 3371 (a) "Business entity" means a claimant, estate, or trust that meets the definition of
 3372 "business entity" as defined in Section 63N-2-103.
- 3373 (b) "Incremental job" means the same as that term is defined in Section 63N-1a-102.
- 3374 (c) "New state revenue" means the same as that term is defined in Section 63N-1a-102.
- 3375 (d) "Office" means the Governor's Office of Economic [Opportunity] Development
 3376 created in Section 63N-1a-301.
- 3377 (2) Subject to the other provisions of this section, a business entity may claim a refundable
 3378 tax credit for economic development.
- 3379 (3) The tax credit under this section is the amount listed as the tax credit amount on the tax
 3380 credit certificate that the office issues to the business entity for the taxable year.
- 3381 (4)(a) In accordance with any rules prescribed by the commission under Subsection
 3382 (4)(b), the commission shall make a refund to a business entity that claims a tax
 3383 credit under this section if the amount of the tax credit exceeds the business entity's
 3384 tax liability for a taxable year.
- 3385 (b) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the
 3386 commission may make rules providing procedures for making a refund to a business
 3387 entity as required by Subsection (4)(a).
- 3388 (5)(a) To assist the Revenue and Taxation Interim Committee with the review required
 3389 by Section 59-10-137, the office shall provide the following information, if available
 3390 to the office, to the Revenue and Taxation Interim Committee by electronic means:
- 3391 (i) the amount of tax credit the office grants to each taxpayer for each calendar year;
 3392 (ii) the criteria the office uses in granting a tax credit;
 3393 (iii) the new state revenue generated by each taxpayer for each calendar year;

- 3394 (iv) estimates for each of the next three calendar years of the following:
- 3395 (A) the amount of tax credits that the office will grant;
- 3396 (B) the amount of new state revenue that will be generated; and
- 3397 (C) the number of new incremental jobs within the state that will be generated;
- 3398 (v) the information contained in the office's latest report under Section 63N-2-106;
- 3399 and
- 3400 (vi) any other information that the Revenue and Taxation Interim Committee requests.
- 3401 (b) In providing the information described in Subsection (5)(a), the office shall redact
- 3402 information that identifies a recipient of a tax credit under this section.
- 3403 (c) If, notwithstanding the redactions made under Subsection (5)(b), reporting the
- 3404 information described in Subsection (5)(a) might disclose the identity of a recipient
- 3405 of a tax credit, the office may file a request with the Revenue and Taxation Interim
- 3406 Committee to provide the information described in Subsection (5)(a) in the aggregate
- 3407 for all taxpayers that receive the tax credit under this section.

3408 Section 55. Section **59-10-1108** is amended to read:

3409 **59-10-1108 (Effective 05/06/26). Refundable motion picture tax credit.**

- 3410 (1) As used in this section:
- 3411 (a) "Motion picture company" means a claimant, estate, or trust that meets the definition
- 3412 of a motion picture company under Section 63N-8-102.
- 3413 (b) "Office" means the Governor's Office of Economic [~~Opportunity~~] Development
- 3414 created in Section 63N-1a-301.
- 3415 (c) "State-approved production" means the same as that term is defined in Section
- 3416 63N-8-102.
- 3417 (2) A motion picture company may claim a refundable tax credit for a state-approved
- 3418 production.
- 3419 (3) The tax credit under this section is the amount listed as the tax credit amount on the tax
- 3420 credit certificate that the office issues to a motion picture company under Section
- 3421 63N-8-103 for the taxable year.
- 3422 (4)(a) In accordance with any rules prescribed by the commission under Subsection
- 3423 (4)(b), the commission shall make a refund to a motion picture company that claims a
- 3424 tax credit under this section if the amount of the tax credit exceeds the motion picture
- 3425 company's tax liability for the taxable year.
- 3426 (b) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the
- 3427 commission may make rules providing procedures for making a refund to a motion

3428 picture company as required by Subsection (4)(a).

3429 (5)(a)(i) To assist the Revenue and Taxation Interim Committee with the review
 3430 required by Section 59-10-137, the office shall provide the following information,
 3431 if available to the office, to the Office of the Legislative Fiscal Analyst by
 3432 electronic means:

3433 (A) the amount of tax credit the office grants to each taxpayer for each calendar
 3434 year;

3435 (B) estimates of the amount of tax credit that the office will grant for each of the
 3436 next three calendar years;

3437 (C) the criteria the office uses in granting a tax credit;

3438 (D) the dollars left in the state, as defined in Section 63N-8-102, by each motion
 3439 picture company for each calendar year;

3440 (E) the information contained in the office's latest report under Section 63N-8-105;
 3441 and

3442 (F) any other information that the Office of the Legislative Fiscal Analyst requests.

3443 (ii) In providing the information described in Subsection (5)(a)(i), the office shall
 3444 redact information that identifies a recipient of a tax credit under this section.

3445 (iii) If, notwithstanding the redactions made under Subsection (5)(a)(ii), reporting the
 3446 information described in Subsection (5)(a)(i) might disclose the identity of a
 3447 recipient of a tax credit, the office may file a request with the Revenue and
 3448 Taxation Interim Committee to provide the information described in Subsection
 3449 (5)(a)(i) in the aggregate for all taxpayers that receive the tax credit under this
 3450 section.

3451 (b) The Office of the Legislative Fiscal Analyst shall report to the Revenue and Taxation
 3452 Interim Committee a summary and analysis of the information provided to the Office
 3453 of the Legislative Fiscal Analyst by the office under Subsection (5)(a).

3454 Section 56. Section **63A-5b-403** is amended to read:

3455 **63A-5b-403 (Effective 05/06/26). Institutions of higher education -- Capital**
 3456 **development projects -- Dedicated and nondedicated projects -- Recommendations and**
 3457 **prioritization.**

3458 (1) As used in this section:

3459 (a) "Dedicated project" has the same meaning as that term is defined in:

3460 (i) Section 53H-9-601, for a capital development project under Title 53H, Chapter 9,
 3461 Part 6, Technical College Leasing and Capital Development; or

- 3462 (ii) Section 53H-9-501, for a capital development project under Title 53H, Chapter 9,
3463 Part 5, General Capital Developments.
- 3464 (b) "Nondedicated project" has the same meaning as that term is defined in:
- 3465 (i) Section 53H-9-601, for a capital development project under Title 53H, Chapter 9,
3466 Part 6, Technical College Leasing and Capital Development; or
- 3467 (ii) Section 53H-9-501, for a capital development project under Title 53H, Chapter 9,
3468 Part 5, General Capital Developments.
- 3469 (2)(a) The division shall submit recommendations to the Legislature in accordance with:
- 3470 (i) Section 53H-9-604, for a dedicated project under Title 53H, Chapter 9, Part 6,
3471 Technical College Leasing and Capital Development; or
- 3472 (ii) Section 53H-9-504, for a dedicated project under Title 53H, Chapter 9, Part 5,
3473 General Capital Developments.
- 3474 (b) A dedicated project is not subject to prioritization by the division.
- 3475 (3)(a) The division shall prioritize nondedicated projects in accordance with:
- 3476 (i) Section 63A-5b-402; and
- 3477 (ii)(A) Section 53H-9-604, for a nondedicated project under Title 53H, Chapter 9,
3478 Part 6, Technical College Leasing and Capital Development; or
- 3479 (B) Section 53H-9-504, for a nondedicated project under Title 53H, Chapter 9,
3480 Part 5, General Capital Developments.
- 3481 (b) In the division's scoring process for prioritizing nondedicated projects, the division
3482 shall give more weight to a request that is designated as a higher priority by the Utah
3483 Board of Higher Education than a request that is designated as a lower priority by the
3484 Utah Board of Higher Education only for determining the order of prioritization
3485 among requests submitted by the Utah Board of Higher Education.
- 3486 (4) The division shall require that an institution of higher education that submits a request
3487 for a capital development project address whether and how, as a result of the project, the
3488 institution of higher education will:
- 3489 (a) offer courses or other resources that will help meet demand for jobs, training, and
3490 employment in the current market and the projected market for the next five years;
- 3491 (b) respond to individual skilled and technical job demand over the next three, five, and
3492 10 years;
- 3493 (c) respond to industry demands for trained workers;
- 3494 (d) help meet commitments made by the Governor's Office of Economic [Opportunity]
3495 Development, including relating to training and incentives;

- 3496 (e) respond to changing needs in the economy; and
 3497 (f) respond to demands for online or in-class instruction, based on demographics.
 3498 (5) The division shall:
 3499 (a)(i) assist institutions of higher education in providing the information required by
 3500 Subsection (4); and
 3501 (ii) verify the completion and accuracy of the information submitted by an institution
 3502 of higher education under Subsection (4);
 3503 (b) assist the Utah Board of Higher Education to fulfill the requirements of Section
 3504 53H-9-603 in connection with the finding that the division is required to make under
 3505 Subsection 53H-9-603(4)(b); and
 3506 (c) assist the Utah Board of Higher Education in submitting a list of dedicated projects
 3507 to the division for approval and nondedicated projects to the division for
 3508 recommendation and prioritization pursuant to Section 53H-9-504.

3509 Section 57. Section **63B-5-201** is amended to read:

3510 **63B-5-201 (Effective 05/06/26). Legislative intent statements.**

- 3511 (1) If the United States Department of Defense has not provided matching funds to
 3512 construct the National Guard Armory in Orem by December 31, 1997, the Division of
 3513 Facilities Construction and Management shall transfer any funds received from issuance
 3514 of a General Obligation Bond for benefit of the Orem Armory to the Provo Armory for
 3515 capital improvements.
 3516 (2) It is the intent of the Legislature that the University of Utah use institutional funds to
 3517 plan, design, and construct:
 3518 (a) the Health Science East parking structure under the supervision of the director of the
 3519 Division of Facilities Construction and Management unless supervisory authority is
 3520 delegated by the director;
 3521 (b) the Health Science Office Building under the supervision of the director of the
 3522 Division of Facilities Construction and Management unless supervisory authority is
 3523 delegated by the director; and
 3524 (c) the new Student Housing/Olympic Athletes Village under the supervision of the
 3525 director of the Division of Facilities Construction and Management unless
 3526 supervisory authority is delegated by the director.
 3527 (3) It is the intent of the Legislature that Utah State University use institutional funds to
 3528 plan, design, and construct a multipurpose facility under the supervision of the director
 3529 of the Division of Facilities Construction and Management unless supervisory authority

- 3530 is delegated by the director.
- 3531 (4) It is the intent of the Legislature that the Utah Geologic Survey use agency internal
3532 funding to plan, design, and construct a sample library facility under the supervision of
3533 the director of the Division of Facilities Construction and Management unless
3534 supervisory authority is delegated by the director.
- 3535 (5)(a) If legislation introduced in the 1996 General Session to fund the Wasatch State
3536 Park Club House does not pass, the State Building Ownership Authority, under
3537 authority of Title 63B, Chapter 1, Part 3, State Building Ownership Authority Act,
3538 may issue or execute obligations, or enter into or arrange for a lease purchase
3539 agreement in which participation interests may be created, to provide up to
3540 \$1,500,000 for the remodel and expansion of the clubhouse at Wasatch Mountain
3541 State Park for the Division of State Parks, formerly known as the Division of Parks
3542 and Recreation, together with additional amounts necessary to:
- 3543 (i) pay costs of issuance;
 - 3544 (ii) pay capitalized interest; and
 - 3545 (iii) fund any debt service reserve requirements.
- 3546 (b) The State Building Ownership Authority shall work cooperatively with the Division
3547 of State Parks, formerly known as the Division of Parks and Recreation, to seek out
3548 the most cost effective and prudent lease purchase plan available.
- 3549 (6)(a) The State Building Ownership Authority, under authority of Title 63B, Chapter 1,
3550 Part 3, State Building Ownership Authority Act, may issue or execute obligations, or
3551 enter into or arrange for a lease purchase agreement in which participation interests
3552 may be created, to provide up to \$835,300 for the construction of a liquor store in the
3553 Snyderville area, together with additional amounts necessary to:
- 3554 (i) pay costs of issuance;
 - 3555 (ii) pay capitalized interest; and
 - 3556 (iii) fund any debt service reserve requirements.
- 3557 (b) The State Building Ownership Authority shall work cooperatively with the
3558 Department of Alcoholic Beverage Services to seek out the most cost effective and
3559 prudent lease purchase plan available.
- 3560 (7)(a) The State Building Ownership Authority, under authority of Title 63B, Chapter 1,
3561 Part 3, State Building Ownership Authority Act, may issue or execute obligations, or
3562 enter into or arrange for a lease purchase agreement in which participation interests
3563 may be created, to provide up to \$15,000,000 for the construction of the Huntsman

- 3564 Cancer Institute, together with additional amounts necessary to:
- 3565 (i) pay costs of issuance;
- 3566 (ii) pay capitalized interest; and
- 3567 (iii) fund any debt service reserve requirements.
- 3568 (b) The State Building Ownership Authority shall work cooperatively with the
- 3569 University of Utah to seek out the most cost effective and prudent lease purchase
- 3570 plan available.
- 3571 (c) It is the intent of the Legislature that the University of Utah lease land to the State
- 3572 Building Ownership Authority for the construction of the Huntsman Cancer Institute
- 3573 facility.
- 3574 (8)(a) The State Building Ownership Authority, under authority of Title 63B, Chapter 1,
- 3575 Part 3, State Building Ownership Authority Act, may issue or execute obligations, or
- 3576 enter into or arrange for a lease purchase agreement in which participation interests
- 3577 may be created, to provide up to \$857,600 for the construction of an addition to the
- 3578 Department of Health and Human Services facility in Vernal, Utah together with
- 3579 additional amounts necessary to:
- 3580 (i) pay costs of issuance;
- 3581 (ii) pay capitalized interest; and
- 3582 (iii) fund any debt service reserve requirements.
- 3583 (b) The State Building Ownership Authority shall work cooperatively with the
- 3584 Department of Health and Human Services to seek out the most cost effective and
- 3585 prudent lease purchase plan available.
- 3586 (9)(a) The State Building Ownership Authority, under authority of Title 63B, Chapter 1,
- 3587 Part 3, State Building Ownership Authority Act, may issue or execute obligations, or
- 3588 enter into or arrange for a lease purchase agreement in which participation interests
- 3589 may be created, to provide up to \$3,470,200 for the construction of the Student
- 3590 Services Center, at Utah State University Eastern, together with additional amounts
- 3591 necessary to:
- 3592 (i) pay costs of issuance;
- 3593 (ii) pay capitalized interest; and
- 3594 (iii) fund any debt service reserve requirements.
- 3595 (b) The State Building Ownership Authority shall work cooperatively with Utah State
- 3596 University Eastern to seek out the most cost effective and prudent lease purchase plan
- 3597 available.

- 3598 (10)(a) Notwithstanding anything to the contrary in Title 53H, Chapter 9, Part 3,
3599 Revenue Bonds, which prohibits the issuance of revenue bonds payable from
3600 legislative appropriations, the State Board of Regents, on behalf of Utah Tech
3601 University, may issue, sell, and deliver revenue bonds or other evidences of
3602 indebtedness of Utah Tech University to borrow money on the credit of the income
3603 and revenues, including legislative appropriations, of Utah Tech University, to
3604 finance the acquisition of the [~~Dixie~~] Avenna Center.
- 3605 (b)(i) The bonds or other evidences of indebtedness authorized by this section shall
3606 be issued in accordance with Title 53H, Chapter 9, Part 3, Revenue Bonds, under
3607 terms and conditions and in amounts that the board, by resolution, determines are
3608 reasonable and necessary and may not exceed \$6,000,000 together with additional
3609 amounts necessary to:
- 3610 (A) pay cost of issuance;
3611 (B) pay capitalized interest; and
3612 (C) fund any debt service reserve requirements.
- 3613 (ii) To the extent that future legislative appropriations will be required to provide for
3614 payment of debt service in full, the board shall ensure that the revenue bonds are
3615 issued containing a clause that provides for payment from future legislative
3616 appropriations that are legally available for that purpose.
- 3617 (11)(a) The State Building Ownership Authority, under authority of Title 63B, Chapter
3618 1, Part 3, State Building Ownership Authority Act, may issue or execute obligations,
3619 or enter into or arrange for a lease purchase agreement in which participation
3620 interests may be created, to provide up to \$10,479,000 for the construction of a
3621 facility for the Courts - Davis County Regional Expansion, together with additional
3622 amounts necessary to:
- 3623 (i) pay costs of issuance;
3624 (ii) pay capitalized interest; and
3625 (iii) fund any debt service reserve requirements.
- 3626 (b) The State Building Ownership Authority shall work cooperatively with the
3627 Administrative Office of the Courts to seek out the most cost effective and prudent
3628 lease purchase plan available.
- 3629 (12)(a) The State Building Ownership Authority, under authority of Title 63B, Chapter
3630 1, Part 3, State Building Ownership Authority Act, may issue or execute obligations,
3631 or enter into or arrange for a lease purchase agreement in which participation

3632 interests may be created, to provide up to \$4,200,000 for the purchase and remodel of
 3633 the Washington County Courthouse, together with additional amounts necessary to:

- 3634 (i) pay costs of issuance;
 3635 (ii) pay capitalized interest; and
 3636 (iii) fund any debt service reserve requirements.

3637 (b) The State Building Ownership Authority shall work cooperatively with the
 3638 Administrative Office of the Courts to seek out the most cost effective and prudent
 3639 lease purchase plan available.

3640 (13)(a) The State Building Ownership Authority, under authority of Title 63B, Chapter
 3641 1, Part 3, State Building Ownership Authority Act, may issue or execute obligations,
 3642 or enter into or arrange for a lease purchase agreement in which participation
 3643 interests may be created, to provide up to \$14,299,700 for the construction of a
 3644 facility for the State Library and the Division of Services for the Blind and Visually
 3645 Impaired, together with additional amounts necessary to:

- 3646 (i) pay costs of issuance;
 3647 (ii) pay capitalized interest; and
 3648 (iii) fund any debt service reserve requirements.

3649 (b) The State Building Ownership Authority shall work cooperatively with the State
 3650 Board of Education and the Governor's Office of Economic [Opportunity]
 3651 Development to seek out the most cost effective and prudent lease purchase plan
 3652 available.

3653 Section 58. Section **63B-18-401** is amended to read:

3654 **63B-18-401 (Effective 05/06/26). Highway bonds -- Maximum amount -- Use of**
 3655 **proceeds for highway projects.**

3656 (1)(a) The total amount of bonds issued under this section may not exceed
 3657 \$2,077,000,000.

3658 (b) When the Department of Transportation certifies to the commission that the
 3659 requirements of Subsection 72-2-124(7) have been met and certifies the amount of
 3660 bond proceeds that it needs to provide funding for the projects described in
 3661 Subsection (2) for the next fiscal year, the commission may issue and sell general
 3662 obligation bonds in an amount equal to the certified amount plus costs of issuance.

3663 (2) Except as provided in Subsections (3) and (4), proceeds from the issuance of bonds
 3664 shall be provided to the Department of Transportation to pay all or part of the costs of
 3665 the following state highway construction or reconstruction projects:

- 3666 (a) Interstate 15 reconstruction in Utah County;
- 3667 (b) the Mountain View Corridor;
- 3668 (c) the Southern Parkway; and
- 3669 (d) state and federal highways prioritized by the Transportation Commission through:
- 3670 (i) the prioritization process for new transportation capacity projects adopted under
- 3671 Section 72-1-304; or
- 3672 (ii) the state highway construction program.
- 3673 (3)(a) Except as provided in Subsection (5), the bond proceeds issued under this section
- 3674 shall be provided to the Department of Transportation.
- 3675 (b) The Department of Transportation shall use bond proceeds and the funds provided to
- 3676 it under Section 72-2-124 to pay for the costs of right-of-way acquisition,
- 3677 construction, reconstruction, renovations, or improvements to the following
- 3678 highways:
- 3679 (i) \$35 million to add highway capacity on I-15 south of the Spanish Fork Main
- 3680 Street interchange to Payson;
- 3681 (ii) \$28 million for improvements to Riverdale Road in Ogden;
- 3682 (iii) \$1 million for intersection improvements on S.R. 36 at South Mountain Road;
- 3683 (iv) \$2 million for capacity enhancements on S.R. 248 between Sidwinder Drive and
- 3684 Richardson Flat Road;
- 3685 (v) \$12 million for Vineyard Connector from 800 North Geneva Road to Lake Shore
- 3686 Road;
- 3687 (vi) \$7 million for 2600 South interchange modifications in Woods Cross;
- 3688 (vii) \$9 million for reconfiguring the 1100 South interchange on I-15 in Box Elder
- 3689 County;
- 3690 (viii) \$18 million for the Provo west-side connector;
- 3691 (ix) \$8 million for interchange modifications on I-15 in the Layton area;
- 3692 (x) \$3,000,000 for an energy corridor study and environmental review for
- 3693 improvements in the Uintah Basin;
- 3694 (xi) \$2,000,000 for highway improvements to Harrison Boulevard in Ogden City;
- 3695 (xii) \$2,500,000 to be provided to Tooele City for roads around the Utah State
- 3696 University campus to create improved access to an institution of higher education;
- 3697 (xiii) \$3,000,000 to be provided to the Utah Office of Tourism within the Governor's
- 3698 Office of Economic [Opportunity] Development for transportation infrastructure
- 3699 improvements associated with annual tourism events that have:

- 3700 (A) a significant economic development impact within the state; and
 3701 (B) significant needs for congestion mitigation;
- 3702 (xiv) \$4,500,000 to be provided to the Governor's Office of Economic [~~Opportunity~~]
 3703 Development for transportation infrastructure acquisitions and improvements that
 3704 have a significant economic development impact within the state;
- 3705 (xv) \$125,000,000 to pay all or part of the costs of state and federal highway
 3706 construction or reconstruction projects prioritized by the Transportation
 3707 Commission through the prioritization process for new transportation capacity
 3708 projects adopted under Section 72-1-304;
- 3709 (xvi) \$10,000,000 for the Transportation Fund to pay all or part of the costs of state
 3710 and federal highway construction or reconstruction projects as prioritized by the
 3711 Transportation Commission;
- 3712 (xvii) \$13,000,000 for corridor preservation and land acquisition for a transit hub at
 3713 the mouth of Big Cottonwood Canyon;
- 3714 (xviii) \$10,000,000 to be provided to the Governor's Office of Economic [~~Opportunity~~]
 3715 Development for transportation infrastructure and right-of-way acquisitions in a
 3716 project area created by the military installation development authority created in
 3717 Section 63H-1-201;
- 3718 (xix) \$28,000,000 for right-of-way or land acquisition, design, engineering, and
 3719 construction of infrastructure related to the Inland Port Authority created in
 3720 Section 11-58-201;
- 3721 (xx) \$6,000,000 for right-of-way acquisition, design, engineering, and construction
 3722 related to Shepard Lane in Davis County; and
- 3723 (xxi) \$4,000,000 for right-of-way acquisition, design, engineering, and construction
 3724 costs related to 1600 North in Orem City.
- 3725 (4)(a) The Department of Transportation shall use bond proceeds and the funds under
 3726 Section 72-2-121 to pay for, or to provide funds to, a municipality, county, or
 3727 political subdivision to pay for the costs of right-of-way acquisition, construction,
 3728 reconstruction, renovations, or improvements to the following highway or transit
 3729 projects in Salt Lake County:
- 3730 (i) \$4,000,000 to Taylorsville City for bus rapid transit planning on 4700 South;
 3731 (ii) \$4,200,000 to Taylorsville City for highway improvements on or surrounding
 3732 6200 South and pedestrian crossings and system connections;
 3733 (iii) \$2,250,000 to Herriman City for highway improvements to the Salt Lake

- 3734 Community College Road;
- 3735 (iv) \$5,300,000 to West Jordan City for highway improvements on 5600 West from
3736 6200 South to 8600 South;
- 3737 (v) \$4,000,000 to West Jordan City for highway improvements to 7800 South from
3738 1300 West to S.R. 111;
- 3739 (vi) \$7,300,000 to Sandy City for highway improvements on Monroe Street;
- 3740 (vii) \$3,000,000 to Draper City for highway improvements to 13490 South from 200
3741 West to 700 West;
- 3742 (viii) \$5,000,000 to Draper City for highway improvements to Suncrest Road;
- 3743 (ix) \$1,200,000 to Murray City for highway improvements to 5900 South from State
3744 Street to 900 East;
- 3745 (x) \$1,800,000 to Murray City for highway improvements to 1300 East;
- 3746 (xi) \$3,000,000 to South Salt Lake City for intersection improvements on West
3747 Temple, Main Street, and State Street;
- 3748 (xii) \$2,000,000 to Salt Lake County for highway improvements to 5400 South from
3749 5600 West to Mountain View Corridor;
- 3750 (xiii) \$3,000,000 to West Valley City for highway improvements to 6400 West from
3751 Parkway Boulevard to SR-201 Frontage Road;
- 3752 (xiv) \$4,300,000 to West Valley City for highway improvements to 2400 South from
3753 4800 West to 7200 West and pedestrian crossings;
- 3754 (xv) \$4,000,000 to Salt Lake City for highway improvements to 700 South from 2800
3755 West to 5600 West;
- 3756 (xvi) \$2,750,000 to Riverton City for highway improvements to 4570 West from
3757 12600 South to Riverton Boulevard;
- 3758 (xvii) \$1,950,000 to Cottonwood Heights for improvements to Union Park Avenue
3759 from I-215 exit south to Creek Road and Wasatch Boulevard and Big Cottonwood
3760 Canyon;
- 3761 (xviii) \$1,300,000 to Cottonwood Heights for highway improvements to Bengal
3762 Boulevard;
- 3763 (xix) \$1,500,000 to Midvale City for highway improvements to 7200 South from I-15
3764 to 1000 West;
- 3765 (xx) \$1,000,000 to Bluffdale City for an environmental impact study on Porter
3766 Rockwell Boulevard;
- 3767 (xxi) \$2,900,000 to the Utah Transit Authority for the following public transit studies:

- 3768 (A) a circulator study; and
3769 (B) a mountain transport study; and
3770 (xxii) \$1,000,000 to South Jordan City for highway improvements to 2700 West.
3771 (b)(i) Before providing funds to a municipality or county under this Subsection (4),
3772 the Department of Transportation shall obtain from the municipality or county:
3773 (A) a written certification signed by the county or city mayor or the mayor's
3774 designee certifying that the municipality or county will use the funds provided
3775 under this Subsection (4) solely for the projects described in Subsection (4)(a);
3776 and
3777 (B) other documents necessary to protect the state and the bondholders and to
3778 ensure that all legal requirements are met.
3779 (ii) Except as provided in Subsection (4)(c), by January 1 of each year, the
3780 municipality or county receiving funds described in this Subsection (4) shall
3781 submit to the Department of Transportation a statement of cash flow for the next
3782 fiscal year detailing the funds necessary to pay project costs for the projects
3783 described in Subsection (4)(a).
3784 (iii) After receiving the statement required under Subsection (4)(b)(ii) and after July
3785 1, the Department of Transportation shall provide funds to the municipality or
3786 county necessary to pay project costs for the next fiscal year based upon the
3787 statement of cash flow submitted by the municipality or county.
3788 (iv) Upon the financial close of each project described in Subsection (4)(a), the
3789 municipality or county receiving funds under this Subsection (4) shall submit a
3790 statement to the Department of Transportation detailing the expenditure of funds
3791 received for each project.
3792 (c) For calendar year 2012 only:
3793 (i) the municipality or county shall submit to the Department of Transportation a
3794 statement of cash flow as provided in Subsection (4)(b)(ii) as soon as possible; and
3795 (ii) the Department of Transportation shall provide funds to the municipality or
3796 county necessary to pay project costs based upon the statement of cash flow.
3797 (5) Twenty million dollars of the bond proceeds issued under this section and funds
3798 available under Section 72-2-124 shall be provided to the State Infrastructure Bank Fund
3799 created by Section 72-2-202 to make funds available for transportation infrastructure
3800 loans and transportation infrastructure assistance under Title 72, Chapter 2, Part 2, State
3801 Infrastructure Bank Fund.

- 3802 (6) The costs under Subsections (2), (3), and (4) may include the costs of studies necessary
3803 to make transportation infrastructure improvements, the cost of acquiring land, interests
3804 in land, easements and rights-of-way, improving sites, and making all improvements
3805 necessary, incidental, or convenient to the facilities, interest estimated to accrue on these
3806 bonds during the period to be covered by construction of the projects plus a period of six
3807 months after the end of the construction period, interest estimated to accrue on any bond
3808 anticipation notes issued under the authority of this title, and all related engineering,
3809 architectural, and legal fees.
- 3810 (7) The commission or the state treasurer may make any statement of intent relating to a
3811 reimbursement that is necessary or desirable to comply with federal tax law.
- 3812 (8) The Department of Transportation may enter into agreements related to the projects
3813 described in Subsections (2), (3), and (4) before the receipt of proceeds of bonds issued
3814 under this section.
- 3815 (9) The Department of Transportation may enter into a new or amend an existing interlocal
3816 agreement related to the projects described in Subsections (3) and (4) to establish any
3817 necessary covenants or requirements not otherwise provided for by law.

3818 Section 59. Section **63B-24-201** is amended to read:

3819 **63B-24-201 (Effective 05/06/26). Authorizations to design and construct capital**
3820 **facilities using institutional or agency funds.**

- 3821 (1) The Legislature intends that:
- 3822 (a) the University of Utah may, subject to the requirements of Title 63A, Chapter 5b,
3823 Administration of State Facilities, use up to \$8,200,000 in institutional funds to plan,
3824 design, and construct the William C. Browning Building Addition with up to 24,000
3825 square feet;
- 3826 (b) the university may not use state funds for any portion of this project; and
- 3827 (c) the university may use state funds for operation and maintenance costs or capital
3828 improvements.
- 3829 (2) The Legislature intends that:
- 3830 (a) Utah State University may, subject to the requirements of Title 63A, Chapter 5b,
3831 Administration of State Facilities, use up to \$10,000,000 in institutional funds to
3832 plan, design, and construct the Fine Arts Complex Addition/Renovation with up to
3833 17,000 square feet;
- 3834 (b) the university may not use state funds for any portion of this project; and
- 3835 (c) the university may use state funds for operation and maintenance costs or capital

3836 improvements.

3837 (3) The Legislature intends that:

3838 (a) Salt Lake Community College may, subject to the requirements of Title 63A,
3839 Chapter 5b, Administration of State Facilities, use up to \$3,900,000 in institutional
3840 funds to plan, design, and construct a Strength and Conditioning Center with up to
3841 11,575 square feet;

3842 (b) the college may not use state funds for any portion of this project; and

3843 (c) the college may not request state funds for operation and maintenance costs or capital
3844 improvements.

3845 (4) The Legislature intends that:

3846 (a) the Governor's Office of Economic [~~Opportunity~~] Development may, subject to the
3847 requirements of Title 63A, Chapter 5b, Administration of State Facilities, use up to
3848 \$1,800,000 in nonlapsing balances and donations to plan, design, and construct or
3849 lease a Southern Utah Welcome Center with up to 5,000 square feet;

3850 (b) the office may request additional state funds for the project, unless the office
3851 receives donations and begins design or construction of the project; and

3852 (c) the office may use state funds for operation and maintenance costs or capital
3853 improvements.

3854 Section 60. Section **63B-30-101** is amended to read:

3855 **63B-30-101 (Effective 05/06/26). General obligation bonds for transportation**
3856 **projects.**

3857 (1) As used in this section, "transportation projects" means Department of Transportation
3858 projects described in Subsection 63B-27-101(2).

3859 (2)(a) When the Department of Transportation certifies to the commission that the
3860 requirements of Subsection 72-2-124(7) have been met and certifies the amount of
3861 bond proceeds that the commission needs to provide funding for the transportation
3862 projects for the current or next fiscal year, the commission may issue and sell general
3863 obligation bonds in an amount equal to the certified amount, plus additional amounts
3864 necessary to pay costs of issuance, to pay capitalized interest, and to fund any
3865 existing debt services reserve requirements, not to exceed 1% of the certified amount.

3866 (b) The commission may issue general obligation bonds authorized under this section if
3867 the issuance of general obligation bonds would result in the total current outstanding
3868 general obligation debt of the state exceeding 50% of the limitation described in the
3869 Utah Constitution, Article XIV, Section 1.

- 3870 (3) The commission may issue general obligation bonds as provided in this section.
- 3871 (4) The total amount of bonds to be issued under this section may not exceed \$89,510,000
- 3872 for acquisition and construction proceeds, plus additional amounts necessary to pay
- 3873 costs of issuance, to pay capitalized interest, and to fund any existing debt service
- 3874 reserve requirements, with the total amount of the bonds not to exceed \$92,000,000.
- 3875 (5) The commission shall ensure that proceeds from the issuance of bonds under this
- 3876 section are provided to the Department of Transportation for use by the Department of
- 3877 Transportation to pay all or part of the cost of the transportation projects, including:
- 3878 (a) interest estimated to accrue on the bonds authorized in this section until the
- 3879 completion of construction of the transportation project, plus a period of 12 months
- 3880 after the end of construction; and
- 3881 (b) all related engineering, architectural, and legal fees.
- 3882 (6) The Department of Transportation shall transfer \$20,000,000 of bond proceeds under
- 3883 this section to the Governor's Office of Economic ~~[Opportunity]~~ Development for a
- 3884 transportation-related project in a project area created by the military installation
- 3885 development authority, created in Section 63H-1-201.
- 3886 (7)(a) The Department of Transportation may enter into agreements related to the
- 3887 transportation projects before the receipt of proceeds of bonds issued under this
- 3888 section.
- 3889 (b) The state intends to use proceeds of tax-exempt bonds to reimburse itself for
- 3890 expenditures for costs of the transportation projects.
- 3891 (8) This section supersedes any conflicting provisions of Utah law.
- 3892 Section 61. Section **63C-4a-202** is amended to read:
- 3893 **63C-4a-202 (Effective 05/06/26) (Repealed 07/01/28). Creation of Constitutional**
- 3894 **Defense Council -- Membership -- Vacancies -- Meetings -- Staff -- Reports -- Per diem,**
- 3895 **travel expenses, and funding.**
- 3896 (1) There is created the Constitutional Defense Council.
- 3897 (2)(a) The council shall consist of the following members:
- 3898 (i) the governor or the lieutenant governor, who shall serve as chair of the council;
- 3899 (ii) the president of the Senate or the president of the Senate's designee who shall
- 3900 serve as vice chair of the council;
- 3901 (iii) the speaker of the House of Representative's or the ~~[speaker of the House's]~~
- 3902 speaker's designee who shall serve as vice chair of the council;
- 3903 (iv) another member of the House of Representatives, appointed by the speaker of the

- 3904 House of Representatives;
- 3905 (v) the minority leader of the Senate or the minority leader of the Senate's designee;
- 3906 (vi) the minority leader of the House of Representatives or the minority [~~leader of the~~
- 3907 House's] leader's designee;
- 3908 (vii) the attorney general or the attorney general's designee, who shall be one of the
- 3909 attorney general's appointees, not a current career service employee;
- 3910 (viii) the director of the School and Institutional Trust Lands Administration;
- 3911 (ix) four elected county commissioners, county council members, or county
- 3912 executives from different counties who are selected by the Utah Association of
- 3913 Counties, at least one of whom shall be from a county of the first or second class;
- 3914 (x) the executive director of the Department of Natural Resources, who may not vote;
- 3915 (xi) the commissioner of the Department of Agriculture and Food, who may not vote;
- 3916 (xii) the executive director of the Governor's Office of Economic [~~Opportunity~~]
- 3917 Development, as described in Section 63N-1a-302, who may not vote; and
- 3918 (xiii) two elected county commissioners, county council members, or county
- 3919 executives from different counties appointed by the Utah Association of Counties,
- 3920 who may not vote.
- 3921 (b) The council vice chairs shall conduct a council meeting in the absence of the chair.
- 3922 (c) If both the governor and the lieutenant governor are absent from a meeting of the
- 3923 council, the governor may designate a person to attend the meeting solely for the
- 3924 purpose of casting a vote on any matter on the governor's behalf.
- 3925 (3) When a vacancy occurs in the membership for any reason, the replacement shall be
- 3926 appointed for the unexpired term in the same manner as the original appointment.
- 3927 (4)(a)(i) Except as provided in Subsection (4)(a)(ii), the council shall meet at least
- 3928 monthly or more frequently as needed.
- 3929 (ii) The council need not meet monthly if the chair, after polling the members,
- 3930 determines that a majority of the members do not wish to meet.
- 3931 (b) The governor or any six members of the council may call a meeting of the council.
- 3932 (c) Before calling a meeting, the governor or council members shall solicit items for the
- 3933 agenda from other members of the council.
- 3934 (d)(i) The council shall require that any entity, other than the commission, that
- 3935 receives money from the Constitutional Defense Restricted Account provide
- 3936 financial reports and litigation reports to the council.
- 3937 (ii) Nothing in this Subsection (4)(d) prohibits the council from closing a meeting

3938 under Title 52, Chapter 4, Open and Public Meetings Act, or prohibits the council
3939 from complying with Title 63G, Chapter 2, Government Records Access and
3940 Management Act.

3941 (e) A majority of the voting membership on the council is required for a quorum to
3942 conduct council business. A majority vote of the quorum is required for any action
3943 taken by the council.

3944 (5)(a) The Office of the Attorney General shall advise the council.

3945 (b) The Public Lands Policy Coordinating Office shall provide staff assistance for
3946 meetings of the council.

3947 (6)(a) A member of the council who is not a legislator may not receive compensation or
3948 benefits for the member's service, but may receive per diem and travel expenses as
3949 allowed in:

3950 (i) Section 63A-3-106;

3951 (ii) Section 63A-3-107; and

3952 (iii) rules made by the Division of Finance according to Sections 63A-3-106 and
3953 63A-3-107.

3954 (b) Compensation and expenses of a member of the council who is a legislator are
3955 governed by Section 36-2-2 and Legislative Joint Rules, Title 5, Legislative
3956 Compensation and Expenses.

3957 (7) Money appropriated for or received by the council may be expended by the governor in
3958 consultation with the council.

3959 Section 62. Section **63C-27-201** is amended to read:

3960 **63C-27-201 (Effective 05/06/26) (Repealed 07/01/32). Cybersecurity Commission**
3961 **created.**

3962 (1) There is created the Cybersecurity Commission.

3963 (2) The commission shall be composed of 24 members:

3964 (a) one member the governor designates to serve as the governor's designee;

3965 (b) the commissioner of the Department of Public Safety;

3966 (c) the lieutenant governor, or an election officer, as that term is defined in Section
3967 20A-1-102, the lieutenant governor designates to serve as the lieutenant governor's
3968 designee;

3969 (d) the chief information officer of the Division of Technology Services;

3970 (e) the chief information security officer, as described in Section 63A-16-210;

3971 (f) the chairman of the Public Service Commission shall designate a representative with

- 3972 professional experience in information technology or cybersecurity;
- 3973 (g) the executive director of the Utah Department of Transportation shall designate a
3974 representative with professional experience in information technology or
3975 cybersecurity;
- 3976 (h) the director of the Division of Finance shall designate a representative with
3977 professional experience in information technology or cybersecurity;
- 3978 (i) the executive director of the Department of Health and Human Services shall
3979 designate a representative with professional experience in information technology or
3980 cybersecurity;
- 3981 (j) the director of the Division of Indian Affairs shall designate a representative with
3982 professional experience in information technology or cybersecurity;
- 3983 (k) the Utah League of Cities and Towns shall designate a representative with
3984 professional experience in information technology or cybersecurity;
- 3985 (l) the Utah Association of Counties shall designate a representative with professional
3986 experience in information technology or cybersecurity;
- 3987 (m) the attorney general, or the attorney general's designee;
- 3988 (n) the commissioner of financial institutions, or the commissioner's designee;
- 3989 (o) the executive director of the Department of Environmental Quality shall designate a
3990 representative with professional experience in information technology or
3991 cybersecurity;
- 3992 (p) the executive director of the Department of Natural Resources shall designate a
3993 representative with professional experience in information technology or
3994 cybersecurity;
- 3995 (q) the highest ranking information technology official, or the official's designee, from
3996 each of:
- 3997 (i) the Judicial Council;
- 3998 (ii) the Utah Board of Higher Education;
- 3999 (iii) the State Board of Education; and
- 4000 (iv) the State Tax Commission;
- 4001 (r) the governor shall appoint:
- 4002 (i) one representative from the Utah National Guard; and
- 4003 (ii) one representative from the Governor's Office of Economic [Opportunity]
4004 Development;
- 4005 (s) the president of the Senate shall appoint one member of the Senate; and

- 4006 (t) the speaker of the House of Representatives shall appoint one member of the House
4007 of Representatives.
- 4008 (3)(a) The governor's designee shall serve as cochair of the commission.
- 4009 (b) The commissioner of the Department of Public Safety shall serve as cochair of the
4010 commission.
- 4011 (4)(a) The members described in Subsection (2) shall represent urban, rural, and
4012 suburban population areas.
- 4013 (b) No fewer than half of the members described in Subsection (2) shall have
4014 professional experience in cybersecurity or in information technology.
- 4015 (5) In addition to the membership described in Subsection (2), the commission shall seek
4016 information and advice from state and private entities with expertise in critical
4017 infrastructure.
- 4018 (6) As necessary to improve information and protect potential vulnerabilities, the
4019 commission shall seek information and advice from federal entities including:
- 4020 (a) the Cybersecurity and Infrastructure Security Agency;
- 4021 (b) the Federal Energy Regulatory Commission;
- 4022 (c) the Federal Bureau of Investigation; and
- 4023 (d) the United States Department of Transportation.
- 4024 (7)(a) Except as provided in Subsections (7)(b) and (c), a member is appointed for a
4025 term of four years.
- 4026 (b) A member shall serve until the member's successor is appointed and qualified.
- 4027 (c) Notwithstanding the requirements of Subsection (7)(a), the governor shall, at the
4028 time of appointment or reappointment, adjust the length of terms to ensure that the
4029 terms of commission members are staggered so that approximately half of the
4030 commission members appointed under Subsection (2)(r) are appointed every two
4031 years.
- 4032 (8)(a) If a vacancy occurs in the membership of the commission, the member shall be
4033 replaced in the same manner in which the original appointment was made.
- 4034 (b) An individual may be appointed to more than one term.
- 4035 (c) When a vacancy occurs in the membership for any reason, the replacement shall be
4036 appointed for the unexpired term.
- 4037 (9)(a) A majority of the members of the commission is a quorum.
- 4038 (b) The action of a majority of a quorum constitutes an action of the commission.
- 4039 (10) The commission shall meet at least two times a year.

4040 Section 63. Section **63G-2-305** is amended to read:

4041 **63G-2-305 (Effective 05/06/26). Protected records.**

4042 The following records are protected if properly classified by a governmental entity:

- 4043 (1) trade secrets as defined in Section 13-24-2 if the person submitting the trade secret has
4044 provided the governmental entity with the information specified in Section 63G-2-309;
- 4045 (2) commercial information or nonindividual financial information obtained from a person
4046 if:
- 4047 (a) disclosure of the information could reasonably be expected to result in unfair
4048 competitive injury to the person submitting the information or would impair the
4049 ability of the governmental entity to obtain necessary information in the future;
 - 4050 (b) the person submitting the information has a greater interest in prohibiting access than
4051 the public in obtaining access; and
 - 4052 (c) the person submitting the information has provided the governmental entity with the
4053 information specified in Section 63G-2-309;
- 4054 (3) commercial or financial information acquired or prepared by a governmental entity to
4055 the extent that disclosure would lead to financial speculations in currencies, securities, or
4056 commodities that will interfere with a planned transaction by the governmental entity or
4057 cause substantial financial injury to the governmental entity or state economy;
- 4058 (4) records, the disclosure of which could cause commercial injury to, or confer a
4059 competitive advantage upon a potential or actual competitor of, a commercial project
4060 entity as defined in Subsection 11-13-103(4);
- 4061 (5) test questions and answers to be used in future license, certification, registration,
4062 employment, or academic examinations;
- 4063 (6) records, the disclosure of which would impair governmental procurement proceedings
4064 or give an unfair advantage to any person proposing to enter into a contract or agreement
4065 with a governmental entity, except, subject to Subsections (1) and (2), that this
4066 Subsection (6) does not restrict the right of a person to have access to, after the contract
4067 or grant has been awarded and signed by all parties:
- 4068 (a) a bid, proposal, application, or other information submitted to or by a governmental
4069 entity in response to:
 - 4070 (i) an invitation for bids;
 - 4071 (ii) a request for proposals;
 - 4072 (iii) a request for quotes;
 - 4073 (iv) a grant; or

- 4074 (v) other similar document; or
- 4075 (b) an unsolicited proposal, as defined in Section 63G-6a-712;
- 4076 (7) information submitted to or by a governmental entity in response to a request for
- 4077 information, except, subject to Subsections (1) and (2), that this Subsection (7) does not
- 4078 restrict the right of a person to have access to the information, after:
- 4079 (a) a contract directly relating to the subject of the request for information has been
- 4080 awarded and signed by all parties; or
- 4081 (b)(i) a final determination is made not to enter into a contract that relates to the
- 4082 subject of the request for information; and
- 4083 (ii) at least two years have passed after the day on which the request for information
- 4084 is issued;
- 4085 (8) records that would identify real property or the appraisal or estimated value of real or
- 4086 personal property, including intellectual property, under consideration for public
- 4087 acquisition before any rights to the property are acquired unless:
- 4088 (a) public interest in obtaining access to the information is greater than or equal to the
- 4089 governmental entity's need to acquire the property on the best terms possible;
- 4090 (b) the information has already been disclosed to persons not employed by or under a
- 4091 duty of confidentiality to the entity;
- 4092 (c) in the case of records that would identify property, potential sellers of the described
- 4093 property have already learned of the governmental entity's plans to acquire the
- 4094 property;
- 4095 (d) in the case of records that would identify the appraisal or estimated value of
- 4096 property, the potential sellers have already learned of the governmental entity's
- 4097 estimated value of the property; or
- 4098 (e) the property under consideration for public acquisition is a single family residence
- 4099 and the governmental entity seeking to acquire the property has initiated negotiations
- 4100 to acquire the property as required under Section 78B-6-505;
- 4101 (9) records prepared in contemplation of sale, exchange, lease, rental, or other compensated
- 4102 transaction of real or personal property including intellectual property, which, if
- 4103 disclosed [~~prior to~~] before completion of the transaction, would reveal the appraisal or
- 4104 estimated value of the subject property, unless:
- 4105 (a) the public interest in access is greater than or equal to the interests in restricting
- 4106 access, including the governmental entity's interest in maximizing the financial
- 4107 benefit of the transaction; or

- 4108 (b) when prepared by or on behalf of a governmental entity, appraisals or estimates of
4109 the value of the subject property have already been disclosed to persons not
4110 employed by or under a duty of confidentiality to the entity;
- 4111 (10) records created or maintained for civil, criminal, or administrative enforcement
4112 purposes or audit purposes, or for discipline, licensing, certification, or registration
4113 purposes, if release of the records:
- 4114 (a) reasonably could be expected to interfere with investigations undertaken for
4115 enforcement, discipline, licensing, certification, or registration purposes;
- 4116 (b) reasonably could be expected to interfere with audits, disciplinary, or enforcement
4117 proceedings;
- 4118 (c) would create a danger of depriving a person of a right to a fair trial or impartial
4119 hearing;
- 4120 (d) reasonably could be expected to disclose the identity of a source who is not generally
4121 known outside of government and, in the case of a record compiled in the course of
4122 an investigation, disclose information furnished by a source not generally known
4123 outside of government if disclosure would compromise the source; or
- 4124 (e) reasonably could be expected to disclose investigative or audit techniques,
4125 procedures, policies, or orders not generally known outside of government if
4126 disclosure would interfere with enforcement or audit efforts;
- 4127 (11) records the disclosure of which would jeopardize the life or safety of an individual;
- 4128 (12) records the disclosure of which would jeopardize the security of governmental
4129 property, governmental programs, or governmental recordkeeping systems from
4130 damage, theft, or other appropriation or use contrary to law or public policy;
- 4131 (13) records that, if disclosed, would jeopardize the security or safety of a correctional
4132 facility, or records relating to incarceration, treatment, probation, or parole, that would
4133 interfere with the control and supervision of an offender's incarceration, treatment,
4134 probation, or parole;
- 4135 (14) records that, if disclosed, would reveal recommendations made to the Board of
4136 Pardons and Parole by an employee of or contractor for the Department of Corrections,
4137 the Board of Pardons and Parole, or the Department of Health and Human Services that
4138 are based on the employee's or contractor's supervision, diagnosis, or treatment of any
4139 person within the board's jurisdiction;
- 4140 (15) records and audit workpapers that identify audit, collection, and operational procedures
4141 and methods used by the State Tax Commission, if disclosure would interfere with

- 4142 audits or collections;
- 4143 (16) records of a governmental audit agency relating to an ongoing or planned audit until
4144 the final audit is released;
- 4145 (17) records that are subject to the attorney client privilege;
- 4146 (18) records prepared for or by an attorney, consultant, surety, indemnitor, insurer,
4147 employee, or agent of a governmental entity for, or in anticipation of, litigation or a
4148 judicial, quasi-judicial, or administrative proceeding;
- 4149 (19)(a)(i) personal files of a state legislator, including personal correspondence to or
4150 from a member of the Legislature; and
- 4151 (ii) notwithstanding Subsection (19)(a)(i), correspondence that gives notice of
4152 legislative action or policy may not be classified as protected under this section;
4153 and
- 4154 (b)(i) an internal communication that is part of the deliberative process in connection
4155 with the preparation of legislation between:
- 4156 (A) members of a legislative body;
- 4157 (B) a member of a legislative body and a member of the legislative body's staff; or
4158 (C) members of a legislative body's staff; and
- 4159 (ii) notwithstanding Subsection (19)(b)(i), a communication that gives notice of
4160 legislative action or policy may not be classified as protected under this section;
- 4161 (20)(a) records in the custody or control of the Office of Legislative Research and
4162 General Counsel, that, if disclosed, would reveal a particular legislator's
4163 contemplated legislation or contemplated course of action before the legislator has
4164 elected to support the legislation or course of action, or made the legislation or course
4165 of action public; and
- 4166 (b) notwithstanding Subsection (20)(a), the form to request legislation submitted to the
4167 Office of Legislative Research and General Counsel is a public document unless a
4168 legislator asks that the records requesting the legislation be maintained as protected
4169 records until such time as the legislator elects to make the legislation or course of
4170 action public;
- 4171 (21) a research request from a legislator to a legislative staff member and research findings
4172 prepared in response to the request;
- 4173 (22) drafts, unless otherwise classified as public;
- 4174 (23) records concerning a governmental entity's strategy about:
4175 (a) collective bargaining; or

- 4176 (b) imminent or pending litigation;
- 4177 (24) records of investigations of loss occurrences and analyses of loss occurrences that may
4178 be covered by the Risk Management Fund, the Employers' Reinsurance Fund, the
4179 Uninsured Employers' Fund, or similar divisions in other governmental entities;
- 4180 (25) records, other than personnel evaluations, that contain a personal recommendation
4181 concerning an individual if disclosure would constitute a clearly unwarranted invasion
4182 of personal privacy, or disclosure is not in the public interest;
- 4183 (26) records that reveal the location of historic, prehistoric, paleontological, or biological
4184 resources that if known would jeopardize the security of those resources or of valuable
4185 historic, scientific, educational, or cultural information;
- 4186 (27) records of independent state agencies if the disclosure of the records would conflict
4187 with the fiduciary obligations of the agency;
- 4188 (28) records of an institution of higher education defined in Section 53H-1-101 regarding
4189 tenure evaluations, appointments, applications for admissions, retention decisions, and
4190 promotions, which could be properly discussed in a meeting closed in accordance with
4191 Title 52, Chapter 4, Open and Public Meetings Act, provided that records of the final
4192 decisions about tenure, appointments, retention, promotions, or those students admitted,
4193 may not be classified as protected under this section;
- 4194 (29) records of the governor's office, including budget recommendations, legislative
4195 proposals, and policy statements, that if disclosed would reveal the governor's
4196 contemplated policies or contemplated courses of action before the governor has
4197 implemented or rejected those policies or courses of action or made them public;
- 4198 (30) records of the Office of the Legislative Fiscal Analyst relating to budget analysis,
4199 revenue estimates, and fiscal notes of proposed legislation before issuance of the final
4200 recommendations in these areas;
- 4201 (31) records provided by the United States or by a government entity outside the state that
4202 are given to the governmental entity with a requirement that they be managed as
4203 protected records if the providing entity certifies that the record would not be subject to
4204 public disclosure if retained by it;
- 4205 (32) transcripts, minutes, recordings, or reports of the closed portion of a meeting of a
4206 public body except as provided in Section 52-4-206;
- 4207 (33) records that would reveal the contents of settlement negotiations but not including final
4208 settlements or empirical data to the extent that they are not otherwise exempt from
4209 disclosure;

- 4210 (34) memoranda prepared by staff and used in the decision-making process by an
4211 administrative law judge, a member of the Board of Pardons and Parole, or a member of
4212 any other body charged by law with performing a quasi-judicial function;
- 4213 (35) records that would reveal negotiations regarding assistance or incentives offered by or
4214 requested from a governmental entity for the purpose of encouraging a person to expand
4215 or locate a business in Utah, but only if disclosure would result in actual economic harm
4216 to the person or place the governmental entity at a competitive disadvantage, but this
4217 section may not be used to restrict access to a record evidencing a final contract;
- 4218 (36) materials to which access must be limited for purposes of securing or maintaining the
4219 governmental entity's proprietary protection of intellectual property rights including
4220 patents, copyrights, and trade secrets;
- 4221 (37) the name of a donor or a prospective donor to a governmental entity, including an
4222 institution of higher education defined in Section 53H-1-101, and other information
4223 concerning the donation that could reasonably be expected to reveal the identity of the
4224 donor, provided that:
- 4225 (a) the donor requests anonymity in writing;
- 4226 (b) any terms, conditions, restrictions, or privileges relating to the donation may not be
4227 classified protected by the governmental entity under this Subsection (37); and
- 4228 (c) except for an institution of higher education defined in Section 53H-1-101, the
4229 governmental unit to which the donation is made is primarily engaged in educational,
4230 charitable, or artistic endeavors, and has no regulatory or legislative authority over
4231 the donor, a member of the donor's immediate family, or any entity owned or
4232 controlled by the donor or the donor's immediate family;
- 4233 (38) accident reports, except as provided in Sections 41-6a-404, 41-12a-202, and 73-18-13;
- 4234 (39) a notification of workers' compensation insurance coverage described in Section
4235 34A-2-205;
- 4236 (40) subject to Subsections (40)(g) and (h), the following records of an institution of higher
4237 education defined in Section 53H-1-101, which have been developed, discovered,
4238 disclosed to, or received by or on behalf of faculty, staff, employees, or students of the
4239 institution:
- 4240 (a) unpublished lecture notes;
- 4241 (b) unpublished notes, data, and information:
- 4242 (i) relating to research; and
- 4243 (ii) of:

- 4244 (A) the institution of higher education defined in Section 53H-1-101; or
4245 (B) a sponsor of sponsored research;
- 4246 (c) unpublished manuscripts;
4247 (d) creative works in process;
4248 (e) scholarly correspondence; ~~and~~
4249 (f) confidential information contained in research proposals;
4250 (g) this Subsection (40) may not be construed to prohibit disclosure of public
4251 information required ~~pursuant to~~ in accordance with Subsection 53H-14-202(2)(a)
4252 or (b); and
4253 (h) this Subsection (40) may not be construed to affect the ownership of a record;
- 4254 (41)(a) records in the custody or control of the Office of the Legislative Auditor General
4255 that would reveal the name of a particular legislator who requests a legislative audit
4256 prior to the date that audit is completed and made public; and
4257 (b) notwithstanding Subsection (41)(a), a request for a legislative audit submitted to the
4258 Office of the Legislative Auditor General is a public document unless the legislator
4259 asks that the records in the custody or control of the Office of the Legislative Auditor
4260 General that would reveal the name of a particular legislator who requests a
4261 legislative audit be maintained as protected records until the audit is completed and
4262 made public;
- 4263 (42) records that provide detail as to the location of an explosive, including a map or other
4264 document that indicates the location of:
4265 (a) a production facility; or
4266 (b) a magazine;
- 4267 (43) information contained in the statewide database of the Division of Aging and Adult
4268 Services created by Section 26B-6-210;
- 4269 (44) information contained in the Licensing Information System described in Title 80,
4270 Chapter 2, Child Welfare Services;
- 4271 (45) information regarding National Guard operations or activities in support of the
4272 National Guard's federal mission;
- 4273 (46) records provided by any pawn or secondhand business to a law enforcement agency or
4274 to the central database in compliance with Title 13, Chapter 32a, Pawnshop, Secondhand
4275 Merchandise, and Catalytic Converter Transaction Information Act;
- 4276 (47) information regarding food security, risk, and vulnerability assessments performed by
4277 the Department of Agriculture and Food;

- 4278 (48) except to the extent that the record is exempt from this chapter [~~pursuant to~~] in
4279 accordance with Section 63G-2-106, records related to an emergency plan or program, a
4280 copy of which is provided to or prepared or maintained by the Division of Emergency
4281 Management, and the disclosure of which would jeopardize:
- 4282 (a) the safety of the general public; or
 - 4283 (b) the security of:
 - 4284 (i) governmental property;
 - 4285 (ii) governmental programs; or
 - 4286 (iii) the property of a private person who provides the Division of Emergency
4287 Management information;
- 4288 (49) records of the Department of Agriculture and Food that provides for the identification,
4289 tracing, or control of livestock diseases, including any program established under Title
4290 4, Chapter 24, Utah Livestock Brand and Anti-Theft Act, or Title 4, Chapter 31, Control
4291 of Animal Disease;
- 4292 (50) as provided in Section 26B-2-709:
- 4293 (a) information or records held by the Department of Health and Human Services related
4294 to a complaint regarding a provider, program, or facility which the department is
4295 unable to substantiate; and
 - 4296 (b) information or records related to a complaint received by the Department of Health
4297 and Human Services from an anonymous complainant regarding a provider, program,
4298 or facility;
- 4299 (51) unless otherwise classified as public under Section 63G-2-301 and except as provided
4300 under Section 41-1a-116, an individual's home address, home telephone number, or
4301 personal mobile phone number, if:
- 4302 (a) the individual is required to provide the information in order to comply with a law,
4303 ordinance, rule, or order of a government entity; and
 - 4304 (b) the subject of the record has a reasonable expectation that this information will be
4305 kept confidential due to:
 - 4306 (i) the nature of the law, ordinance, rule, or order; and
 - 4307 (ii) the individual complying with the law, ordinance, rule, or order;
- 4308 (52) the portion of the following documents that contains a candidate's residential or
4309 mailing address, if the candidate provides to the filing officer another address or phone
4310 number where the candidate may be contacted:
- 4311 (a) a declaration of candidacy, a nomination petition, or a certificate of nomination,

- 4312 described in Section 20A-9-201, 20A-9-202, 20A-9-203, 20A-9-404, 20A-9-405,
4313 20A-9-408, 20A-9-408.5, 20A-9-502, or 20A-9-601;
- 4314 (b) an affidavit of impecuniosity, described in Section 20A-9-201; or
- 4315 (c) a notice of intent to gather signatures for candidacy, described in Section 20A-9-408;
- 4316 (53) the name, home address, work addresses, and telephone numbers of an individual that
4317 is engaged in, or that provides goods or services for, medical or scientific research that is:
- 4318 (a) conducted within the state system of higher education, as described in Section
4319 53H-1-102; and
- 4320 (b) conducted using animals;
- 4321 (54) in accordance with Section 78A-12-203, any record of the Judicial Performance
4322 Evaluation Commission concerning an individual commissioner's vote, in relation to
4323 whether a judge meets or exceeds minimum performance standards under Subsection
4324 78A-12-203(4), and information disclosed under Subsection 78A-12-203(5)(e);
- 4325 (55) information collected and a report prepared by the Judicial Performance Evaluation
4326 Commission concerning a judge, unless Section 20A-7-702 or Title 78A, Chapter 12,
4327 Judicial Performance Evaluation Commission Act, requires disclosure of, or makes
4328 public, the information or report;
- 4329 (56) records provided or received by the Public Lands Policy Coordinating Office in
4330 furtherance of any contract or other agreement made in accordance with Section
4331 63L-11-202;
- 4332 (57) information requested by and provided to the 911 Division under Section 63H-7a-302;
- 4333 (58) in accordance with Section 73-10-33:
- 4334 (a) a management plan for a water conveyance facility in the possession of the Division
4335 of Water Resources or the Board of Water Resources; or
- 4336 (b) an outline of an emergency response plan in possession of the state or a county or
4337 municipality;
- 4338 (59) the following records in the custody or control of the Office of Inspector General of
4339 Medicaid Services, created in Section 63A-13-201:
- 4340 (a) records that would disclose information relating to allegations of personal
4341 misconduct, gross mismanagement, or illegal activity of a person if the information
4342 or allegation cannot be corroborated by the Office of Inspector General of Medicaid
4343 Services through other documents or evidence, and the records relating to the
4344 allegation are not relied upon by the Office of Inspector General of Medicaid
4345 Services in preparing a final investigation report or final audit report;

- 4346 (b) records and audit workpapers to the extent they would disclose the identity of a
4347 person who, during the course of an investigation or audit, communicated the
4348 existence of any Medicaid fraud, waste, or abuse, or a violation or suspected
4349 violation of a law, rule, or regulation adopted under the laws of this state, a political
4350 subdivision of the state, or any recognized entity of the United States, if the
4351 information was disclosed on the condition that the identity of the person be
4352 protected;
- 4353 (c) before the time that an investigation or audit is completed and the final investigation
4354 or final audit report is released, records or drafts circulated to a person who is not an
4355 employee or head of a governmental entity for the person's response or information;
- 4356 (d) records that would disclose an outline or part of any investigation, audit survey plan,
4357 or audit program; or
- 4358 (e) requests for an investigation or audit, if disclosure would risk circumvention of an
4359 investigation or audit;
- 4360 (60) records that reveal methods used by the Office of Inspector General of Medicaid
4361 Services, the fraud unit, or the Department of Health and Human Services, to discover
4362 Medicaid fraud, waste, or abuse;
- 4363 (61) information provided to the Department of Health and Human Services or the Division
4364 of Professional Licensing under Subsections 58-67-304(3) and (4) and Subsections
4365 58-68-304(3) and (4);
- 4366 (62) a record described in Section 63G-12-210;
- 4367 (63) captured plate data that is obtained through an automatic license plate reader system
4368 used by a governmental entity as authorized in Section 41-6a-2003;
- 4369 (64) an audio or video recording created by a body-worn camera, as that term is defined in
4370 Section 77-7a-103, that records sound or images inside a hospital or health care facility
4371 as those terms are defined in Section 78B-3-403, inside a clinic of a health care provider,
4372 as that term is defined in Section 78B-3-403, or inside a human service program as that
4373 term is defined in Section 26B-2-101, except for recordings that:
- 4374 (a) depict the commission of an alleged crime;
- 4375 (b) record any encounter between a law enforcement officer and a person that results in
4376 death or bodily injury, or includes an instance when an officer fires a weapon;
- 4377 (c) record any encounter that is the subject of a complaint or a legal proceeding against a
4378 law enforcement officer or law enforcement agency;
- 4379 (d) contain an officer involved critical incident as defined in Subsection 76-2-408(1)(f);

- 4380 or
- 4381 (e) have been requested for reclassification as a public record by a subject or authorized
- 4382 agent of a subject featured in the recording;
- 4383 (65) a record pertaining to the search process for a president of an institution of higher
- 4384 education described in Section 53H-3-302;
- 4385 (66) an audio recording that is:
- 4386 (a) produced by an audio recording device that is used in conjunction with a device or
- 4387 piece of equipment designed or intended for resuscitating an individual or for treating
- 4388 an individual with a life-threatening condition;
- 4389 (b) produced during an emergency event when an individual employed to provide law
- 4390 enforcement, fire protection, paramedic, emergency medical, or other first responder
- 4391 service:
- 4392 (i) is responding to an individual needing resuscitation or with a life-threatening
- 4393 condition; and
- 4394 (ii) uses a device or piece of equipment designed or intended for resuscitating an
- 4395 individual or for treating an individual with a life-threatening condition; and
- 4396 (c) intended and used for purposes of training emergency responders how to improve
- 4397 their response to an emergency situation;
- 4398 (67) records submitted by or prepared in relation to an applicant seeking a recommendation
- 4399 by the Research and General Counsel Subcommittee, the Budget Subcommittee, or the
- 4400 Legislative Audit Subcommittee, established under Section 36-12-8, for an employment
- 4401 position with the Legislature;
- 4402 (68) work papers as defined in Section 31A-2-204;
- 4403 (69) a record made available to Adult Protective Services or a law enforcement agency
- 4404 under Section 61-1-206;
- 4405 (70) a record submitted to the Insurance Department in accordance with Section
- 4406 31A-37-201;
- 4407 (71) a record described in Section 31A-37-503;
- 4408 (72) any record created by the Division of Professional Licensing as a result of Subsection
- 4409 58-37f-304(5) or 58-37f-702(2)(a)(ii);
- 4410 (73) a record described in Section 72-16-306 that relates to the reporting of an injury
- 4411 involving an amusement ride;
- 4412 (74) except as provided in Subsection 63G-2-305.5(1), the signature of an individual on a
- 4413 political petition, or on a request to withdraw a signature from a political petition,

- 4414 including a petition or request described in the following titles:
- 4415 (a) Title 10, Utah Municipal Code;
- 4416 (b) Title 17, Counties;
- 4417 (c) Title 17B, Limited Purpose Local Government Entities - Special Districts;
- 4418 (d) Title 17D, Limited Purpose Local Government Entities - Other Entities; and
- 4419 (e) Title 20A, Election Code;
- 4420 (75) except as provided in Subsection 63G-2-305.5(2), the signature of an individual in a
- 4421 voter registration record;
- 4422 (76) except as provided in Subsection 63G-2-305.5(3), any signature, other than a signature
- 4423 described in Subsection (74) or (75), in the custody of the lieutenant governor or a local
- 4424 political subdivision collected or held under, or in relation to, Title 20A, Election Code;
- 4425 (77) a Form I-918 Supplement B certification as described in Title 77, Chapter 38, Part 5,
- 4426 Victims Guidelines for Prosecutors Act;
- 4427 (78) a record submitted to the Insurance Department under Section 31A-48-103;
- 4428 (79) personal information, as defined in Section 63G-26-102, to the extent disclosure is
- 4429 prohibited under Section 63G-26-103;
- 4430 (80) an image taken of an individual during the process of booking the individual into jail,
- 4431 unless:
- 4432 (a) the individual is convicted of a criminal offense based upon the conduct for which
- 4433 the individual was incarcerated at the time the image was taken;
- 4434 (b) a law enforcement agency releases or disseminates the image:
- 4435 (i) after determining that the individual is a fugitive or an imminent threat to an
- 4436 individual or to public safety and releasing or disseminating the image will assist
- 4437 in apprehending the individual or reducing or eliminating the threat; or
- 4438 (ii) to a potential witness or other individual with direct knowledge of events relevant
- 4439 to a criminal investigation or criminal proceeding for the purpose of identifying or
- 4440 locating an individual in connection with the criminal investigation or criminal
- 4441 proceeding;
- 4442 (c) a judge orders the release or dissemination of the image based on a finding that the
- 4443 release or dissemination is in furtherance of a legitimate law enforcement interest; or
- 4444 (d) the image is displayed to a person who is permitted to view the image under Section
- 4445 17-72-802;
- 4446 (81) a record:
- 4447 (a) concerning an interstate claim to the use of waters in the Colorado River system;

- 4448 (b) relating to a judicial proceeding, administrative proceeding, or negotiation with a
4449 representative from another state or the federal government as provided in Section
4450 63M-14-205; and
- 4451 (c) the disclosure of which would:
- 4452 (i) reveal a legal strategy relating to the state's claim to the use of the water in the
4453 Colorado River system;
- 4454 (ii) harm the ability of the Colorado River Authority of Utah or river commissioner to
4455 negotiate the best terms and conditions regarding the use of water in the Colorado
4456 River system; or
- 4457 (iii) give an advantage to another state or to the federal government in negotiations
4458 regarding the use of water in the Colorado River system;
- 4459 (82) any part of an application described in Section 63N-16-201 that the Governor's Office
4460 of Economic [~~Opportunity~~] Development determines is nonpublic, confidential
4461 information that if disclosed would result in actual economic harm to the applicant, but
4462 this Subsection (82) may not be used to restrict access to a record evidencing a final
4463 contract or approval decision;
- 4464 (83) the following records of a drinking water or wastewater facility:
- 4465 (a) an engineering or architectural drawing of the drinking water or wastewater facility;
4466 and
- 4467 (b) except as provided in Section 63G-2-106, a record detailing tools or processes the
4468 drinking water or wastewater facility uses to secure, or prohibit access to, the records
4469 described in Subsection (83)(a);
- 4470 (84) a statement that an employee of a governmental entity provides to the governmental
4471 entity as part of the governmental entity's personnel or administrative investigation into
4472 potential misconduct involving the employee if the governmental entity:
- 4473 (a) requires the statement under threat of employment disciplinary action, including
4474 possible termination of employment, for the employee's refusal to provide the
4475 statement; and
- 4476 (b) provides the employee assurance that the statement cannot be used against the
4477 employee in any criminal proceeding;
- 4478 (85) any part of an application for a Utah Fits All Scholarship account described in Section
4479 53F-6-402 or other information identifying a scholarship student as defined in Section
4480 53F-6-401;
- 4481 (86) a record:

- 4482 (a) concerning a claim to the use of waters in the Great Salt Lake;
- 4483 (b) relating to a judicial proceeding, administrative proceeding, or negotiation with a
- 4484 person concerning the claim, including a representative from another state or the
- 4485 federal government; and
- 4486 (c) the disclosure of which would:
- 4487 (i) reveal a legal strategy relating to the state's claim to the use of the water in the
- 4488 Great Salt Lake;
- 4489 (ii) harm the ability of the Great Salt Lake commissioner to negotiate the best terms
- 4490 and conditions regarding the use of water in the Great Salt Lake; or
- 4491 (iii) give an advantage to another person including another state or to the federal
- 4492 government in negotiations regarding the use of water in the Great Salt Lake;
- 4493 (87) a consumer complaint described in Section 13-2-11, unless the consumer complaint is
- 4494 reclassified as public as described in Subsection 13-2-11(4);
- 4495 (88) a record of the Utah water agent, appointed under Section 73-10g-702:
- 4496 (a) concerning a claim to the use of waters;
- 4497 (b) relating to a judicial proceeding, administrative proceeding, or negotiation with a
- 4498 representative from another state, a tribe, the federal government, or other
- 4499 government entity as provided in Title 73, Chapter 10g, Part 7, Utah Water Agent;
- 4500 and
- 4501 (c) the disclosure of which would:
- 4502 (i) reveal a legal strategy relating to the state's claim to the use of the water;
- 4503 (ii) harm the ability of the Utah water agent to negotiate the best terms and conditions
- 4504 regarding the use of water; or
- 4505 (iii) give an advantage to another state, a tribe, the federal government, or other
- 4506 government entity in negotiations regarding the use of water; and
- 4507 (89) a record created or maintained for an investigation of the Prosecutor Conduct
- 4508 Commission, created in Section 63M-7-1102, that contains any personal identifying
- 4509 information of a prosecuting attorney, including:
- 4510 (a) a complaint, or a document that is submitted or created for a complaint, received by
- 4511 the Prosecutor Conduct Commission; or
- 4512 (b) a finding by the Prosecutor Conduct Commission.
- 4513 Section 64. Section **63G-4-102** is amended to read:
- 4514 **63G-4-102 (Effective 05/06/26). Scope and applicability of chapter.**
- 4515 (1) Except as set forth in Subsection (2), and except as otherwise provided by a statute

- 4516 superseding provisions of this chapter by explicit reference to this chapter, the
4517 provisions of this chapter apply to every agency of the state and govern:
- 4518 (a) state agency action that determines the legal rights, duties, privileges, immunities, or
4519 other legal interests of an identifiable person, including agency action to grant, deny,
4520 revoke, suspend, modify, annul, withdraw, or amend an authority, right, or license;
4521 and
- 4522 (b) judicial review of the action.
- 4523 (2) This chapter does not govern:
- 4524 (a) the procedure for making agency rules, or judicial review of the procedure or rules;
4525 (b) the issuance of a notice of a deficiency in the payment of a tax, the decision to waive
4526 a penalty or interest on taxes, the imposition of and penalty or interest on taxes, or the
4527 issuance of a tax assessment, except that this chapter governs an agency action
4528 commenced by a taxpayer or by another person authorized by law to contest the
4529 validity or correctness of the action;
- 4530 (c) state agency action relating to extradition, to the granting of a pardon or parole, a
4531 commutation or termination of a sentence, or to the rescission, termination, or
4532 revocation of parole or probation, to the discipline of, resolution of a grievance of,
4533 supervision of, confinement of, or the treatment of an inmate or resident of a
4534 correctional facility, the Utah State Hospital, the Utah State Developmental Center,
4535 or a person in the custody or jurisdiction of the Office of Substance Use and Mental
4536 Health, or a person on probation or parole, or judicial review of the action;
- 4537 (d) state agency action to evaluate, discipline, employ, transfer, reassign, or promote a
4538 student or teacher in a school or educational institution, or judicial review of the
4539 action;
- 4540 (e) an application for employment and internal personnel action within an agency
4541 concerning its own employees, or judicial review of the action;
- 4542 (f) the issuance of a citation or assessment under Title 34A, Chapter 6, Utah
4543 Occupational Safety and Health Act, and Title 58, Occupations and Professions,
4544 except that this chapter governs an agency action commenced by the employer,
4545 licensee, or other person authorized by law to contest the validity or correctness of
4546 the citation or assessment;
- 4547 (g) state agency action relating to management of state funds, the management and
4548 disposal of school and institutional trust land assets, and contracts for the purchase or
4549 sale of products, real property, supplies, goods, or services by or for the state, or by

- 4550 or for an agency of the state, except as provided in those contracts, or judicial review
4551 of the action;
- 4552 (h) state agency action under Title 7, Chapter 1, Part 3, Powers and Duties of
4553 Commissioner of Financial Institutions, Title 7, Chapter 2, Possession of Depository
4554 Institution by Commissioner, Title 7, Chapter 19, Acquisition of Failing Depository
4555 Institutions or Holding Companies, and Chapter 7, Governmental Immunity Act of
4556 Utah, or judicial review of the action;
- 4557 (i) the initial determination of a person's eligibility for unemployment benefits, the initial
4558 determination of a person's eligibility for benefits under Title 34A, Chapter 2,
4559 Workers' Compensation Act, and Title 34A, Chapter 3, Utah Occupational Disease
4560 Act, or the initial determination of a person's unemployment tax liability;
- 4561 (j) state agency action relating to the distribution or award of a monetary grant to or
4562 between governmental units, or for research, development, or the arts, or judicial
4563 review of the action;
- 4564 (k) the issuance of a notice of violation or order under Title 19, Chapter 2, Air
4565 Conservation Act, Title 19, Chapter 3, Radiation Control Act, Title 19, Chapter 4,
4566 Safe Drinking Water Act, Title 19, Chapter 5, Water Quality Act, Title 19, Chapter 6,
4567 Part 1, Solid and Hazardous Waste Act, Title 19, Chapter 6, Part 4, Petroleum
4568 Storage Tank Act, Title 19, Chapter 6, Part 7, Used Oil Management Act, or Title 19,
4569 Chapter 6, Part 10, Mercury Switch Removal Act, except that this chapter governs an
4570 agency action commenced by a person authorized by law to contest the validity or
4571 correctness of the notice or order;
- 4572 (l) state agency action, to the extent required by federal statute or regulation, to be
4573 conducted according to federal procedures;
- 4574 (m) the initial determination of a person's eligibility for government or public assistance
4575 benefits;
- 4576 (n) state agency action relating to wildlife licenses, permits, tags, and certificates of
4577 registration;
- 4578 (o) a license for use of state recreational facilities;
- 4579 (p) state agency action under Chapter 2, Government Records Access and Management
4580 Act, except as provided in Section 63G-2-603;
- 4581 (q) state agency action relating to the collection of water commissioner fees and
4582 delinquency penalties, or judicial review of the action;
- 4583 (r) state agency action relating to the installation, maintenance, and repair of headgates,

- 4584 caps, values, or other water controlling works and weirs, flumes, meters, or other
 4585 water measuring devices, or judicial review of the action;
- 4586 (s) the issuance and enforcement of an initial order under Section 73-2-25;
- 4587 (t)(i) a hearing conducted by the Division of Securities under Section 61-1-11.1; and
 4588 (ii) an action taken by the Division of Securities under a hearing conducted under
 4589 Section 61-1-11.1, including a determination regarding the fairness of an issuance
 4590 or exchange of securities described in Subsection 61-1-11.1(1);
- 4591 (u) state agency action relating to water well driller licenses, water well drilling permits,
 4592 water well driller registration, or water well drilling construction standards, or
 4593 judicial review of the action;
- 4594 (v) the issuance of a determination and order under Title 34A, Chapter 5, Utah
 4595 Antidiscrimination Act;
- 4596 (w) state environmental studies and related decisions by the Department of
 4597 Transportation approving state or locally funded projects, or judicial review of the
 4598 action;
- 4599 (x) the suspension of operations under Subsection 32B-1-304(3);
- 4600 (y) the issuance of a determination of violation by the Governor's Office of Economic [
 4601 ~~Opportunity~~] Development under Section 11-41-104; or
- 4602 (z) a challenge to an aspect of a distribution management plan under Section 73-33-202.
- 4603 (3) This chapter does not affect a legal remedy otherwise available to:
- 4604 (a) compel an agency to take action; or
 4605 (b) challenge an agency's rule.
- 4606 (4) This chapter does not preclude an agency, prior to the beginning of an adjudicative
 4607 proceeding, or the presiding officer during an adjudicative proceeding from:
- 4608 (a) requesting or ordering a conference with parties and interested persons to:
 4609 (i) encourage settlement;
 4610 (ii) clarify the issues;
 4611 (iii) simplify the evidence;
 4612 (iv) facilitate discovery; or
 4613 (v) expedite the proceeding; or
- 4614 (b) granting a timely motion to dismiss or for summary judgment if the requirements of
 4615 Rule 12(b) or Rule 56 of the Utah Rules of Civil Procedure are met by the moving
 4616 party, except to the extent that the requirements of those rules are modified by this
 4617 chapter.

- 4618 (5)(a) A declaratory proceeding authorized by Section 63G-4-503 is not governed by
4619 this chapter, except as explicitly provided in that section.
- 4620 (b) Judicial review of a declaratory proceeding authorized by Section 63G-4-503 is
4621 governed by this chapter.
- 4622 (6) This chapter does not preclude an agency from enacting a rule affecting or governing an
4623 adjudicative proceeding or from following the rule, if the rule is enacted according to the
4624 procedures outlined in Chapter 3, Utah Administrative Rulemaking Act, and if the rule
4625 conforms to the requirements of this chapter.
- 4626 (7)(a) If the attorney general issues a written determination that a provision of this
4627 chapter would result in the denial of funds or services to an agency of the state from
4628 the federal government, the applicability of the provision to that agency shall be
4629 suspended to the extent necessary to prevent the denial.
- 4630 (b) The attorney general shall report the suspension to the Legislature at its next session.
- 4631 (8) Nothing in this chapter may be interpreted to provide an independent basis for
4632 jurisdiction to review final agency action.
- 4633 (9) Nothing in this chapter may be interpreted to restrict a presiding officer, for good cause
4634 shown, from lengthening or shortening a time period prescribed in this chapter, except
4635 the time period established for judicial review.
- 4636 (10) Notwithstanding any other provision of this section, this chapter does not apply to a
4637 special adjudicative proceeding, as defined in Section 19-1-301.5, except to the extent
4638 expressly provided in Section 19-1-301.5.
- 4639 (11) Subsection (2)(w), regarding action taken based on state environmental studies and
4640 policies of the Department of Transportation, applies to any claim for which a court of
4641 competent jurisdiction has not issued a final unappealable judgment or order before May
4642 14, 2019.
- 4643 Section 65. Section **63G-6a-804** is amended to read:
4644 **63G-6a-804 (Effective 05/06/26). Purchase of prison industry goods.**
- 4645 (1) As used in this section:
- 4646 (a) "Applicable procurement unit" means a procurement unit that is not:
4647 (i) a political subdivision of the state;
4648 (ii) the Utah Schools for the Deaf and the Blind;~~[-or]~~
4649 (iii) the Utah Office of Tourism~~[-]~~ ; or
4650 (iv) the Governor's Office of Economic Development.
- 4651 (b) "Correctional industries division" means the Division of Correctional Industries,

- 4652 created in Section 64-13a-4.
- 4653 (c) "Correctional industries director" means the director of the correctional industries
4654 division, appointed under Section 64-13a-4.
- 4655 (2)(a) An applicable procurement unit shall purchase goods and services produced by
4656 the correctional industries division as provided in this section.
- 4657 (b) A procurement unit that is not an applicable procurement unit may, and is
4658 encouraged to, purchase goods and services under this section.
- 4659 (c) A procurement unit is not required to use a standard procurement process to purchase
4660 goods or services under this section.
- 4661 (3) On or before July 1 of each year, the correctional industries director shall:
- 4662 (a) publish and distribute to all procurement units and other interested public entities a
4663 catalog of goods and services produced by the correctional industries division,
4664 including a description and price of each item offered for sale; and
- 4665 (b) update and revise the catalog described in Subsection (3)(a) during the year as the
4666 correctional industries director considers necessary.
- 4667 (4)(a) An applicable procurement unit may not purchase any goods or services provided
4668 by the correctional industries division from any other source unless the correctional
4669 industries director and the procurement official or, in the case of institutions of higher
4670 education, the institutional procurement officer, determine in writing that purchase
4671 from the correctional industries division is not feasible due to one of the following
4672 circumstances:
- 4673 (i) the good or service offered by the correctional industries division does not meet
4674 the reasonable requirements of the procurement unit;
- 4675 (ii) the good or service cannot be supplied within a reasonable time by the
4676 correctional industries division; or
- 4677 (iii) the cost of the good or service, including basic price, transportation costs, and
4678 other expenses of acquisition, is not competitive with the cost of procuring the
4679 item from another source.
- 4680 (b) In cases of disagreement under Subsection (4)(a):
- 4681 (i) the decision may be appealed to a board consisting of:
- 4682 (A) the director of the Department of Corrections;
- 4683 (B) the director of Administrative Services; and
- 4684 (C) a neutral third party agreed upon by the other two members of the board;
- 4685 (ii) in the case of an institution of higher education of the state, the president of the

4686 institution, or the president's designee, shall make the final decision; or
4687 (iii) in the case of any of the following entities, a person designated by the
4688 rulemaking authority shall make the final decision:

- 4689 (A) a legislative procurement unit;
4690 (B) a judicial procurement unit; or
4691 (C) a public transit district.

4692 Section 66. Section **63G-21-102** is amended to read:

4693 **63G-21-102 (Effective 05/06/26) (Repealed 07/01/28). Definitions.**

4694 As used in this chapter:

4695 (1) "Designated agency" means:

- 4696 (a) the Governor's Office of Economic [~~Opportunity~~] Development;
4697 (b) the Division of Wildlife Resources;
4698 (c) the Department of Public Safety;
4699 (d) the Division of Technology Services; or
4700 (e) the Department of Workforce Services.

4701 (2)(a) "State service" means a service or benefit regularly provided to the public by a
4702 designated agency.

4703 (b) "State service" includes:

- 4704 (i) for the Governor's Office of Economic [~~Opportunity~~] Development or the Division
4705 of Technology Services, public high-speed [~~Internet~~] internet access;
4706 (ii) for the Division of Wildlife Resources, fishing, hunting, and trapping licenses;
4707 (iii) for the Department of Public Safety, fingerprinting, an online driver license
4708 renewal, online appointment scheduling, an online motor vehicle record request,
4709 and an online change of address with the Driver License Division; and
4710 (iv) for the Department of Workforce Services, online job searches, verification of
4711 submission for benefits administered by the Department of Workforce Services,
4712 online unemployment applications, online food stamp applications, and online
4713 appointment scheduling.

4714 (3) "USPS" means the United States Postal Service.

4715 Section 67. Section **63G-21-201** is amended to read:

4716 **63G-21-201 (Effective 05/06/26) (Repealed 07/01/28). Limited authorization to**
4717 **provide state services at post office locations.**

4718 (1) If allowed by federal law, a designated agency may negotiate and enter into an
4719 agreement with USPS that allows USPS to provide one or more state services at one or

- 4720 more post office locations within the state.
- 4721 (2) The designated agency shall ensure that the agreement described in Subsection (1)
- 4722 includes:
- 4723 (a) the term of the agreement, which may not extend beyond July 1, 2028;
- 4724 (b) provisions to ensure the security of state data and resources;
- 4725 (c) provisions to provide training to USPS employees on how to provide each state
- 4726 service in the agreement;
- 4727 (d) except as provided in Subsection (2)(e), provisions authorizing compensation to
- 4728 USPS for at least 100% of attributable costs of all property and services that USPS
- 4729 provides under the agreement; and
- 4730 (e) if the agreement is between USPS and the Division of Wildlife Resources to sell
- 4731 fishing, hunting, or trapping licenses, provisions requiring compliance with Sections
- 4732 23A-4-501 and 23A-4-502 regarding wildlife license agents, including remuneration
- 4733 for services rendered.
- 4734 (3) After one or more designated agencies enter into an agreement described in Subsection
- 4735 (1), the Governor's Office of Economic [~~Opportunity~~] Development created in Section
- 4736 63N-1a-301 shall create a marketing campaign to advertise and promote the availability
- 4737 of state services at each selected USPS location.
- 4738 Section 68. Section **63H-1-801** is amended to read:
- 4739 **63H-1-801 (Effective 05/06/26). Dissolution of authority -- Restrictions -- Filing**
- 4740 **copy of ordinance -- Authority records -- Dissolution expenses.**
- 4741 (1) The authority may not be dissolved unless the authority has no outstanding bonded
- 4742 indebtedness, other unpaid loans, indebtedness, or advances, and no legally binding
- 4743 contractual obligations with persons or entities other than the state.
- 4744 (2) Upon the dissolution of the authority:
- 4745 (a) the Governor's Office of Economic [~~Opportunity~~] Development shall publish a notice
- 4746 of dissolution:
- 4747 (i) in a newspaper of general circulation in the county in which the dissolved
- 4748 authority is located; and
- 4749 (ii) as required in Section 45-1-101; and
- 4750 (b) all title to property owned by the authority vests in the state.
- 4751 (3) The books, documents, records, papers, and seal of each dissolved authority shall be
- 4752 deposited for safekeeping and reference with the state auditor.
- 4753 (4) The authority shall pay all expenses of the deactivation and dissolution.

4754 Section 69. Section **63J-1-602.2** is amended to read:

4755 **63J-1-602.2 (Effective 05/06/26) (Partially Repealed 07/01/29). List of nonlapsing**
4756 **appropriations to programs.**

4757 Appropriations made to the following programs are nonlapsing:

- 4758 (1) The Legislature and the Legislature's committees.
- 4759 (2) The State Board of Education, including all appropriations to agencies, line items, and
4760 programs under the jurisdiction of the State Board of Education, in accordance with
4761 Section 53F-9-103.
- 4762 (3) The Rangeland Improvement Act created in Section 4-20-101.
- 4763 (4) The Percent-for-Art Program created in Section 9-6-404.
- 4764 (5) The LeRay McAllister Working Farm and Ranch Fund Program created in Title 4,
4765 Chapter 46, Part 3, LeRay McAllister Working Farm and Ranch Fund.
- 4766 (6) The Utah Lake Authority created in Section 11-65-201.
- 4767 (7) Dedicated credits accrued to the Utah Marriage Commission as provided under
4768 Subsection 17-66-303(2)(d)(ii).
- 4769 (8) The Wildlife Land and Water Acquisition Program created in Section 23A-6-205.
- 4770 (9) Sanctions collected as dedicated credits from Medicaid providers under Subsection
4771 26B-3-108(7).
- 4772 (10) The primary care grant program created in Section 26B-4-310.
- 4773 (11) The Opiate Overdose Outreach Pilot Program created in Section 26B-4-512.
- 4774 (12) The Utah Health Care Workforce Financial Assistance Program created in Section
4775 26B-4-702.
- 4776 (13) The Rural Physician Loan Repayment Program created in Section 26B-4-703.
- 4777 (14) The Utah Medical Education Council for the:
- 4778 (a) administration of the Utah Medical Education Program created in Section 26B-4-707;
- 4779 (b) provision of medical residency grants described in Section 26B-4-711; and
- 4780 (c) provision of the forensic psychiatric fellowship grant described in Section 26B-4-712.
- 4781 (15) The Division of Services for People with Disabilities, as provided in Section 26B-6-402.
- 4782 (16) The Communication Habits to reduce Adolescent Threats (CHAT) Pilot Program
4783 created in Section 26B-7-122.
- 4784 (17) Funds that the Department of Alcoholic Beverage Services retains in accordance with
4785 Subsection 32B-2-301(8)(a) or (b).
- 4786 (18) The General Assistance program administered by the Department of Workforce
4787 Services, as provided in Section 35A-3-401.

- 4788 (19) The Utah National Guard, created in Title 39A, National Guard and Militia Act.
- 4789 (20) The Search and Rescue Financial Assistance Program, as provided in Section
4790 53-2a-1102.
- 4791 (21) The Emergency Medical Services Grant Program, as provided in Section 53-2d-207.
- 4792 (22) The Motorcycle Rider Education Program, as provided in Section 53-3-905.
- 4793 (23) The Utah Board of Higher Education for teacher preparation programs, as provided in
4794 Section 53H-5-402.
- 4795 (24) Innovation grants under Section 53G-10-608, except as provided in Subsection
4796 53G-10-608(3).
- 4797 (25) The Division of Fleet Operations for the purpose of upgrading underground storage
4798 tanks under Section 63A-9-401.
- 4799 (26) The Division of Technology Services for technology innovation as provided under
4800 Section 63A-16-903.
- 4801 (27) The State Capitol Preservation Board created by Section 63O-2-201.
- 4802 (28) The Office of Administrative Rules for publishing, as provided in Section 63G-3-402.
- 4803 (29) The Colorado River Authority of Utah, created in Title 63M, Chapter 14, Colorado
4804 River Authority of Utah Act.
- 4805 (30) The Governor's Office of Economic [~~Opportunity~~] Development to fund the Enterprise
4806 Zone Act, as provided in Title 63N, Chapter 2, Part 2, Enterprise Zone Act.
- 4807 (31) The Governor's Office of Economic [~~Opportunity's~~] Development's Rural Employment
4808 Expansion Program, as described in Title 63N, Chapter 4, Part 4, Rural Employment
4809 Expansion Program.
- 4810 (32) County correctional facility contracting program for state inmates as described in
4811 Section 64-13e-103.
- 4812 (33) County correctional facility reimbursement program for state probationary inmates and
4813 state parole inmates as described in Section 64-13e-104.
- 4814 (34) Programs for the Jordan River Recreation Area as described in Section 65A-2-8.
- 4815 (35) The Division of Human Resource Management user training program, as provided in
4816 Section 63A-17-106.
- 4817 (36) A public safety answering point's emergency telecommunications service fund, as
4818 provided in Section 69-2-301.
- 4819 (37) The Traffic Noise Abatement Program created in Section 72-6-112.
- 4820 (38) The money appropriated from the Navajo Water Rights Negotiation Account to the
4821 Division of Water Rights, created in Section 73-2-1.1, for purposes of participating in a

- 4822 settlement of federal reserved water right claims.
- 4823 (39) The Judicial Council for compensation for special prosecutors, as provided in Section
4824 77-10a-19.
- 4825 (40) A state rehabilitative employment program, as provided in Section 78A-6-210.
- 4826 (41) The Utah Geological Survey, as provided in Section 79-3-401.
- 4827 (42) The Bonneville Shoreline Trail Program created under Section 79-5-503.
- 4828 (43) Adoption document access as provided in Sections 81-13-103, 81-13-504, and
4829 81-13-505.
- 4830 (44) Indigent defense as provided in Title 78B, Chapter 22, Part 4, Utah Indigent Defense
4831 Commission.
- 4832 (45) The program established by the Division of Facilities Construction and Management
4833 under Section 63A-5b-703 under which state agencies receive an appropriation and pay
4834 lease payments for the use and occupancy of buildings owned by the Division of
4835 Facilities Construction and Management.
- 4836 (46) The State Tax Commission for reimbursing counties for deferrals in accordance with
4837 Section 59-2-1802.5.
- 4838 (47) The Veterinarian Education Loan Repayment Program created in Section 4-2-902.
4839 Section 70. Section **63L-2-301** is amended to read:
- 4840 **63L-2-301 (Effective 05/06/26). Promoting or lobbying for a federal designation**
4841 **within the state.**
- 4842 (1) As used in this section:
- 4843 (a) "Federal designation" means the designation of a:
- 4844 (i) national monument;
- 4845 (ii) national conservation area;
- 4846 (iii) wilderness area or wilderness study area;
- 4847 (iv) area of critical environmental concern;
- 4848 (v) research natural area; or
- 4849 (vi) national recreation area.
- 4850 (b)(i) "Governmental entity" means:
- 4851 (A) a state-funded institution of higher education or public education;
- 4852 (B) a political subdivision of the state;
- 4853 (C) an office, agency, board, bureau, committee, department, advisory board, or
4854 commission that the government funds or establishes to carry out the public's
4855 business, regardless of whether the office, agency board, bureau, committee,

- 4856 department, advisory board, or commission is composed entirely of public
 4857 officials or employees;
- 4858 (D) an interlocal entity as defined in Section 11-13-103 or a joint or cooperative
 4859 undertaking as defined in Section 11-13-103;
- 4860 (E) a governmental nonprofit corporation as defined in Section 11-13a-102; or
 4861 (F) an association as defined in Section 53G-7-1101.
- 4862 (ii) "Governmental entity" does not mean:
- 4863 (A) the School and Institutional Trust Lands Administration created in Section
 4864 53C-1-201;
- 4865 (B) the School and Institutional Trust Lands Board of Trustees created in Section
 4866 53C-1-202;
- 4867 (C) the Office of the Governor;
- 4868 (D) the Governor's Office of Planning and Budget created in Section 63J-4-201;
- 4869 (E) the Public Lands Policy Coordinating Office created in Section 63L-11-201;
- 4870 (F) the Office of Energy Development created in Section 79-6-401; or
 4871 (G) the Governor's Office of Economic [~~Opportunity~~] Development created in
 4872 Section 63N-1a-301.
- 4873 (2)(a) A governmental entity, or a person a governmental entity employs and designates
 4874 as a representative, may investigate the possibility of a federal designation within the
 4875 state.
- 4876 (b) A governmental entity that intends to advocate for a federal designation within the
 4877 state shall:
- 4878 (i) notify the chairs of the following committees before the introduction of federal
 4879 legislation:
- 4880 (A) the Natural Resources, Agriculture, and Environment Interim Committee, if
 4881 constituted, and the Federalism Commission; or
- 4882 (B) if the notice is given during a General Session, the House and Senate Natural
 4883 Resources, Agriculture, and Environment Standing Committees; and
- 4884 (ii) upon request of the chairs, meet with the relevant committee to review the
 4885 proposal.
- 4886 (3) This section does not apply to a political subdivision supporting a federal designation if
 4887 the federal designation:
- 4888 (a) applies to 5,000 acres or less; and
 4889 (b) has an economical or historical benefit to the political subdivision.

4890 Section 71. Section **63L-11-402** is amended to read:

4891 **63L-11-402 (Effective 05/06/26) (Repealed 07/01/27). Membership -- Terms --**

4892 **Chair -- Expenses.**

4893 (1) The Resource Development Coordinating Committee consists of the following 26
4894 members:

4895 (a) the state science advisor;

4896 (b) a representative from the Department of Agriculture and Food appointed by the
4897 commissioner of the Department of Agriculture and Food;

4898 (c) a representative from the Department of Cultural and Community Engagement
4899 appointed by the executive director of the Department of Cultural and Community
4900 Engagement;

4901 (d) a representative from the Department of Environmental Quality appointed by the
4902 executive director of the Department of Environmental Quality;

4903 (e) a representative from the Department of Natural Resources appointed by the
4904 executive director of the Department of Natural Resources;

4905 (f) a representative from the Department of Transportation appointed by the executive
4906 director of the Department of Transportation;

4907 (g) a representative from the Governor's Office of Economic [~~Opportunity~~] Development
4908 appointed by the executive director of the Governor's Office of Economic [
4909 ~~Opportunity~~] Development;

4910 (h) a representative from the Housing and Community Development Division appointed
4911 by the director of the Housing and Community Development Division;

4912 (i) a representative from the Utah Historical Society appointed by the director of the
4913 Utah Historical Society;

4914 (j) a representative from the Division of Air Quality appointed by the director of the
4915 Division of Air Quality;

4916 (k) a representative from the Division of Drinking Water appointed by the director of the
4917 Division of Drinking Water;

4918 (l) a representative from the Division of Environmental Response and Remediation
4919 appointed by the director of the Division of Environmental Response and
4920 Remediation;

4921 (m) a representative from the Division of Waste Management and Radiation Control
4922 appointed by the director of the Division of Waste Management and Radiation
4923 Control;

- 4924 (n) a representative from the Division of Water Quality appointed by the director of the
4925 Division of Water Quality;
- 4926 (o) a representative from the Division of Oil, Gas, and Mining appointed by the director
4927 of the Division of Oil, Gas, and Mining;
- 4928 (p) a representative from the Division of State Parks appointed by the director of the
4929 Division of State Parks;
- 4930 (q) a representative from the Division of Outdoor Recreation appointed by the director
4931 of the Division of Outdoor Recreation;
- 4932 (r) a representative from the Division of Forestry, Fire, and State Lands appointed by the
4933 director of the Division of Forestry, Fire, and State Lands;
- 4934 (s) a representative from the Utah Geological Survey appointed by the director of the
4935 Utah Geological Survey;
- 4936 (t) a representative from the Division of Water Resources appointed by the director of
4937 the Division of Water Resources;
- 4938 (u) a representative from the Division of Water Rights appointed by the director of the
4939 Division of Water Rights;
- 4940 (v) a representative from the Division of Wildlife Resources appointed by the director of
4941 the Division of Wildlife Resources;
- 4942 (w) a representative from the School and Institutional Trust Lands Administration
4943 appointed by the director of the School and Institutional Trust Lands Administration;
- 4944 (x) a representative from the Division of Facilities Construction and Management
4945 appointed by the director of the Division of Facilities Construction and Management;
- 4946 (y) a representative from the Division of Emergency Management appointed by the
4947 director of the Division of Emergency Management; and
- 4948 (z) a representative from the Division of Conservation, created under Section 4-46-401,
4949 appointed by the director of the Division of Conservation.
- 4950 (2)(a) As particular issues require, the coordinating committee may, by majority vote of
4951 the members present, appoint additional temporary members to serve as ex officio
4952 voting members.
- 4953 (b) Those ex officio members may discuss and vote on the issue or issues for which they
4954 were appointed.
- 4955 (3) A chair shall be selected by a vote of 14 committee members with the concurrence of
4956 the advisor.
- 4957 (4) A member may not receive compensation or benefits for the member's service, but may

4958 receive per diem and travel expenses in accordance with:

4959 (a) Sections 63A-3-106 and 63A-3-107; and

4960 (b) rules made by the Division of Finance pursuant to Sections 63A-3-106 and
4961 63A-3-107.

4962 Section 72. Section **63M-5-306** is amended to read:

4963 **63M-5-306 (Effective 05/06/26). Financial impact statement -- Alleviation plan --**
4964 **Filing required -- Contents -- Payments credited against tax -- Provisions neither**
4965 **exclusive nor mandatory.**

4966 (1)(a) A developer desiring to prepay ad valorem property taxes under Section

4967 63M-5-201 shall first prepare and file with the Governor's Office of Economic [
4968 ~~Opportunity~~] Development and all units of local government likely to be affected with
4969 a significant financial impact due to a natural resource or industrial facility a financial
4970 impact statement together with a plan for alleviating these impacts.

4971 (b) The impact statement and the alleviation plan shall be prepared in cooperation with
4972 and after consultation with the Governor's Office of Economic [~~Opportunity~~]
4973 Development and the affected units of local government.

4974 (c) The financial impact statement shall assess the projected financial impact on state
4975 agencies and units of local government, including the impact on transportation
4976 systems, culinary water systems, waste treatment facilities, public safety, schools,
4977 public health, housing, planning and zoning, and general government administration.

4978 (d) The alleviation plan shall set out proposals for alleviating the impact and may
4979 include payments to local units of government or direct expenditures by the
4980 developer to alleviate the impact.

4981 (e) The impact statement and the alleviation plan may be amended by the developer in
4982 cooperation with and after consultation with the Governor's Office of Economic
4983 Opportunity and those units of local government affected by the amendment.

4984 (2) At least 90 days prior to commencement of construction of an industrial facility or
4985 natural resources facility by a major developer, an impact statement and alleviation plan
4986 as described in Subsection (1) shall be filed by the major developer regardless of
4987 whether [~~or not~~]the major developer desires to prepay ad valorem property taxes.

4988 (3)(a) Upon the filing of the financial impact statement and alleviation plan, a developer
4989 may apply to the governing body of the affected unit of local government for
4990 authorization to prepay a portion of the anticipated ad valorem property taxes to be
4991 expended consistent with the alleviation plan.

- 4992 (b) This authorization may provide that only a portion of the amounts so prepaid can be
 4993 applied against the ad valorem property taxes due in any given year.
- 4994 (c) In addition to payments directly to the affected unit of local government, an affected
 4995 unit of local government may authorize a tax credit on anticipated ad valorem
 4996 property taxes for expenditures made by the developer to other persons so long as the
 4997 expenditure is consistent with the alleviation plan.

4998 (4)(a) This chapter is designed to provide an additional mechanism for the alleviation of
 4999 impacts on units of local government and is not intended to discourage the use of
 5000 other mechanisms as may be available.

- 5001 (b) Nothing in this chapter requires a developer to prepay ad valorem property taxes or
 5002 to make any other expenditure not otherwise required by law.

5003 Section 73. Section **63M-11-201** is amended to read:

5004 **63M-11-201 (Effective 05/06/26) (Repealed 07/01/26). Composition --**
 5005 **Appointments -- Terms -- Removal.**

5006 (1) The commission shall be composed of the following voting members:

- 5007 (a) the executive director of the Department of Health and Human Services or the
 5008 executive director's designee;
- 5009 [~~(b)~~] ~~the executive director of the Department of Human Services or the executive~~
 5010 ~~director's designee;]~~
- 5011 [~~(c)~~] ~~(b)~~ the executive director of the Governor's Office of Economic [~~Opportunity~~]
 5012 Development or the executive director's designee;
- 5013 [~~(d)~~] ~~(c)~~ the executive director of the Department of Workforce Services or the executive
 5014 director's designee; and
- 5015 [~~(e)~~] ~~(d)~~ 20 members, appointed by the governor in accordance with Subsection (3),
 5016 including:
- 5017 (i) three members that represent the Utah Association of Areas on Aging, the
 5018 Alzheimer's Association, or another organization or association that advocates for
 5019 the aging population;
- 5020 (ii) two members that represent an organization or association that advocates for local
 5021 government; and
- 5022 (iii) two members that represent the general public.

5023 (2)(a) A member appointed under Subsection (1)(e) shall serve a two-year term.

- 5024 (b) Notwithstanding the term requirements described in Subsection (2)(a), the governor
 5025 may adjust the length of the initial commission members' terms to ensure that the

- 5026 terms are staggered so that approximately one-half of the members appointed under
5027 Subsection (1)(e) are appointed each year.
- 5028 (c) When, for any reason, a vacancy occurs in a position appointed by the governor
5029 under Subsection (1)(e), the governor shall appoint a person to fill the vacancy for the
5030 unexpired term of the commission member being replaced.
- 5031 (d) A member appointed under Subsection (1)(e) may be removed by the governor for
5032 cause.
- 5033 (e) A member appointed under Subsection (1)(e) shall be removed from the commission
5034 and replaced by the governor if the member is absent for three consecutive meetings
5035 of the commission without being excused by the chair of the commission.
- 5036 (3) In appointing the members under Subsection (1)(e), the governor shall:
- 5037 (a) ensure each of the following areas are represented:
- 5038 (i) higher education in Utah;
- 5039 (ii) the business community;
- 5040 (iii) charitable organizations;
- 5041 (iv) the health care provider industry;
- 5042 (v) the industry that provides telehealth services;
- 5043 (vi) the industry that provides data analysis services;
- 5044 (vii) the industry that provides information technology support services;
- 5045 (viii) financial institutions;
- 5046 (ix) the legal profession;
- 5047 (x) the public safety sector;
- 5048 (xi) public transportation;
- 5049 (xii) ethnic minorities; and
- 5050 (xiii) the industry that provides long-term care for the elderly;
- 5051 (b) take into account the geographical makeup of the commission; and
- 5052 (c) strive to appoint members who:
- 5053 (i) are knowledgeable or have an interest in issues relating to the aging population;
- 5054 (ii) provide a balanced representation of urban and rural communities in the state; and
- 5055 (iii) represent the diversity of the population in the state.

5056 Section 74. Section **63N-1a-102** is amended to read:

5057 **63N-1a-102 (Effective 05/06/26). Definitions.**

5058 As used in this title:

- 5059 (1) "Baseline jobs" means the number of full-time employee positions that existed within a

- 5060 business entity in the state before the date on which a project related to the business
 5061 entity is approved by the office or by the [~~GOEO~~] GOED board.
- 5062 (2) "Baseline state revenue" means the amount of state tax revenue collected from a
 5063 business entity or the employees of a business entity during the year before the date on
 5064 which a project related to the business entity is approved by the office or by the [~~GOEO~~]
 5065 GOED board.
- 5066 (3) "Council" means the Economic Development Council created in Section 63N-1a-501.
- 5067 [~~(3)~~] (4) "Economic opportunity agency" includes:
- 5068 (a) the Department of Workforce Services;
- 5069 (b) the Department of Cultural and Community Engagement;
- 5070 (c) the Department of Commerce;
- 5071 (d) the Department of Natural Resources;
- 5072 (e) the Office of Energy Development;
- 5073 (f) the State Board of Education;
- 5074 (g) institutions of higher education;
- 5075 (h) the Utah Multicultural Commission;
- 5076 (i) the World Trade Center Utah;
- 5077 (j) local government entities;
- 5078 (k) associations of governments;
- 5079 (l) the Utah League of Cities and Towns;
- 5080 (m) the Utah Association of Counties;
- 5081 (n) the Economic Development Corporation of Utah;
- 5082 (o) the Small Business Administration;
- 5083 (p) chambers of commerce;
- 5084 (q) industry associations;
- 5085 (r) small business development centers; and
- 5086 (s) other entities identified by the commission or the executive director.
- 5087 [~~(4)~~] (5) "Executive director" means the executive director of the office.
- 5088 [~~(5)~~] (6) "Full-time employee" means an employment position that is filled by an employee
 5089 who works at least 30 hours per week and:
- 5090 (a) may include an employment position filled by more than one employee, if each
 5091 employee who works less than 30 hours per week is provided benefits comparable to
 5092 a full-time employee; and
- 5093 (b) may not include an employment position that is shifted from one jurisdiction in the

- 5094 state to another jurisdiction in the state.
- 5095 [~~(6)~~] (7) [~~"GOEO"~~] "GOED board" means the Board of Economic [~~Opportunity~~] Development
- 5096 created in Section 63N-1a-401.
- 5097 [~~(7)~~] (8) "High paying job" means a newly created full-time employee position where the
- 5098 aggregate average annual gross wage of the employment position, not including health
- 5099 care or other paid or unpaid benefits, is:
- 5100 (a) at least 110% of the average wage of the county in which the employment position
- 5101 exists; or
- 5102 (b) for an employment position related to a project described in Chapter 2, Part 1,
- 5103 Economic Development Tax Increment Financing, and that is located within the
- 5104 boundary of a county of the third, fourth, fifth, or sixth class, or located within a
- 5105 municipality in a county of the second class and where the municipality has a
- 5106 population of 10,000 or less:
- 5107 (i) at least 100% of the average wage of the county in which the employment position
- 5108 exists; or
- 5109 (ii) an amount determined by rule made by the office in accordance with Title 63G,
- 5110 Chapter 3, Utah Administrative Rulemaking Act, if the office determines the
- 5111 project is in a county experiencing economic distress.
- 5112 [~~(8)~~] (9)(a) "Incremental job" means a full-time employment position in the state that:
- 5113 (i) did not exist within a business entity in the state before the beginning of a project
- 5114 related to the business entity; and
- 5115 (ii) is created in addition to the number of baseline jobs that existed within a business
- 5116 entity.
- 5117 (b) "Incremental job" includes a full-time employment position where the employee is
- 5118 hired:
- 5119 (i) directly by a business entity; or
- 5120 (ii) by a professional employer organization, as defined in Section 31A-40-102, on
- 5121 behalf of a business entity.
- 5122 [~~(9)~~] (10) "New state revenue" means the state revenue collected from a business entity or a
- 5123 business entity's employees during a calendar year minus the baseline state revenue
- 5124 calculation.
- 5125 [~~(10)~~] (11) "Office" or [~~"GOEO"~~] "GOED" means the Governor's Office of Economic [~~Opportunity~~]
- 5126 Development.
- 5127 [~~(11)~~] (12) "State revenue" means state tax liability paid by a business entity or a business

5128 entity's employees under any combination of the following provisions:

5129 (a) Title 59, Chapter 7, Corporate Franchise and Income Taxes;

5130 (b) Title 59, Chapter 10, Part 1, Determination and Reporting of Tax Liability and
5131 Information;

5132 (c) Title 59, Chapter 10, Part 2, Trusts and Estates;

5133 (d) Title 59, Chapter 10, Part 4, Withholding of Tax; and

5134 (e) Title 59, Chapter 12, Sales and Use Tax Act.

5135 ~~[(12)]~~ (13) "State strategic goals" means the strategic goals listed in Section 63N-1a-103.

5136 ~~[(13)]~~ (14) "Statewide economic development strategy" means the economic development
5137 strategy developed by the office in accordance with Section 63N-1a-301.

5138 ~~[(14)]~~ (15) "Targeted industry" means an industry or group of industries targeted by the
5139 office under Section 63N-1a-301, for economic development in the state.

5140 Section 75. Section **63N-1a-103** is amended to read:

5141 **63N-1a-103 (Effective 05/06/26). Purpose.**

5142 (1) The purpose of the Economic Opportunity Act and the entities established in the act is
5143 to catalyze strategic economic development opportunities for all residents of the state
5144 with a vision of creating economically thriving communities, businesses, and families
5145 throughout the state.

5146 (2) The purpose is realized through targeted efforts that demonstrably improve quality of
5147 life, measured by the extent to which the efforts accomplish the following strategic goals:

5148 (a) catalyzing targeted industry growth;

5149 (b) supporting economically thriving communities;

5150 (c) empowering students and workers with market-relevant skills;

5151 (d) stimulating economic growth in rural and multicultural communities through
5152 household level efforts; and

5153 (e) securing healthy and resilient ecosystems for current and future generations.

5154 Section 76. Section **63N-1a-301** is amended to read:

5155 **63N-1a-301 (Effective 05/06/26). Creation of office -- Responsibilities.**

5156 (1) There is created the Governor's Office of Economic ~~[Opportunity]~~ Development.

5157 (2) The office is:

5158 (a) responsible for creating and implementing the statewide economic development
5159 strategy that:

5160 (i) unifies and coordinates economic development efforts in the state;

5161 (ii) includes key performance indicators for long-term progress toward the state

- 5162 strategic goals;
- 5163 (iii) establishes reporting and accountability processes for the key performance
- 5164 indicators; and
- 5165 (iv) ensures the success of statewide economic development; and
- 5166 (b) the industrial and business promotion authority of the state.
- 5167 (3) The office shall:
- 5168 (a) consistent with the statewide economic development strategy, coordinate and align
- 5169 into a single effort the activities of the economic opportunity agencies in the field of
- 5170 economic development;
- 5171 (b) provide support and direction to economic opportunity agencies in establishing
- 5172 goals, metrics, and activities that align with the statewide economic development
- 5173 strategy;
- 5174 (c) administer and coordinate state and federal economic development grant programs;
- 5175 (d) promote and encourage the economic, commercial, financial, industrial, agricultural,
- 5176 and civic welfare of the state;
- 5177 (e) develop the statewide economic development strategy consistent with the state water
- 5178 policy described in Section 73-1-21, including the state's commitment to appropriate:
- 5179 (i) conservation;
- 5180 (ii) efficient and optimal use of water resources;
- 5181 (iii) infrastructure development and improvement;
- 5182 (iv) optimal agricultural use;
- 5183 (v) water quality;
- 5184 (vi) reasonable access to recreational activities;
- 5185 (vii) effective wastewater treatment; and
- 5186 (viii) protecting and restoring health ecosystems;
- 5187 (f) at least once every five years, identify which industry or groups of industries shall be
- 5188 targeted for economic development in the state;
- 5189 (g) promote and encourage the employment of workers in the state and the purchase of
- 5190 goods and services produced in the state by local businesses;
- 5191 (h) act to create, develop, attract, and retain business, industry, and commerce in the
- 5192 state:
- 5193 (i) in accordance with the statewide economic development strategy; and
- 5194 (ii) subject to the restrictions in Section 11-41-103;
- 5195 (i) act to enhance the state's economy;

- 5196 (j) analyze the state's projected long-term population and economic growth and plan for
 5197 the anticipated impacts of the projected growth in a manner that improves quality of
 5198 life and is consistent with the statewide economic development strategy and state
 5199 strategic goals;
- 5200 (k) act to assist strategic industries that are likely to drive future economic growth;
- 5201 (l) assist communities in the state in developing economic development capacity and
 5202 coordination with other communities;
- 5203 (m) develop strategies and plans to ensure comprehensive economic development efforts
 5204 are targeted to the unique needs of rural areas of the state;
- 5205 (n) identify areas of education and workforce development in the state that can be
 5206 improved to support economic and business development;
- 5207 (o) develop core strategic priorities for the office, which may include:
- 5208 (i) enhancing statewide access to entrepreneurship opportunities and small business
 5209 support;
- 5210 (ii) focusing industry recruitment and expansion of targeted industries;
- 5211 (iii) ensuring that in awarding competitive economic development incentives the
 5212 office accurately measures the benefits and costs of the incentives; and
- 5213 (iv) assisting communities with technical support to aid those communities in
 5214 improving economic development opportunities;
- 5215 (p) submit an annual written report as described in Section 63N-1a-306; and
- 5216 (q) perform other duties as provided by the Legislature.
- 5217 (4) To perform the office's duties under this title, the office may:
- 5218 (a) enter into a contract or agreement with, or make a grant to, a public or private entity,
 5219 including a municipality, if the contract or agreement is not in violation of state
 5220 statute or other applicable law;
- 5221 (b) except as provided in Subsection (4)(c), receive and expend funds from a public or
 5222 private source for any lawful purpose that is in the state's best interest; and
- 5223 (c) solicit and accept a contribution of money, services, or facilities from a public or
 5224 private donor, but may not use the contribution for publicizing the exclusive interest
 5225 of the donor.
- 5226 (5) Money received under Subsection (4)(c) shall be deposited into the General Fund as
 5227 dedicated credits of the office.

5228 Section 77. Section **63N-1a-303** is amended to read:

5229 **63N-1a-303 (Effective 05/06/26). Powers and duties of executive director.**

- 5230 (1) Unless otherwise expressly provided by statute, the executive director may organize the
5231 office in any appropriate manner, including the appointment of deputy directors of the
5232 office.
- 5233 (2) The executive director may consolidate personnel and service functions for efficiency
5234 and economy in the office.
- 5235 (3) The executive director, with the approval of the governor:
- 5236 (a) may, by following the procedures and requirements of Title 63J, Chapter 5, Federal
5237 Funds Procedures Act, seek federal grants, loans, or participation in federal programs;
- 5238 (b) may enter into a lawful contract or agreement with another state, a chamber of
5239 commerce organization, a service club, or a private entity; and
- 5240 (c) shall annually prepare and submit to the governor a budget of the office's financial
5241 requirements.
- 5242 (4) With the governor's approval, if a federal program requires the expenditure of state
5243 funds as a condition for the state to participate in a fund, property, or service, the
5244 executive director may expend necessary funds from money provided by the Legislature
5245 for the use of the office.
- 5246 (5) The executive director shall coordinate with the executive directors of the Department
5247 of Workforce Services and the Governor's Office of Planning and Budget to review data
5248 and metrics to be reported to the Legislature as described in Section 63N-1a-306.
- 5249 (6) The executive director shall:
- 5250 (a) receive guidance from the Economic Development Council created in Section
5251 63N-1a-501;
- 5252 (b) establish and implement strategies to recruit industries identified by the Economic
5253 Development Council to locate in the state;
- 5254 (c) establish strategies for and actively support entrepreneurship, small business
5255 development, and existing small businesses in the state;
- 5256 (d) coordinate state and local efforts on economic development activities, including
5257 efforts led by:
- 5258 (i) the Utah Inland Port Authority created in Section 11-58-201;
- 5259 (ii) the Point of the Mountain State Land Authority created in Section 11-59-201;
- 5260 (iii) the Utah Lake Authority created in Section 11-65-201;
- 5261 (iv) the Utah Fairpark Area Investment and Restoration District created in Section
5262 11-68-201;
- 5263 (v) the Military Installation Development Authority created in Section 63H-1-201;

- 5264 and
- 5265 (vi) regional associations of governments created under Title 11, Chapter 13,
- 5266 Interlocal Cooperation Act;
- 5267 (e) identify areas of the state for targeted economic development;
- 5268 (f) match areas of the state for targeted economic development, with targeted industries
- 5269 or businesses encouraged to permanently relocate to, or significantly expand
- 5270 operations in, the state;
- 5271 (g) ensure the office's efforts are, to the extent practicable, data-driven, evidence-based,
- 5272 and focused on developing human capital, physical capital, and innovation; and
- 5273 (h) support an integrated international trade strategy for the state.

5274 (7) Nothing in Subsection (6) shall be construed to:

- 5275 (a) give the executive director authority over an entity described in Subsection (6)(e); or
- 5276 (b) modify the legal status of a political subdivision.

5277 [~~(6)~~] (8) Unless otherwise provided in this title, the executive director may make rules in

5278 accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, as

5279 necessary for the administration of programs established under state law.

5280 Section 78. Section **63N-1a-401** is amended to read:

5281 **63N-1a-401 (Effective 05/06/26). Creation of Board of Economic Development.**

- 5282 (1)(a) There is created within the office the Board of Economic [~~Opportunity~~]
- 5283 Development, consisting of nine members appointed by the executive director of the
- 5284 office, in consultation with the governor, to four-year terms of office with the advice
- 5285 and consent of the Senate in accordance with Title 63G, Chapter 24, Part 2,
- 5286 Vacancies.
- 5287 (b) The nine members described in Subsection (1)(a) shall include:
- 5288 (i) one member associated with the state's rural communities;
- 5289 (ii) one member associated with direct entrepreneurship in the state;
- 5290 (iii) one member associated with higher education in the state;
- 5291 (iv) five members, other than the members described in Subsections (1)(b)(i) through
- 5292 (iii), that are associated with a targeted industry; and
- 5293 (v) one at-large member.
- 5294 (c) Notwithstanding the requirements of Subsection (1)(a), the executive director shall,
- 5295 at the time of appointment or reappointment, adjust the length of terms to ensure that
- 5296 the terms of board members are staggered so that approximately half of the board is
- 5297 appointed every two years.

- 5298 (d) The members may not serve more than two full consecutive terms except when the
5299 executive director determines that an additional term is in the best interest of the state.
- 5300 (2) When a vacancy occurs in the membership for any reason, the replacement shall be
5301 appointed for the unexpired term in accordance with Title 63G, Chapter 24, Part 2,
5302 Vacancies.
- 5303 (3) A majority of board members, not including a vacancy, constitutes a quorum for
5304 conducting board business and exercising board power.
- 5305 (4) The executive director shall select one board member as the board's chair and one
5306 member as the board's vice chair.
- 5307 (5) A member may not receive compensation or benefits for the member's service, but may
5308 receive per diem and travel expenses in accordance with:
- 5309 (a) Section 63A-3-106;
5310 (b) Section 63A-3-107; and
5311 (c) rules made by the Division of Finance under Sections 63A-3-106 and 63A-3-107.
- 5312 (6) A member shall comply with the conflict of interest provisions described in Title 63G,
5313 Chapter 24, Part 3, Conflicts of Interest.
- 5314 Section 79. Section **63N-1a-402** is amended to read:
5315 **63N-1a-402 (Effective 05/06/26). Board of Economic Development duties and**
5316 **powers.**
- 5317 (1) The [GOEØ] GOED board shall advise and assist the office to:
- 5318 (a) promote and encourage the economic, commercial, financial, industrial, agricultural,
5319 and civic welfare of the state;
- 5320 (b) promote and encourage the development, attraction, expansion, and retention of
5321 businesses, industries, and commerce in the state;
- 5322 (c) support the efforts of local government and regional nonprofit economic
5323 development organizations to encourage expansion or retention of businesses,
5324 industries, and commerce in the state;
- 5325 (d) act to enhance the state's economy;
- 5326 (e) develop policies, priorities, and objectives regarding the assistance, retention, or
5327 recruitment of business, industries, and commerce in the state;
- 5328 (f) administer programs for the assistance, retention, or recruitment of businesses,
5329 industries, and commerce in the state;
- 5330 (g) ensure that economic development programs are available to all areas of the state in
5331 accordance with federal and state law;

- 5332 (h) identify local, regional, and statewide rural economic development and planning
 5333 priorities;
- 5334 (i) understand, through study and input, issues relating to local, regional, and statewide
 5335 rural economic development, including challenges, opportunities, best practices,
 5336 policy, planning, and collaboration; and
- 5337 (j) maintain ethical and conflict of interest standards consistent with those imposed on a
 5338 public officer under Title 67, Chapter 16, Utah Public Officers' and Employees'
 5339 Ethics Act.

5340 (2) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the [
 5341 GØEØ] GOED board may, in consultation with the executive director, make rules for the
 5342 conduct of the [GØEØ] GOED board's business.

5343 Section 80. Section **63N-1a-501** is enacted to read:

5344 **Part 5. Economic Development Council**

5345 **63N-1a-501 (Effective 05/06/26). Creation of Economic Development Council.**

5346 (1) There is created the Economic Development Council.

5347 (2) The council consists of the following voting members:

- 5348 (a) the governor, or the governor's designee, who shall be the chair of the council;
- 5349 (b) the president of the Senate or the president's designee;
- 5350 (c) the speaker of the House of Representatives or the speaker's designee;
- 5351 (d) a member appointed by the Utah Inland Port Authority board created in Section
 5352 11-58-301, to represent the interests of the Utah Inland Port Authority;
- 5353 (e) a member appointed by the Point of the Mountain State Land Authority board
 5354 created in Section 11-59-301, to represent the interests of the Point of the Mountain
 5355 State Land Authority;
- 5356 (f) a member appointed by the Utah Fairpark Area Investment and Restoration District
 5357 board created in Section 11-70-301, to represent the interests of the Utah Fairpark
 5358 Area Investment and Restoration District;
- 5359 (g) a member appointed by the Military Installation Development Authority board
 5360 created in Section 63H-1-301, to represent the interests of the Military Installation
 5361 Development Authority;
- 5362 (h) the director of the School and Institutional Trust Lands Administration created in
 5363 Section 53C-1-201 or the director's designee;
- 5364 (i) a member to represent the interests of municipalities, appointed by the Utah League
 5365 of Cities and Towns; and

5366 (j) a member to represent the interests of counties, appointed by the Utah Association of
 5367 Counties.

5368 (3)(a) A majority of council members, not including a vacancy, constitutes a quorum for
 5369 the purpose of conducting council business.

5370 (b) The action of a majority of a quorum constitutes the action of the council.

5371 (4) The office shall provide office space and staff support for the council.

5372 (5)(a) A council member may not receive compensation or benefits for the member's
 5373 service on the council, but may receive per diem and travel expenses in accordance
 5374 with:

5375 (i) Sections 63A-3-106 and 63A-3-107; and

5376 (ii) rules made by the Division of Finance in accordance with Sections 63A-3-106
 5377 and 63A-3-107.

5378 (b) Compensation and expenses of a council member who is a legislator are governed by
 5379 Section 36-2-2 and Legislative Joint Rules, Title 5, Legislative Compensation and
 5380 Expenses.

5381 Section 81. Section **63N-1a-502** is enacted to read:

5382 **63N-1a-502 (Effective 05/06/26). Economic Development Council duties.**

5383 The council shall:

5384 (1) establish strategic economic development objectives for the state, including establishing
 5385 broad objectives;

5386 (2) provide recommendations to the executive director regarding efforts to achieve strategic
 5387 economic development objectives;

5388 (3) make recommendations to the Legislature;

5389 (4) unify and coordinate economic development projects that have regional or statewide
 5390 impact;

5391 (5) at least once every five years, recommend to the executive director industries or groups
 5392 of industries to target for economic development in the state;

5393 (6) gather input from organizations contributing to economic development in the state,
 5394 including economic opportunity agencies; and

5395 (7) receive an annual report from the board.

5396 Section 82. Section **63N-1a-503** is enacted to read:

5397 **63N-1a-503 (Effective 05/06/26). Reporting.**

5398 (1) The chair and executive director shall, no later than May 31, 2026, provide a report to
 5399 the Economic Development and Workforce Services Interim Committee that describes

- 5400 the council and office's progress in coordinating efforts around opportunity zone
 5401 application development.
- 5402 (2) Beginning January 1, 2027, the chair or the chair's designee shall, no later than July 1,
 5403 provide an annual written report to the Economic Development and Workforce Services
 5404 Interim Committee that describes:
- 5405 (a) the strategic economic development objectives established under Section 63N-1a-501;
 5406 (b) the council's efforts to unify and coordinate economic development projects with
 5407 regional or statewide impact, if any; and
 5408 (c) any recommendations for action from the Legislature.
- 5409 (3) Beginning January 1, 2028, the executive director shall, no later than July 1, provide an
 5410 annual written report to the Economic Development and Workforce Services Interim
 5411 Committee, on:
- 5412 (a) the executive director's progress toward achieving strategic economic development
 5413 objectives identified by the council; and
 5414 (b) the executive director's efforts to fulfill the duties described in Subsection
 5415 63N-1a-303(6).
- 5416 Section 83. Section **63N-2-104.2** is amended to read:
 5417 **63N-2-104.2 (Effective 05/06/26). Written agreement -- Contents -- Grounds for**
 5418 **amendment or termination.**
- 5419 (1) If the office determines that a business entity is eligible for a tax credit under Section
 5420 63N-2-104.1, the office may enter into a written agreement with the business entity that:
- 5421 (a) establishes performance benchmarks for the business entity to claim a tax credit,
 5422 including any minimum wage requirements;
- 5423 (b) specifies the maximum amount of tax credit that the business entity may be
 5424 authorized for a taxable year and over the life of the new commercial project, subject
 5425 to the limitations in Section 63N-2-104.3;
- 5426 (c) establishes the length of time the business entity may claim a tax credit;
- 5427 (d) requires the business entity to retain records supporting a claim for a tax credit for at
 5428 least four years after the business entity claims the tax credit;
- 5429 (e) requires the business entity to submit to audits for verification of any tax credit
 5430 claimed; and
- 5431 (f) requires the business entity, in order to claim a tax credit, to meet the requirements of
 5432 Section 63N-2-105.
- 5433 (2) In establishing the terms of a written agreement, including the duration and amount of

- 5434 tax credit that the business entity may be authorized to receive, the office shall:
- 5435 (a) authorize the tax credit in a manner that provides the most effective incentive for the
- 5436 new commercial project;
- 5437 (b) consider the following factors:
- 5438 (i) whether the new commercial project provides vital or specialized support to
- 5439 supply chains;
- 5440 (ii) whether the new commercial project provides an innovative product, technology,
- 5441 or service;
- 5442 (iii) the number and wages of new incremental jobs associated with the new
- 5443 commercial project;
- 5444 (iv) the amount of financial support provided by local government entities for the
- 5445 new commercial project;
- 5446 (v) the amount of capital expenditures associated with the new commercial project;
- 5447 (vi) whether the new commercial project returns jobs transferred overseas;
- 5448 (vii) the rate of unemployment in the county in which the new commercial project is
- 5449 located;
- 5450 (viii) whether the new commercial project creates a remote work opportunity;
- 5451 (ix) whether the new commercial project is located in a development zone created by
- 5452 a local government entity as described in Subsection 63N-2-104(2);
- 5453 (x) whether the business entity commits to hiring Utah workers for the new
- 5454 commercial project;
- 5455 (xi) whether the business entity adopts a corporate citizenry plan or supports
- 5456 initiatives in the state that advance education, gender equality, diversity and
- 5457 inclusion, work-life balance, environmental or social good, or other similar causes;
- 5458 (xii) whether the business entity's headquarters are located within the state;
- 5459 (xiii) the likelihood of other business entities relocating to another state as a result of
- 5460 the new commercial project;
- 5461 (xiv) the necessity of the tax credit for the business entity's expansion in the state or
- 5462 relocation from another state;
- 5463 (xv) whether the proposed new commercial project might reasonably be expected to
- 5464 occur in the foreseeable future without the tax credit; and
- 5465 (xvi) the location and impact of the new commercial project on existing and planned
- 5466 transportation facilities, existing and planned housing, including affordable
- 5467 housing, and public infrastructure; and

- 5468 (c) consult with the [GØEØ] GOED board.
- 5469 (3) In determining the amount of tax credit that a business entity may be authorized to
 5470 receive under a written agreement, the office may:
- 5471 (a) authorize a higher or optimized amount of tax credit for a new commercial project
 5472 located within a development zone created by a local government entity as described
 5473 in Subsection 63N-2-104(2); and
- 5474 (b) establish by rule made in accordance with Title 63G, Chapter 3, Utah Administrative
 5475 Rulemaking Act, a process by which the office closely approximates the amount of
 5476 taxes the business entity paid under Title 59, Chapter 12, Sales and Use Tax Act, for
 5477 a capital project.
- 5478 (4) If the office identifies any of the following events after entering into a written
 5479 agreement with a business entity, the office and the business entity shall amend, or the
 5480 office may terminate, the written agreement:
- 5481 (a) a change in the business entity's organization resulting from a merger with or
 5482 acquisition of another entity located in the state;
- 5483 (b) a material increase in the business entity's retail operations that results in new state
 5484 revenue not subject to the incentive; or
- 5485 (c) an increase in the business entity's operations that:
- 5486 (i) is outside the scope of the written agreement or outside the boundaries of a
 5487 development zone; and
- 5488 (ii) results in new state revenue not subject to the incentive.
- 5489 Section 84. Section **63N-2-504** is amended to read:
- 5490 **63N-2-504 (Effective 05/06/26). Independent review committee.**
- 5491 (1) In accordance with rules adopted by the office under Section 63N-2-509, the [GØEØ]
 5492 GOED board shall establish a separate, independent review committee to provide
 5493 recommendations to the office regarding the terms and conditions of an agreement and
 5494 to consult with the office as provided in this part or in rule.
- 5495 (2) The review committee shall consist of:
- 5496 (a) one member appointed by the executive director to represent the office;
- 5497 (b) two members appointed by the mayor or chief executive of the county in which the
 5498 qualified hotel is located or proposed to be located;
- 5499 (c) two members appointed by:
- 5500 (i) the mayor of the municipality in which the qualified hotel is located or proposed
 5501 to be located, if the qualified hotel is located or proposed to be located within the

- 5502 boundary of a municipality; or
- 5503 (ii) the mayor or chief executive of the county in which the qualified hotel is located
- 5504 or proposed to be located, in addition to the two members appointed under
- 5505 Subsection (2)(b), if the qualified hotel is located or proposed to be located
- 5506 outside the boundary of a municipality;
- 5507 (d) an individual representing the hotel industry, appointed by the Utah Hotel and
- 5508 Lodging Association;
- 5509 (e) an individual representing the commercial development and construction industry,
- 5510 appointed by the president or chief executive officer of the local chamber of
- 5511 commerce;
- 5512 (f) an individual representing the convention and meeting planners industry, appointed
- 5513 by the president or chief executive officer of the local convention and visitors bureau;
- 5514 and
- 5515 (g) one member appointed by the [GØEØ] GOED board.

- 5516 (3)(a) A member serves an indeterminate term and may be removed from the review
- 5517 committee by the appointing authority at any time.
- 5518 (b) A vacancy may be filled in the same manner as an appointment under Subsection (2).
- 5519 (4) A member of the review committee may not be paid for serving on the review
- 5520 committee and may not receive per diem or expense reimbursement.
- 5521 (5) The office shall provide any necessary staff support to the review committee.

5522 Section 85. Section **63N-2-512** is amended to read:

5523 **63N-2-512 (Effective 05/06/26) (Superseded 07/01/26). Hotel Impact Mitigation**

5524 **Fund.**

- 5525 (1) As used in this section:
- 5526 (a) "Affected hotel" means a hotel built in the state before July 1, 2014.
- 5527 (b) "City-wide event" means an event hosted at a convention facility pursuant to a
- 5528 contract by a nonprofit corporation responsible for the promotion of convention
- 5529 business.
- 5530 (c) "Mitigation fund" means the Hotel Impact Mitigation Fund, created in Subsection (2).
- 5531 (d) "Qualified losses" means revenue lost by an affected hotel for city-wide events
- 5532 attributable to the qualified hotel room supply being added to the market in the state,
- 5533 calculated by taking the difference between:
- 5534 (i) an affected hotel's average total annual room-night revenue for city-wide events
- 5535 for the three-year period between January 1, 2017, and December 31, 2019; and

5536 (ii) the affected hotel's total annual room-night revenue for city-wide events for the
5537 applicable year.

5538 (2) There is created an expendable special revenue fund known as the Hotel Impact
5539 Mitigation Fund.

5540 (3) The mitigation fund shall:

5541 (a) be administered by [~~GOEO~~] GOED;

5542 (b) earn interest; and

5543 (c) be funded by:

5544 (i) payments required to be deposited into the mitigation fund by the Division of
5545 Finance under Subsection 59-12-103(10);

5546 (ii) money required to be deposited into the mitigation fund under Subsection
5547 17-78-707(2) by the county in which a qualified hotel is located; and

5548 (iii) any money deposited into the mitigation fund under Subsection (7).

5549 (4) Interest earned by the mitigation fund shall be deposited into the mitigation fund.

5550 (5) In accordance with office rules and Subsection (6), [~~GOEO~~] GOED shall annually pay
5551 \$2,100,000 from the mitigation fund to affected hotels to mitigate qualified losses as
5552 follows:

5553 (a) for calendar years 2023 and 2024, on or before June 1, 2025;

5554 (b) for calendar year 2025, on or before February 28, 2026; and

5555 (c) for calendar year 2026, on or before February 28, 2026.

5556 (6) Each calendar year, [~~GOEO~~] GOED shall award the available \$2,100,000 to affected
5557 hotels proportionally, according to each affected hotel's qualified losses in relation to the
5558 total qualified losses suffered collectively by all affected hotels.

5559 (7) A host local government or qualified hotel owner may make payments to the Division
5560 of Finance for deposit into the mitigation fund.

5561 (8) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the
5562 office shall, in consultation with the Utah Hotel and Lodging Association and the county
5563 in which the qualified hotel is located, make rules establishing procedures and criteria
5564 governing payments under Subsection (5) to affected hotels.

5565 Section 86. Section **63N-2-512** is amended to read:

5566 **63N-2-512 (Effective 07/01/26) (Repealed 07/01/28). Hotel Impact Mitigation**
5567 **Fund.**

5568 (1) As used in this section:

5569 (a) "Affected hotel" means a hotel built in the state before July 1, 2014.

- 5570 (b) "City-wide event" means an event hosted at a convention facility pursuant to a
5571 contract by a nonprofit corporation responsible for the promotion of convention
5572 business.
- 5573 (c) "Mitigation fund" means the Hotel Impact Mitigation Fund, created in Subsection (2).
- 5574 (d) "Qualified losses" means revenue lost by an affected hotel for city-wide events
5575 attributable to the qualified hotel room supply being added to the market in the state,
5576 calculated by taking the difference between:
- 5577 (i) an affected hotel's average total annual room-night revenue for city-wide events
5578 for the three-year period between January 1, 2017, and December 31, 2019; and
5579 (ii) the affected hotel's total annual room-night revenue for city-wide events for the
5580 applicable year.
- 5581 (2) There is created an expendable special revenue fund known as the Hotel Impact
5582 Mitigation Fund.
- 5583 (3) The mitigation fund shall:
- 5584 (a) be administered by [~~GOEØ~~] GOED;
- 5585 (b) earn interest; and
- 5586 (c) be funded by:
- 5587 (i) money required to be deposited into the mitigation fund under Subsection
5588 17-78-707(2) by the county in which a qualified hotel is located; and
5589 (ii) any money deposited into the mitigation fund under Subsection (7).
- 5590 (4) Interest earned by the mitigation fund shall be deposited into the mitigation fund.
- 5591 (5) In accordance with office rules and Subsection (6), [~~GOEØ~~] GOED shall annually pay
5592 \$2,100,000 from the mitigation fund to affected hotels to mitigate qualified losses as
5593 follows:
- 5594 (a) for calendar years 2023 and 2024, on or before June 1, 2025;
- 5595 (b) for calendar year 2025, on or before February 28, 2026; and
- 5596 (c) for calendar year 2026, on or before February 28, 2026.
- 5597 (6) Each calendar year, [~~GOEØ~~] GOED shall award the available \$2,100,000 to affected
5598 hotels proportionally, according to each affected hotel's qualified losses in relation to the
5599 total qualified losses suffered collectively by all affected hotels.
- 5600 (7) A host local government or qualified hotel owner may make payments to the Division
5601 of Finance for deposit into the mitigation fund.
- 5602 (8) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the
5603 office shall, in consultation with the Utah Hotel and Lodging Association and the county

5604 in which the qualified hotel is located, make rules establishing procedures and criteria
 5605 governing payments under Subsection (5) to affected hotels.

5606 Section 87. Section **63N-2-808** is amended to read:

5607 **63N-2-808 (Effective 05/06/26). Agreements between office and tax credit**
 5608 **applicant and life science establishment -- Tax credit certificate.**

5609 (1)(a) The office, with advice from the [GOEØ] GOED board, may enter into an
 5610 agreement to grant a tax credit certificate to a tax credit applicant selected in
 5611 accordance with this part, if the tax credit applicant meets the conditions established
 5612 in the agreement and under this part.

5613 (b) The agreement described in Subsection (1)(a) shall:

5614 (i) detail the requirements that the tax credit applicant shall meet prior to receiving a
 5615 tax credit certificate;

5616 (ii) require the tax credit certificate recipient to retain records supporting a claim for a
 5617 tax credit for at least four years after the tax credit certificate recipient claims a tax
 5618 credit under this part; and

5619 (iii) require the tax credit certificate recipient to submit to audits for verification of
 5620 the tax credit claimed, including audits by the office and by the State Tax
 5621 Commission.

5622 (2)(a) The office, with advice from the [GOEØ] GOED board, shall enter into an
 5623 agreement with the life science establishment in which the tax credit applicant
 5624 invested for purposes of claiming a tax credit.

5625 (b) The agreement described in Subsection (2)(a):

5626 (i) shall provide the office with a document that expressly and directly authorizes the
 5627 State Tax Commission to disclose to the office the life science establishment's tax
 5628 returns and other information that would otherwise be subject to confidentiality
 5629 under Section 59-1-403 or Section 6103, Internal Revenue Code;

5630 (ii) shall authorize the Department of Workforce Services to disclose to the office the
 5631 employment data that the life science establishment submits to the Department of
 5632 Workforce Services;

5633 (iii) shall require the life science establishment to provide the office with the life
 5634 science establishment's current capitalization tables; and

5635 (iv) may require the life science establishment to provide the office with other data
 5636 that:

5637 (A) ensure compliance with the requirements of this chapter; and

5638 (B) demonstrate the economic impact of the tax credit applicant's investment in
5639 the life science establishment.

5640 Section 88. Section **63N-3-112** is amended to read:

5641 **63N-3-112 (Effective 05/06/26). Talent development grants.**

5642 (1) A for-profit business that is creating new incremental high paying jobs in the state, may
5643 apply to receive a talent development grant from the restricted account.

5644 (2) In accordance with the provisions of this section and in consultation with the [~~GOEO~~]
5645 GOED board, the administrator may award up to \$10,000 per new job created.

5646 (3) The administrator shall designate an application process for a business to apply for the
5647 grant.

5648 (4) A business may apply to receive a grant only after each employee has been employed at
5649 qualifying wage levels for at least 12 consecutive months.

5650 (5) The office shall deduct money granted for a talent development grant under this section
5651 from any other money or incentive awarded by the office to the business.

5652 (6) Grants awarded under this section are only to reimburse a business for the costs incurred
5653 to recruit, hire, train, and otherwise employ an employee in a newly created job.

5654 (7) As part of the application process, a business shall submit a hiring and training plan
5655 detailing how the grant money will be used.

5656 (8) The administrator may grant an award only up to an amount that is no more than 25% of
5657 the estimated costs to be incurred by the business for the costs in the hiring and training
5658 plan.

5659 Section 89. Section **63N-3-603** is amended to read:

5660 **63N-3-603 (Effective 05/06/26). Applicability, requirements, and limitations on a**
5661 **housing and transit reinvestment zone.**

5662 (1) A housing and transit reinvestment zone proposal created under this part shall
5663 demonstrate how the proposal addresses the following objectives:

5664 (a) higher utilization of public transit;

5665 (b) increasing availability of housing, including affordable housing, and fulfillment of
5666 moderate income housing plans;

5667 (c) promoting and encouraging development of owner-occupied housing;

5668 (d) improving efficiencies in parking and transportation, including walkability of
5669 communities near public transit facilities;

5670 (e) overcoming development impediments and market conditions that render a
5671 development cost prohibitive absent the proposal and incentives;

- 5672 (f) conserving water resources through efficient land use;
- 5673 (g) improving air quality by reducing fuel consumption and motor vehicle trips;
- 5674 (h) encouraging transformative mixed-use development and investment in transportation
5675 and public transit infrastructure in strategic areas;
- 5676 (i) strategic land use and municipal planning in major transit investment corridors as
5677 described in Subsection 10-20-404(2);
- 5678 (j) increasing access to employment and educational opportunities; and
- 5679 (k) increasing access to child care.

5680 (2)(a) In order to accomplish the objectives described in Subsection (1), a municipality
5681 or public transit county that initiates the process to create a housing and transit
5682 reinvestment zone as described in this part shall ensure that the proposal for a
5683 housing and transit reinvestment zone includes:

5684 (i) except as provided in Subsection (3), at least 12% of the proposed dwelling units
5685 within the housing and transit reinvestment zone are affordable housing units,
5686 with:

5687 (A) up to 9% of the proposed dwelling units occupied or reserved for occupancy
5688 by households with a gross household income equal to or less than 80% of the
5689 county median gross income for households of the same size; and

5690 (B) at least 3% of the proposed dwelling units occupied or reserved for occupancy
5691 by households with a gross household income equal to or less than 60% of the
5692 county median gross income for households of the same size;

5693 (ii) except as provided in Subsection (2)(c), a housing and transit reinvestment zone
5694 shall include:

5695 (A) at least 51% of the developable area within a housing and transit reinvestment
5696 zone as residential uses; and

5697 (B) an average of at least 50 dwelling units per acre within the acreage of the
5698 housing and transit reinvestment zone dedicated to residential uses;

5699 (iii) mixed-use development; and

5700 (iv) a mix of dwelling units to ensure that at least 25% of the dwelling units have
5701 more than one bedroom.

5702 (b)(i) If a housing and transit reinvestment zone is phased, a municipality or public
5703 transit county shall ensure that a housing and transit reinvestment zone is phased
5704 and developed to provide the required 12% of affordable housing units in each
5705 phase of development.

- 5706 (ii) A municipality or public transit county may allow a housing and transit
5707 reinvestment zone to be phased and developed in a manner to provide more of the
5708 required affordable housing units in early phases of development.
- 5709 (iii) A municipality or public transit county shall include in a housing and transit
5710 reinvestment zone proposal an affordable housing plan, which may include deed
5711 restrictions, to ensure the affordable housing required in the proposal will continue
5712 to meet the definition of affordable housing at least throughout the entire term of
5713 the housing and transit reinvestment zone.
- 5714 (c) For a housing and transit reinvestment zone proposed by a public transit county at a
5715 public transit hub, or for a housing and transit reinvestment zone proposed by a
5716 municipality at a bus rapid transit station, the housing and transit reinvestment zone
5717 shall include:
- 5718 (i) at least 51% of the developable area within a housing and transit reinvestment
5719 zone as residential uses; and
- 5720 (ii) an average of at least 39 dwelling units per acre within the acreage of the housing
5721 and transit reinvestment zone dedicated to residential uses.
- 5722 (3) A municipality or public transit county that, at the time the housing and transit
5723 reinvestment zone proposal is approved by the housing and transit reinvestment zone
5724 committee, meets the affordable housing guidelines of the United States Department of
5725 Housing and Urban Development at 60% area median income is exempt from the
5726 requirement described in Subsection (2)(a).
- 5727 (4)(a) A municipality may only propose a housing and transit reinvestment zone at a
5728 commuter rail station, and a public transit county may only propose a housing and
5729 transit reinvestment zone at a public transit hub, that:
- 5730 (i) subject to Subsection (5)(a):
- 5731 (A)(I) except as provided in Subsection (4)(a)(i)(A)(II), for a municipality,
5732 does not exceed a 1/3 mile radius of a commuter rail station;
- 5733 (II) for a municipality that is a city of the first or second class that is within a
5734 county of the first or second class, with an opportunity zone created in
5735 accordance with Section 1400Z-1, Internal Revenue Code, does not exceed
5736 a 1/2 mile radius of a commuter rail station located within the opportunity
5737 zone; or
- 5738 (III) for a public transit county, does not exceed a 1/3 mile radius of a public
5739 transit hub; and

- 5740 (B) has a total area of no more than 125 noncontiguous acres;
- 5741 (ii) subject to Section 63N-3-607, proposes the capture of a maximum of 80% of each
- 5742 taxing entity's property tax increment above the base year for a term of no more
- 5743 than 25 consecutive years on each parcel within a 45-year period not to exceed the
- 5744 property tax increment amount approved in the housing and transit reinvestment
- 5745 zone proposal; and
- 5746 (iii) the commencement of collection of property tax increment, for all or a portion of
- 5747 the housing and transit reinvestment zone project area, shall be triggered by
- 5748 providing notice as described in Subsection (6), but a housing and transit
- 5749 reinvestment zone proposal may not propose or include triggering more than three
- 5750 property tax increment collection periods for the same project during the
- 5751 applicable 45-year period.
- 5752 (b) A municipality or public transit county may only propose a housing and transit
- 5753 reinvestment zone at a light rail station or bus rapid transit station that:
- 5754 (i) subject to Subsection (5):
- 5755 (A) does not exceed:
- 5756 (I) except as provided in Subsection (4)(b)(i)(A)(II), (III), or (4)(e), a 1/4 mile
- 5757 radius of a bus rapid transit station or light rail station;
- 5758 (II) for a municipality that is a city of the first class with a population greater
- 5759 than 150,000 that is within a county of the first class, a 1/2 mile radius of a
- 5760 light rail station located in an opportunity zone created in accordance with
- 5761 Section 1400Z-1, Internal Revenue Code; or
- 5762 (III) a 1/2 mile radius of a light rail station located within a master-planned
- 5763 development of 500 acres or more; and
- 5764 (B) has a total area of no more than 100 noncontiguous acres;
- 5765 (ii) subject to Subsection (4)(c) and Section 63N-3-607, proposes the capture of a
- 5766 maximum of 80% of each taxing entity's property tax increment above the base
- 5767 year for a term of no more than 15 consecutive years on each parcel within a
- 5768 30-year period not to exceed the property tax increment amount approved in the
- 5769 housing and transit reinvestment zone proposal; and
- 5770 (iii) the commencement of collection of property tax increment, for all or a portion of
- 5771 the housing and transit reinvestment zone project area, shall be triggered by
- 5772 providing notice as described in Subsection (6), but a housing and transit
- 5773 reinvestment zone proposal may not propose or include triggering more than three

- 5774 property tax increment collection periods for the same project during the
5775 applicable 30-year period.
- 5776 (c) For a housing and transit reinvestment zone proposed by a public transit county at a
5777 public transit hub, or for a housing and transit reinvestment zone proposed by a
5778 municipality at a bus rapid transit station, if the proposed housing density within the
5779 housing and transit reinvestment zone is between 39 and 49 dwelling units per acre,
5780 the maximum capture of each taxing entity's property tax increment above the base
5781 year is 60%.
- 5782 (d) A municipality that is a city of the first class with a population greater than 150,000
5783 in a county of the first class as described in Subsections (4)(a)(i)(A)(II) and
5784 (4)(b)(i)(A)(II) may only propose one housing and transit reinvestment zone within
5785 an opportunity zone.
- 5786 (e)(i) Subject to Subsection (4)(e)(ii), the radius restrictions described in Subsection
5787 (4)(b)(i) do not apply, and a housing and transit reinvestment zone may extend to
5788 an area between two light rail stations located within a city of the third class if the
5789 two light rail stations are within a .95 mile distance on the same light rail line.
- 5790 (ii) If a housing and transit reinvestment zone is extended to accommodate two light
5791 rail stations as described in Subsection (4)(e)(i):
- 5792 (A) the housing and transit reinvestment zone is limited to a total area not to
5793 exceed 100 noncontiguous acres; and
- 5794 (B) the housing and transit reinvestment zone may not exceed a 1/4 mile radius
5795 from the light rail stations or any point on the light rail line between the two
5796 stations.
- 5797 (f) If a parcel within the housing and transit reinvestment zone is included as an area that
5798 is part of a project area, as that term is defined in Section 17C-1-102, and created
5799 under Title 17C, Chapter 1, Agency Operations, that parcel may not be triggered for
5800 collection unless the project area funds collection period, as that term is defined in
5801 Section 17C-1-102, has expired.
- 5802 (5)(a) For a housing and transit reinvestment zone for a commuter rail station, if a parcel
5803 is intersected by the relevant radius limitation, the full parcel may be included as part
5804 of the housing and transit reinvestment zone area and will not count against the
5805 limitations described in Subsection (4)(a)(i).
- 5806 (b) For a housing and transit reinvestment zone for a light rail or bus rapid transit
5807 station, if a parcel is intersected by the relevant radius limitation, the full parcel may

- 5808 be included as part of the housing and transit reinvestment zone area and will not
5809 count against the limitations described in Subsection (4)(b)(i).
- 5810 (c) A housing and transit reinvestment zone may not be smaller than 10 acres.
- 5811 (6)(a) The notice of commencement of collection of property tax increment required in
5812 Subsection (4)(a)(iii) or (4)(b)(iii) shall be sent by mail or electronically to the
5813 following entities no later than December 31 of the year before the year for which the
5814 property tax increment collection is proposed to commence:
- 5815 (i) the State Tax Commission;
 - 5816 (ii) the State Board of Education;
 - 5817 (iii) the state auditor;
 - 5818 (iv) the auditor of the county in which the housing and transit reinvestment zone is
5819 located;
 - 5820 (v) each taxing entity affected by the collection of property tax increment from the
5821 housing and transit reinvestment zone; and
 - 5822 (vi) the Governor's Office of Economic ~~Opportunity~~ Development.
- 5823 (b) The notice described in Subsection (4)(a)(iii) or (4)(b)(iii) may not be triggered until
5824 the date on which the housing and transit reinvestment zone proposal is approved by
5825 the housing and transit reinvestment zone committee.
- 5826 (7)(a) The maximum number of housing and transit reinvestment zones at light rail
5827 stations, not including a convention center reinvestment zone, is eight in any given
5828 county.
- 5829 (b) Within a county of the first class, the maximum number of housing and transit
5830 reinvestment zones at bus rapid transit stations is three.
- 5831 (c) Within a county of the first class, the maximum total combined number of housing
5832 and transit reinvestment zones described in Subsections (7)(a) and (b) and first home
5833 investment zones created under Part 16, First Home Investment Zone Act, is 11.
- 5834 (8)(a) For purposes of this Subsection (8), "entitlement agreement" means:
- 5835 (i) a land use application;
 - 5836 (ii) a rezone petition; or
 - 5837 (iii) a request, petition, or application to:
 - 5838 (A) enact or approve a development agreement; or
 - 5839 (B) to amend or modify a development agreement.
- 5840 (b) This Subsection (8) applies to a specified county, as defined in Section 17-80-101,
5841 that has created a small public transit district on or before January 1, 2022.

- 5842 (c) To accomplish the objectives described in Subsection (1), an owner of undeveloped
5843 property within an unincorporated county shall have the right to develop and build a
5844 mixed-use development if:
- 5845 (i) the owner has submitted an entitlement agreement to the county on or before
5846 December 31, 2022, and is within a 1/3 mile radius of a public transit hub in a
5847 county described in Subsection (8)(b), including parcels that are intersected by the
5848 1/3 mile radius; and
- 5849 (ii) the county described in Subsection (8)(b) has failed to approve the entitlement
5850 agreement described in Subsection (8)(c)(i) by ordinance before December 31,
5851 2022.
- 5852 (d) The mixed use development described in Subsection (8)(c) shall include the
5853 following:
- 5854 (i)(A)(I) a maximum number of dwelling units equal to 30 multiplied by the
5855 total acres of developable area within the mixed-use development dedicated
5856 exclusively to residential use; or
- 5857 (II) a maximum number of dwelling units equal to 15 multiplied by the total
5858 acres of the mixed-use development; and
- 5859 (B) at least 33% of the dwelling units as affordable housing;
- 5860 (ii) commercial uses, including office, retail, educational, and healthcare in support of
5861 the mixed-use development constituting no more than 1/3 of the total planned
5862 gross building square footage of the subject parcels; and
- 5863 (iii) any other infrastructure element necessary or reasonable to support the
5864 mixed-use development, including:
- 5865 (A) parking infrastructure;
- 5866 (B) streets;
- 5867 (C) sidewalks;
- 5868 (D) parks; and
- 5869 (E) trails.
- 5870 (e)(i) The mixed-use development described in this Subsection (8) may qualify for a
5871 housing and transit reinvestment zone described in Subsection (4)(a).
- 5872 (ii) The county described in Subsection (8)(b) may propose a housing and transit
5873 reinvestment zone in accordance with this part, if the housing and transit
5874 reinvestment zone includes:
- 5875 (A)(I) an average of at least 30 dwelling units per acre within the acreage of the

5876 housing and transit reinvestment zone dedicated to residential use; or
 5877 (II) a minimum number of 14 dwelling units per acre on average within the
 5878 acreage of the housing and transit reinvestment zone; and
 5879 (B) at least 33% of the dwelling units as affordable housing units.

5880 (f) A county may not take an action or enforce an agreement, ordinance, regulation, or
 5881 requirement that prevents or creates development impediments to the development of
 5882 a mixed-use development as described in this Subsection (8).

5883 (g) A county action to approve or implement the development of a mixed-use
 5884 development as described in this Subsection (8) shall constitute an administrative
 5885 action taken by the county and does not require county legislative action.

5886 Section 90. Section **63N-3-603.1** is amended to read:

5887 **63N-3-603.1 (Effective 05/06/26). Applicability, requirements, and limitations on**
 5888 **a convention center reinvestment zone.**

5889 (1) A convention center reinvestment zone proposal created under this part shall
 5890 demonstrate how the proposal addresses the following objectives:

5891 (a) redevelopment of a convention center and the surrounding area's infrastructure and
 5892 assets;

5893 (b) activation of unrealized economic opportunities related to the convention center and
 5894 surrounding infrastructure and assets;

5895 (c) modernization of infrastructure and design of the convention center and surrounding
 5896 area and related public spaces;

5897 (d) encouragement of transformative development and investment, including parking
 5898 improvements;

5899 (e) promotion of economic development and employment opportunities;

5900 (f) improvement of the aesthetic, functionality, and walkability of the [-]convention
 5901 center and surrounding area;

5902 (g) enhancement of tourism opportunities; and

5903 (h) creation of outdoor event space to accommodate events or festivals open to the
 5904 public.

5905 (2) A convention center reinvestment zone in a capital city proposal created under this part
 5906 shall also demonstrate how the proposal addresses the following objectives:

5907 (a) redevelopment of a convention center and surrounding infrastructure and assets that
 5908 directly serve the convention center, including parking facilities;

5909 (b) modernization of infrastructure and design of the convention center; and

- 5910 (c) improvement of the aesthetic, functionality, and walkability of the convention center.
- 5911 (3) The Governor's Office of Economic [~~Opportunity~~] Development shall propose a
- 5912 convention center reinvestment zone to accomplish the objectives described in
- 5913 Subsections (1) and (2).
- 5914 (4)(a)(i) A convention center reinvestment zone proposal may propose the capture of
- 5915 100% of the property tax increment and 100% of the sales and use tax increment
- 5916 described in Subsection 63N-3-602(38)(b)(ii) for a period of 30 years.
- 5917 (ii) For a convention center reinvestment zone in a capital city, in addition to the
- 5918 proposed capture of property tax increment and sales and use tax increment
- 5919 described in Subsection (4)(a)(i), the convention center reinvestment zone may
- 5920 propose the capture of 50% of the sales and use tax increment described in
- 5921 Subsection 63N-3-602(38)(b)(i).
- 5922 (b) The convention center reinvestment zone proposal shall include the respective start
- 5923 date and base year date from which to calculate:
- 5924 (i) the 30-year period of property tax increment; and
- 5925 (ii) the 30-year period of the sales and use tax increment.
- 5926 (c) The convention center reinvestment zone proposal may not stagger the collection
- 5927 periods for the parcels within the convention center reinvestment zone boundary and
- 5928 the parcels within the convention center reinvestment zone boundary shall have the
- 5929 same 30-year collection period.
- 5930 (d) The convention center reinvestment zone proposal start date for the 30-year period
- 5931 described in this Subsection (4), shall be no sooner than January 1 of the year of the
- 5932 identified tax collection year.
- 5933 (e)(i) For a convention center reinvestment zone in a capital city, revenue from the
- 5934 property tax increment and sales and use tax increment shall be distributed
- 5935 directly to a convention center public infrastructure district in a capital city created
- 5936 as required in Subsection 63N-3-607(8)(b); and
- 5937 (ii) For a convention center reinvestment zone in a city other than a capital city,
- 5938 revenue from the property tax increment and sales and use tax increment may be
- 5939 distributed directly to the municipality or public infrastructure district as described
- 5940 in the convention center reinvestment zone proposal.
- 5941 (5) The Governor's Office of Economic [~~Opportunity~~] Development may only propose a
- 5942 convention center reinvestment zone:
- 5943 (a) within the boundary of the eligible municipality;

- 5944 (b) consisting of a total area:
 5945 (i) not to exceed 50 acres; or
 5946 (ii) if greater than 50 acres, approved by the relevant eligible municipality;
 5947 (c) consisting only of contiguous parcels; and
 5948 (d) for a convention center reinvestment zone in a capital city, in an area that includes
 5949 any portion of an existing convention center and any city block that is bordered by an
 5950 existing convention center.

5951 (6)(a) For a convention center reinvestment zone in a capital city, the Governor's Office
 5952 of Economic [~~Opportunity~~] Development shall propose a convention center
 5953 reinvestment zone on or before April 15, 2025.

5954 (b) For a convention center reinvestment zone that is not in a capital city, the Governor's
 5955 Office of Economic [~~Opportunity~~] Development shall propose a convention center
 5956 reinvestment zone within 60 days after receiving a petition from the relevant city.

5957 (7) A convention center reinvestment zone does not count toward the maximum of eight
 5958 housing and transit reinvestment zones in a given county as provided in Subsection
 5959 63N-3-603(7)(a).

5960 Section 91. Section **63N-3-604** is amended to read:

5961 **63N-3-604 (Effective 05/06/26). Process for a proposal of a housing and transit**
 5962 **reinvestment zone -- Analysis.**

5963 (1) Subject to approval of the housing and transit reinvestment zone committee as described
 5964 in Section 63N-3-605, in order to create a housing and transit reinvestment zone, a
 5965 municipality or public transit county that has general land use authority over the housing
 5966 and transit reinvestment zone area, shall:

5967 (a) prepare a proposal for the housing and transit reinvestment zone that:

5968 (i) demonstrates that the proposed housing and transit reinvestment zone will meet
 5969 the objectives described in Subsection 63N-3-603(1);

5970 (ii) explains how the municipality or public transit county will achieve the
 5971 requirements of Subsection 63N-3-603(2)(a)(i);

5972 (iii) defines the specific transportation infrastructure needs, if any, and proposed
 5973 improvements and estimated budgets;

5974 (iv) defines the boundaries of:

5975 (A) the housing and transit reinvestment zone; and

5976 (B) the sales and use tax boundary corresponding to the housing and transit
 5977 reinvestment zone boundary, as described in Section 63N-3-610;

- 5978 (v) includes maps of the proposed housing and transit reinvestment zone to illustrate:
5979 (A) the proposed boundary and radius from a public transit hub;
5980 (B) proposed housing density within the housing and transit reinvestment zone;
5981 and
5982 (C) existing zoning and proposed zoning changes related to the housing and transit
5983 reinvestment zone;
- 5984 (vi) identifies any development impediments that prevent the development from
5985 being a market-rate investment, including proposed strategies and estimated
5986 budgets for addressing each one;
- 5987 (vii) describes the proposed development plan and estimated budgets, including the
5988 requirements described in Subsections 63N-3-603(2) and (4);
- 5989 (viii) establishes a base year and collection period to calculate the property tax
5990 increment within the housing and transit reinvestment zone;
- 5991 (ix) establishes a sales and use tax base year to calculate the sales and use tax
5992 increment within the housing and transit reinvestment zone in accordance with
5993 Section 63N-3-610;
- 5994 (x) describes projected maximum revenues generated and the amount of property tax
5995 increment capture from each taxing entity and proposed expenditures of revenue
5996 derived from the housing and transit reinvestment zone;
- 5997 (xi) includes an analysis of other applicable or eligible incentives, grants, or sources
5998 of revenue that can be used to reduce the finance gap;
- 5999 (xii) estimates budgets and evaluates possible benefits to active and public
6000 transportation availability and impacts on air quality;
- 6001 (xiii) proposes a finance schedule to align expected revenue with required financing
6002 costs and payments;
- 6003 (xiv) provides a pro-forma for the planned development that:
6004 (A) satisfies the requirements described in Subsections 63N-3-603(2), (3), and (4);
6005 (B) includes data showing the cost difference between what type of development
6006 could feasibly be developed absent the housing and transit reinvestment zone
6007 property tax increment and the type of development that is proposed to be
6008 developed with the housing and transit reinvestment zone property tax
6009 increment; and
6010 (C) provides estimated budgets and construction costs, anticipated revenue,
6011 financing, expenses, and other sources and uses of funds for the project area;

- 6012 and
- 6013 (xv) for a housing and transit reinvestment zone at a commuter rail station, light rail
- 6014 station, or bus rapid transit station that is proposed and not in public transit service
- 6015 operation as of the date of submission of the proposal, demonstrates that the
- 6016 proposed station is:
- 6017 (A) included as needed in phase one of a metropolitan planning organization's
- 6018 adopted long-range transportation plan and in phase one of the relevant public
- 6019 transit district's adopted long-range plan; and
- 6020 (B) reasonably anticipated to be constructed in the near future; and
- 6021 (b) submit the housing and transit reinvestment zone proposal to the Governor's Office
- 6022 of Economic ~~[Opportunity]~~ Development.
- 6023 (2) As part of the proposal described in Subsection (1), a municipality or public transit
- 6024 county shall study and evaluate possible impacts of a proposed housing and transit
- 6025 reinvestment zone on parking within the city and housing and transit reinvestment zone.
- 6026 (3)(a) After receiving the proposal as described in Subsection (1)(b), the Governor's
- 6027 Office of Economic ~~[Opportunity]~~ Development shall:
- 6028 (i) within 14 days after the date on which the Governor's Office of Economic [
- 6029 ~~Opportunity]~~ Development receives the proposal described in Subsection (1)(b),
- 6030 provide notice of the proposal to all affected taxing entities, including the State
- 6031 Tax Commission, cities, counties, school districts, metropolitan planning
- 6032 organizations, and the county assessor and county auditor of the county in which
- 6033 the housing and transit reinvestment zone is located; and
- 6034 (ii) at the expense of the proposing municipality or public transit county as described
- 6035 in Subsection (5), contract with an independent entity to perform the financial gap
- 6036 analysis described in Subsection (3)(b).
- 6037 (b) The gap analysis required in Subsection (3)(a)(ii) shall include:
- 6038 (i) a description of the planned development;
- 6039 (ii) a market analysis relative to other comparable project developments included in
- 6040 or adjacent to the municipality or public transit county absent the proposed
- 6041 housing and transit reinvestment zone;
- 6042 (iii) an evaluation of the proposal to and a determination of the adequacy and
- 6043 efficiency of the proposal;
- 6044 (iv) an evaluation of the proposed increment capture needed to cover the enhanced
- 6045 development costs associated with the housing and transit reinvestment zone

- 6046 proposal and enable the proposed development to occur; and
- 6047 (v) based on the market analysis and other findings, an opinion relative to the
- 6048 appropriate amount of potential public financing reasonably determined to be
- 6049 necessary to achieve the objectives described in Subsection 63N-3-603(1).
- 6050 (c) After receiving notice from the Governor's Office of Economic [Opportunity]
- 6051 Development of a proposed housing and transit reinvestment zone as described in
- 6052 Subsection (3)(a)(i), the State Tax Commission shall:
- 6053 (i) evaluate the feasibility of administering the tax implications of the proposal; and
- 6054 (ii) provide a letter to the Governor's Office of Economic [Opportunity] Development
- 6055 describing any challenges in the administration of the proposal, or indicating that
- 6056 the State Tax Commission can feasibly administer the proposal.
- 6057 (4) After receiving the results from the analysis described in Subsection (3)(b), the
- 6058 municipality or public transit county proposing the housing and transit reinvestment
- 6059 zone may:
- 6060 (a) amend the housing and transit reinvestment zone proposal based on the findings of
- 6061 the analysis described in Subsection (3)(b) and request that the Governor's Office of
- 6062 Economic [Opportunity] Development submit the amended housing and transit
- 6063 reinvestment zone proposal to the housing and transit reinvestment zone committee;
- 6064 or
- 6065 (b) request that the Governor's Office of Economic [Opportunity] Development submit
- 6066 the original housing and transit reinvestment zone proposal to the housing and transit
- 6067 reinvestment zone committee.
- 6068 (5)(a) The Governor's Office of Economic [Opportunity] Development may accept, as a
- 6069 dedicated credit, up to \$20,000 from a municipality or public transit county for the
- 6070 costs of the gap analysis described in Subsection (3)(b).
- 6071 (b) The Governor's Office of Economic [Opportunity] Development may expend funds
- 6072 received from a municipality or public transit county as dedicated credits to pay for
- 6073 the costs associated with the gap analysis described in Subsection (3)(b).
- 6074 Section 92. Section **63N-3-604.1** is amended to read:
- 6075 **63N-3-604.1 (Effective 05/06/26). Process for proposing a convention center**
- 6076 **reinvestment zone.**
- 6077 (1) To create a convention center reinvestment zone under this part, the Governor's Office
- 6078 of Economic [Opportunity] Development shall, after consulting with and giving notice to
- 6079 the related eligible municipality and county, provide a proposal for a convention center

- 6080 reinvestment zone to the housing and transit reinvestment zone committee.
- 6081 (2)(a) The Governor's Office of Economic [Opportunity] Development shall ensure that a
- 6082 proposal for the creation of a convention center reinvestment zone includes the
- 6083 following information and data that:
- 6084 (i) defines the boundary of the proposed convention center reinvestment zone;
 - 6085 (ii) describes generally the proposed development plan;
 - 6086 (iii) identifies a base year and collection period to calculate the property tax
 - 6087 increment within the convention center reinvestment zone;
 - 6088 (iv) specifies a sales and use tax base year to calculate the sales and use tax increment
 - 6089 within the convention center reinvestment zone in accordance with Section
 - 6090 63N-3-610.1;
 - 6091 (v) provides estimated project and investment objectives for the convention center
 - 6092 reinvestment zone; and
 - 6093 (vi) outlines generally the impacts on transportation in and around the proposed
 - 6094 convention center reinvestment zone.
- 6095 (b) For a convention center reinvestment zone in a capital city, the proposal described in
- 6096 Subsection (2)(a) shall also provide estimated budgets and construction costs,
- 6097 anticipated revenue, financing, expenses, and other sources and uses of funds for the
- 6098 project area.
- 6099 (c) The proposal described in Subsection (2)(b) shall limit the use of funds to:
- 6100 (i) a convention center;
 - 6101 (ii) a publicly owned entertainment venue;
 - 6102 (iii) parking; and
 - 6103 (iv) infrastructure related to the project.
- 6104 (3) A proposal by the Governor's Office of Economic [Opportunity] Development for a
- 6105 convention center reinvestment zone shall demonstrate how the information and data
- 6106 provided in the proposal pursuant to Subsection (2) furthers the objectives described in
- 6107 Section 63N-3-603.1 and is in the public interest.
- 6108 (4) After submitting the proposal as described in Subsection (2), the Governor's Office of
- 6109 Economic [Opportunity] Development shall provide notice of the proposal to all affected
- 6110 taxing entities, including the State Tax Commission, cities, counties, school districts,
- 6111 metropolitan planning organizations, and the county assessor and county auditor of the
- 6112 county in which the convention center reinvestment zone is located.
- 6113 (5) After receiving notice from the Governor's Office of Economic [Opportunity]

6114 Development of a proposed convention center reinvestment zone as described in
6115 Subsection (4), the State Tax Commission shall, within 14 days:
6116 (a) evaluate the feasibility of administering the tax implications of the proposal; and
6117 (b) provide a letter to the Governor's Office of Economic [Opportunity] Development
6118 describing any challenges in the administration of the proposal, or indicating that the
6119 State Tax Commission can feasibly administer the proposal.

6120 Section 93. Section **63N-3-605** is amended to read:

6121 **63N-3-605 (Effective 05/06/26). Housing and transit reinvestment zone**
6122 **committee -- Creation.**

- 6123 (1) For any housing and transit reinvestment zone proposed under this part, or for a first
6124 home investment zone proposed in accordance with Part 16, First Home Investment
6125 Zone Act, there is created a housing and transit reinvestment zone committee with
6126 membership described in Subsection (2).
- 6127 (2) Each housing and transit reinvestment zone committee shall consist of the following
6128 members:
- 6129 (a) one representative from the Governor's Office of Economic [Opportunity]
6130 Development, designated by the executive director of the Governor's Office of
6131 Economic [Opportunity] Development;
 - 6132 (b) one representative from each municipality that is a party to the proposed housing and
6133 transit reinvestment zone or first home investment zone, designated by the chief
6134 executive officer of each respective municipality;
 - 6135 (c) a member of the Transportation Commission created in Section 72-1-301;
 - 6136 (d) a member of the board of trustees of a large public transit district;
 - 6137 (e) one individual from the Office of the State Treasurer, designated by the state
6138 treasurer;
 - 6139 (f) two members designated by the president of the Senate;
 - 6140 (g) two members designated by the speaker of the House of Representatives;
 - 6141 (h) one member designated by the chief executive officer of each county affected by the
6142 housing and transit reinvestment zone or first home investment zone;
 - 6143 (i) two representatives designated by the school superintendent from the school district
6144 affected by the housing and transit reinvestment zone or first home investment zone;
6145 and
 - 6146 (j) one representative, representing the largest participating local taxing entity, after the
6147 municipality, county, and school district.

- 6148 (3) The individual designated by the Governor's Office of Economic [Opportunity]
6149 Development as described in Subsection (2)(a) shall serve as chair of the housing and
6150 transit reinvestment zone committee.
- 6151 (4)(a) A majority of the members of the housing and transit reinvestment zone
6152 committee constitutes a quorum of the housing and transit reinvestment zone
6153 committee.
- 6154 (b) An action by a majority of a quorum of the housing and transit reinvestment zone
6155 committee is an action of the housing and transit reinvestment zone committee.
- 6156 (5)(a) After the Governor's Office of Economic [Opportunity] Development receives the
6157 results of the analysis described in Section 63N-3-604, and after the Governor's
6158 Office of Economic [Opportunity] Development has received a request from the
6159 submitting municipality or public transit county to submit the housing and transit
6160 reinvestment zone proposal to the housing and transit reinvestment zone committee,
6161 the Governor's Office of Economic [Opportunity] Development shall notify each of
6162 the entities described in Subsection (2) of the formation of the housing and transit
6163 reinvestment zone committee.
- 6164 (b) For a first home investment zone, the housing and transit reinvestment zone
6165 committee shall follow the procedures described in Section 63N-3-1604.
- 6166 (6)(a) The chair of the housing and transit reinvestment zone committee shall convene a
6167 public meeting to consider the proposed housing and transit reinvestment zone.
- 6168 (b) A meeting of the housing and transit reinvestment zone committee is subject to Title
6169 52, Chapter 4, Open and Public Meetings Act.
- 6170 (7)(a) The proposing municipality or public transit county shall present the housing and
6171 transit reinvestment zone proposal to the housing and transit reinvestment zone
6172 committee in a public meeting.
- 6173 (b) The housing and transit reinvestment zone committee shall, for a housing and transit
6174 reinvestment zone proposal:
- 6175 (i) evaluate and verify whether the elements of a housing and transit reinvestment
6176 zone described in Subsections 63N-3-603(2) and (4) have been met; and
6177 (ii) evaluate the proposed housing and transit reinvestment zone relative to the
6178 analysis described in Subsection 63N-3-604(2).
- 6179 (c) The housing and transit reinvestment zone committee shall, for a convention center
6180 reinvestment zone proposal, evaluate and verify whether the objectives of a
6181 convention center reinvestment zone described in Section 63N-3-603.1 have been

- 6182 met.
- 6183 (8)(a) Subject to Subsection (8)(b), the housing and transit reinvestment zone committee
- 6184 may:
- 6185 (i)(A) for a housing and transit reinvestment zone, request changes to the housing
- 6186 and transit reinvestment zone proposal based on the analysis, characteristics,
- 6187 and criteria described in Section 63N-3-604; or
- 6188 (B) for a convention center reinvestment zone, request changes to the convention
- 6189 center reinvestment zone proposal based on the characteristics and criteria
- 6190 described in Sections 63N-3-603.1 and 63N-3-604.1; or
- 6191 (ii) vote to approve or deny the proposal.
- 6192 (b) Before the housing and transit reinvestment zone committee may approve the
- 6193 housing and transit reinvestment zone proposal, the municipality or public transit
- 6194 county proposing the housing and transit reinvestment zone shall ensure that the area
- 6195 of the proposed housing and transit reinvestment zone is zoned in such a manner to
- 6196 accommodate the requirements of a housing and transit reinvestment zone described
- 6197 in this section and the proposed development.
- 6198 (9) If a housing and transit reinvestment zone is approved by the committee:
- 6199 (a) the proposed housing and transit reinvestment zone is established according to the
- 6200 terms of the housing and transit reinvestment zone proposal;
- 6201 (b) affected local taxing entities are required to participate according to the terms of the
- 6202 housing and transit reinvestment zone proposal; and
- 6203 (c) each affected taxing entity is required to participate at the same rate.
- 6204 (10) A housing and transit reinvestment zone proposal may be amended by following the
- 6205 same procedure as approving a housing and transit reinvestment zone proposal.
- 6206 (11)(a) The approval for a convention center reinvestment zone in a capital city may be
- 6207 completed with a condition that the relevant municipality also create a public
- 6208 infrastructure district as provided in Subsection 63N-3-607(8)(b).
- 6209 (b) The approval described in Subsection (11)(a) shall verify that the requirements and
- 6210 limitations on use of funds is limited to the conditions described under Subsections
- 6211 63N-3-604.1(2)(b) and (c).
- 6212 Section 94. Section **63N-3-606** is amended to read:
- 6213 **63N-3-606 (Effective 05/06/26). Notice requirements.**
- 6214 (1) In approving a housing and transit reinvestment zone or convention center reinvestment
- 6215 zone proposal, the housing and transit reinvestment zone committee shall follow the

- 6216 hearing and notice requirements for creating a housing and transit reinvestment zone or
 6217 convention center reinvestment zone area proposal.
- 6218 (2) Within 30 days after the housing and transit reinvestment zone committee approves a
 6219 proposed housing and transit reinvestment zone, the municipality or public transit
 6220 county, or for a convention center reinvestment zone, the Governor's Office of
 6221 Economic [Opportunity] Development, shall:
- 6222 (a) record with the recorder of the county in which the housing and transit reinvestment
 6223 zone or convention center reinvestment zone is located a document containing:
- 6224 (i) a description of the land within the housing and transit reinvestment zone or
 6225 convention center reinvestment zone;
- 6226 (ii) a statement that the proposed housing and transit reinvestment zone or convention
 6227 center reinvestment zone has been approved; and
- 6228 (iii) the date of adoption;
- 6229 (b) transmit a copy of the description of the land within the housing and transit
 6230 reinvestment zone or convention center reinvestment zone and an accurate map or
 6231 plat indicating the boundaries of the housing and transit reinvestment zone or
 6232 convention center reinvestment zone to the Utah Geospatial Resource Center created
 6233 under Section 63A-16-505; and
- 6234 (c) transmit a copy of the approved housing and transit reinvestment zone or convention
 6235 center reinvestment zone proposal, map, and description of the land within the
 6236 housing and transit reinvestment zone or convention center reinvestment zone, to:
- 6237 (i) the auditor, recorder, attorney, surveyor, and assessor of the county in which any
 6238 part of the housing and transit reinvestment zone or convention center
 6239 reinvestment zone is located;
- 6240 (ii) the officer or officers performing the function of auditor or assessor for each
 6241 taxing entity that does not use the county assessment roll or collect the taxing
 6242 entity's taxes through the county;
- 6243 (iii) the legislative body or governing board of each taxing entity;
- 6244 (iv) the State Tax Commission; and
- 6245 (v) the State Board of Education.

6246 Section 95. Section **63N-3-610.1** is amended to read:

6247 **63N-3-610.1 (Effective 05/06/26). Sales and use tax increment in a convention**
 6248 **center reinvestment zone.**

- 6249 (1) A convention center revitalization zone proposal shall, in consultation with the State

- 6250 Tax Commission:
- 6251 (a) create a sales and use tax boundary as described in Subsection (2); and
- 6252 (b) establish a sales and use tax base year to calculate and transfer the sales and use tax
- 6253 increment within the convention center revitalization zone 90 days after the date of
- 6254 the notice described in Subsection [~~(4)~~] (5).
- 6255 (2)(a) The Governor's Office of Economic [~~Opportunity~~] Development, in consultation
- 6256 with the State Tax Commission, shall establish a sales and use tax boundary that:
- 6257 (i) is based on state sales and use tax collection boundaries, which are determined
- 6258 using the ZIP Code as defined in Section 59-12-102, including the four digit
- 6259 delivery route extension;
- 6260 (ii) follows as closely as reasonably practicable the boundary of the convention
- 6261 center revitalization zone; and
- 6262 (iii) is one contiguous area that includes at least the entire boundary of the convention
- 6263 center revitalization zone.
- 6264 (b) If a state sales and use tax boundary is intersected by the boundary of the convention
- 6265 center revitalization zone, the convention center revitalization zone may include the
- 6266 entire state sales and use tax boundary.
- 6267 (c) The Governor's Office of Economic [~~Opportunity~~] Development shall include the
- 6268 sales and use tax boundary in the convention center revitalization zone proposal as
- 6269 described in Section 63N-3-603.1.
- 6270 (3)(a) For a convention center reinvestment zone that is not located in a capital city,
- 6271 beginning no sooner than January 1, 2026, and on the first day of a calendar quarter
- 6272 after the year set in the proposal and after the sales and use tax boundary for a
- 6273 convention center reinvestment zone is established, the State Tax Commission shall,
- 6274 at least annually, transfer an amount equal to 100% of the local sales and use tax
- 6275 increment within an established sales and use tax boundary to the relevant
- 6276 municipality or public infrastructure district.
- 6277 (b) For a convention center reinvestment zone that is located in a capital city, beginning
- 6278 no sooner than January 1, 2026, and on the first day of a calendar quarter after the
- 6279 year set in the proposal and after the sales and use tax boundary for a convention
- 6280 center reinvestment zone in a capital city is established, the State Tax Commission
- 6281 shall, at least annually, transfer an amount equal to 50% of the state sales and use tax
- 6282 increment and 100% of any local sales and use tax increment within an established
- 6283 sales and use tax boundary to the public infrastructure district created pursuant to

6284 Subsection 63N-3-607(8)(b).

6285 (4) The Governor's Office of Economic [Opportunity] Development may only propose one
6286 sales and use tax increment period and one sales and use tax base year for a convention
6287 center revitalization zone established under this part.

6288 (5)(a) The distribution of the sales and use tax increment shall begin:

6289 (i) on the first day of a calendar quarter;

6290 (ii) after a 90-day waiting period, beginning on the date the State Tax Commission
6291 receives notice from the Governor's Office of Economic [Opportunity]
6292 Development meeting the requirements of Subsection (5)(b); and

6293 (iii) no earlier than January 1, 2026 after the year set in the proposal of the approved
6294 convention center reinvestment zone.

6295 (b) The notice described in Subsection (5)(a) shall include:

6296 (i) a statement that the convention center revitalization zone will be established under
6297 this part;

6298 (ii) the approval date and effective date of the convention center revitalization zone;
6299 and

6300 (iii) the definitions of the sales and use tax boundary and sales and use tax base year.

6301 (6) The State Tax Commission may retain and deposit an administrative charge in
6302 accordance with Section 59-1-306 from sales and use tax revenues the State Tax
6303 Commission collects and administers under this section.

6304 Section 96. Section **63N-3-611** is amended to read:

6305 **63N-3-611 (Effective 05/06/26). Boundary adjustments.**

6306 If the relevant county assessor or county auditor adjusts parcel boundaries relevant to a
6307 housing and transit reinvestment zone or a convention center reinvestment zone, the
6308 municipality administering the property tax increment collected in the housing and transit
6309 reinvestment zone, or for a convention center reinvestment zone, the Governor's Office of
6310 Economic [Opportunity] Development may make corresponding adjustments to the boundary
6311 of the housing and transit reinvestment zone.

6312 Section 97. Section **63N-3-1101** is amended to read:

6313 **63N-3-1101 (Effective 05/06/26) (Repealed 07/01/28). Definitions.**

6314 As used in this part:

6315 (1) "Grant" means a grant awarded under Section 63N-3-1102.

6316 (2) "Program" means the Manufacturing Modernization Grant Program created in Section
6317 63N-3-1102.

6318 (3) "Targeted industry" means an industry or group of industries targeted by the [GØEØ]
6319 GOED board under Section 63N-3-111 for economic development in the state.

6320 Section 98. Section **63N-3-1102** is amended to read:

6321 **63N-3-1102 (Effective 05/06/26) (Repealed 07/01/28). Manufacturing**
6322 **Modernization Grant Program -- Creation -- Purpose -- Requirements -- Rulemaking --**
6323 **Report.**

6324 (1)(a) There is created the Manufacturing Modernization Grant Program to be
6325 administered by the office.

6326 (b) The purpose of the program is to award grants to existing Utah businesses to
6327 establish, relocate, retain, or develop manufacturing industry in the state and lessen
6328 dependence on manufacturing overseas.

6329 (2)(a) An entity that submits a proposal for a grant to the office shall include details in
6330 the proposal regarding:

6331 (i) the entity's plan to use the grant to fulfill the purpose described in Subsection
6332 (1)(b);

6333 (ii) any plan to use funding sources in addition to a grant for the proposal; and

6334 (iii) any existing or planned partnerships between the entity and another individual or
6335 entity to implement the proposal.

6336 (b) In evaluating a proposal for a grant, the office shall consider:

6337 (i) the likelihood the proposal will accomplish the purpose described in Subsection
6338 (1)(b);

6339 (ii) the extent to which any additional funding sources or existing or planned
6340 partnerships will benefit the proposal; and

6341 (iii) the viability and sustainability of the proposal.

6342 (c) In determining a grant award, the office:

6343 (i) may consult with the [GØEØ] GOED board; and

6344 (ii) may prioritize a targeted industry or an entity with fewer than 250 employees.

6345 (3) Before receiving the grant, a grant recipient shall enter into a written agreement with the
6346 office that specifies:

6347 (a) the grant amount;

6348 (b) the time period and structure for distribution of the grant, including any terms and
6349 conditions the recipient is required to meet to receive a distribution; and

6350 (c) the expenses for which the recipient may use the grant, including:

6351 (i) acquisition of manufacturing equipment;

- 6352 (ii) production, design, or engineering costs;
- 6353 (iii) specialized employee training;
- 6354 (iv) technology upgrades; or
- 6355 (v) provision of a grant to another individual or entity for the expenses described in
- 6356 Subsections (3)(c)(i) through (iv) or to otherwise fulfill the recipient's proposal.
- 6357 (4) Subject to Subsection (2), the office may, in accordance with Title 63G, Chapter 3, Utah
- 6358 Administrative Rulemaking Act, make rules to establish:
- 6359 (a) the form and process for submitting a proposal to the office for a grant;
- 6360 (b) the entities that are eligible to apply for a grant;
- 6361 (c) the method and formula for determining a grant amount; and
- 6362 (d) the reporting requirements for a grant recipient.
- 6363 (5) On or before October 1 of each year, the office shall provide a written report to the
- 6364 Economic Development and Workforce Services Interim Committee regarding:
- 6365 (a) each grant awarded; and
- 6366 (b) the economic impact of each grant.
- 6367 Section 99. Section **63N-3-1602** is amended to read:
- 6368 **63N-3-1602 (Effective 05/06/26). Applicability, requirements, and limitations on**
- 6369 **a first home investment zone.**
- 6370 (1) A first home investment zone created in accordance with this part shall promote the
- 6371 following objectives:
- 6372 (a) encouraging efficient development and opportunities for home ownership by
- 6373 providing a variety of housing options, including affordable housing and for sale,
- 6374 owner-occupied housing;
- 6375 (b) improving availability of housing options;
- 6376 (c) overcoming development impediments and market conditions that render a
- 6377 development cost prohibitive absent the proposal and incentives;
- 6378 (d) conserving water resources through efficient land use;
- 6379 (e) improving air quality by reducing fuel consumption and motor vehicle trips;
- 6380 (f) encouraging transformative mixed-use development;
- 6381 (g) strategic land use and municipal planning in major transit investment corridors as
- 6382 described in Subsection 10-20-404(2);
- 6383 (h) increasing access to employment and educational opportunities;
- 6384 (i) increasing access to child care; and
- 6385 (j) improving efficiencies in parking and transportation, including walkability of

6386 communities, street and path interconnectivity within the proposed development and
6387 connections to surrounding communities, and access to roadways, public
6388 transportation, and active transportation.

6389 (2) In order to accomplish the objectives described in Subsection (1), a municipality or
6390 county that initiates the process to create a first home investment zone as described in
6391 this part shall ensure that the proposal for a first home investment zone includes:

6392 (a) subject to Subsection (3), a minimum of 30 housing units per acre:

6393 (i) in at least 51% of the developable area within the first home investment zone; and

6394 (ii) of which 50% must be owner occupied;

6395 (b) a mixed use development;

6396 (c) a requirement that at least 25% of homes within the first home investment zone
6397 remain owner occupied for at least 25 years from the date of original purchase;

6398 (d) for homes inside the first home investment zone, a requirement that at least 12% of
6399 the owner occupied homes and 12% of the homes that are not owner occupied are
6400 affordable housing;

6401 (e) a requirement that at least 20% of the extraterritorial homes are affordable housing;
6402 and

6403 (f) except for extraterritorial homes, the number of homes that result from multiplying
6404 the number of housing units described in Subsection (2)(a) by the developable area
6405 described in Subsection (2)(a)(i) may be intermingled with other mixed uses within
6406 the first home investment zone.

6407 (3)(a) Subject to Subsection (3)(b), to satisfy the requirements described in Subsection
6408 (2)(a), a first home investment zone may include an extraterritorial home to count
6409 toward the required density and owner-occupancy of the first home investment zone
6410 by:

6411 (i) adding the total number of extraterritorial homes related to the first home
6412 investment zone to the total number of homes within the first home investment
6413 zone; and

6414 (ii) dividing the sum described in Subsection (3)(a)(i) by a number equal to 51% of
6415 the total number of developable acres within the first home investment zone.

6416 (b) Extraterritorial homes may account for no more than half of the total homes to
6417 calculate density within a first home investment zone.

6418 (4)(a) If a municipality proposes a first home investment zone, the proposal shall comply
6419 with the limitations described in this Subsection (4).

- 6420 (b) A first home investment zone may not be less than 10 acres and no more than 100
6421 acres of developable area in size.
- 6422 (c)(i) Except as provided in Subsection (4)(c)(ii), a first home investment zone is
6423 required to be one contiguous area.
- 6424 (ii) While considering a first home investment zone proposal as described in Section
6425 63N-3-1605, the housing and transit reinvestment zone committee may consider
6426 and approve a first home investment zone that is not one contiguous area if:
6427 (A) the municipality provides evidence in the proposal showing that the deviation
6428 from the contiguity requirement will enhance the ability of the first home
6429 investment zone to achieve the objectives described in Subsection (1); and
6430 (B) the housing and transit reinvestment zone committee determines that the
6431 deviation is reasonable and circumstances justify deviation from the contiguity
6432 requirement.
- 6433 (iii) The first home investment zone area contiguity is not affected by roads or other
6434 rights-of-way.
- 6435 (d)(i) A first home investment zone proposal may propose the capture of a maximum
6436 of 60% of each taxing entity's tax increment above the base year for a term of no
6437 more than 25 consecutive years within a 45-year period not to exceed the tax
6438 increment amount approved in the first home investment zone proposal.
- 6439 (ii) A first home investment zone proposal may not propose or include triggering
6440 more than three tax increment collection periods during the applicable 25-year
6441 period.
- 6442 (iii) Subject to Subsection (4)(d)(iv), a municipality shall ensure that the required
6443 affordable housing units are included proportionally in each phase of the first
6444 home investment zone development.
- 6445 (iv) A municipality may allow a first home investment zone to be phased and
6446 developed in a manner to provide more of the required affordable housing units in
6447 early phases of development.
- 6448 (e) If a municipality proposes a first home investment zone, commencement of the
6449 collection of tax increment, for all or a portion of the first home investment zone, is
6450 triggered by providing notice as described in Subsection (5).
- 6451 (f) A municipality may restrict homes within a first home investment zone and related
6452 extraterritorial homes from being used as a short-term rental.
- 6453 (g) A municipality shall ensure that affordable housing within a first home investment

- 6454 zone and related extraterritorial homes that are reserved as affordable housing are
6455 spread throughout the overall development.
- 6456 (h) A municipality shall ensure that at least 80% of extraterritorial homes included in a
6457 first home investment zone proposal are single-family detached homes.
- 6458 (i) A municipality shall include in a first home investment zone proposal:
- 6459 (i) an affordable housing plan, which may include deed restrictions, to ensure the
6460 affordable housing required in the proposal will continue to meet the definition of
6461 affordable housing at least throughout the entire term of the first home investment
6462 zone; and
- 6463 (ii) an owner occupancy plan, which may include deed restrictions, to ensure the
6464 owner occupancy requirements in the proposal will continue to meet the definition
6465 of owner occupancy at least throughout the entire term of the first home
6466 investment zone.
- 6467 (j) A municipality shall include in the first home investment zone proposal evidence to
6468 demonstrate how the first home investment zone proposal complies with the
6469 municipality's moderate income housing plan and general plan.
- 6470 (5) Notice of commencement of collection of tax increment shall be sent by mail or
6471 electronically to the following entities no later than January 1 of the year for which the
6472 tax increment collection is proposed to commence:
- 6473 (a) the State Tax Commission;
- 6474 (b) the State Board of Education;
- 6475 (c) the state auditor;
- 6476 (d) the auditor of the county in which the first home investment zone is located;
- 6477 (e) each taxing entity affected by the collection of tax increment from the first home
6478 investment zone;
- 6479 (f) the assessor of the county in which the first home investment zone is located; and
- 6480 (g) the Governor's Office of Economic [Opportunity] Development.
- 6481 (6) A first home investment zone proposal may not include a proposal to capture sales and
6482 use tax increment.
- 6483 (7) A municipality may not propose a first home investment zone in a county of the first
6484 class if the limitation described in Subsection 63N-3-603(7)(c) has been reached.
- 6485 (8) A municipality may not propose a first home investment zone in a location that is
6486 eligible for a housing and transit reinvestment zone.
- 6487 (9) A municipality may not propose a first home investment zone if the municipality's

6488 community reinvestment agency, based on the most recent annual comprehensive
 6489 financial report, retains cash and cash equivalent assets of more than 20% of ongoing
 6490 and unencumbered annual community reinvestment agency revenue.

6491 Section 100. Section **63N-3-1603** is amended to read:

6492 **63N-3-1603 (Effective 05/06/26). Process for a proposal of a first home**
 6493 **investment zone.**

6494 (1) Subject to approval of the housing and transit reinvestment zone committee as described
 6495 in Section 63N-3-1604, in order to create a first home investment zone, a municipality
 6496 that has general land use authority over the first home investment zone area, shall:

6497 (a) prepare a proposal for the first home investment zone that:

- 6498 (i) demonstrates that the proposed first home investment zone will meet the
 6499 objectives described in Subsection 63N-3-1602(1);
- 6500 (ii) explains how the municipality will achieve the requirements of Subsection
 6501 63N-3-1602(2);
- 6502 (iii) defines the specific infrastructure needs, if any, and proposed improvements;
- 6503 (iv) demonstrates how the first home investment zone will ensure:
 - 6504 (A) sufficient pedestrian access to schools and other areas of community; and
 - 6505 (B) inclusion of child care facilities and access;
- 6506 (v) defines the boundaries of the first home investment zone;
- 6507 (vi) includes maps of the proposed first home investment zone to illustrate:
 - 6508 (A) proposed housing density within the first home investment zone;
 - 6509 (B) extraterritorial homes relevant to the first home investment zone, including
 6510 density of the development of extraterritorial homes; and
 - 6511 (C) existing zoning and proposed zoning changes related to the first home
 6512 investment zone;
- 6513 (vii) identifies any development impediments that prevent the development from
 6514 being a market-rate investment and proposed strategies for addressing each one;
- 6515 (viii) describes the proposed development plan, including the requirements described
 6516 in Subsections 63N-3-1602(2) and (4);
- 6517 (ix) establishes the collection period or periods to calculate the tax increment;
- 6518 (x) describes projected maximum revenues generated and the amount of tax
 6519 increment capture from each taxing entity and proposed expenditures of revenue
 6520 derived from the first home investment zone;
- 6521 (xi) includes an analysis of other applicable or eligible incentives, grants, or sources

- 6522 of revenue that can be used to reduce the finance gap;
- 6523 (xii) proposes a finance schedule to align expected revenue with required financing
6524 costs and payments;
- 6525 (xiii) evaluates possible benefits to active transportation, public transportation
6526 availability and utilization, street connectivity, and air quality; and
- 6527 (xiv) provides a pro forma for the planned development that:
- 6528 (A) satisfies the requirements described in Subsections 63N-3-1602(2) and (4); and
6529 (B) includes data showing the cost difference between what type of development
6530 could feasibly be developed absent the first home investment zone tax
6531 increment and the type of development that is proposed to be developed with
6532 the first home investment zone tax increment;
- 6533 (b) submit the proposal to the relevant school district to discuss the requirements of the
6534 proposal and whether the proposal provides the benefits and achieves the objectives
6535 described in this part; and
- 6536 (c) submit the first home investment zone proposal to the Governor's Office of
6537 Economic ~~Opportunity~~ Development.
- 6538 (2) As part of the proposal described in Subsection (1), a municipality shall:
- 6539 (a) study and evaluate possible impacts of a proposed first home investment zone on
6540 parking and efficient use of land within the municipality and first home investment
6541 zone; and
- 6542 (b) include in the first home investment zone proposal the findings of the study
6543 described in Subsection (2)(a) and proposed strategies to efficiently address parking
6544 impacts.
- 6545 (3)(a) After receiving the proposal as described in Subsection (1)(c), the Governor's
6546 Office of Economic ~~Opportunity~~ Development shall:
- 6547 (i) within 14 days after the date on which the Governor's Office of Economic [
6548 ~~Opportunity~~ Development] receives the proposal described in Subsection (1)(c),
6549 provide notice of the proposal to all affected taxing entities, including the State
6550 Tax Commission, cities, counties, school districts, metropolitan planning
6551 organizations, and the county assessor and county auditor of the county in which
6552 the first home investment zone is located; and
- 6553 (ii) at the expense of the proposing municipality as described in Subsection (5),
6554 contract with an independent entity to:
- 6555 (A) perform the gap analysis described in Subsection (3)(b); and

- 6556 (B) perform an analysis of the pro-forma described in Subsection (1)(a)(xiv)(B)
 6557 and the feasibility of the proposed development absent the tax increment.
- 6558 (b) The gap and pro-forma analysis required in Subsection (3)(a)(ii) shall include:
 6559 (i) a description of the planned development;
 6560 (ii) a market analysis relative to other comparable project developments included in
 6561 or adjacent to the municipality absent the proposed first home investment zone;
 6562 (iii) an evaluation of the proposal and a determination of the adequacy and efficiency
 6563 of the proposal;
 6564 (iv) an evaluation of the proposed tax increment capture needed to cover the system
 6565 improvements and project improvements associated with the first home
 6566 investment zone proposal and enable the proposed development to occur, and for
 6567 the benefit of affordable housing projects; and
 6568 (v) based on the market analysis and other findings, an opinion relative to the
 6569 appropriate amount of potential public financing reasonably determined to be
 6570 necessary to achieve the objectives described in Subsection 63N-3-1602(1).
- 6571 (c) After receiving notice from the Governor's Office of Economic [Opportunity]
 6572 Development of a proposed first home investment zone as described in Subsection
 6573 (3)(a)(i), the municipality, in consultation with the county assessor and the State Tax
 6574 Commission, shall:
 6575 (i) evaluate the feasibility of administering the tax implications of the proposal; and
 6576 (ii) provide a letter to the Governor's Office of Economic [Opportunity] Development
 6577 describing any challenges in the administration of the proposal, or indicating that
 6578 the county assessor can feasibly administer the proposal.
- 6579 (4) After receiving the results from the analysis described in Subsection (3)(b), the
 6580 municipality proposing the first home investment zone may:
 6581 (a) amend the first home investment zone proposal based on the findings of the analysis
 6582 described in Subsection (3)(b) and request that the Governor's Office of Economic [
 6583 Opportunity] Development submit the amended first home investment zone proposal
 6584 to the housing and transit reinvestment zone committee; or
 6585 (b) request that the Governor's Office of Economic [Opportunity] Development submit
 6586 the original first home investment zone proposal to the housing and transit
 6587 reinvestment zone committee.
- 6588 (5)(a) The Governor's Office of Economic [Opportunity] Development may accept, as a
 6589 dedicated credit, up to \$20,000 from a municipality for the costs of the gap analysis

6590 described in Subsection (3)(b).

6591 (b) The Governor's Office of Economic [Opportunity] Development may expend funds
6592 received from a municipality as dedicated credits to pay for the costs associated with
6593 the gap analysis described in Subsection (3)(b).

6594 Section 101. Section **63N-3-1604** is amended to read:

6595 **63N-3-1604 (Effective 05/06/26). Consideration of proposals by housing and**
6596 **transit reinvestment zone committee.**

6597 (1) A first home investment zone proposed under this part is subject to approval by the
6598 housing and transit reinvestment zone committee.

6599 (2) After the Governor's Office of Economic [Opportunity] Development receives the
6600 results of the analysis described in Section 63N-3-1603, and after the Governor's Office
6601 of Economic [Opportunity] Development has received a request from the submitting
6602 municipality to submit the first home investment zone proposal to the housing and
6603 transit reinvestment zone committee, the Governor's Office of Economic [Opportunity]
6604 Development shall notify each of the relevant entities of the formation of the housing
6605 and transit reinvestment zone committee as described in Section 63N-3-605.

6606 (3)(a) The chair of the housing and transit reinvestment zone committee shall convene a
6607 public meeting to consider the proposed first home investment zone in the same
6608 manner as described in Section 63N-3-605.

6609 (b) A meeting of the housing and transit reinvestment zone committee is subject to Title
6610 52, Chapter 4, Open and Public Meetings Act.

6611 (4)(a) The proposing municipality shall present the first home investment zone proposal
6612 to the housing and transit reinvestment zone committee in a public meeting.

6613 (b) The housing and transit reinvestment zone committee shall:

6614 (i) evaluate and verify whether the objectives and elements of a first home investment
6615 zone described in Subsections 63N-3-1502(1), (2), and (4) have been met; and

6616 (ii) evaluate the proposed first home investment zone relative to the analysis
6617 described in Subsection 63N-3-1603(2).

6618 (5)(a) Subject to Subsection (5)(b), the housing and transit reinvestment zone committee
6619 may:

6620 (i) request changes to the first home investment zone proposal based on the analysis,
6621 characteristics, and criteria described in Section 63N-3-1603; or

6622 (ii) vote to approve or deny the proposal.

6623 (b) Before the housing and transit reinvestment zone committee may approve the first

6624 home investment zone proposal, the municipality proposing the first home
 6625 investment zone shall ensure that the area of the proposed first home investment zone
 6626 is zoned in such a manner to accommodate the requirements of a first home
 6627 investment zone described in this section and the proposed development.

- 6628 (6) If a first home investment zone is approved by the committee:
- 6629 (a) the proposed first home investment zone is established according to the terms of the
 6630 first home investment zone proposal;
- 6631 (b) affected local taxing entities are required to participate according to the terms of the
 6632 first home investment zone proposal; and
- 6633 (c) each affected taxing entity is required to participate at the same rate.
- 6634 (7) A first home investment zone proposal may be amended by following the same
 6635 procedure as approving a first home investment zone proposal.

6636 Section 102. Section **63N-3-1702** is amended to read:

6637 **63N-3-1702 (Effective 05/06/26). Applicability, requirements, and limitations on**
 6638 **a major sporting event venue zone.**

- 6639 (1) A major sporting event venue zone created pursuant to this part shall promote the
 6640 following objectives:
- 6641 (a) redevelopment of existing but aging major sporting event venues;
- 6642 (b) development of new major sporting event venues;
- 6643 (c) development of infrastructure supporting a major sporting event venue;
- 6644 (d) increased utilization of public transportation when accessing a major sporting event
 6645 venue;
- 6646 (e) improved efficiencies in parking and transportation with the goal of increasing
 6647 walkability between a major sporting event venue and a public transit station;
- 6648 (f) improved commercial development, or mixed commercial-residential development,
 6649 in areas near a major sporting event venue;
- 6650 (g) improving air quality by reducing fuel consumption and motor vehicle trips; and
- 6651 (h) increasing tourism activity.
- 6652 (2) In order to accomplish the objectives described in this section, a creating entity that
 6653 initiates the process to create a major sporting event venue zone shall ensure that a
 6654 proposal for a major sporting event venue zone includes information demonstrating how
 6655 the proposed major sporting event venue zone shall achieve the objectives described in
 6656 Subsection (1).
- 6657 (3) Notice of commencement of collection of property tax increment shall be sent by mail

- 6658 or electronically to the following entities no later than January 1 of the year for which
 6659 the property tax increment collection is proposed to commence:
- 6660 (a) the State Tax Commission;
 - 6661 (b) the State Board of Education;
 - 6662 (c) the state auditor;
 - 6663 (d) the auditor of the county in which the major sporting event venue zone is proposed to
 6664 be created;
 - 6665 (e) each taxing entity to be affected by collection of property tax increment in the
 6666 proposed major sporting event venue zone;
 - 6667 (f) the assessor of the county in which the major sporting event venue zone is proposed
 6668 to be created; and
 - 6669 (g) the Governor's Office of Economic [~~Opportunity~~] Development.

- 6670 (4) A major sporting event venue zone proposal may include:
- 6671 (a) a proposal to capture property tax increment;
 - 6672 (b) a proposal to capture local sales and use tax increment; and
 - 6673 (c) a proposal to implement a tax described in Section 11-71-201, either immediately
 6674 upon creation of the major sporting event venue zone or on a specified timeline
 6675 following the creation of the major sporting event venue zone.

6676 Section 103. Section **63N-4-103** is amended to read:

6677 **63N-4-103 (Effective 05/06/26). Purpose of the Center for Rural Development.**

6678 The Center for Rural Development is established to:

- 6679 (1) foster and support economic development programs and activities for the benefit of
 6680 rural counties and communities;
- 6681 (2) foster and support community, county, and resource management planning programs
 6682 and activities for the benefit of rural counties and communities;
- 6683 (3) foster and support leadership training programs and activities for the benefit of:
 - 6684 (a) rural leaders in both the public and private sectors;
 - 6685 (b) economic development and planning personnel; and
 - 6686 (c) rural government officials;
- 6687 (4) foster and support efforts to coordinate and focus the technical and other resources of
 6688 appropriate institutions of higher education, local governments, private sector interests,
 6689 associations, nonprofit organizations, federal agencies, and others, in ways that address
 6690 the economic development, planning, and leadership challenges;
- 6691 (5) work to enhance the capacity of [~~GOEO~~] GOED to address rural economic development,

6692 planning, and leadership training challenges and opportunities by establishing
 6693 partnerships and positive working relationships with appropriate public and private
 6694 sector entities, individuals, and institutions; and
 6695 (6) foster government-to-government collaboration and good working relations between
 6696 state and rural government regarding economic development and planning issues.

6697 Section 104. Section **63N-4-104** is amended to read:

6698 **63N-4-104 (Effective 05/06/26). Duties.**

6699 (1) The Center for Rural Development shall:

- 6700 (a) work to enhance the capacity of the office to address rural economic development,
 6701 planning, and leadership training challenges and opportunities by establishing
 6702 partnerships and positive working relationships with appropriate public and private
 6703 sector entities, individuals, and institutions;
 6704 (b) work with the [GØEØ] GOED board to coordinate and focus available resources in
 6705 ways that address the economic development, planning, and leadership training
 6706 challenges and priorities in rural Utah;
 6707 (c) assist in administering the Rural Opportunity Program created in Section 63N-4-802;
 6708 and
 6709 (d) in accordance with economic development and planning policies set by state
 6710 government, coordinate relations between:
 6711 (i) the state;
 6712 (ii) rural governments;
 6713 (iii) other public and private groups engaged in rural economic planning and
 6714 development; and
 6715 (iv) federal agencies.

6716 (2) The Center for Rural Development may, in accordance with Title 63G, Chapter 3, Utah
 6717 Administrative Rulemaking Act, make rules necessary to carry out its duties.

6718 Section 105. Section **63N-7-102** is amended to read:

6719 **63N-7-102 (Effective 05/06/26) (Partially Repealed 07/01/30). Utah Office of**
 6720 **Tourism created -- Appointment of managing director -- Responsibilities of tourism**
 6721 **office.**

6722 (1) There is created within [GØEØ] GOED the Utah Office of Tourism.

6723 (2)(a) The executive director shall appoint a managing director of the tourism office.

6724 (b) The managing director may, with the approval of the executive director, appoint staff.

6725 (3) The tourism office shall:

- 6726 (a) be the tourism development authority of the state;
- 6727 (b) develop a tourism advertising, marketing, branding, destination development, and
6728 destination management program for the state;
- 6729 (c) receive approval from the board under Subsection 63N-7-202(1)(a) before
6730 implementing the program described in Subsection (3)(b);
- 6731 (d) develop a plan to increase the economic contribution by tourists visiting the state;
- 6732 (e) plan and conduct a program of information, advertising, and publicity relating to the
6733 recreational, scenic, historic, cultural, and culinary tourist attractions, amenities, and
6734 advantages of the state at large;
- 6735 (f) encourage and assist in the coordination of the activities of persons, firms,
6736 associations, corporations, travel regions, counties, and governmental agencies
6737 engaged in publicizing, developing, and promoting the tourist attractions, amenities,
6738 and advantages of the state;
- 6739 (g) conduct a regular and ongoing research program to identify statewide economic
6740 trends and conditions in the tourism sector of the economy; and
- 6741 (h) ensure that any plan or program developed under this Subsection (3) addresses, but
6742 not be limited to, the following policies:
- 6743 (i) enhancing the state's image;
- 6744 (ii) promoting the state as a year-round destination;
- 6745 (iii) encouraging expenditures by visitors to the state; and
- 6746 (iv) expanding the markets where the state is promoted.

6747 Section 106. Section **63N-16-102** is amended to read:

6748 **63N-16-102 (Effective 05/06/26). Definitions.**

6749 As used in this chapter:

- 6750 (1) "Advisory committee" means the General Regulatory Sandbox Program Advisory
6751 Committee created in Section 63N-16-104.
- 6752 (2) "Applicable agency" means a department or agency of the state that by law regulates a
6753 business activity and persons engaged in such business activity, including the issuance
6754 of licenses or other types of authorization, which the office determines would otherwise
6755 regulate a sandbox participant.
- 6756 (3) "Applicant" means a person that applies to participate in the regulatory sandbox.
- 6757 (4) "Blockchain technology" means the use of a digital database containing records of
6758 financial transactions, which can be simultaneously used and shared within a
6759 decentralized, publicly accessible network and can record transactions between two

- 6760 parties in a verifiable and permanent way.
- 6761 (5) "Consumer" means a person that purchases or otherwise enters into a transaction or
6762 agreement to receive an offering pursuant to a demonstration by a sandbox participant.
- 6763 (6) "Demonstrate" or "demonstration" means to temporarily provide an offering in
6764 accordance with the provisions of the regulatory sandbox program described in this
6765 chapter.
- 6766 (7) "Director" means the director of the Utah Office of Regulatory Relief created in Section
6767 63N-16-103.
- 6768 (8) "Executive director" means the executive director of the Governor's Office of Economic [
6769 ~~Opportunity~~] Development.
- 6770 (9) "Financial product or service" means:
- 6771 (a) a financial product or financial service that requires state licensure or registration; or
6772 (b) a financial product, financial service, or banking business that includes a business
6773 model, delivery mechanism, offering of deposit accounts, or element that may require
6774 a license or other authorization to act as a financial institution, enterprise, or other
6775 entity that is regulated by Title 7, Financial Institutions Act, or other related
6776 provisions.
- 6777 (10) "Health, safety, and financial well-being" includes protecting against physical injury,
6778 property damage, or financial harm.
- 6779 (11) "Innovation" means the use or incorporation of a new or existing idea, a new or
6780 emerging technology, or a new use of existing technology, including blockchain
6781 technology, to address a problem, provide a benefit, or otherwise offer a product,
6782 production method, or service.
- 6783 (12) "Insurance product or service" means an insurance product or insurance service that
6784 requires state licensure, registration, or other authorization as regulated by Title 31A,
6785 Insurance Code, including an insurance product or insurance service that includes a
6786 business model, delivery mechanism, or element that requires a license, registration, or
6787 other authorization to do an insurance business, act as an insurance producer or
6788 consultant, or engage in insurance adjusting as regulated by Title 31A, Insurance Code.
- 6789 (13)(a) "Offering" means a product, production method, or service, including a financial
6790 product or service or an insurance product or service, that includes an innovation.
- 6791 (b) "Offering" does not include a product, production method, or service that is governed
6792 by Title 61, Chapter 1, Utah Uniform Securities Act.
- 6793 (14) "Product" means a commercially distributed good that is:

- 6794 (a) tangible personal property;
- 6795 (b) the result of a production process; and
- 6796 (c) passed through the distribution channel before consumption.
- 6797 (15) "Production" means the method or process of creating or obtaining a good, which may
- 6798 include assembling, breeding, capturing, collecting, extracting, fabricating, farming,
- 6799 fishing, gathering, growing, harvesting, hunting, manufacturing, mining, processing,
- 6800 raising, or trapping a good.
- 6801 (16) "Regulatory relief office" means the Utah Office of Regulatory Relief created in
- 6802 Section 63N-16-103.
- 6803 (17) "Regulatory sandbox" means the General Regulatory Sandbox Program created in
- 6804 Section 63N-16-201, which allows a person to temporarily demonstrate an offering
- 6805 under a waiver or suspension of one or more state laws or regulations.
- 6806 (18) "Sandbox participant" means a person whose application to participate in the
- 6807 regulatory sandbox is approved in accordance with the provisions of this chapter.
- 6808 (19) "Service" means any commercial activity, duty, or labor performed for another person.
- 6809 Section 107. Section **63N-16-301** is amended to read:
- 6810 **63N-16-301 (Effective 05/06/26). Regulatory relief web page.**
- 6811 (1) The regulatory relief office shall create and maintain on [GOEO's] GOED's website a
- 6812 web page that invites residents and businesses in the state to make suggestions regarding
- 6813 laws and regulations that could be modified or eliminated to reduce the regulatory
- 6814 burden of residents and businesses in the state.
- 6815 (2) On at least a quarterly basis, the regulatory relief office shall compile the results of
- 6816 suggestions from the web page and provide a written report to the governor, the
- 6817 Business and Labor Interim Committee, and the Economic Development and Workforce
- 6818 Services Interim Committee that describes the most common suggestions.
- 6819 (3) In creating the report described in Subsection (2), the regulatory relief office and the
- 6820 advisory committee:
- 6821 (a) shall ensure that private information of residents and businesses that make
- 6822 suggestions on the web page is not made public; and
- 6823 (b) may evaluate the suggestions and provide analysis and suggestions regarding which
- 6824 state laws and regulations could be modified or eliminated to reduce the regulatory
- 6825 burden of residents and businesses in the state while still protecting consumers.
- 6826 Section 108. Section **63N-18-201** is amended to read:
- 6827 **63N-18-201 (Effective 05/06/26). Creation of the Utah Center for Immigration**

6828 **and Integration -- Responsibilities of the center.**

6829 (1) There is created within the Governor's Office of Economic ~~[Opportunity]~~ Development
6830 the Utah Center for Immigration and Integration.

6831 (2) The center shall:

6832 (a) assist individuals and businesses in the state with identifying pathways for recruiting
6833 and retaining foreign labor;

6834 (b) coordinate with state agencies in developing and administering policies and
6835 programs related to immigrant integration;

6836 (c) develop and implement a statewide strategy for immigrant integration that promotes
6837 economic opportunities for immigrant communities in the state;

6838 (d) create and convene a task force to review and make recommendations regarding the
6839 state's policies on immigrant integration;

6840 (e) develop sustainable partnerships with local officials, the business sector, and
6841 community organizations serving immigrant communities in the state; and

6842 (f) advise and make recommendations to the governor, state agencies, and the
6843 Legislature regarding immigrant integration and foreign labor issues.

6844 (3) The center may not encourage a business to bypass state residents for the business's
6845 workforce needs.

6846 (4) The center may, in accordance with Title 63G, Chapter 3, Utah Administrative
6847 Rulemaking Act, make rules to carry out the center's responsibilities under this chapter.

6848 Section 109. Section **63N-20-101** is amended to read:

6849 **63N-20-101 (Effective 05/06/26). Definitions.**

6850 As used in this part:

6851 (1) "Contractor" means the educational technology provider that the Governor's Office of
6852 Economic ~~[Opportunity]~~ Development selects under Section 63N-20-102.

6853 (2) "Office" means the Governor's Office of Economic ~~[Opportunity]~~ Development created
6854 in Section 63N-1a-301.

6855 (3) "Preschool child" means a child who is:

6856 (a) four or five years old; and

6857 (b) not eligible for enrollment under Subsection 53G-4-402(8).

6858 (4)(a) "Private preschool provider" means a child care program that:

6859 (i)(A) is licensed under Title 26B, Chapter 2, Part 4, Child Care Licensing or,
6860 except as provided in Subsection (4)(b), is exempt from licensure under

6861 Section 26B-2-405; and

- 6862 (B) meets other criteria as established by the office, consistent with Utah
 6863 Constitution, Article X, Section 1; or
 6864 (ii) is a residential certificate provider described in Section 26B-2-404.
 6865 (b) "Private preschool provider" does not include a program exempt from licensure
 6866 under Subsection 26B-2-405(2)(c).
 6867 (5) "Public preschool" means a preschool program that is provided by a school district, a
 6868 charter school, or the Head Start program.
 6869 (6) "State board" means the State Board of Education.
 6870 (7) "UPSTART" means the statewide program created in Section 63N-20-102 that uses a
 6871 home-based educational technology program and parent engagement to develop school
 6872 readiness skills of preschool children.

6873 Section 110. Section **67-1-2** is amended to read:

6874 **67-1-2 (Effective 05/06/26). Senate confirmation of gubernatorial nominees --**
 6875 **Verification of nomination requirements -- Consultation on appointments -- Notification**
 6876 **of anticipated vacancies.**

- 6877 (1)(a) Except as provided in Subsection [~~3~~] (2), at least 30 days before the day of an
 6878 extraordinary session of the Senate to confirm a gubernatorial nominee, the governor
 6879 shall send to each member of the Senate and to the Office of Legislative Research
 6880 and General Counsel the following information for each nominee:
 6881 (i) the nominee's name and biographical information, including a resume and
 6882 curriculum vitae with personal contact information, including home address, email
 6883 address, and telephone number, redacted, except that the governor shall send to
 6884 the Office of Legislative Research and General Counsel the contact information
 6885 for the nominee;
 6886 (ii) a detailed list, with citations, of the legal requirements for the appointed position;
 6887 (iii) a detailed list with supporting documents explaining how, and verifying that, the
 6888 nominee meets each statutory and constitutional requirement for the appointed
 6889 position;
 6890 (iv) a written certification by the governor that the nominee satisfies all requirements
 6891 for the appointment; and
 6892 (v) public comment information collected in accordance with Section 63G-24-204.
 6893 (b) This Subsection (1) does not apply to a judicial appointee.
 6894 (2)(a) A majority of the president of the Senate, the Senate majority leader, and the
 6895 Senate minority leader may waive the 30-day requirement described in Subsection (1)

- 6896 for a gubernatorial nominee other than a nominee for the following:
- 6897 (i) the executive director of a department;
- 6898 (ii) the executive director of the Governor's Office of Economic [Opportunity]
- 6899 Development;
- 6900 (iii) the executive director of the Labor Commission;
- 6901 (iv) a member of the State Tax Commission;
- 6902 (v) a member of the State Board of Education;
- 6903 (vi) a member of the Utah Board of Higher Education; or
- 6904 (vii) an individual:
- 6905 (A) whose appointment requires the advice and consent of the Senate; and
- 6906 (B) whom the governor designates as a member of the governor's cabinet.
- 6907 (b) The Senate shall hold a confirmation hearing for a nominee for an individual
- 6908 described in Subsection (2)(a).
- 6909 (3) The governor shall:
- 6910 (a) if the governor is aware of an upcoming vacancy in a position that requires Senate
- 6911 confirmation, provide notice of the upcoming vacancy to the president of the Senate,
- 6912 the Senate minority leader, and the Office of Legislative Research and General
- 6913 Counsel at least 30 days before the day on which the vacancy occurs; and
- 6914 (b) establish a process for government entities and other relevant organizations to
- 6915 provide input on gubernatorial appointments.
- 6916 (4) When the governor makes a judicial appointment, the governor shall immediately
- 6917 provide to the president of the Senate and the Office of Legislative Research and
- 6918 General Counsel:
- 6919 (a) the name of the judicial appointee; and
- 6920 (b) the judicial appointee's:
- 6921 (i) resume;
- 6922 (ii) complete file of all the application materials the governor received from the
- 6923 judicial nominating commission; and
- 6924 (iii) any other related documents, including any letters received by the governor
- 6925 about the appointee, unless the letter specifically directs that the letter may not be
- 6926 shared.
- 6927 (5) The governor shall inform the president of the Senate and the Office of Legislative
- 6928 Research and General Counsel of the number of letters withheld pursuant to Subsection
- 6929 (4)(b)(iii).

- 6930 (6)(a) Letters of inquiry submitted by any judge at the request of any judicial nominating
6931 commission are classified as private in accordance with Section 63G-2-302.
- 6932 (b) All other records received from the governor pursuant to this Subsection (6) may be
6933 classified as private in accordance with Section 63G-2-302.
- 6934 (7) The Senate shall consent or refuse to give the Senate's consent to a nomination or
6935 judicial appointment.
- 6936 Section 111. Section **67-3-1** is amended to read:
- 6937 **67-3-1 (Effective 05/06/26). Functions and duties.**
- 6938 (1)(a) The state auditor is the auditor of public accounts and is independent of any
6939 executive or administrative officers of the state.
- 6940 (b) The state auditor is not limited in the selection of personnel or in the determination
6941 of the reasonable and necessary expenses of the state auditor's office.
- 6942 (2) The state auditor shall examine and certify annually in respect to each fiscal year,
6943 financial statements showing:
- 6944 (a) the condition of the state's finances;
- 6945 (b) the revenues received or accrued;
- 6946 (c) expenditures paid or accrued;
- 6947 (d) the amount of unexpended or unencumbered balances of the appropriations to the
6948 agencies, departments, divisions, commissions, and institutions; and
- 6949 (e) the cash balances of the funds in the custody of the state treasurer.
- 6950 (3)(a) The state auditor shall:
- 6951 (i) audit each permanent fund, each special fund, the General Fund, and the accounts
6952 of any department of state government or any independent agency or public
6953 corporation as the law requires, as the auditor determines is necessary, or upon
6954 request of the governor or the Legislature;
- 6955 (ii) perform the audits in accordance with generally accepted auditing standards and
6956 other auditing procedures as promulgated by recognized authoritative bodies; and
- 6957 (iii) as the auditor determines is necessary, conduct the audits to determine:
- 6958 (A) honesty and integrity in fiscal affairs;
- 6959 (B) accuracy and reliability of financial statements;
- 6960 (C) effectiveness and adequacy of financial controls; and
- 6961 (D) compliance with the law.
- 6962 (b) If any state entity receives federal funding, the state auditor shall ensure that the
6963 audit is performed in accordance with federal audit requirements.

- 6964 (c)(i) The costs of the federal compliance portion of the audit may be paid from an
6965 appropriation to the state auditor from the General Fund.
- 6966 (ii) If an appropriation is not provided, or if the federal government does not
6967 specifically provide for payment of audit costs, the costs of the federal compliance
6968 portions of the audit shall be allocated on the basis of the percentage that each
6969 state entity's federal funding bears to the total federal funds received by the state.
- 6970 (iii) The allocation shall be adjusted to reflect any reduced audit time required to
6971 audit funds passed through the state to local governments and to reflect any
6972 reduction in audit time obtained through the use of internal auditors working
6973 under the direction of the state auditor.
- 6974 (4)(a) Except as provided in Subsection (4)(b), the state auditor shall, in addition to
6975 financial audits, and as the auditor determines is necessary, conduct performance and
6976 special purpose audits, examinations, and reviews of any entity that receives public
6977 funds, including a determination of any or all of the following:
- 6978 (i) the honesty and integrity of all the entity's fiscal affairs;
6979 (ii) whether the entity's administrators have faithfully complied with legislative intent;
6980 (iii) whether the entity's operations have been conducted in an efficient, effective, and
6981 cost-efficient manner;
6982 (iv) whether the entity's programs have been effective in accomplishing the intended
6983 objectives; and
6984 (v) whether the entity's management, control, and information systems are adequate,
6985 effective, and secure.
- 6986 (b) The auditor may not conduct performance and special purpose audits, examinations,
6987 and reviews of any entity that receives public funds if the entity:
- 6988 (i) has an elected auditor; and
6989 (ii) has, within the entity's last budget year, had the entity's financial statements or
6990 performance formally reviewed by another outside auditor.
- 6991 (5) The state auditor:
- 6992 (a) shall administer any oath or affirmation necessary to the performance of the duties of
6993 the auditor's office; and
6994 (b) may:
- 6995 (i) subpoena witnesses and documents, whether electronic or otherwise; and
6996 (ii) examine into any matter that the auditor considers necessary.
- 6997 (6) The state auditor may require all persons who have had the disposition or management

- 6998 of any property of this state or its political subdivisions to submit statements regarding
6999 the property at the time and in the form that the auditor requires.
- 7000 (7) The state auditor shall:
- 7001 (a) except where otherwise provided by law, institute suits in Salt Lake County in
7002 relation to the assessment, collection, and payment of revenues against:
- 7003 (i) persons who by any means have become entrusted with public money or property
7004 and have failed to pay over or deliver the money or property; and
7005 (ii) all debtors of the state;
- 7006 (b) collect and pay into the state treasury all fees received by the state auditor;
- 7007 (c) perform the duties of a member of all boards of which the state auditor is a member
7008 by the constitution or laws of the state, and any other duties that are prescribed by the
7009 constitution and by law;
- 7010 (d) stop the payment of the salary of any state official or state employee who:
- 7011 (i) refuses to settle accounts or provide required statements about the custody and
7012 disposition of public funds or other state property;
- 7013 (ii) refuses, neglects, or ignores the instruction of the state auditor or any controlling
7014 board or department head with respect to the manner of keeping prescribed
7015 accounts or funds; or
- 7016 (iii) fails to correct any delinquencies, improper procedures, and errors brought to the
7017 official's or employee's attention;
- 7018 (e) establish accounting systems, methods, and forms for public accounts in all taxing or
7019 fee-assessing units of the state in the interest of uniformity, efficiency, and economy;
- 7020 (f) superintend the contractual auditing of all state accounts;
- 7021 (g) subject to Subsection (8)(a), withhold state allocated funds or the disbursement of
7022 property taxes from a state or local taxing or fee-assessing unit, if necessary, to
7023 ensure that officials and employees in those taxing units comply with state laws and
7024 procedures in the budgeting, expenditures, and financial reporting of public funds;
- 7025 (h) subject to Subsection (9), withhold the disbursement of tax money from any county,
7026 if necessary, to ensure that officials and employees in the county comply with
7027 Section 59-2-303.1; and
- 7028 (i) withhold state allocated funds or the disbursement of property taxes from a local
7029 government entity or a limited purpose entity, as those terms are defined in Section
7030 67-1a-15 if the state auditor finds the withholding necessary to ensure that the entity
7031 registers and maintains the entity's registration with the lieutenant governor, in

- 7032 accordance with Section 67-1a-15.
- 7033 (8)(a) Except as otherwise provided by law, the state auditor may not withhold funds
7034 under Subsection (7)(g) until a state or local taxing or fee-assessing unit has received
7035 formal written notice of noncompliance from the auditor and has been given 60 days
7036 to make the specified corrections.
- 7037 (b) If, after receiving notice under Subsection (8)(a), a state or independent local
7038 fee-assessing unit that exclusively assesses fees has not made corrections to comply
7039 with state laws and procedures in the budgeting, expenditures, and financial reporting
7040 of public funds, the state auditor:
- 7041 (i) shall provide a recommended timeline for corrective actions;
- 7042 (ii) may prohibit the state or local fee-assessing unit from accessing money held by
7043 the state; and
- 7044 (iii) may prohibit a state or local fee-assessing unit from accessing money held in an
7045 account of a financial institution by filing an action in a court with jurisdiction
7046 under Title 78A, Judiciary and Judicial Administration, requesting an order of the
7047 court to prohibit a financial institution from providing the fee-assessing unit
7048 access to an account.
- 7049 (c) The state auditor shall remove a limitation on accessing funds under Subsection (8)(b)
7050 upon compliance with state laws and procedures in the budgeting, expenditures, and
7051 financial reporting of public funds.
- 7052 (d) If a local taxing or fee-assessing unit has not adopted a budget in compliance with
7053 state law, the state auditor:
- 7054 (i) shall provide notice to the taxing or fee-assessing unit of the unit's failure to
7055 comply;
- 7056 (ii) may prohibit the taxing or fee-assessing unit from accessing money held by the
7057 state; and
- 7058 (iii) may prohibit a taxing or fee-assessing unit from accessing money held in an
7059 account of a financial institution by:
- 7060 (A) contacting the taxing or fee-assessing unit's financial institution and
7061 requesting that the institution prohibit access to the account; or
- 7062 (B) filing an action in a court with jurisdiction under Title 78A, Judiciary and
7063 Judicial Administration, requesting an order of the court to prohibit a financial
7064 institution from providing the taxing or fee-assessing unit access to an account.
- 7065 (e) If the local taxing or fee-assessing unit adopts a budget in compliance with state law,

- 7066 the state auditor shall eliminate a limitation on accessing funds described in
7067 Subsection (8)(d).
- 7068 (9) The state auditor may not withhold funds under Subsection (7)(h) until a county has
7069 received formal written notice of noncompliance from the auditor and has been given 60
7070 days to make the specified corrections.
- 7071 (10)(a) The state auditor may not withhold funds under Subsection (7)(i) until the state
7072 auditor receives a notice of non-registration, as that term is defined in Section
7073 67-1a-15.
- 7074 (b) If the state auditor receives a notice of non-registration, the state auditor may
7075 prohibit the local government entity or limited purpose entity, as those terms are
7076 defined in Section 67-1a-15, from accessing:
- 7077 (i) money held by the state; and
- 7078 (ii) money held in an account of a financial institution by:
- 7079 (A) contacting the entity's financial institution and requesting that the institution
7080 prohibit access to the account; or
- 7081 (B) filing an action in a court with jurisdiction under Title 78A, Judiciary and
7082 Judicial Administration, requesting an order of the court to prohibit a financial
7083 institution from providing the entity access to an account.
- 7084 (c) The state auditor shall remove the prohibition on accessing funds described in
7085 Subsection (10)(b) if the state auditor received a notice of registration, as that term is
7086 defined in Section 67-1a-15, from the lieutenant governor.
- 7087 (11) Notwithstanding Subsection (7)(g), (7)(h), (7)(i), (8)(b), (8)(d), or (10)(b), the state
7088 auditor:
- 7089 (a) shall authorize a disbursement by a local government entity or limited purpose entity,
7090 as those terms are defined in Section 67-1a-15, or a state or local taxing or
7091 fee-assessing unit if the disbursement is necessary to:
- 7092 (i) avoid a major disruption in the operations of the local government entity, limited
7093 purpose entity, or state or local taxing or fee-assessing unit; or
- 7094 (ii) meet debt service obligations; and
- 7095 (b) may authorize a disbursement by a local government entity, limited purpose entity,
7096 or state or local taxing or fee-assessing unit as the state auditor determines is
7097 appropriate.
- 7098 (12)(a) The state auditor may seek relief under the Utah Rules of Civil Procedure to take
7099 temporary custody of public funds if an action is necessary to protect public funds

- 7100 from being improperly diverted from their intended public purpose.
- 7101 (b) If the state auditor seeks relief under Subsection (12)(a):
- 7102 (i) the state auditor is not required to exhaust the procedures in Subsection (7) or (8);
- 7103 and
- 7104 (ii) the state treasurer may hold the public funds in accordance with Section 67-4-1 if
- 7105 a court orders the public funds to be protected from improper diversion from their
- 7106 public purpose.
- 7107 (13) The state auditor shall:
- 7108 (a) establish audit guidelines and procedures for audits of local mental health and
- 7109 substance abuse authorities and their contract providers, conducted pursuant to Title
- 7110 17, Chapter 77, Local Health and Human Services, Title 26B, Chapter 5, Health Care
- 7111 - Substance Use and Mental Health, and Title 51, Chapter 2a, Accounting Reports
- 7112 from Political Subdivisions, Interlocal Organizations, and Other Local Entities Act;
- 7113 and
- 7114 (b) ensure that those guidelines and procedures provide assurances to the state that:
- 7115 (i) state and federal funds appropriated to local mental health authorities are used for
- 7116 mental health purposes;
- 7117 (ii) a private provider under an annual or otherwise ongoing contract to provide
- 7118 comprehensive mental health programs or services for a local mental health
- 7119 authority is in compliance with state and local contract requirements and state and
- 7120 federal law;
- 7121 (iii) state and federal funds appropriated to local substance abuse authorities are used
- 7122 for substance abuse programs and services; and
- 7123 (iv) a private provider under an annual or otherwise ongoing contract to provide
- 7124 comprehensive substance abuse programs or services for a local substance abuse
- 7125 authority is in compliance with state and local contract requirements, and state and
- 7126 federal law.
- 7127 (14)(a) The state auditor may, in accordance with the auditor's responsibilities for
- 7128 political subdivisions of the state as provided in Title 51, Chapter 2a, Accounting
- 7129 Reports from Political Subdivisions, Interlocal Organizations, and Other Local
- 7130 Entities Act, initiate audits or investigations of any political subdivision that are
- 7131 necessary to determine honesty and integrity in fiscal affairs, accuracy and reliability
- 7132 of financial statements, effectiveness, and adequacy of financial controls and
- 7133 compliance with the law.

- 7134 (b) If the state auditor receives notice under Subsection 11-41-104(7) from the
7135 Governor's Office of Economic [Opportunity] Development on or after July 1, 2024,
7136 the state auditor may initiate an audit or investigation of the public entity subject to
7137 the notice to determine compliance with Section 11-41-103.
- 7138 (15)(a) The state auditor may not audit work that the state auditor performed before
7139 becoming state auditor.
- 7140 (b) If the state auditor has previously been a responsible official in state government
7141 whose work has not yet been audited, the Legislature shall:
- 7142 (i) designate how that work shall be audited; and
7143 (ii) provide additional funding for those audits, if necessary.
- 7144 (16) The state auditor shall:
- 7145 (a) with the assistance, advice, and recommendations of an advisory committee
7146 appointed by the state auditor from among special district boards of trustees, officers,
7147 and employees and special service district boards, officers, and employees:
- 7148 (i) prepare a Uniform Accounting Manual for Special Districts that:
- 7149 (A) prescribes a uniform system of accounting and uniform budgeting and
7150 reporting procedures for special districts under Title 17B, Limited Purpose
7151 Local Government Entities - Special Districts, and special service districts
7152 under Title 17D, Chapter 1, Special Service District Act;
- 7153 (B) conforms with generally accepted accounting principles; and
7154 (C) prescribes reasonable exceptions and modifications for smaller districts to the
7155 uniform system of accounting, budgeting, and reporting;
- 7156 (ii) maintain the manual under this Subsection (16)(a) so that the manual continues to
7157 reflect generally accepted accounting principles;
- 7158 (iii) conduct a continuing review and modification of procedures in order to improve
7159 them;
- 7160 (iv) prepare and supply each district with suitable budget and reporting forms; and
7161 (v)(A) prepare instructional materials, conduct training programs, and render other
7162 services considered necessary to assist special districts and special service
7163 districts in implementing the uniform accounting, budgeting, and reporting
7164 procedures; and
7165 (B) ensure that any training described in Subsection (16)(a)(v)(A) complies with
7166 Title 63G, Chapter 22, State Training and Certification Requirements; and
7167 (b) continually analyze and evaluate the accounting, budgeting, and reporting practices

7168 and experiences of specific special districts and special service districts selected by
7169 the state auditor and make the information available to all districts.

7170 (17)(a) The following records in the custody or control of the state auditor are protected
7171 records under Title 63G, Chapter 2, Government Records Access and Management
7172 Act:

7173 (i) records that would disclose information relating to allegations of personal
7174 misconduct, gross mismanagement, or illegal activity of a past or present
7175 governmental employee if the information or allegation cannot be corroborated by
7176 the state auditor through other documents or evidence, and the records relating to
7177 the allegation are not relied upon by the state auditor in preparing a final audit
7178 report;

7179 (ii) records and audit workpapers to the extent the workpapers would disclose the
7180 identity of an individual who during the course of an audit, communicated the
7181 existence of any waste of public funds, property, or manpower, or a violation or
7182 suspected violation of a law, rule, or regulation adopted under the laws of this
7183 state, a political subdivision of the state, or any recognized entity of the United
7184 States, if the information was disclosed on the condition that the identity of the
7185 individual be protected;

7186 (iii) before an audit is completed and the final audit report is released, records or
7187 drafts circulated to an individual who is not an employee or head of a
7188 governmental entity for the individual's response or information;

7189 (iv) records that would disclose an outline or part of any audit survey plans or audit
7190 program; and

7191 (v) requests for audits, if disclosure would risk circumvention of an audit.

7192 (b) The provisions of Subsections (17)(a)(i), (ii), and (iii) do not prohibit the disclosure
7193 of records or information that relate to a violation of the law by a governmental entity
7194 or employee to a government prosecutor or peace officer.

7195 (c) The provisions of this Subsection (17) do not limit the authority otherwise given to
7196 the state auditor to classify a document as public, private, controlled, or protected
7197 under Title 63G, Chapter 2, Government Records Access and Management Act.

7198 (d)(i) As used in this Subsection (17)(d), "record dispute" means a dispute between
7199 the state auditor and the subject of an audit performed by the state auditor as to
7200 whether the state auditor may release a record, as defined in Section 63G-2-103,
7201 to the public that the state auditor gained access to in the course of the state

- 7202 auditor's audit but which the subject of the audit claims is not subject to disclosure
7203 under Title 63G, Chapter 2, Government Records Access and Management Act.
- 7204 (ii) The state auditor may submit a record dispute to the director of the Government
7205 Records Office, created in Section 63A-12-202, for a determination of whether the
7206 state auditor may, in conjunction with the state auditor's release of an audit report,
7207 release to the public the record that is the subject of the record dispute.
- 7208 (iii) The state auditor or the subject of the audit may seek judicial review of the
7209 director's determination, described in Subsection (17)(d)(ii), as provided in
7210 Section 63G-2-404.
- 7211 (18) If the state auditor conducts an audit of an entity that the state auditor has previously
7212 audited and finds that the entity has not implemented a recommendation made by the
7213 state auditor in a previous audit, the state auditor shall notify the Legislative
7214 Management Committee through the Legislative Management Committee's Audit
7215 Subcommittee that the entity has not implemented that recommendation.
- 7216 (19) The state auditor shall, with the advice and consent of the Senate, appoint the state
7217 privacy auditor described in Section 67-3-13.
- 7218 (20) Except as provided in Subsection (21), the state auditor shall report, or ensure that
7219 another government entity reports, on the financial, operational, and performance
7220 metrics for the state system of higher education and the state system of public education,
7221 including metrics in relation to students, programs, and schools within those systems.
- 7222 (21)(a) Notwithstanding Subsection (20), the state auditor shall conduct regular audits of:
- 7223 (i) the scholarship granting organization for the Carson Smith Opportunity
7224 Scholarship Program, created in Section 53E-7-402;
- 7225 (ii) the State Board of Education for the Carson Smith Scholarship Program, created
7226 in Section 53F-4-302; and
- 7227 (iii) the scholarship program manager for the Utah Fits All Scholarship Program,
7228 created in Section 53F-6-402, including an analysis of the cost effectiveness of the
7229 program, taking into consideration the amount of the scholarship and the amount
7230 of state and local funds dedicated on a per-student basis within the traditional
7231 public education system.
- 7232 (b) Nothing in this subsection limits or impairs the authority of the State Board of
7233 Education to administer the programs described in Subsection (21)(a).
- 7234 (22) The state auditor shall, based on the information posted by the Office of Legislative
7235 Research and General Counsel under Subsection 36-12-12.1(2), for each policy, track

- 7236 and post the following information on the state auditor's website:
- 7237 (a) the information posted under Subsections 36-12-12.1(2)(a) through (e);
- 7238 (b) an indication regarding whether the policy is timely adopted, adopted late, or not
- 7239 adopted;
- 7240 (c) an indication regarding whether the policy complies with the requirements
- 7241 established by law for the policy; and
- 7242 (d) a link to the policy.
- 7243 (23)(a) A legislator may request that the state auditor conduct an inquiry to determine
- 7244 whether a government entity, government official, or government employee has
- 7245 complied with a legal obligation directly imposed, by statute, on the government
- 7246 entity, government official, or government employee.
- 7247 (b) The state auditor may, upon receiving a request under Subsection (23)(a), conduct
- 7248 the inquiry requested.
- 7249 (c) If the state auditor conducts the inquiry described in Subsection (23)(b), the state
- 7250 auditor shall post the results of the inquiry on the state auditor's website.
- 7251 (d) The state auditor may limit the inquiry described in this Subsection (23) to a simple
- 7252 determination, without conducting an audit, regarding whether the obligation was
- 7253 fulfilled.
- 7254 (24) The state auditor shall:
- 7255 (a) ensure compliance with Title 63G, Chapter 31, Distinctions on the Basis of Sex, in
- 7256 accordance with Section 63G-31-401; and
- 7257 (b) report to the Legislative Management Committee, upon request, regarding the state
- 7258 auditor's actions under this Subsection (24).
- 7259 (25) The state auditor shall report compliance with Sections 67-27-107, 67-27-108, and
- 7260 67-27-109 by:
- 7261 (a) establishing a process to receive and audit each alleged violation; and
- 7262 (b) reporting to the Legislative Management Committee, upon request, regarding the
- 7263 state auditor's findings and recommendations under this Subsection (25).
- 7264 (26) The state auditor shall ensure compliance with Section 63G-1-704 regarding the
- 7265 display of flags in or on government property.
- 7266 (27)(a) On or before January 31 each year, the state auditor shall prepare a report that
- 7267 states, for each entity that holds public funds as defined in Section 51-7-3, the entity's
- 7268 total balance, as of the last day of the immediately preceding fiscal year, of cash, cash
- 7269 equivalents, and investments, as those terms are defined under the standards

- 7270 established by the Governmental Accounting Standards Board.
- 7271 (b) The state auditor shall make the report described in Subsection (27)(a) publicly
7272 available on a website that the state auditor maintains.
- 7273 Section 112. Section **67-22-2** is amended to read:
- 7274 **67-22-2 (Effective 05/06/26). Compensation -- Other state officers.**
- 7275 (1) As used in this section:
- 7276 (a) "Appointed executive" means the:
- 7277 (i) commissioner of the Department of Agriculture and Food;
- 7278 (ii) commissioner of the Insurance Department;
- 7279 (iii) commissioner of the Labor Commission;
- 7280 (iv) director, Department of Alcoholic Beverage Services;
- 7281 (v) commissioner of the Department of Financial Institutions;
- 7282 (vi) executive director, Department of Commerce;
- 7283 (vii) executive director, State Commission on Criminal and Juvenile Justice;
- 7284 (viii) adjutant general;
- 7285 (ix) executive director, Department of Cultural and Community Engagement;
- 7286 (x) executive director, Department of Corrections;
- 7287 (xi) commissioner, Department of Public Safety;
- 7288 (xii) executive director, Department of Natural Resources;
- 7289 (xiii) executive director, Governor's Office of Planning and Budget;
- 7290 (xiv) executive director, Department of Government Operations;
- 7291 (xv) executive director, Department of Environmental Quality;
- 7292 (xvi) executive director, Governor's Office of Economic [~~Opportunity~~] Development;
- 7293 (xvii) executive director, Department of Workforce Services;
- 7294 (xviii) executive director, Department of Health and Human Services, Nonphysician;
- 7295 (xix) executive director, Department of Transportation;
- 7296 (xx) executive director, Department of Veterans and Military Affairs;
- 7297 (xxi) advisor, Public Lands Policy Coordinating Office, created in Section
7298 63L-11-201;
- 7299 (xxii) Great Salt Lake commissioner, appointed under Section 73-32-201; and
7300 (xxiii) Utah water agent, appointed under Section 73-10g-702.
- 7301 (b) "Board or commission executive" means:
- 7302 (i) members, Board of Pardons and Parole;
- 7303 (ii) chair, State Tax Commission;

- 7304 (iii) commissioners, State Tax Commission;
- 7305 (iv) executive director, State Tax Commission;
- 7306 (v) chair, Public Service Commission; and
- 7307 (vi) commissioners, Public Service Commission.
- 7308 (c) "Deputy" means the person who acts as the appointed executive's second in
- 7309 command as determined by the Division of Human Resource Management.
- 7310 (2)(a) The director of the Division of Human Resource Management shall:
- 7311 (i) before October 31 of each year, recommend to the governor a compensation plan
- 7312 for the appointed executives and the board or commission executives; and
- 7313 (ii) base those recommendations on market salary studies conducted by the Division
- 7314 of Human Resource Management.
- 7315 (b)(i) The Division of Human Resource Management shall determine the salary range
- 7316 for the appointed executives by:
- 7317 (A) identifying the salary range assigned to the appointed executive's deputy;
- 7318 (B) designating the lowest minimum salary from those deputies' salary ranges as
- 7319 the minimum salary for the appointed executives' salary range; and
- 7320 (C) designating 105% of the highest maximum salary range from those deputies'
- 7321 salary ranges as the maximum salary for the appointed executives' salary range.
- 7322 (ii) If the deputy is a medical doctor, the Division of Human Resource Management
- 7323 may not consider that deputy's salary range in designating the salary range for
- 7324 appointed executives.
- 7325 (c)(i) Except as provided in Subsection (2)(c)(ii), in establishing the salary ranges for
- 7326 board or commission executives, the Division of Human Resource Management
- 7327 shall set the maximum salary in the salary range for each of those positions at
- 7328 90% of the salary for district judges as established in the annual appropriation act
- 7329 under Section 67-8-2.
- 7330 (ii) In establishing the salary ranges for an individual described in Subsection
- 7331 (1)(b)(ii), (1)(b)(iii), or (1)(b)(iv), the Division of Human Resource Management
- 7332 shall set the maximum salary in the salary range for each of those positions at
- 7333 100% of the salary for district judges as established in the annual appropriation act
- 7334 under Section 67-8-2.
- 7335 (3)(a)(i) Except as provided in Subsection (3)(a)(ii) or Subsection (3)(d), the
- 7336 governor shall establish a specific salary for each appointed executive within the
- 7337 range established under Subsection (2)(b).

- 7338 (ii) If the executive director of the Department of Health and Human Services is a
7339 physician, the governor shall establish a salary within the highest physician salary
7340 range established by the Division of Human Resource Management.
- 7341 (iii) The governor may provide salary increases for appointed executives within the
7342 range established by Subsection (2)(b) and identified in Subsection (3)(a)(ii).
- 7343 (b) The governor shall apply the same overtime regulations applicable to other FLSA
7344 exempt positions.
- 7345 (c) The governor may develop standards and criteria for reviewing the appointed
7346 executives.
- 7347 (d) If under Section 73-10g-702 the governor appoints an individual who is serving in an
7348 appointed executive branch position to be the Utah water agent, the governor shall
7349 adjust the salary of the Utah water agent to account for salary received for the
7350 appointed executive branch position.
- 7351 (4) Salaries for other Schedule A employees, as defined in Section 63A-17-301, that are not
7352 provided for in this chapter, or in Title 67, Chapter 8, Utah Elected Official and Judicial
7353 Salary Act, shall be established as provided in Section 63A-17-301.
- 7354 (5)(a) The Legislature fixes benefits for the appointed executives and the board or
7355 commission executives as follows:
- 7356 (i) the option of participating in a state retirement system established by Title 49,
7357 Utah State Retirement and Insurance Benefit Act, or in a deferred compensation
7358 plan administered by the State Retirement Office in accordance with the Internal
7359 Revenue Code and its accompanying rules and regulations;
- 7360 (ii) health insurance;
- 7361 (iii) dental insurance;
- 7362 (iv) basic life insurance;
- 7363 (v) unemployment compensation;
- 7364 (vi) workers' compensation;
- 7365 (vii) required employer contribution to [~~Social Security~~] social security;
- 7366 (viii) long-term disability income insurance;
- 7367 (ix) the same additional state-paid life insurance available to other noncareer service
7368 employees;
- 7369 (x) the same severance pay available to other noncareer service employees;
- 7370 (xi) the same leave, holidays, and allowances granted to Schedule B state employees
7371 as follows:

- 7372 (A) sick leave;
- 7373 (B) converted sick leave if accrued prior to January 1, 2014;
- 7374 (C) educational allowances;
- 7375 (D) holidays; and
- 7376 (E) annual leave except that annual leave shall be accrued at the maximum rate
- 7377 provided to Schedule B state employees;
- 7378 (xii) the option to convert accumulated sick leave to cash or insurance benefits as
- 7379 provided by law or rule upon resignation or retirement according to the same
- 7380 criteria and procedures applied to Schedule B state employees;
- 7381 (xiii) the option to purchase additional life insurance at group insurance rates
- 7382 according to the same criteria and procedures applied to Schedule B state
- 7383 employees; and
- 7384 (xiv) professional memberships if being a member of the professional organization is
- 7385 a requirement of the position.

7386 (b) Each department shall pay the cost of additional state-paid life insurance for its

7387 executive director from its existing budget.

7388 (6) The Legislature fixes the following additional benefits:

- 7389 (a) for the executive director of the Department of Transportation a vehicle for official
- 7390 and personal use;
- 7391 (b) for the executive director of the Department of Natural Resources a vehicle for
- 7392 commute and official use;
- 7393 (c) for the commissioner of Public Safety:
- 7394 (i) an accidental death insurance policy if POST certified; and
- 7395 (ii) a public safety vehicle for official and personal use;
- 7396 (d) for the executive director of the Department of Corrections:
- 7397 (i) an accidental death insurance policy if POST certified; and
- 7398 (ii) a public safety vehicle for official and personal use;
- 7399 (e) for the adjutant general a vehicle for official and personal use;
- 7400 (f) for each member of the Board of Pardons and Parole a vehicle for commute and
- 7401 official use; and
- 7402 (g) for the executive director of the Department of Veterans and Military Affairs a
- 7403 vehicle for commute and official use.

7404 Section 113. Section **71A-9-303** is amended to read:

7405 **71A-9-303 (Effective 05/06/26). Certain improvements, alterations, and**

7406 **expansions prohibited.**

- 7407 (1) A person may not begin to develop, or authorize development, on any land on which the
7408 department or the Governor's Office of Economic [Opportunity] Development holds a
7409 lawful easement unless the department or the Governor's Office of Economic [
7410 Opportunity] Development has affirmatively authorized the development of the land.
- 7411 (2) Nothing in this part prohibits a property owner from improving, altering, or expanding
7412 an existing residential or commercial use of the property owner's property if the
7413 improvement, alteration, or expansion does not violate any conditions of an easement
7414 placed on the property owner's land.

7415 Section 114. Section **72-1-209** is amended to read:

7416 **72-1-209 (Effective 05/06/26). Department to cooperate in programs relating to**
7417 **scenic centers.**

7418 The department shall cooperate in planning and promoting road-building programs into
7419 the scenic centers of the state and in providing camping grounds and facilities in scenic centers
7420 for tourists with:

- 7421 (1) the Governor's Office of Economic [Opportunity] Development;
- 7422 (2) other states;
- 7423 (3) all national, state, and local planning and zoning agencies and boards;
- 7424 (4) municipal and county officials; and
- 7425 (5) other agencies.

7426 Section 115. Section **72-2-503** is amended to read:

7427 **72-2-503 (Effective 05/06/26). Board creation -- Duties -- Grant administration.**

- 7428 (1) There is created the affordable housing infrastructure grant board consisting of the
7429 following members:
- 7430 (a) the executive director of the department, or the executive director's designee;
- 7431 (b) the executive director of the Governor's Office of Economic [Opportunity]
7432 Development appointed under Section 63N-1a-302, or the executive director's
7433 designee; and
- 7434 (c) an employee of the governor's office that is an expert or advisor on housing strategy,
7435 appointed by the governor.
- 7436 (2)(a) The Governor's Office of Economic [Opportunity] Development shall provide staff
7437 support for the board and the grant program.
- 7438 (b) The Governor's Office of Economic [Opportunity] Development may use and the
7439 department shall transfer grant funds for the costs of the Governor's Office of

- 7440 Economic [Opportunity] Development to administer the grant program under this part.
- 7441 (c) The Governor's Office of Economic [Opportunity] Development and the department
- 7442 shall enter into a memorandum of understanding to facilitate the calculation and
- 7443 transfer of funds for the administrative costs described in Subsection (2)(b).
- 7444 (3) The Governor's Office of Economic [Opportunity] Development, in consultation with
- 7445 the board, shall develop a process for the prioritization of grant proposals that includes:
- 7446 (a) instructions on making and submitting a grant proposal;
- 7447 (b) methodology for selecting grants; and
- 7448 (c) methodology for awarding grants.
- 7449 (4) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the
- 7450 Governor's Office of Economic [Opportunity] Development shall make rules to establish
- 7451 the process described in Subsection (3) and as otherwise necessary to implement this
- 7452 part.
- 7453 (5) The board shall:
- 7454 (a) accept grant applications;
- 7455 (b) rank grant proposals; and
- 7456 (c) award grants in accordance with this part.
- 7457 (6) A grant applicant shall ensure that each grant proposal includes:
- 7458 (a) information about the proposed project, including the projected number of affordable
- 7459 housing units, which may not be less than 50 units of affordable housing;
- 7460 (b) the projected time line of the proposed project;
- 7461 (c) data and information regarding the proposed types of affordable housing; and
- 7462 (d) information about the public infrastructure and other improvements needed.
- 7463 (7)(a) In considering a grant proposal, the board shall consider criteria including:
- 7464 (i) the value and number of housing units the project will produce;
- 7465 (ii) the value of any matching contribution from the grant applicant, including
- 7466 information about how the public entity determined the value of the matching
- 7467 assets; and
- 7468 (iii) any other criteria the board determines relevant.
- 7469 (b) For a grant proposal including highway infrastructure, the board may not award a
- 7470 grant unless the grant applicant provides a minimum matching contribution of the
- 7471 right-of-way needed for the highway improvements.
- 7472 (c) If a grant proposal includes highway infrastructure, the board shall give priority to
- 7473 the construction of public highways that are highways of regional significance that

- 7474 connect to other highways or points of regional significance.
- 7475 (8)(a) Subject to available funding, and subject to Subsection (8)(b), the board may
- 7476 award a grant to a recipient that the board determines advisable.
- 7477 (b) For every \$20,000 of grant funding awarded to a recipient, the infrastructure shall
- 7478 support at least one unit of affordable housing.
- 7479 (c) The board may not award a grant to a recipient if the board determines that the
- 7480 recipient will not be able to satisfy the requirement under Subsection (8)(b).
- 7481 (9) If the board approves the award of a grant as provided in this part, the department shall
- 7482 transfer the money to the grant recipient in accordance with Subsection (10).
- 7483 (10)(a) Before the department may provide grant money to a public entity for a project
- 7484 related to a grant awarded by the board, the public entity shall provide a detailed cost
- 7485 estimate of costs to complete the planning and design of the project.
- 7486 (b) If the executive director approves the cost estimate described in Subsection (10)(a),
- 7487 the department may provide to the public entity grant money reasonably necessary to
- 7488 complete the planning and design of the project.
- 7489 (c) After completion of the planning and design of a project related to a grant awarded
- 7490 by the board, the public entity shall provide to the department a detailed estimate of
- 7491 the costs to construct and complete the project described in Subsection (10)(b).
- 7492 (d) If the executive director approves the cost estimates described in Subsection (10)(c),
- 7493 the department may provide grant money to a public entity to construct and complete
- 7494 the project described in Subsection (10)(b).

7495 Section 116. Section **72-4-302** is amended to read:

7496 **72-4-302 (Effective 05/06/26) (Repealed 01/02/30). Utah State Scenic Byway**

7497 **Committee -- Creation -- Membership -- Meetings -- Expenses.**

- 7498 (1) There is created the Utah State Scenic Byway Committee.
- 7499 (2)(a) The committee shall consist of the following 13 members:
- 7500 (i) a representative from each of the following entities appointed by the governor:
- 7501 (A) the Governor's Office of Economic [~~Opportunity~~] Development;
- 7502 (B) the Utah Department of Transportation;
- 7503 (C) the Department of Cultural and Community Engagement;
- 7504 (D) the Division of State Parks;
- 7505 (E) the Federal Highway Administration;
- 7506 (F) the National Park Service;
- 7507 (G) the National Forest Service; and

- 7508 (H) the Bureau of Land Management;
- 7509 (ii) one local government tourism representative appointed by the governor;
- 7510 (iii) a representative from the private business sector appointed by the governor; and
- 7511 (iv) three local elected officials from a county, city, or town within the state
- 7512 appointed by the governor.
- 7513 (b) Except as provided in Subsection (2)(c), the members appointed in this Subsection
- 7514 (2) shall be appointed for a four-year term of office.
- 7515 (c) The governor shall, at the time of appointment or reappointment for appointments
- 7516 made under Subsection (2)(a)(i), (ii), (iii), or (iv) adjust the length of terms to ensure
- 7517 that the terms of committee members are staggered so that approximately half of the
- 7518 committee is appointed every two years.
- 7519 (3)(a) The representative from the Governor's Office of Economic [~~Opportunity~~]
- 7520 Development shall chair the committee.
- 7521 (b) The members appointed under Subsections (2)(a)(i)(E) through (H) serve as
- 7522 nonvoting, ex officio members of the committee.
- 7523 (4) The Governor's Office of Economic [~~Opportunity~~] Development and the department
- 7524 shall provide staff support to the committee.
- 7525 (5)(a) The chair may call a meeting of the committee only with the concurrence of the
- 7526 department.
- 7527 (b) A majority of the voting members of the committee constitute a quorum.
- 7528 (c) Action by a majority vote of a quorum of the committee constitutes action by the
- 7529 committee.
- 7530 (6) A member may not receive compensation or benefits for the member's service, but may
- 7531 receive per diem and travel expenses as allowed in:
- 7532 (a) Section 63A-3-106;
- 7533 (b) Section 63A-3-107; and
- 7534 (c) rules made by the Division of Finance according to Sections 63A-3-106 and
- 7535 63A-3-107.
- 7536 Section 117. Section **72-7-504** is amended to read:
- 7537 **72-7-504 (Effective 05/06/26). Advertising prohibited near interstate or primary**
- 7538 **system -- Exceptions -- Logo advertising -- Department rules.**
- 7539 (1) As used in this section, "specific service trailblazer sign" means a guide sign that
- 7540 provides users with business identification or directional information for services and
- 7541 eligible activities that are advertised on a logo advertising sign authorized under

- 7542 Subsection (3)(a)(i).
- 7543 (2) Outdoor advertising that is capable of being read or comprehended from any place on
7544 the main-traveled way of an interstate or primary system may not be erected or
7545 maintained, except:
- 7546 (a) directional and other official signs and notices authorized or required by law,
7547 including signs and notices pertaining to natural wonders and scenic and historic
7548 attractions, informational or directional signs regarding utility service, emergency
7549 telephone signs, buried or underground utility markers, and above ground utility
7550 closure signs;
- 7551 (b) on-premise signs advertising the sale or lease of property upon which the on-premise
7552 signs are located;
- 7553 (c) on-premise signs advertising major activities conducted on the property where the
7554 on-premise signs are located;
- 7555 (d) public assembly facility signs;
- 7556 (e) unified commercial development signs that have received a waiver as described in
7557 Section 72-7-504.6;
- 7558 (f) signs located in a commercial or industrial zone;
- 7559 (g) signs located in unzoned industrial or commercial areas as determined from actual
7560 land uses; and
- 7561 (h) logo advertising under Subsection (3).
- 7562 (3)(a) The department may itself or by contract erect, administer, and maintain
7563 informational signs:
- 7564 (i) on the main-traveled way of an interstate or primary system, as it existed on June
7565 1, 1991, specific service signs for the display of logo advertising and information
7566 of interest, excluding specific service trailblazer signs as defined in rules adopted
7567 in accordance with Section 41-6a-301, to the traveling public if:
- 7568 (A) the department complies with Title 63G, Chapter 6a, Utah Procurement Code,
7569 in the lease or other contract agreement with a private party for the sign or sign
7570 space; and
- 7571 (B) the private party for the lease of the sign or sign space pays an amount set by
7572 the department to be paid to the department or the party under contract with the
7573 department under this Subsection (3); and
- 7574 (ii) only on rural conventional roads as defined in rules adopted in accordance with
7575 Section 41-6a-301 in a county of the fourth, fifth, or sixth class for tourist-oriented

- 7576 directional signs that display logo advertising and information of interest to the
 7577 traveling public if:
- 7578 (A) the department complies with Title 63G, Chapter 6a, Utah Procurement Code,
 7579 in the lease or other contract agreement with a private party for the
 7580 tourist-oriented directional sign or sign space; and
- 7581 (B) the private party for the lease of the sign or sign space pays an amount set by
 7582 the department to be paid to the department or the party under contract with the
 7583 department under this Subsection (3).
- 7584 (b) The amount shall be sufficient to cover the costs of erecting, administering, and
 7585 maintaining the signs or sign spaces.
- 7586 (c)(i) Any sign erected pursuant to this Subsection (3) which was existing as of
 7587 March 1, 2015, shall be permitted as if it were in compliance with this Subsection
 7588 (3).
- 7589 (ii) A noncompliant sign shall only be permitted for the contract period of the
 7590 advertising contract.
- 7591 (iii) A new advertising contract may not be issued for a noncompliant sign.
- 7592 (d) The department may consult the Governor's Office of Economic [~~Opportunity~~]
 7593 Development in carrying out this Subsection (3).
- 7594 (4)(a) Revenue generated under Subsection (3) shall be:
- 7595 (i) applied first to cover department costs under Subsection (3); and
 7596 (ii) deposited into the Transportation Fund.
- 7597 (b) Revenue in excess of costs under Subsection (3)(a) shall be deposited into the
 7598 General Fund as a dedicated credit for use by the Governor's Office of Economic [~~Opportunity~~]
 7599 Development no later than the following fiscal year.
- 7600 (5) Outdoor advertising under Subsections (2)(a), (f), (g), and (h) shall conform to the rules
 7601 made by the department under Sections 72-7-506 and 72-7-507.
- 7602 Section 118. Section **79-6-902** is amended to read:
- 7603 **79-6-902 (Effective 05/06/26). Utah Energy Infrastructure Board.**
- 7604 (1) There is created within the office the Utah Energy Infrastructure Board that consists of
 7605 nine members as follows:
- 7606 (a) subject to Subsection (2), members appointed by the governor:
- 7607 (i) the director of the Office of Energy Development, who shall serve as chair of the
 7608 board;
- 7609 (ii) one member from the Governor's Office of Economic [~~Opportunity~~] Development;

- 7610 (iii) one member from a public utility or electric interlocal entity that operates electric
7611 transmission facilities within the state;
- 7612 (iv) one member who resides within a county of the third, fourth, fifth, or sixth class,
7613 as classified under Section 17-60-104, with relevant experience in an energy or
7614 extraction industry;
- 7615 (v) one member currently serving as county commissioner of a county of the third,
7616 fourth, fifth, or sixth class, as classified under Section 17-60-104; and
- 7617 (vi) two members of the general public with relevant industry experience;
- 7618 (b) one member appointed jointly by the Utah Farm Bureau Federation, the Utah
7619 Manufacturer's Association, the Utah Mining Association, and the Utah Petroleum
7620 Association; and
- 7621 (c) the director of the School and Institutional Trust Lands Administration created in
7622 Section 53C-1-201.
- 7623 (2) The governor shall consult with the president of the Senate and the speaker of the House
7624 of Representatives in appointing the members described in Subsections (1)(a)(iii)
7625 through (vi).
- 7626 (3)(a) The term of an appointed board member is four years.
- 7627 (b) Notwithstanding Subsection (3)(a), the governor shall, at the time of appointment or
7628 reappointment, adjust the length of terms to ensure that the terms of board members
7629 are staggered so that approximately half of the board is appointed every two years.
- 7630 (c) The governor may remove a member of the board for cause.
- 7631 (d) The governor shall fill a vacancy in the board in the same manner under this section
7632 as the appointment of the member whose vacancy is being filled.
- 7633 (e) An individual appointed to fill a vacancy shall serve the remaining unexpired term of
7634 the member whose vacancy the individual is filling.
- 7635 (f) A board member shall serve until a successor is appointed and qualified.
- 7636 (4)(a) Five members of the board constitute a quorum for conducting board business.
- 7637 (b) A majority vote of the quorum present is required for an action to be taken by the
7638 board.
- 7639 (5) The board shall meet as needed to review an application.
- 7640 (6) A member may not receive compensation or benefits for the member's service, but may
7641 receive per diem and travel expenses in accordance with:
- 7642 (a) Section 63A-3-106;
- 7643 (b) Section 63A-3-107; and

- 7644 (c) rules made by the Division of Finance pursuant to Sections 63A-3-106 and
7645 63A-3-107.
- 7646 Section 119. Section **79-7-203** is amended to read:
- 7647 **79-7-203 (Effective 05/06/26). Powers and duties of division.**
- 7648 (1) As used in this section, "real property" includes land under water, upland, and all other
7649 property commonly or legally defined as real property.
- 7650 (2) The Division of Wildlife Resources shall retain the power and jurisdiction conferred
7651 upon the Division of Wildlife Resources by law on property controlled by the division
7652 with reference to fish and game.
- 7653 (3) For purposes of property controlled by the division, the division shall permit multiple
7654 uses of the property for purposes such as grazing, fishing, hunting, camping, mining, and
7655 the development and use of water and other natural resources.
- 7656 (4)(a) The division may acquire real and personal property in the name of the state by
7657 legal and proper means, including purchase, gift, devise, eminent domain, lease,
7658 exchange, or otherwise, subject to the approval of the executive director and the
7659 governor.
- 7660 (b) In acquiring real or personal property, the credit of the state may not be pledged
7661 without the consent of the Legislature.
- 7662 (5)(a) Before acquiring any real property, the division shall notify the county legislative
7663 body of the county where the property is situated of the division's intention to acquire
7664 the property.
- 7665 (b) If the county legislative body requests a hearing within 10 days of receipt of the
7666 notice, the division shall hold a public hearing in the county concerning the matter.
- 7667 (6) Acceptance of gifts or devises of land or other property is at the discretion of the
7668 division, subject to the approval of the executive director and the governor.
- 7669 (7) The division shall acquire property by eminent domain in the manner authorized by
7670 Title 78B, Chapter 6, Part 5, Eminent Domain.
- 7671 (8)(a) The division may make charges for special services and use of facilities, the
7672 income from which is available for recreation purposes.
- 7673 (b) The division may conduct and operate those services necessary for the comfort and
7674 convenience of the public.
- 7675 (9)(a) The division may lease or rent concessions of lawful kinds and nature on property
7676 to persons, partnerships, and corporations for a valuable consideration after notifying
7677 the commission.

- 7678 (b) The division shall comply with Title 63G, Chapter 6a, Utah Procurement Code, in
7679 selecting concessionaires.
- 7680 (10) The division shall proceed without delay to negotiate with the federal government
7681 concerning the Weber Basin and other recreation and reclamation projects.
- 7682 (11)(a) The division shall coordinate with and annually report to the following regarding
7683 land acquisition and development and grants administered under this chapter or
7684 Chapter 8, Outdoor Recreation Grants:
- 7685 (i) the Division of State Parks; and
 - 7686 (ii) the ~~[Office of]~~ Center for Rural Development created in Section 63N-4-102.
- 7687 (b) The report required under Subsection (11)(a) shall be in writing, made public, and
7688 include a description and the amount of any grant awarded under this chapter or
7689 Chapter 8, Outdoor Recreation Grants.
- 7690 (12) The division shall:
- 7691 (a) coordinate outdoor recreation policy, management, and promotion:
 - 7692 (i) among state and federal agencies and local government entities in the state;
 - 7693 (ii) with the Public Lands Policy Coordinating Office created in Section 63L-11-201,
7694 if public land is involved; and
 - 7695 (iii) on at least a quarterly basis, with the executive director and the executive
7696 director of the Governor's Office of Economic ~~[Opportunity]~~ Development;
 - 7697 (b) in cooperation with the Governor's Office of Economic ~~[Opportunity]~~ Development,
7698 promote economic development in the state by:
 - 7699 (i) coordinating with outdoor recreation stakeholders;
 - 7700 (ii) improving recreational opportunities; and
 - 7701 (iii) recruiting outdoor recreation business;
 - 7702 (c) administer Chapter 9, Mitigating the Direct Impacts of Tourism and Outdoor
7703 Recreation;
 - 7704 (d) promote all forms of outdoor recreation, including motorized and nonmotorized
7705 outdoor recreation;
 - 7706 (e) recommend to the governor and Legislature policies and initiatives to enhance
7707 recreational amenities and experiences in the state and help implement those policies
7708 and initiatives;
 - 7709 (f) in performing the division's duties, seek to ensure safe and adequate access to
7710 outdoor recreation for all user groups and for all forms of recreation;
 - 7711 (g) develop data regarding the impacts of outdoor recreation in the state; and

7712 (h) promote the health and social benefits of outdoor recreation, especially to young
7713 people.

7714 (13) By following Title 63J, Chapter 5, Federal Funds Procedures Act, the division may:

7715 (a) seek federal grants or loans;

7716 (b) seek to participate in federal programs; and

7717 (c) in accordance with applicable federal program guidelines, administer federally
7718 funded outdoor recreation programs.

7719 Section 120. **Effective Date.**

7720 (1) Except as provided in Subsection (2), this bill takes effect May 6, 2026.

7721 (2) The actions affecting Section 63N-2-512 (Effective 07/01/26) (Repealed 07/01/28) take
7722 effect on July 1, 2026.

7723 Section 121. **Coordinating H.B. 475 with other 2026 General Session legislation.**

7724 The Legislature intends that all references to the term "GOEO" change to "GOED" and

all references to the term "Governor's Office of Economic Opportunity" change to "Governor's

Office of Economic Development" in any new language added to the Utah Code by legislation

that passes in the 2026 General Session and becomes law.