

HB0373S02 compared with HB0373S01

~~{Omitted text}~~ shows text that was in HB0373S01 but was omitted in HB0373S02
inserted text shows text that was not in HB0373S01 but was inserted into HB0373S02

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1

Higher Education Innovation
2026 GENERAL SESSION
STATE OF UTAH
Chief Sponsor: Karen M. Peterson
Senate Sponsor: Ann Millner



2

3 **LONG TITLE**

4 **General Description:**

5 This bill creates a pilot grant program for higher education research funding.

6 **Highlighted Provisions:**

7 This bill:

- 8 ▶ defines terms;
- 9 ▶ amends provisions regarding the Nucleus Institute, including:
- 10 • authority regarding a facility on point of the mountain state land;
- 11 • renaming the Utah Innovation Fund to the Nucleus Fund;
- 12 • amending the appointment of certain positions and board members; and
- 13 • amending compensation;
- 14 ▶ allows the commissioner of higher education to undertake certain duties previously dedicated to
the Utah Board of Higher Education (board);
- 16 ▶ creates a pilot grant program for higher education research funding;
- 17 ▶ requires the board to administer and approve funding grants, potentially through the Nucleus
Institute, the Talent, Education, and Industry Alignment Board, or an ad hoc committee;

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- 20 ‣ requires the board to report on the research funding grant program; and
- 21 ‣ makes technical and conforming changes.

22 Money Appropriated in this Bill:

- 23 ‣ **This bill appropriates \$50,000,000 in operating and capital budgets for fiscal year 2027,**
 - 24 **all**
 - 25 **of which is from the Income Tax Fund.**
-

26 Other Special Clauses:

26 This bill provides a special effective date.

27 Utah Code Sections Affected:

28 AMENDS:

- 29 **11-59-202 (Effective 07/01/26) (Repealed 01/01/29)**, as last amended by Laws of Utah 2025,
Chapter 31
- 31 **53E-10-310 (Effective 07/01/26)**, as last amended by Laws of Utah 2025, First Special Session,
Chapter 9
- 33 **53H-1-402 (Effective 07/01/26) (Partially Repealed 07/01/27)**, as renumbered and amended by
Laws of Utah 2025, First Special Session, Chapter 8
- 35 **53H-11-402 (Effective 07/01/26)**, as renumbered and amended by Laws of Utah 2025, First Special
Session, Chapter 8
- 37 **53H-11-403 (Effective 07/01/26)**, as renumbered and amended by Laws of Utah 2025, First Special
Session, Chapter 8
- 39 **53H-16-201 (Effective 07/01/26)**, as renumbered and amended by Laws of Utah 2025, First Special
Session, Chapter 8
- 41 **53H-16-202 (Effective 07/01/26)**, as renumbered and amended by Laws of Utah 2025, First Special
Session, Chapter 8
- 43 **53H-16-302 (Effective 07/01/26)**, as renumbered and amended by Laws of Utah 2025, First Special
Session, Chapter 8
- 45 **53H-16-303 (Effective 07/01/26)**, as renumbered and amended by Laws of Utah 2025, First Special
Session, Chapter 8
- 47 **53H-16-304 (Effective 07/01/26)**, as renumbered and amended by Laws of Utah 2025, First Special
Session, Chapter 8

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53H-16-402 (Effective 07/01/26), as renumbered and amended by Laws of Utah 2025, First Special Session, Chapter 8

51 **53H-16-403 (Effective 07/01/26)**, as renumbered and amended by Laws of Utah 2025, First Special Session, Chapter 8

53 **53H-16-404 (Effective 07/01/26)**, as renumbered and amended by Laws of Utah 2025, First Special Session, Chapter 8

55 **53H-16-405 (Effective 07/01/26)**, as renumbered and amended by Laws of Utah 2025, First Special Session, Chapter 8

57 **53H-16-406 (Effective 07/01/26)**, as renumbered and amended by Laws of Utah 2025, First Special Session, Chapter 8

59 **53H-16-407 (Effective 07/01/26)**, as renumbered and amended by Laws of Utah 2025, First Special Session, Chapter 8

61 **63I-1-253 (Effective 07/01/26)**, as last amended by Laws of Utah 2025, First Special Session, Chapter 9

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

65 ENACTS:

66 **53H-8-211 (Effective 07/01/26)**, Utah Code Annotated 1953

67

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

69 Section 1. Section **11-59-202** is amended to read:

70 **11-59-202. Authority powers.**

The authority may:

71 (1) as provided in this chapter, plan, manage, and implement the development of the point of the mountain state land, including the ongoing operation of facilities on the point of the mountain state land;

74 (2) undertake, or engage a consultant to undertake, any study, effort, or activity the board considers appropriate to assist or inform the board about any aspect of the proposed development of the point of the mountain state land, including the best development model and financial projections relevant to the authority's efforts to fulfill [its] the authority's duties and responsibilities under this section and Section 11-59-203;

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- 79 (3) sue and be sued;
- 80 (4) enter into contracts generally, including a contract for the sharing of records under Section
63G-2-206;
- 82 (5) buy, obtain an option upon, or otherwise acquire any interest in real or personal property, as
necessary to accomplish the duties and responsibilities of the authority, including an interest in
real property, apart from point of the mountain state land, or personal property, outside point of the
mountain state land, for publicly owned infrastructure and improvements, if the board considers
the purchase, option, or other interest acquisition to be necessary for fulfilling the authority's
development objectives;
- 88 (6) sell, convey, grant, dispose of by gift, or otherwise dispose of any interest in real or personal
property;
- 90 (7) enter into a lease agreement on real or personal property, either as lessee or lessor;
- 91 (8) provide for the development of the point of the mountain state land under one or more contracts,
including the development of publicly owned infrastructure and improvements and other
infrastructure and improvements on or related to the point of the mountain state land;
- 95 (9) exercise powers and perform functions under a contract, as authorized in the contract;
- 96 (10) accept financial or other assistance from any public or private source for the authority's activities,
powers, and duties, and expend any funds so received for any of the purposes of this chapter;
- 99 (11) borrow money, contract with, or accept financial or other assistance from the federal government,
a public entity, or any other source for any of the purposes of this chapter and comply with any
conditions of the loan, contract, or assistance;
- 102 (12) subject to Part 6, Authority Bonds, issue bonds to finance the undertaking of any development
objectives of the authority;
- 104 (13) issue bonds under [~~Title 11,~~]Chapter 17, Utah Industrial Facilities and Development Act, and
bonds under[~~Title 11,~~] Chapter 42, Assessment Area Act;
- 106 (14) hire employees, including contract employees, in addition to or in place of staff provided under
Section 11-59-304;
- 108 (15) transact other business and exercise all other powers provided for in this chapter;
- 109 (16) enter into a development agreement with a developer of some or all of the point of the mountain
state land;

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- (17) provide for or finance an energy efficiency upgrade, a clean energy system, or electric vehicle charging infrastructure, as those terms are defined in Section 11-42a-102, in accordance with [~~Title 11,~~]Chapter 42a, Commercial Property Assessed Clean Energy Act;
- 115 (18) exercise powers and perform functions that the authority is authorized by statute to exercise or perform;
- 117 (19) enter into one or more interlocal agreements under [~~Title 11,~~]Chapter 13, Interlocal Cooperation Act, with one or more local government entities for the delivery of services to the point of the mountain state land;
- 120 (20) enter into an agreement with the federal government or an agency of the federal government, as the board considers necessary or advisable, to enable or assist the authority to exercise its powers or fulfill its duties and responsibilities under this chapter;
- 123 (21) provide funding for the development of publicly owned infrastructure and improvements or other infrastructure and improvements on or related to the point of the mountain state land; [~~and~~]
- 126 (22) impose impact fees under [~~Title 11,~~]Chapter 36a, Impact Fees Act, and other fees related to development activities[~~;~~] and
- 128 (23) coordinate or contract with a state agency for the use of a facility on point of the mountain state land.

131 Section 2. Section **53E-10-310** is amended to read:

132 **53E-10-310. Utah first credential program.**

132 (1) As used in this section:

133 (a) "Eligible institution" means an institution of higher education as defined in Section 53H-1-101.

135 (b) "First credential" means a certificate awarded by the state board to an eligible student who meets the criteria described in Subsection (7).

137 (c)

(i) "Industry-recognized credential" means a credential that is:

138 (A) developed and offered by, or endorsed by, a nationally recognized industry association or organization representing a sizable portion of the industry sector;

140 (B) sought or accepted by employers within the industry or sector as a recognized, preferred, or required credential for recruitment, screening, hiring, retention, or advancement purposes; and

143 (C) regularly reviewed, updated, and validated by the issuing body to ensure ongoing alignment with industry standards and labor market needs.

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- 145 (ii) "Industry-recognized credential" may also include a credential offered through a catalyst center as
described in Section 53E-3-507.1.
- 147 (d) "Master credential list" means the list of approved industry-recognized credentials maintained by the
state board in accordance with this section.
- 149 (e) "Program" means the first credential program described in this section.
- 150 (f) "Technical college" means the same as that term is defined in Section 53H-1-101.
- 151 (2) The commissioner of higher education, the state superintendent of public instruction, and the
governor's education advisor shall establish the First Credential Oversight Committee comprised of:
- 154 (a) representatives from industries, including:
- 155 (i) members of professional associations or trade groups; and
- 156 (ii) employers from high-demand sectors as the state board determines in collaboration with the Utah
Board of Higher Education and the Department of Workforce Services;
- 159 (b) representatives from education including:
- 160 (i) members from the state board;
- 161 (ii) the director of the Catalyst Center Grant Program described in Section 53E-3-507.1;
- 163 (iii) LEA administrators, such as a superintendent or charter school director;
- 164 (iv) professionals from institutions of higher education, including technical colleges;
- 165 (v) career and technical education specialists; and
- 166 (vi) Talent Ready Utah; and
- 167 (c) workforce development experts, including representatives from the Department of Workforce
Services.
- 169 (3) The state board shall staff the First Credential Oversight Committee.
- 170 (4) The First Credential Oversight Committee shall develop a first credential master plan, which shall
include:
- 172 (a) a framework for developing and maintaining the master credential list;
- 173 (b) a comprehensive needs assessment framework that evaluates:
- 174 (i) resources available through institutions of higher education, including:
- 175 (A) faculty expertise and availability;
- 176 (B) facilities and equipment;
- 177 (C) existing certification programs; and
- 178 (D) potential for program expansion;

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- 179 (ii) industry partnership opportunities, including:
- 180 (A) geographical proximity to potential partners;
- 181 (B) willingness of local industries to participate;
- 182 (C) capacity for work-based learning placements; and
- 183 (D) alignment between industry needs and educational capabilities; and
- 184 (iii) general resource availability, including:
- 185 (A) current funding streams and potential funding sources;
- 186 (B) existing technology infrastructure;
- 187 (C) qualified personnel and staffing needs; and
- 188 (D) professional development requirements;
- 189 (c) credential approval processes;
- 190 (d) methods for ensuring industry demand alignment;
- 191 (e) wage considerations for occupations associated with approved credentials;
- 192 (f) clear definitions of industry-recognized credentials;
- 193 (g) strategies for promoting stackability and sequencing of credentials;
- 194 (h) approaches to ensure regional relevance of credentials;
- 195 (i) mechanisms for collaboration between educational institutions, industry partners, and workforce
development agencies;
- 197 (j) strategies for continuous evaluation and improvement of the program;
- 198 (k) the creation of a credentials review committee, including membership and duties;
- 199 (l) in accordance with Subsection (17), an established framework of planning, implementation, and
student outcome performance funding for an LEA administering first credential programming;
- 202 (m) a weighted system for the master credential list that:
- 203 (i) assigns higher values to credentials based on:
- 204 (A) alignment with high-demand, high-wage occupations;
- 205 (B) incorporation of multiple learning pathways, including coursework, apprenticeships, internships,
work-based learning, and related service opportunities;
- 208 (C) industry recognition and portability; and
- 209 (D) stackability with other credentials or degrees; and
- 210 (ii) uses the weighted values to:
- 211 (A) determine incentive funding levels;

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- 212 (B) prioritize program expansion support; and
213 (C) guide student career planning; and
214 (n) guidelines for LEAs to procure industry-recognized certification program licenses, including:
216 (i) verification that certifications appear on the master credential list;
217 (ii) requirement for competency-based assessments in proctored environments;
218 (iii) documentation of local industry endorsement; and
219 (iv) alignment with state and federal computer science initiatives where applicable, including the
Computer Science for Utah Grant Program described in Section 53H-13-306.
- 222 (5) In accordance with the Utah First Credential Master Plan, the state board shall:
223 (a) ensure that the credentials review committee membership reflects a balance of perspectives and
expertise;
225 (b) develop an online application and submission system for credentialing organizations and providers
to submit programs for inclusion in the master credential list;
227 (c) establish and maintain the master credential list based on the recommendations of the credentials
review committee;
229 (d) develop clear mechanisms for students to understand how earning one credential can lead to higher-
level certifications or degrees; and
231 (e) foster partnerships between high schools, technical colleges, employers, and apprenticeship
programs to ensure students have access to meaningful work-based learning opportunities.
- 234 (6) The state board shall:
235 (a) automatically include on the initial master credential list any existing credential that:
236 (i) meets the definition of industry-recognized credential under this section; and
237 (ii) is currently recognized by the state board or Utah Board of Higher Education as of July 1, 2024; and
239 (b) review all automatically included credentials within one year to ensure ongoing compliance with
program requirements.
- 241 (7) The state board shall award a first credential certificate to an eligible student who completes one of
the following:
243 (a) concurrent enrollment courses, composed of:
244 (i) between 12 and 18 core general education credits, or as industry standards dictate, with courses from
different general education categories; or
246 (ii) a prescribed set of courses as the Utah Board of Higher Education designates;

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- 247 (b) an industry-recognized credential included on the master credential list;
- 248 (c) 300 hours of completion through a youth apprenticeship program that:
- 249 (i) is described in Sections 35A-6-102 and 35A-6-104.5; and
- 250 (ii) includes courses that fulfill the requirements for an industry-recognized credential included on the
master credential list;
- 252 (d) completion of a technical college certificate; or
- 253 (e) completion of a Career and Technical Education Pathway program.
- 254 (8) The Utah Board of Higher Education shall ensure that credits earned for a first credential certificate
are:
- 256 (a) accepted and transferable to institutions of higher education, including technical colleges;
- 258 (b) applicable towards relevant degree programs; and
- 259 (c) recognized by relevant industries as adequate preparation for employment.
- 260 (9) Subject to legislative appropriations, the Utah Board of Higher Education shall award a first
credential scholarship to each student who earns a first credential certificate.
- 262 (10) The first credential scholarship may be used at the following institutions:
- 263 (a) an institution of higher education as defined in Section 53H-1-101; or
- 264 (b) a private, nonprofit college or university in the state that is accredited by the Northwest Commission
on Colleges and Universities.
- 266 (11) The commissioner of higher education, in consultation with the Utah Board of Higher Education,
shall annually determine the first credential scholarship amount based on:
- 268 (a) the number of eligible students; and
- 269 (b) appropriations made by the Legislature.
- 270 (12) A student may use the first credential scholarship for:
- 271 (a) tuition and fees;
- 272 (b) books and supplies; or
- 273 (c) other educational expenses as the Utah Board of Higher Education determines.
- 274 (13) The Utah Board of Higher Education shall ensure the scholarship is valid for use within three years
from the date the student graduates from high school.
- 276 (14) A student may earn the first credential scholarship in addition to any other state-sponsored
scholarships for which the student may be eligible.
- 278

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(15) The first credential oversight committee shall present the master plan described in Subsection (4) to the Education Interim Committee by the November 2025 interim committee meeting.

281 (16) Every three years, the First Credential Oversight Committee shall:

282 (a) review the Utah First Credential Master Plan;

283 (b) as needed, create a list of recommendations and update the Utah First Credential Master Plan;

285 (c) report the list of recommendations and the updated Utah First Credential Master Plan to:

287 (i) the state board;

288 (ii) the Utah Board of Higher Education;

289 (iii) the Department of Workforce Services;

290 (iv) the Education Interim Committee; and

291 (v) the Economic Development and Workforce Services Interim Committee.

292 (17)

(a) The state board shall administer a first credential grant program for an LEA and award a grant in accordance with the following process.

294 (b) The First Credential Oversight Committee shall establish:

295 (i) a needs assessment tool that evaluates:

296 (A) an LEA's current first credential offering;

297 (B) an LEA's capacity to develop or expand a first credential pathway;

298 (C) resources and support needed for a first credential program, including resources available through institutions of higher education, industry partnership opportunities, and general resource availability; and

301 (D) each potential barrier to implementation; and

302 (ii) a continuum of need to place each applying LEA.

303 (c) An LEA seeking a first credential grant shall submit to the First Credential Oversight Committee:

305 (i) a completed needs assessment; and

306 (ii) a grant application that contains:

307 (A) current first credential data, including current credentials offered;

308 (B) preliminary goals for creating or expanding first credential opportunities within the LEA; and

310 (C) if applicable, plans for procurement of industry certification program licenses, including certification details and alignment with master credential list, documentation of employer

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endorsements, assessment and proctoring procedures, and integration with existing computer science programs.

- 314 (d) The First Credential Oversight Committee shall:
- 315 (i) review each submitted application and needs assessment;
- 316 (ii) assign the LEA a placement on the continuum of need; and
- 317 (iii) provide to the LEA a specific requirement for an implementation plan based on:
- 318 (A) the LEA's continuum placement;
- 319 (B) each identified area for growth;
- 320 (C) each available resource; and
- 321 (D) each additional factor the First Credential Oversight Committee determines relevant.
- 323 (e) An LEA shall submit to the First Credential Oversight Committee an implementation plan that includes:
- 325 (i) specific goals for expanding a first credential opportunity;
- 326 (ii) each implementation step and timeline;
- 327 (iii) a detailed cost projection; and
- 328 (iv) each additional element the committee requires based on the needs assessment results.
- 330 (f) The First Credential Oversight Committee shall:
- 331 (i) review the implementation plan;
- 332 (ii) direct technical assistance to the LEA in accordance with the LEA's implementation plan;
- 334 (iii) provide feedback to the LEA to improve the implementation plan;
- 335 (iv) approve each implementation plan that meets the established criteria; and
- 336 (v) award an implementation grant for each approved plan.
- 337 (g) Subject to legislative appropriations, the state board shall:
- 338 (i) award an incentive grant to an LEA that:
- 339 (A) has implemented an approved plan;
- 340 (B) increases the number of students who earn a first credential certificate; and
- 341 (C) achieves each established implementation goal; and
- 342 (ii) in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, and in collaboration with the First Credential Oversight Committee, establish by rule:
- 345 (A) tiers for incentive grant awards;
- 346 (B) performance metrics for continued funding;

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- 347 (C) reporting requirements for a grant recipient;
348 (D) requirements for reporting certification program outcomes and industry alignment;
350 (E) procedures for coordinating with computer science initiative grants; and
351 (F) guidelines for certification program procurement and implementation.
352 (18) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, and in
collaboration with the Utah Board of Higher Education and the Department of Workforce Services,
the state board shall make rules to implement the provisions of this section.

357 Section 3. Section **53H-1-402** is amended to read:

358 **53H-1-402. Reports to and actions of the Higher Education Appropriations Subcommittee.**

- 359 (1) In accordance with applicable provisions and Section 68-3-14, the following recurring reports are
due to the Higher Education Appropriations Subcommittee:
- 361 (a) the reports described in Sections 53H-1-502, 53H-1-503, and 53H-1-504;
362 (b) the reports described in Section 53H-1-203 by the board on:
363 (i) system wide responses to changing demographics and workforce; and
364 (ii) the board's activities and performance against the board's goals and metrics;
365 (c) the report described in Section 53H-5-205;
366 (d) the report described in Section 53H-8-202 by the board on recommended appropriations for higher
education institutions and the board, including the report described in Section 53H-11-406 by the
board on the effects of offering nonresident partial tuition scholarships;
- 370 (e) the report described in Section 53H-8-211 by the board on the Higher Education Research Funding
Pilot Program;
- 372 [~~e~~] (f) the report described in Section 53H-8-306 by the Department of Workforce Services and the
Governor's Office of Economic Opportunity on targeted jobs;
- 374 [~~f~~] (g) the reports described in Section 53H-8-303 by the board on performance;
- 375 [~~g~~] (h) the report described in Section 53H-11-402 by the board on the Opportunity Scholarship
Program;
- 377 [~~h~~] (i) the report described in Section 53H-13-309 regarding the talent advisory councils;
- 379 [~~i~~] (j) the report described in Section 53H-11-414 by the board on the Utah Promise Program;
- 381 [~~j~~] (k) the report described in Section 53H-6-202 by the board on an institution compensating a
student athlete for the use of the student athlete's name, image, or likeness;

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[~~(k)~~] (l) the report described in Section 53H-1-604 regarding the Higher Education and Corrections Council; and

386 [(H)] (m) the report described in Section 53E-10-308 by the State Board of Education and board on student participation in the concurrent enrollment program.

388 (2) In accordance with applicable provisions and Section 68-3-14, the following occasional report is due to the Higher Education Appropriations Subcommittee: the board's report regarding each institution's strategic reinvestment plan described in Section 53H-8-210.

391 (3) In accordance with applicable provisions, the Higher Education Appropriations Subcommittee shall complete the following:

393 (a) an appropriation recommendation described in Section 53H-1-504 regarding compliance with Subsections 53H-1-504(5) and (14); and

395 (b) as required by Section 53H-8-304, the review of performance funding described in Section 53H-8-304.

397 (4) In consultation with the board, the Higher Education Appropriations Subcommittee shall study a re-design of:

399 (a) the performance funding model described in Chapter 8, Part 3, Performance Funding, to better ensure:

401 (i) institutional alignment with the statewide system of higher education and the institution's mission within the statewide system; and

403 (ii) investment in meeting localized and statewide workforce demands and securing post-graduation employment outcomes; and

405 (b) enrollment-based funding, including, for technical colleges, funding distribution models that:

407 (i) include equivalent funding value for secondary and adult students; and

408 (ii) reflect the full responsibility of the technical college's statutorily-required services.

411 Section 4. Section 4 is enacted to read:

412 **53H-8-211. Higher Education Research Funding Pilot Program.**

413 (1) As used in this section:

414 (a) "Institute board" means the same as that term is defined in Section 53H-16-201.

415 (b) "Nucleus Institute" means the Nucleus Institute created in Section 53H-16-202.

416 (c) "Program" means the pilot grant program for research funding described in this section.

418 (2)

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- 420 (a) There is established a pilot competitive grant program known as the Higher Education Research Funding Pilot Program.
- 420 (b) { ~~Using the unearned portion of the Performance Funding Restricted Account as set aside in accordance with Subsection 53H-8-303(6)(d)(i) for fiscal year 2027, the~~ } The board shall distribute funding for grant applications the board approves under the prioritization and recommendation process described in Subsections (3) and (4) using the following funding allocation:
- 425 (i) for research institutions described in Subsection 53H-3-602(1)(b)(i), 75-85% of available research funding; and
- 427 (ii) for applied research projects at regional institutions described in Subsection 53H-3-602(1)(b)(ii), 15-25% of available research funding.
- 429 (3) To apply for research funding under the program, the president of an institution shall:
- 430 (a) review and prioritize prospective grant applications; and
- 431 (b) submit prioritized grant applications to the board.
- 432 (4)
- 432 (a) The board shall:
- 433 (i) develop a funding application and establish a scoring rubric to prioritize applications based on the following criteria:
- 435 (A) expected impact;
- 436 (B) connection to Utah industries;
- 437 (C) relevance to state economic development or public policy needs;
- 438 (D) potential for commercialization;
- 439 (E) the available proportion of matching funds; and
- 440 (F) opportunities for student participation;
- 441 (ii)
- 441 (A) make rules, in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, to establish eligible research areas, in consultation with industry representatives, the institute board, the Department of Workforce Services, the Governor's Office of Economic Opportunity, and the Economic Development and Workforce Services Interim Committee;
- 446 (B) review and update the eligible research areas described in Subsection (4)(a)(ii)(A) at least once every three years; and

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(C) ensure that the eligible research areas described in Subsection (4)(a)(ii)(A) reflect the state's priority industry clusters and public policy needs;

450 (iii) review all grant applications the board receives for each funding allocation described in Subsection (2)(b); and

452 (iv) based on the scoring described in Subsection (4)(a)(i), approve research grants.

453 (b) The board may delegate the board's duties of administration and review described in Subsections (4)(a)(i), (4)(a)(ii), and (4)(a)(iii) to:

455 (i) the institute board;

456 (ii) the Talent, Education, and Industry Alignment Board; or

457 (iii) an ad hoc committee that the board establishes for the administration of the program.

458a ~~(c)~~ { ~~H~~ → { } { ~~(e)~~ } } **The board may use up to 1% of legislative appropriations for the program to administer the program.**

459 (5) The board shall report annually to the Higher Education Appropriations Subcommittee and the Economic Development and Workforce Services Interim Committee on:

461 (a) the eligible research areas described in Subsection (4)(a)(ii) and the extent to which the areas reflect the state's priority industry clusters and public policy needs; and

463 (b) key metrics for the program, including:

464 (i) the number and type of approved research projects under the program, categorized by institution; and

466 (ii) highlights of the impact of the approved research projects.

468 Section 5. Section **53H-11-402** is amended to read:

469 **53H-11-402. Opportunity Scholarship Program.**

469 (1) As used in this section:

470 (a) "Eligible institution" means:

471 (i) an institution; or

472 (ii) a private, nonprofit institution of higher education in the state.

473 (b) "Eligible student" means a student who:

474 (i) applies to the board in accordance with the rules described in Subsection (5);

475 (ii) is enrolled in an eligible institution; and

476 (iii) meets the criteria established by the board in rules described in Subsection (5).

477 (c) "Fee" means:

478 (i) for an eligible institution that is a degree-granting institution, a fee approved by the board; or

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- 480 (ii) for an eligible institution that is a technical college or a degree-granting institution acting in
the degree-granting institution's technical education role described in Section 53H-3-608, a fee
approved by the eligible institution.
- 483 (d) "Program" means the Opportunity Scholarship Program described in this section.
- 484 (2)
- (a) Subject to legislative appropriations, the board shall annually distribute money for the Opportunity
Scholarship Program described in this section to each eligible institution to award as Opportunity
scholarships to eligible students.
- 487 (b) The commissioner, in consultation with the board, shall annually determine the amount of an
Opportunity scholarship based on:
- 489 (i) the number of eligible students in the state; and
- 490 (ii) money available for the program.
- 491 (c) The board may not use more than 3% of the money appropriated to the program for administrative
costs and overhead.
- 493 (3)
- (a) Except as provided in this Subsection (3), an eligible institution shall provide to an eligible student
an Opportunity scholarship in the amount determined by the board described in Subsection (2)(b).
- 496 (b) For an Opportunity scholarship for which an eligible student applies on or before July 1, 2019, an
eligible institution may reduce the amount of the Opportunity scholarship based on other state aid
awarded to the eligible student for tuition and fees.
- 500 (c) For an Opportunity scholarship for which an eligible student applies after July 1, 2019:
- 502 (i) an eligible institution shall reduce the amount of the Opportunity scholarship so that the total amount
of state aid awarded to the eligible student, including tuition or fee waivers and the Opportunity
scholarship, does not exceed the cost of the eligible student's tuition and fees; and
- 506 (ii) the eligible student may only use the Opportunity scholarship for tuition and fees.
- 507 (d) An institution described in Subsection (1)(a)(ii) may not award an Opportunity scholarship to an
eligible student in an amount that exceeds the average total cost of tuition and fees among the
eligible institutions described in Subsection (1)(a)(i).
- 510 (e) If the allocation for an eligible institution described in Subsection (1)(a)(ii) is insufficient to provide
the amount described in Subsection (2)(b) to each eligible student, the eligible institution may
reduce the amount of an Opportunity scholarship.

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- 513 (4) The board may:
- 514 (a) audit an eligible institution's administration of Opportunity scholarships;
- 515 (b) require an eligible institution to repay to the board money distributed to the eligible institution under
this section that is not provided to an eligible student as an Opportunity scholarship; and
- 518 (c) require an eligible institution to enter into a written agreement with the board in which the eligible
institution agrees to provide the board with access to information and data necessary for the
purposes of the program.
- 521 (5) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the board shall
make rules that establish:
- 523 (a) requirements related to an eligible institution's administration of Opportunity scholarships;
- 525 (b) a process for a student to apply to the board to determine the student's eligibility for an Opportunity
scholarship;
- 527 (c) criteria to determine a student's eligibility for an Opportunity scholarship, including:
- 528 (i) minimum secondary education academic performance standards; and
- 529 (ii) the completion of a Free Application for Federal Student Aid or a process approved by the board in
lieu of the Free Application for Federal Student Aid;
- 531 (d) a requirement for each eligible institution to annually report to the board on all Opportunity
scholarships awarded by the eligible institution; and
- 533 (e) a process for a student to apply to the board for an Opportunity scholarship who would have likely
received the scholarship but for an irreconcilable error in the application process described in
Subsection (5)(b).
- 536 (6) The board shall annually report on the program to the Higher Education Appropriations
Subcommittee.
- 538 (7) The State Board of Education, a school district, or a public high school shall cooperate with the
board and eligible institutions to facilitate the program, including by exchanging relevant data where
allowed by law.

542 Section 6. Section **53H-11-403** is amended to read:

543 **53H-11-403. Karen Mayne Public Safety Officer Scholarship Program.**

544 (1) As used in this section:

545 (a) "Peace officer" means the same as that term is defined in Section 53H-11-306.

546 (b) "POST" means the Peace Officer Standards and Training Division created in Section 53-6-103.

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- 548 (c) "Program" means the Karen Mayne Public Safety Officer Scholarship Program that this section
creates.
- 550 (2) This section creates the Karen Mayne Public Safety Officer Scholarship Program.
- 551 (3)
- (a) Subject to legislative appropriations, the board shall award a scholarship to a qualified applicant
who:
- 553 (i) is a high school graduate;
- 554 (ii) submits an application to the board with a copy of the student's high school diploma;
- 556 (iii) when eligible, enrolls in a basic training course at a state certified academy as defined in
Section 53-6-202;
- 558 (iv) subject to Subsection (3)(b), is enrolled in a qualifying post-secondary program from:
- 560 (A) an institution of higher education listed in Section 53H-1-102; or
- 561 (B) a private postsecondary educational institution; and
- 562 (v) commits to working as a peace officer for no less than five years after the day on which POST
certifies the scholarship recipient.
- 564 (b) For purposes of Subsection (3)(a)(iv), the board shall determine the programs that qualify for a
scholarship award, including criminal justice, police administration, criminology, social sciences,
and other disciplines.
- 567 (4)
- (a) The commissioner, in consultation with the board, shall determine the amount of a scholarship
award, ensuring that the amount does not exceed the combined cost of tuition, fees, and required
textbooks.
- 570 (b) A scholarship award described in Subsection (4)(a) is limited to:
- 571 (i) POST training and certification in accordance with Title 53, Chapter 6, Peace Officer Standards and
Training Act; and
- 573 (ii) a maximum of four academic years in a post-secondary program.
- 574 (5) The board shall design the scholarship program to ensure that participating institutions combine
state or federal loans or grants, internships, student employment, and family and individual
contributions toward financing the cost of attendance.
- 577 (6) A scholarship recipient shall:
- 578

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- (a) notify the board of the scholarship recipient's POST certification within 15 days after the day on which POST certifies the scholarship recipient;
- 580 (b) submit verification of the scholarship recipient's employment to the board within 15 days after the day on which the scholarship recipient is employed as a peace officer, including:
- 583 (i) the employer's name, address, and telephone number;
- 584 (ii) the date of the scholarship recipient's hiring; and
- 585 (iii) the scholarship recipient's job title; and
- 586 (c) notify the board within 15 days after the day on which the employer terminates the scholarship recipient.
- 588 (7)
- (a) The board may require a scholarship recipient to repay the full amount of the scholarship award that the scholarship recipient received under the program, including money paid for tuition, fees, and required textbooks, if the scholarship recipient fails to:
- 592 (i) meet the requirements for POST certification as described in Title 53, Chapter 6, Part 2, Peace Officer Training and Certification Act;
- 594 (ii) work as a peace officer for five years after the day on which POST certifies the scholarship recipient; or
- 596 (iii) subject to Subsection (3), earn a degree in a post-secondary program.
- 597 (b) Notwithstanding Subsection (7)(a), a scholarship recipient is not required to repay any amount of the scholarship award if the scholarship recipient:
- 599 (i) is unable to secure employment as a peace officer within 12 months after the day on which the scholarship recipient is POST certified; and
- 601 (ii) provides documentation from a prospective employer that the scholarship recipient was not extended an offer of employment.
- 603 (8) The board may use up to 2% of the money appropriated for the scholarship program for administrative costs.
- 605 (9)
- (a) The board shall make rules, in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, to:
- 607 (i) set deadlines for receiving scholarship applications and supporting documentation;
- 608 (ii) establish an application process and appeal process for the program;

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- 609 (iii) establish policies and procedures for cancellation or repayment of scholarship awards if the
scholarship recipient fails to meet the requirements under this section;
- 612 (iv) collaborate with POST and other law enforcement and correction agencies to provide high
school students information on law enforcement careers; and
- 614 (v) notify POST when a student receives a scholarship under the program.
- 615 (b) The board shall include a disclosure on all applications and materials related to the program that the
amount of the awarded scholarship may be subject to funding availability or reduction in accordance
with Subsection (10).
- 618 (10) If an appropriation under this section is insufficient to cover the costs associated with the program,
the board may:
- 620 (a) reduce the amount of a scholarship award; and
- 621 (b) distribute scholarship awards on a pro rata basis to all eligible applicants who submitted a complete
application before the application deadline.
- 624 Section 7. Section **53H-16-201** is amended to read:
- 625 **53H-16-201. General provisions -- Definitions.**
- As used in this part:
- 626 (1) "Executive director" means the executive director of the institute appointed under Section
53H-16-304.
- 628 (2) "Institute board" means the board of directors of the Nucleus Institute as described in Section
53H-16-302.
- 630 (3) "Investment committee" means the investment committee of the [~~Utah innovation fund~~] Nucleus
Fund created in Section 53H-16-403.
- 632 (4) "Nucleus Fund" means a limited liability company organized under Section 53H-16-402.
- 633 [(4)] (5) "Nucleus Institute" or "institute" means the Nucleus Institute created in Section 53H-16-202.
- 635 [(5)] (6) "Qualified business" means a business entity that:
- 636 (a) is established to commercialize a technology, product, or service developed in partnership with a
technology commercialization program at a public institution or private postsecondary educational
institution in the state; and
- 639 (b) maintains the business's principal business operations in the state.
- 640 [(6)] (7) "Qualified investment" means any distribution or payment of funds to a qualified business
from the [~~Utah innovation fund~~] Nucleus Fund, including:

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- 642 (a) a direct investment of capital in a qualified business for the purchase of shares of stock;
644 (b) a secured loan or revolving line of credit to a qualified business; or
645 (c) a financial grant to a qualified business.
- 646 [~~(7) "Utah innovation fund" means a limited liability company organized under Section 53H-16-402.~~]
649 Section 8. Section **53H-16-202** is amended to read:
650 **53H-16-202. Creation of Nucleus Institute -- Status and applicability of other law -- Powers
and purposes.**
- 651 (1) There is created the Nucleus Institute.
652 (2) The institute is:
653 (a) an independent, nonprofit, quasi-public corporation as defined in Section 63E-1-102; and
655 (b) subject to and governed by Sections 63E-2-106, 63E-2-108, 63E-2-110, and 63E-2-111, but is not
otherwise subject to or governed by Title 63E, Independent Entities Code.
658 (3) The institute and the [~~Utah innovation fund~~] Nucleus Fund are not subject to:
659 (a) Title 52, Chapter 4, Open and Public Meetings Act; or
660 (b) Title 63G, Chapter 2, Government Records Access and Management Act.
661 (4) [~~Pursuant to~~] In accordance with Subsection 53H-1-203(2)(p)(i), in coordination with the board and
the commissioner, the institute shall promote efficiency and support of the Utah System of Higher
Education on commercialization efforts as provided in this chapter.
665 (5) The institute shall:
666 (a) organize and administer the [~~Utah innovation fund~~] Nucleus Fund;~~[- and]~~
667 (b)
(i) coordinate and support innovation districts that have a connection with higher education[-] ; and
669 (ii) oversee and manage the development, programming, and operations of a facility on point of the
mountain state land, as that term is defined in Section 11-59-102, that provides collaborative
co-working space, classrooms, offices for institutions of higher education, public education
opportunities, and retail space; and
673 (c) support state- and corporate-sponsored research to help develop solutions for state initiatives and
commercialization opportunities.
- 675 (6) The institute may:
676 (a) engage consultants and legal counsel;
677 (b) invest and expend funds;

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- 678 (c) apply for grants;
- 679 (d) enter into contracts;
- 680 (e) insure against loss;
- 681 (f) receive private donations;
- 682 (g) hire employees;
- 683 (h) sue and be sued in the institute's own name; and
- 684 (i) perform any other act necessary to carry out the purposes of the institute.

685 (7) The institute may not:

- 686 (a) issue debt or borrow funds;
- 687 (b) exercise governmental functions;
- 688 (c) have members; or
- 689 (d) pledge the credit or taxing power of the state or any political subdivision of the state.

691 Section 9. Section **53H-16-302** is amended to read:

692 **53H-16-302. Board of directors -- Membership -- Limitations.**

- 693 (1) The institute shall be governed by a board of directors which shall manage and conduct the business and affairs of the institute.
- 695 (2) The institute board shall consist of seven voting members as follows:
 - 696 (a) the executive director, appointed as described in Section 53H-16-304;
 - 697 (b) the director of the Talent Ready Utah Program, described in Section 53H-13-303; and
 - 698 (c) five individuals with relevant experience, ~~[jointly appointed by]~~ whom the commissioner~~[-]~~ and the executive director~~[-, and the director of the Talent Ready Utah Program described in Section 53H-13-303]~~ jointly appoint.
- 701 (3)
 - (a) A member described in Subsection (2)(c):
 - 702 (i) shall serve a term of two years; and
 - 703 (ii) may serve more than one term.
 - 704 (b) The commissioner, jointly with the executive director~~[- and the director of the Talent Ready Utah Program described in Section 53H-13-303]~~, may remove a member from the institute board.
 - 707 (c) If a vacancy occurs for a member described in Subsection (2)(c), the commissioner, jointly with the executive director and the director of the Talent Ready Utah Program described in Section 53H-13-303, shall appoint a replacement to serve the remainder of the member's term.

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- 711 (4) The commissioner, jointly with the executive director, shall [~~serve as~~] appoint the chair of the
institute board.
- 713 (5)
- 715 (a) A majority of the members of the institute board constitutes a quorum of the institute board.
- 717 (b) The action by a majority of the members of a quorum constitutes the action of the institute board.
- 718 (6) A member of the institute board:
- 720 (a) is subject to any restrictions on conflicts of interest specified in the organizational documents of the
institute;
- 723 (b) may not influence a vote by the investment committee related to a qualified investment by the [~~Utah
innovation fund~~] Nucleus Fund, if the member has an interest in the qualified investment; and
- 726 (c) [~~except for the executive director,~~] may not receive compensation or benefits for the member's
service.
- 727 Section 10. Section **53H-16-303** is amended to read:
- 727 **53H-16-303. Institute board duties and powers.**
- 727 (1) The institute board shall:
- 728 (a) manage and conduct the business and affairs of the institute and determine all questions of institute
and [~~Utah innovation fund~~] Nucleus Fund policy;
- 730 (b) provide strategic oversight for all institute initiatives;
- 731 (c) support and guide workforce development, innovation, and policy integration across institutions and
industry;
- 733 (d) consistent with this chapter, oversee the [~~Utah innovation fund~~] Nucleus Fund and investment
committee;
- 735 (e) coordinate efforts and collaborations across innovation districts;
- 736 (f) create opportunities for students through projects and partnerships;
- 737 [~~(g) set compensation and incentives for the executive director;~~]
- 738 [~~(h)~~] (g) advance the purposes of the [~~Utah innovation fund~~] Nucleus Fund as described in Section
53H-16-402; and
- 740 [~~(i)~~] (h) consider investment proposals and determine whether a proposal furthers the objectives of the
fund.
- 742 (2) The institute board may establish independent committees for the purpose of assisting the institute
board in an advisory role.

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744 (3) In coordination with the Governor's Office of Economic Opportunity, the institute board shall
convene and facilitate discussions with industry, education, and policy makers to promote regulatory
innovation.

748 Section 11. Section **53H-16-304** is amended to read:

749 **53H-16-304. Executive director appointment -- Duties and powers.**

750 (1) The commissioner shall appoint and determine compensation for an executive director for the
institute.

752 [~~(2) The executive director shall serve as the chair of the institute board as described in Section
53H-16-302.~~]

754 [~~(3)~~ (2) The executive director shall:

755 (a) manage the day-to-day operations of the institute and the [~~Utah innovation fund~~] Nucleus Fund;

757 (b) execute the policies of the institute board;

758 (c) oversee the investment and expenditure of funds;

759 (d) oversee qualified investments made by the [~~Utah innovation fund~~] Nucleus Fund;

760 (e) assess reasonable fees for management of assets in the [~~Utah innovation fund~~] Nucleus Fund for
reasonable costs of the [~~Utah innovation fund~~] Nucleus Fund;

762 (f) consult with the institute board regarding policies and direction of the institute;

763 (g) prepare an operating budget for the institute and submit the operating budget to the Utah Board of
Higher Education for approval;

765 (h) adopt a budget submitted by the chair of the investment committee;

766 (i) establish job descriptions and, within budgetary constraints, employ staff necessary to accomplish
the purposes of the institute and [~~Utah innovation fund~~] the Nucleus Fund; and

769 (j) execute other duties as assigned by the institute board.

770 [~~(4)~~ (3) The executive director may:

771 (a) hire and supervise necessary staff for the institute;

772 (b) manage contracts and collaborations with consultants; and

773 (c) enter into contracts on behalf of the institute.

775 Section 12. Section **53H-16-402** is amended to read:

776 **53H-16-402. Organization of Nucleus Fund -- Powers and purposes -- Use of investment
proceeds.**

777 (1)

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- (a) The institute shall organize, and be the sole member and manager of, the [~~Utah innovation fund~~] Nucleus Fund.
- 779 (b) The [~~Utah innovation fund~~] Nucleus Fund shall be organized as a limited liability company.
- 781 (c) The [~~Utah innovation fund~~] Nucleus Fund may:
- 782 (i) engage consultants and legal counsel;
- 783 (ii) invest and expend funds;
- 784 (iii) use funds for operations of the [~~Utah innovation fund~~] Nucleus Fund;
- 785 (iv) enter into contracts;
- 786 (v) insure against loss;
- 787 (vi) hire employees; and
- 788 (vii) perform any other act necessary to carry out the purposes of the [~~Utah innovation fund~~] Nucleus Fund.
- 790 (2) The [~~Utah innovation fund~~] Nucleus Fund shall, subject to investment committee approval, make qualified investments in a manner and for the following purposes:
- 792 (a) to advance innovative technologies developed in Utah;
- 793 (b) to strengthen Utah's economy and facilitate job creation;
- 794 (c) to help qualified businesses gain access to capital;
- 795 (d) to attract entrepreneurs and innovation to Utah;
- 796 (e) to facilitate the commercialization of technologies discovered, advanced, or developed at institutions of higher education;
- 798 (f) to advance the competitiveness of Utah businesses in the global economy;
- 799 (g) to ensure that the [~~Utah innovation fund~~] Nucleus Fund remains financially self-sustaining; and
- 801 (h) to encourage other investors to invest in qualified businesses alongside the [~~Utah innovation fund~~] Nucleus Fund.
- 803 (3) The [~~Utah innovation fund~~] Nucleus Fund shall hold and manage qualified investments made by the [~~Utah innovation fund~~] Nucleus Fund and the proceeds of those qualified investments.
- 806 (4) The [~~Utah innovation fund~~] Nucleus Fund may charge a fee on assets under management in the [~~Utah innovation fund~~] Nucleus Fund to pay for reasonable and necessary costs of the [~~Utah innovation fund~~] Nucleus Fund, including the costs of the annual audit required under Section 53H-16-407, and compensation incentives based on performance.
- 811 Section 13. Section **53H-16-403** is amended to read:

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- 812 **53H-16-403. Nucleus Fund investment committee.**
- 812 (1) The [~~Utah innovation fund~~] Nucleus Fund shall be governed by an investment committee.
- 814 (2) The investment committee shall consist of five members appointed by the institute board.
- 816 (3)
- (a) A member of the investment committee:
- 817 (i) shall serve a term of two years; and
- 818 (ii) may serve more than one term.
- 819 (b) If a vacancy occurs for a member of the investment committee, the institute board shall appoint a replacement to serve the remainder of the member's term.
- 821 (c) The commissioner [~~or the institute board~~] may remove a member of the investment committee for cause.
- 823 (4) The [~~institute board~~] commissioner and executive director shall jointly appoint a chair of the investment committee.
- 825 (5) The investment committee may appoint up to two additional nonvoting members to provide industry and technical expertise.
- 827 (6)
- [(a)] A member of the investment committee:
- 828 [(i)] (a) shall have significant experience in venture capital or entrepreneurship;
- 829 [(ii)] (b) is subject to any restrictions on conflicts of interest specified in the organizational documents of the institute;
- 831 [(iii)] (c) may not participate in a vote by the investment committee related to a qualified investment by the [~~Utah innovation fund~~] Nucleus Fund if the member has an interest in the qualified investment; and
- 834 [(iv)] (d) except as provided in Subsection (6)(b), may not receive compensation or benefits for the member's service.
- 836 [(b) ~~The chair of the investment committee may receive compensation or benefits for the chair's service.~~]
- 838 (7)
- (a) A majority of the members of the investment committee constitutes a quorum of the investment committee.

840

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- (b) The action by a majority of the members of a quorum constitutes the action of the investment committee.

843 Section 14. Section **53H-16-404** is amended to read:

844 **53H-16-404. Nucleus Fund investment committee duties.**

844 (1) The investment committee shall:

845 (a) comply with guidelines and directives from the institute board;

846 (b) manage and conduct business affairs of the [~~Utah innovation fund~~] Nucleus Fund;

847 (c) establish policies for the management of the [~~Utah innovation fund~~] Nucleus Fund, including:

849 (i) an investment management code of conduct and associated compliance policy;

850 (ii) a policy for the strategic allocation of [~~Utah innovation fund~~] Nucleus Fund assets; and

852 (iii) a policy articulating the investment committee's investment philosophy for [~~Utah innovation fund~~] Nucleus Fund assets; and

854 (d) ensure that policies adopted by the investment committee are:

855 (i) consistent with this chapter, the Utah Constitution, and other applicable law;

856 (ii) consistent with sound fiduciary principles; and

857 (iii) designed to maintain the integrity of the [~~Utah innovation fund~~] Nucleus Fund and prevent the misapplication of money in the [~~Utah innovation fund~~] Nucleus Fund.

860 (2) The investment committee shall engage a third-party to audit the [~~Utah innovation fund~~] Nucleus Fund at least annually.

863 Section 15. Section **53H-16-405** is amended to read:

864 **53H-16-405. Nucleus Fund investment committee chair -- Duties.**

865 (1) The institute board shall appoint [~~and determine compensation for~~] a chair of the investment committee.

867 (2) The committee chair shall:

868 (a) manage and execute the policies established by the institute board and the investment committee;

870 (b) in consultation with the investment committee, manage qualified investments made by the [~~Utah innovation fund~~] Nucleus Fund;

872 (c) annually submit to the institute:

873 (i) a budget for the [~~Utah innovation fund~~] Nucleus Fund; and

874 (ii) a financial plan for operations of the [~~Utah innovation fund~~] Nucleus Fund;

875

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(d) in accordance with generally accepted principles of fund accounting, establish a system to identify and account for [~~Utah innovation fund~~] Nucleus Fund assets;

877 (e) maintain appropriate records of [~~Utah innovation fund~~] Nucleus Fund activities to enable auditors to conduct periodic audits as described in Section 53H-16-407; and

879 (f) fulfill other duties as provided by the investment committee.

881 Section 16. Section **53H-16-406** is amended to read:

882 **53H-16-406. Annual report.**

882 (1) On or before October 1 of each year, the institute shall publish an annual report of the activities conducted by the [~~Utah innovation fund~~] Nucleus Fund and submit, in accordance with Section 68-3-14, the written report to:

885 (a) the governor;

886 (b) the Economic Development and Workforce Services Interim Committee; and

887 (c) the Executive Appropriations Committee.

888 (2) The annual report shall:

889 (a) be designed to provide clear, accurate, and accessible information to the public, the governor, and the Legislature;

891 (b) include a copy of the annual audit required under Section 53H-16-407;

892 (c) describe the policies adopted by the institute board under Subsection 53H-16-404(1)(c);

894 (d) include detailed information regarding:

895 (i) the name and location of each qualified business that received capital from the [~~Utah innovation fund~~] Nucleus Fund;

897 (ii) the amount of each qualified investment made by the [~~Utah innovation fund~~] Nucleus Fund;

899 (iii) the aggregate amount of capital provided to qualified businesses; and

900 (iv) realized gains from qualified investments and any realized losses;

901 (e) include detailed information regarding the institute's yearly expenditures, including:

902 (i) administrative, operating, and financing expenses; and

903 (ii) aggregate compensation information for full-time and part-time employees, including benefit and travel expenses;

905 (f) include detailed information regarding all funding sources for administrative, operating, and financing expenses, including any fees charged by the institute to the [~~Utah innovation fund~~] Nucleus Fund under Subsection [~~53H-16-304(3)(e)~~] 53H-16-304(2)(e); and

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- 909 (g) include an explanation of the [~~Utah innovation fund~~] Nucleus Fund's progress in achieving the
purposes described in Subsection 53H-16-402(2).
- 912 Section 17. Section **53H-16-407** is amended to read:
- 913 **53H-16-407. Annual audit.**
- 913 (1) Each calendar year, an audit of the activities of the [~~Utah innovation fund~~] Nucleus Fund shall be
conducted by:
- 915 (a) the state auditor; or
- 916 (b) the state auditor's designee.
- 917 (2) A designee described in Subsection (1)(b) may not have a business, contractual, or other connection
to the institute or the [~~Utah innovation fund~~] Nucleus Fund.
- 919 (3) The annual audit shall:
- 920 (a) include a valuation of the assets owned by the [~~Utah innovation fund~~] Nucleus Fund as of the end of
the reporting year, using market-standard techniques for assets typically held by early stage private
investment and venture capital funds;
- 923 (b) include an opinion regarding the accuracy of the information provided in the annual report described
in Section 53H-16-406; and
- 925 (c) on or before September 1, be delivered to:
- 926 (i) the institute; and
- 927 (ii) the state treasurer.
- 928 (4) The institute shall pay the costs associated with the annual audit.
- 930 Section 18. Section **63I-1-253** is amended to read:
- 931 **63I-1-253. Repeal dates: Titles 53 through 53G.**
- 931 (1) Section 53-1-122, Road Rage Awareness and Prevention Restricted Account, is repealed July 1,
2028.
- 933 (2) Section 53-2a-105, Emergency Management Administration Council created -- Function --
Composition -- Expenses, is repealed July 1, 2029.
- 935 (3) Section 53-2a-1103, Search and Rescue Advisory Board -- Members -- Compensation, is repealed
July 1, 2030.
- 937 (4) Section 53-2a-1104, General duties of the Search and Rescue Advisory Board, is repealed July 1,
2027.
- 939 (5) Title 53, Chapter 2a, Part 15, Grid Resilience Committee, is repealed July 1, 2027.

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- 940 (6) Section 53-2d-104, State Emergency Medical Services Committee -- Membership -- Expenses, is
repealed July 1, 2029.
- 942 (7) Section 53-2d-503, Establishment of maximum rates, is repealed July 1, 2027.
- 943 (8) Section 53-5a-302, Concealed Firearm Review Board -- Membership -- Compensation -- Terms --
Duties, is repealed July 1, 2029.
- 945 (9) Section 53-11-104, Board, is repealed July 1, 2029.
- 946 (10) Title 53, Chapter 31, Department Interaction With Local Law Enforcement, is repealed July 1,
2027.
- 948 (11) Subsection 53C-3-203(4)(b)(vii), regarding the distribution of money from the Land Exchange
Distribution Account to the Geological Survey for test wells and other hydrologic studies in the
West Desert, is repealed July 1, 2030.
- 951 (12) Subsection 53E-1-201(1)(q), regarding the Higher Education and Corrections Council, is repealed
July 1, 2027.
- 953 (13) Subsection 53E-2-304(6), regarding foreclosing a private right of action or waiver of governmental
immunity, is repealed July 1, 2027.
- 955 (14) Subsection 53E-3-503(5), regarding coordinating councils for youth in care, is repealed July 1,
2027.
- 957 (15) Subsection 53E-3-503(6), regarding coordinating councils for youth in care, is repealed July 1,
2027.
- 959 (16) Subsection 53E-4-202(8)(b), regarding a standards review committee, is repealed January 1, 2028.
- 961 (17) Section 53E-4-203, Standards review committee, is repealed January 1, 2028.
- 962 (18) Title 53E, Chapter 6, Part 5, Utah Professional Practices Advisory Commission, is repealed July 1,
2033.
- 964 (19) Subsection 53E-7-207(7), regarding a private right of action or waiver of governmental immunity,
is repealed July 1, 2027.
- 966 (20) Section 53F-5-215, Elementary teacher preparation assessment grant, is repealed July 1, 2028.
- 968 (21) Section 53F-5-219, Local Innovations Civics Education Pilot Program, is repealed July 1, 2026.
- 970 (22) Title 53F, Chapter 10, Part 2, Capital Projects Evaluation Panel, is repealed July 1, 2027.
- 972 (23) Subsection 53G-4-608(2)(b), regarding the Utah Seismic Safety Commission, is repealed January
1, 2025.
- 974

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- (24) Subsection 53G-4-608(4)(b), regarding the Utah Seismic Safety Commission, is repealed January 1, 2025.
- 976 (25) Section 53G-9-212, Drinking water quality in schools, is repealed July 1, 2027.
- 977 (26) Subsection 53G-9-703(4), regarding the parental video presentation concerning student use of technology, is repealed January 1, 2030.
- 979 (27) Subsection 53H-1-402(1)(j), regarding the Higher Education and Corrections Council, is repealed July 1, 2027.
- 981 (28) Section 53H-1-604, Higher Education and Corrections Council, is repealed July 1, 2027.
- 983 (29) Subsection 53H-4-210(3), regarding the creation of the SafeUT and School Safety Commission, is repealed January 1, 2030.
- 985 (30) Subsection 53H-4-210(4), regarding the appointment of the members of the SafeUT and School Safety Commission, is repealed January 1, 2030.
- 987 (31) Subsection 53H-4-210(5), regarding the attorney general designating the chair of the SafeUT and School Safety Commission, is repealed January 1, 2030.
- 989 (32) Subsection 53H-4-210(6), regarding the quorum requirements of the SafeUT and School Safety Commission, is repealed January 1, 2030.
- 991 (33) Subsection 53H-4-210(7), regarding a formal action of the SafeUT and School Safety Commission, is repealed January 1, 2030.
- 993 (34) Subsection 53H-4-210(8), regarding compensation for members of the SafeUT and School Safety Commission, is repealed January 1, 2030.
- 995 (35) Subsection 53H-4-210(9), regarding the support staff for the SafeUT and School Safety Commission, is repealed January 1, 2030.
- 997 (36) Section 53H-4-306.1, Definitions -- Electrification of Transportation Infrastructure Research Center, is repealed July 1, 2028.
- 999 (37) Section 53H-4-306.2, Electrification of Transportation Infrastructure Research Center -- Designation -- Duties, is repealed July 1, 2028.
- 1001 (38) Section 53H-4-306.3, Electrification of Transportation Infrastructure Research Center -- Steering committee, is repealed July 1, 2028.
- 1003 (39) Section 53H-4-306.4, Electrification of Transportation Infrastructure Research Center -- Industry advisory board, is repealed July 1, 2028.

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- (40) Section 53H-4-306.5, Electrification of Transportation Infrastructure Research Center -- Duties of the project director, is repealed July 1, 2028.
- 1007 (41) Section 53H-4-306.6, Electrification of Transportation Infrastructure Research Center -- Project development and strategic objectives -- Reporting requirements, is repealed July 1, 2028.
- 1010 (42) Section 53H-4-307.1, Center for Civic Excellence, is repealed July 1, 2030.
- 1011 (43) Section 53H-4-307.2, Center for Civic Excellence -- Duties -- Authority, is repealed July 1, 2030.
- 1013 (44) Section 53H-4-307.3, Center for Civic Excellence -- Leadership, is repealed July 1, 2030.
- 1015 (45) Section 53H-4-307.4, Center for Civic Excellence -- Faculty, is repealed July 1, 2030.
- 1016 (46) Section 53H-4-307.5, Center for Civic Excellence -- Curriculum, is repealed July 1, 2030.
- 1018 (47) Section 53H-4-307.6, Center for Civic Excellence -- Oversight -- Reporting, is repealed July 1, 2030.
- 1020 (48) Section 53H-4-313, Food Security Council, is repealed July 1, 2027.
- 1021 ~~(49)~~ (50) Section 53H-8-211, Higher Education Research Funding Pilot Program, is repealed July 1, 2030.
- 1023 ~~(49)~~ (50) Section 53H-8-305, Five-year performance goals, is repealed July 1, 2027.
- 1024 ~~(50)~~ (51) Title 53H, Chapter 10, Part 4, Education Savings Incentive Program, is repealed July 1, 2028.
- 1027 Section 19. Section **63J-1-602.2** is amended to read:
- 1028 **63J-1-602.2. List of nonlapsing appropriations to programs.**
- Appropriations made to the following programs are nonlapsing:
- 1030 (1) The Legislature and the Legislature's committees.
- 1031 (2) The State Board of Education, including all appropriations to agencies, line items, and programs under the jurisdiction of the State Board of Education, in accordance with Section 53F-9-103.
- 1034 (3) The Rangeland Improvement Act created in Section 4-20-101.
- 1035 (4) The Percent-for-Art Program created in Section 9-6-404.
- 1036 (5) The LeRay McAllister Working Farm and Ranch Fund Program created in Title 4, Chapter 46, Part 3, LeRay McAllister Working Farm and Ranch Fund.
- 1038 (6) The Utah Lake Authority created in Section 11-65-201.
- 1039 (7) Dedicated credits accrued to the Utah Marriage Commission as provided under Subsection 17-66-303(2)(d)(ii).
- 1041 (8) The Wildlife Land and Water Acquisition Program created in Section 23A-6-205.
- 1042 (9) Sanctions collected as dedicated credits from Medicaid providers under Subsection 26B-3-108(7).

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- 1044 (10) The primary care grant program created in Section 26B-4-310.
- 1045 (11) The Opiate Overdose Outreach Pilot Program created in Section 26B-4-512.
- 1046 (12) The Utah Health Care Workforce Financial Assistance Program created in Section 26B-4-702.
- 1048 (13) The Rural Physician Loan Repayment Program created in Section 26B-4-703.
- 1049 (14) The Utah Medical Education Council for the:
- 1050 (a) administration of the Utah Medical Education Program created in Section 26B-4-707;
- 1051 (b) provision of medical residency grants described in Section 26B-4-711; and
- 1052 (c) provision of the forensic psychiatric fellowship grant described in Section 26B-4-712.
- 1053 (15) The Division of Services for People with Disabilities, as provided in Section 26B-6-402.
- 1054 (16) The Communication Habits to reduce Adolescent Threats (CHAT) Pilot Program created in
Section 26B-7-122.
- 1056 (17) Funds that the Department of Alcoholic Beverage Services retains in accordance with Subsection
32B-2-301(8)(a) or (b).
- 1058 (18) The General Assistance program administered by the Department of Workforce Services, as
provided in Section 35A-3-401.
- 1060 (19) The Utah National Guard, created in Title 39A, National Guard and Militia Act.
- 1061 (20) The Search and Rescue Financial Assistance Program, as provided in Section 53-2a-1102.
- 1063 (21) The Emergency Medical Services Grant Program, as provided in Section 53-2d-207.
- 1064 (22) The Motorcycle Rider Education Program, as provided in Section 53-3-905.
- 1065 (23) The Utah Board of Higher Education for teacher preparation programs, as provided in Section
53H-5-402.
- 1067 (24) Innovation grants under Section 53G-10-608, except as provided in Subsection 53G-10-608(3).
- 1069 (25) The Higher Education Research Funding Pilot Program created in Section 53H-8-211.
- 1070 [~~(25)~~] (26) The Division of Fleet Operations for the purpose of upgrading underground storage tanks
under Section 63A-9-401.
- 1072 [~~(26)~~] (27) The Division of Technology Services for technology innovation as provided under Section
63A-16-903.
- 1074 [~~(27)~~] (28) The State Capitol Preservation Board created by Section 63O-2-201.
- 1075 [~~(28)~~] (29) The Office of Administrative Rules for publishing, as provided in Section 63G-3-402.
- 1077 [~~(29)~~] (30) The Colorado River Authority of Utah, created in Title 63M, Chapter 14, Colorado River
Authority of Utah Act.

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- 1079 [~~(30)~~] (31) The Governor's Office of Economic Opportunity to fund the Enterprise Zone Act, as provided in Title 63N, Chapter 2, Part 2, Enterprise Zone Act.
- 1081 [~~(31)~~] (32) The Governor's Office of Economic Opportunity's Rural Employment Expansion Program, as described in Title 63N, Chapter 4, Part 4, Rural Employment Expansion Program.
- 1084 [~~(32)~~] (33) County correctional facility contracting program for state inmates as described in Section 64-13e-103.
- 1086 [~~(33)~~] (34) County correctional facility reimbursement program for state probationary inmates and state parole inmates as described in Section 64-13e-104.
- 1088 [~~(34)~~] (35) Programs for the Jordan River Recreation Area as described in Section 65A-2-8.
- 1089 [~~(35)~~] (36) The Division of Human Resource Management user training program, as provided in Section 63A-17-106.
- 1091 [~~(36)~~] (37) A public safety answering point's emergency telecommunications service fund, as provided in Section 69-2-301.
- 1093 [~~(37)~~] (38) The Traffic Noise Abatement Program created in Section 72-6-112.
- 1094 [~~(38)~~] (39) The money appropriated from the Navajo Water Rights Negotiation Account to the Division of Water Rights, created in Section 73-2-1.1, for purposes of participating in a settlement of federal reserved water right claims.
- 1097 [~~(39)~~] (40) The Judicial Council for compensation for special prosecutors, as provided in Section 77-10a-19.
- 1099 [~~(40)~~] (41) A state rehabilitative employment program, as provided in Section 78A-6-210.
- 1100 [~~(41)~~] (42) The Utah Geological Survey, as provided in Section 79-3-401.
- 1101 [~~(42)~~] (43) The Bonneville Shoreline Trail Program created under Section 79-5-503.
- 1102 [~~(43)~~] (44) Adoption document access as provided in Sections 81-13-103, 81-13-504, and 81-13-505.
- 1104 [~~(44)~~] (45) Indigent defense as provided in Title 78B, Chapter 22, Part 4, Utah Indigent Defense Commission.
- 1106 [~~(45)~~] (46) The program established by the Division of Facilities Construction and Management under Section 63A-5b-703 under which state agencies receive an appropriation and pay lease payments for the use and occupancy of buildings owned by the Division of Facilities Construction and Management.
- 1110 [~~(46)~~] (47) The State Tax Commission for reimbursing counties for deferrals in accordance with Section 59-2-1802.5.

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1112 [(47)] (48) The Veterinarian Education Loan Repayment Program created in Section 4-2-902.

1114 Section . **FY 2027 Appropriations.**

1115 The following sums of money are appropriated for the fiscal year beginning July 1,
1116 2026, and ending June 30, 2027. These are additions to amounts previously appropriated for
1117 fiscal year 2027.

1118 Subsection 20(a). **Operating and Capital Budgets**

1119 Under the terms and conditions of Title 63J, Chapter 1, Budgetary Procedures Act, the
1120 Legislature appropriates the following sums of money from the funds or accounts indicated for
1121 the use and support of the government of the state of Utah.

1122 To Utah Board of Higher Education - Administration

1123 50,000,000

1124 Schedule of Programs:

1125 50,000,000

1126 The Legislature intends that the Utah Board of
1127 Higher Education use the funding in this item to
1128 implement the Higher Education Research Funding Pilot
1129 Program described in Section 53H-8-211.

1130 Section 21. **Effective date.**

Effective Date.

This bill takes effect on July 1, 2026.

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