Todd Weiler proposes the following substitute bill:

Homeless Services Amendments

2026 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Clinton D. Okerlund

Senate Sponsor: Todd Weiler

LONG TITLE

General Description:

This bill amends provisions related to homeless services.

Highlighted Provisions:

This bill:

- defines and amends terms;
- repeals certain obsolete sections of code;
- amends the duties of the Office of Homeless Services (office) and duties of the homeless services coordinator (coordinator);
- amends certain staffing requirements for certain boards or committees;
- amends certain reporting requirements;
- permits a service provider to temporarily expand a congregate shelter's bed capacity limit under certain conditions;
- changes provisions related to a participating local government's tax revenue distributions for homeless shelters; and
- makes technical and conforming changes.

Money Appropriated in this Bill:

None

Other Special Clauses:

This bill provides a special effective date.

Utah Code Sections Affected:

AMENDS:

35A-1-204 (Effective 05/06/26), as last amended by Laws of Utah 2021, Chapter 345

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

35A-16-102 (Effective 05/06/26), as last amended by Laws of Utah 2025, First Special Session, Chapter 16

2nd Sub. H.B. 308

35A-16-201 (Effective 05/06/26), as enacted by Laws of Utah 2021, Chapter 281
35A-16-202 (Effective 05/06/26), as last amended by Laws of Utah 2024, Chapters 338, 349
35A-16-203 (Effective 05/06/26), as last amended by Laws of Utah 2025, Chapter 530
35A-16-205 (Effective 05/06/26), as last amended by Laws of Utah 2025, Chapters 528, 530
35A-16-207 (Effective 05/06/26) (Repealed 07/01/27), as last amended by Laws of Utah 2025, Chapter 530
35A-16-208 (Effective 05/06/26), as last amended by Laws of Utah 2025, Chapters 422, 530
35A-16-210 (Effective 05/06/26), as enacted by Laws of Utah 2024, Chapter 338
35A-16-210.1 (Effective 05/06/26), as enacted by Laws of Utah 2025, Chapter 530
35A-16-212 (Effective 05/06/26) (Repealed 07/01/28), as enacted by Laws of Utah 2025, Chapter 41
35A-16-302 (Effective 05/06/26), as last amended by Laws of Utah 2025, Chapter 530
35A-16-401 (Effective 05/06/26), as last amended by Laws of Utah 2024, Chapters 204, 338 and 438
59-12-205 (Effective 01/01/27), as last amended by Laws of Utah 2025, Chapters 490, 495
63J-4-202 (Effective 05/06/26), as last amended by Laws of Utah 2021, Chapters 281, 382 and last amended by Coordination Clause, Laws of Utah 2021, Chapter 382

ENACTS:
35A-16-1301 (Effective 05/06/26), Utah Code Annotated 1953

REPEALS:
35A-16-101 (Effective 05/06/26), as enacted by Laws of Utah 2021, Chapter 281
35A-16-209 (Effective 05/06/26), as enacted by Laws of Utah 2024, Chapter 338

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

Section 1. Section **35A-1-204** is amended to read:

35A-1-204 (Effective 05/06/26). Division directors -- Appointment -- Compensation -- Qualifications.

(1)<u>(a)</u> The chief officer of each division within the department shall be a director, who shall serve as the executive and administrative head of the division.

[~~(2)~~] <u>(b)</u> A director shall be appointed by the executive director with the concurrence of the governor and may be removed from that position at the will of the executive director.

(2)(a) Notwithstanding Subsection (1), the governor shall appoint a state homeless services coordinator to serve as the chief officer of the Office of Homeless Services created in Chapter 16, Part 2, Office of Homeless Services.

(b) The state homeless services coordinator may be removed from that position at the will of the governor.

(3) A director of a division shall receive compensation as provided by Title 63A, Chapter 17, Utah State Personnel Management Act.

(4)(a) A director of a division shall be experienced in administration and possess such additional qualifications as determined by the executive director.

(b) In addition to the requirements of Subsection (4)(a), the director of the Division of Adjudication shall be admitted to the practice of law in Utah.

Section 2. Section **35A-8-2202** is amended to read:

35A-8-2202 (Effective 05/06/26). Commission on Housing Affordability.

(1) There is created within the department the Commission on Housing Affordability.

(2) The commission shall consist of 21 members as follows:

(a) one senator appointed by the president of the Senate;

(b) two representatives appointed by the speaker of the House of Representatives;

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

(d) the director of the division;

(e) the executive director of the Governor's Office of Economic Opportunity or the executive director's designee;

(f) the president of the Utah Transit Authority or the president's designee;

(g) the chair of the board of trustees of the Utah Housing Corporation or the chair's designee;

(h) the state homelessness coordinator appointed under Section [~~63J-4-202~~] 35A-1-204 or the state homelessness coordinator's designee; and

(i) 12 members appointed by the governor as follows:

(i) one individual representing the land development community with experience and expertise in affordable, subsidized multi-family development, recommended by the Utah Homebuilders Association;

(ii) one individual representing the real estate industry, recommended by the Utah Association of Realtors;

(iii) one individual representing the banking industry, recommended by the Utah Bankers Association;

(iv) one individual representing public housing authorities, recommended by the director of the division;

(v) two individuals representing municipal government, recommended by the Utah League of Cities and Towns;

(vi) one individual representing redevelopment agencies and community reinvestment agencies, recommended by the Utah Redevelopment Association;

(vii) two individuals representing county government, recommended by the Utah Association of Counties, where:

(A) one of the individuals is from a county of the first class; and

(B) one of the individuals is from a county of the third, fourth, fifth, or sixth class;

(viii) one individual representing a nonprofit organization that addresses issues related to housing affordability;

(ix) one individual with expertise on housing affordability issues in rural communities; and

(x) one individual representing the Salt Lake Chamber, recommended by the Salt Lake Chamber.

(3)(a) When a vacancy occurs in a position appointed by the governor under Subsection (2)(i), the governor shall appoint a person to fill the vacancy.

(b) Members appointed under Subsection (2)(i) may be removed by the governor for cause.

(c) A member appointed under Subsection (2)(i) shall be removed from the commission and replaced by an appointee of the governor if the member is absent for three consecutive meetings of the commission without being excused by a cochair of the commission.

(d) A member serves until the member's successor is appointed.

(4)(a) The commission shall select two members to serve as cochairs, one of whom shall be a legislator.

(b) Subject to the other provisions of this Subsection (4), the cochairs are responsible for the call and conduct of meetings.

(c) The cochairs shall call and hold meetings of the commission at least four times each year.

(d) One or more additional meetings may be called upon request by a majority of the commission's members.

(5)(a) A majority of the members of the commission constitutes a quorum.

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

(6)(a) A member of the commission described in Subsections (2)(c) through (i) may not receive compensation or benefits for the member's service, but may receive per diem and travel expenses in accordance with:

(i) Section 63A-3-106;

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

(iii) rules made by the Division of Finance [~~pursuant to~~] in accordance with Sections 63A-3-106 and 63A-3-107.

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

(7) The division shall provide staff support to the commission.

Section 3. Section **35A-16-102** is amended to read:

35A-16-102 (Effective 05/06/26). Definitions.

As used in this chapter:

(1) "Board" means the Utah Homeless Services Board created in Section 35A-16-204.

(2) "Chief executive officer" means the same as that term is defined in Section 11-51-102.

(3) "Client" means an individual who is experiencing homelessness or an individual at risk of becoming homeless.

(4) "Collaborative applicant" means the entity designated by a continuum of care to collect and submit data and apply for funds on behalf of the continuum of care, as required by the United States Department of Housing and Urban Development.

(5) "Continuum of care" means a regional or local planning body designated by the United States Department of Housing and Urban Development to coordinate services for individuals experiencing homelessness within an area of the state.

(6) "Coordinator" means the state homelessness coordinator appointed under Section [~~63J-4-202~~] 35A-1-204.

(7) "County of the first class" means the same as that term is defined in Section 17-60-104.

(8) "County of the second class" means the same as that term is defined in Section 17-60-104.

(9) "Eligible services" means any activities or services that mitigate the impacts of the location of an eligible shelter, including direct services, public safety services, and emergency services, as further defined by rule made by the office in accordance with

Title 63G, Chapter 3, Utah Administrative Rulemaking Act.

(10) "Executive committee" means the executive committee of the board.

(11) "Exit destination" means:

(a) a homeless situation;

(b) an institutional situation;

(c) a temporary housing situation;

(d) a permanent housing situation; or

(e) other.

(12) "First-tier eligible municipality" means a municipality that:

(a) is located within:

(i) a county of the first or second class, as classified in Section 17-60-104; or

(ii) a county of the third class, as classified in Section 17-60-104, if the municipality has a population of 100,000 or more;

(b) as determined by the office, has or is proposed to have an eligible shelter within the municipality's geographic boundaries within the following fiscal year;

(c) due to the location of an eligible shelter within the municipality's geographic boundaries, requires eligible services; and

(d) is certified as a first-tier eligible municipality in accordance with Section 35A-16-404.

(13) "Homeless Management Information System" or "HMIS" means an information technology system that:

(a) is used to collect client-level data and data on the provision of housing and services to homeless individuals and individuals at risk of homelessness in the state; and

(b) meets the requirements of the United States Department of Housing and Urban Development.

(14) "Homeless services budget" means the comprehensive annual budget and overview of all homeless services available in the state described in Subsection 35A-16-203(1)(b).

(15) "Local homeless council" means a local planning body designated by the steering committee [~~to coordinate~~] that coordinates services for individuals experiencing homelessness within an area of the state.

(16) "Office" means the Office of Homeless Services.

(17) "Residential, vocational and life skills program" means the same as that term is defined in Section 13-53-102.

(18) "Second-tier eligible municipality" means a municipality that:

(a) is located within:

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

(ii) a county of the third class, if the municipality has a population of less than 100,000;

(b) as determined by the office, has or is proposed to have an eligible shelter within the municipality's geographic boundaries within the following fiscal year;

(c) due to the location of an eligible shelter within the municipality's geographic boundaries, requires eligible services; and

(d) is certified as a second-tier eligible municipality in accordance with Section 35A-16-404.

(19)(a) "Service provider" means a state agency, a local government, or a private organization that provides services to clients.

(b) "Service provider" includes a correctional facility and the Administrative Office of the Courts.

(20) "Steering committee" means the Utah Homeless Network Steering Committee created in Section 35A-16-206.

[~~(21) "Strategic plan" means the statewide strategic plan to minimize homelessness in the state described in Subsection 35A-16-203(1)(c).~~]

[~~(22)~~] (21) "Type of homelessness" means:

(a) chronic homelessness;

(b) episodic homelessness;

(c) situational homelessness; or

(d) family homelessness.

Section 4. Section **35A-16-201** is amended to read:

35A-16-201 (Effective 05/06/26). Office of Homeless Services.

(1) The Office of Homeless Services is under the direction of the state homelessness coordinator appointed under [~~Section 63J-4-202~~] Section 35A-1-204.

(2) The coordinator shall serve as:

(a) an advisor to the governor on homelessness issues; and

(b) subject to Subsection (3), the chief administrative officer of the Office of Homeless Services created [~~in Section 35A-1-202~~] under this part.

(3) The executive director has administrative oversight over the office.

Section 5. Section **35A-16-202** is amended to read:

35A-16-202 (Effective 05/06/26). Powers and duties of the office.

(1) The office shall, under the direction of the coordinator:

(a) assist in providing homeless services in the state;

(b) coordinate the provision of homeless services in the state;

(c) coordinate statewide emergency and crisis response in relation to services for individuals experiencing homelessness;

[~~(c)~~] (d) manage, with the concurrence of continuum of care organizations approved by the United States Department of Housing and Urban Development, a Homeless Management Information System for the state that:

(i) shares client-level data between service providers in the state;

(ii) is effective as a case management system;

(iii) except for individuals receiving services who are victims of domestic violence, includes an effective authorization protocol for encouraging individuals who are provided with any homeless services in the state to provide accurate information to providers for inclusion in the HMIS; and

(iv) meets the requirements of the United States Department of Housing and Urban Development and other federal requirements; and

[~~(d) in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, make rules defining "successful exit," "unsuccessful exit," and "neutral exit"; and~~]

(e) provide support to the steering committee in developing the formula described in Section 35A-16-211.

(2) The office may:

(a) by following the procedures and requirements of Title 63J, Chapter 5, Federal Funds Procedures Act, seek federal grants, loans, or participation in federal programs; and

(b) for any federal program that requires the expenditure of state funds as a condition for participation by the state in a fund, property, or service, with the governor's approval, expend whatever funds are necessary out of the money provided by the Legislature for the use of the office.

Section 6. Section **35A-16-203** is amended to read:

35A-16-203 (Effective 05/06/26). Powers and duties of the coordinator.

(1) The coordinator shall:

(a) coordinate the provision of homeless services in the state;

(b) in cooperation with the board, develop and maintain a comprehensive annual budget and overview of all homeless services available in the state, which homeless services budget shall receive final approval by the board;

[~~(c) in cooperation with the board, create a statewide strategic plan to minimize~~

~~homelessness in the state, which strategic plan shall receive final approval by the board;~~]

[~~(d)~~] (c) in cooperation with the board, oversee funding provided for the provision of homeless services, which funding shall receive final approval by the board, including funding from the:

(i) Pamela Atkinson Homeless Account created in Section 35A-16-301;

(ii) Homeless to Housing Reform Restricted Account created in Section 35A-16-303; and

(iii) Homeless Shelter Cities Mitigation Restricted Account created in Section 35A-16-402;

[~~(e)~~] (d) provide administrative support to and serve as a member of the board;

[~~(f)~~] (e) at the governor's request, report directly to the governor on issues regarding homelessness in the state and the provision of homeless services in the state;[~~ and~~]

[~~(g)~~] (f) [~~report directly to~~] at the request of the president of the Senate and the speaker of the House of Representatives[~~ at least twice each year~~] , report directly to the Legislature on issues regarding homelessness in the state and the provision of homeless services in the state[~~.~~] ;

(g) outline specific goals and measurable benchmarks for minimizing homelessness in the state; and

(h) coordinate services for individuals experiencing homelessness among all service providers in the state.

[~~(2) The coordinator, in cooperation with the board, shall ensure that the homeless services budget described in Subsection (1)(b) includes an overview and coordination plan for all funding sources for homeless services in the state, including from state agencies, continuum of care organizations, housing authorities, local governments, federal sources, and private organizations.~~]

[~~(3) The coordinator, in cooperation with the board and taking into account the metrics established and data reported in accordance with Section 35A-16-211, shall ensure that the strategic plan described in Subsection (1)(c):~~]

[~~(a) outlines specific goals and measurable benchmarks for minimizing homelessness in the state and for coordinating services for individuals experiencing homelessness among all service providers in the state;~~]

[~~(b) identifies best practices or innovative strategies and recommends improvements to the provision of services to individuals experiencing homelessness in the state to~~

~~ensure the services are provided in a safe, cost-effective, and efficient manner;~~]

[~~(c) identifies best practices or innovative strategies and recommends improvements in coordinating the delivery of services to the variety of populations experiencing homelessness in the state, including through the use of electronic databases and improved data sharing among all service providers in the state;~~]

[~~(d) identifies gaps and recommends solutions in the delivery of services to the variety of populations experiencing homelessness in the state; and~~]

[~~(e) takes into consideration the success of the HOME Court Pilot Program established in Section 26B-5-382.~~]

[~~(4)~~] (2) In overseeing funding for the provision of homeless services as described in Subsection [~~(1)(d)~~] (1)(c), the coordinator:

(a) shall prioritize the funding of programs and providers that have a documented history of successfully reducing the number of individuals experiencing homelessness, reducing the time individuals spend experiencing homelessness, moving individuals experiencing homelessness to permanent housing, or reducing the number of individuals who return to experiencing homelessness;

(b) except for a program or provider providing services to victims of domestic violence, may not approve funding to a program or provider that does not enter into a written agreement with the office to collect and share HMIS data regarding the provision of services to individuals experiencing homelessness so that the provision of services can be coordinated among state agencies, local governments, and private organizations; and

(c) if the board has approved a funding formula developed by the steering committee, as described in Section 35A-16-205:

(i) except as provided in Subsection [~~(4)(c)(ii)~~] (2)(c)(ii), shall utilize that funding formula in disbursing funds for the provision of homeless services; and

(ii) shall ensure that any federal funds not subject to the funding formula are disbursed in accordance with any applicable federal requirements.

[~~(5) In cooperation with the board, the coordinator shall update the annual statewide budget and the strategic plan described in this section on an annual basis.~~]

[~~(6)~~] (3)(a) On or before October 1, the coordinator shall provide a written report to the department for inclusion in the department's annual written report described in Section 35A-1-109.

(b) The written report shall include:

(i) the homeless services budget;

[~~(ii) the strategic plan;~~]

[~~(iii)~~] (ii) recommendations regarding improvements to coordinating and providing services to individuals experiencing homelessness in the state;

[~~(iv)~~] (iii) in coordination with the board, a complete accounting of the office's disbursement of funds during the previous fiscal year from:

(A) the Pamela Atkinson Homeless Account created in Section 35A-16-301;

(B) the Homeless to Housing Reform Restricted Account created in Section 35A-16-303;

(C) the Homeless Shelter Cities Mitigation Restricted Account created in Section 35A-16-402; and

[~~(D) the COVID-19 Homeless Housing and Services Grant Program created in Section 35A-16-602; and~~]

[~~(E)~~] (D) any other grant program created in statute that is administered by the office[~~; and~~] .

[~~(v) the data described in Section 35A-16-211.~~]

Section 7. Section **35A-16-205** is amended to read:

35A-16-205 (Effective 05/06/26). Duties of the board.

(1) The board:

(a) shall provide final approval for:

(i) a funding formula developed by the steering committee under Section 35A-16-211;

(ii) the homeless services budget; and

[~~(iii) the strategic plan; and~~]

[~~(iv)~~] (iii) the awarding of funding for the provision of homeless services as described in Subsection [~~35A-16-203(1)(d)~~] 35A-16-203(1)(c);

(b) in cooperation with the coordinator, shall:

(i) develop and maintain the homeless services budget; and

[~~(ii) develop and maintain the strategic plan; and~~]

[~~(iii)~~] (ii) review applications and approve funding for the provision of homeless services in the state as described in Subsection [~~35A-16-203(1)(d)~~] 35A-16-203(1)(c);

(c) shall review local and regional plans for providing services to individuals experiencing homelessness;

(d) shall cooperate with local homeless councils to:

(i) develop a common agenda and vision for reducing homelessness in each local oversight body's respective region;

(ii) as part of the homeless services budget, develop a spending plan that coordinates the funding supplied to local stakeholders; and

(iii) align local funding to projects that improve outcomes and target specific needs in each community;

(e) shall coordinate gap funding with private entities for providing services to individuals experiencing homelessness;

(f) shall recommend performance and accountability measures for service providers, including the support of collecting consistent and transparent data;

(g) when reviewing and giving final approval for requests as described in Subsection [~~35A-16-203(1)(d)~~] 35A-16-203(1)(c):

(i) may only recommend funding if the proposed recipient has a policy to share client-level service information with other entities in accordance with state and federal law to enhance the coordination of services for individuals who are experiencing homelessness; and

(ii) shall identify specific targets and benchmarks [~~that align with the strategic plan~~] for each recommended award;

[~~(h) shall regularly update the state strategic plan on homelessness to reflect:~~]

[~~(i) trends in homelessness as identified by the review of:~~]

[~~(A) local data; and~~]

[~~(B) performance and accountability metrics in accordance with this section; and~~]

[~~(ii) proven strategies to reduce homelessness among:~~]

[~~(A) the unsheltered;~~]

[~~(B) the chronically or episodically homeless; and~~]

[~~(C) the situationally homeless;~~]

[~~(i)~~] (h) shall develop annual state and local goals for reducing homelessness among the target subpopulations identified by the board;

[~~(j)~~] (i) shall work with the local homeless councils to carry out the requirements of Subsection 35A-16-211(3);

[~~(k)~~] (j) shall develop metrics for measuring the effectiveness of providers in assisting clients to successfully progress through the services coordinated by a continuum of care;

[~~(l)~~] (k) shall create best practices or innovative strategies for a service provider to administer services to an individual experiencing homelessness, including promotion of:

(i) a recognition of the human dignity of clients served;

(ii) a need to develop self-reliance;

(iii) the value of work;

(iv) personal accountability; and

(v) personal progress toward greater personal independence;

[~~(m)~~] (l) shall make recommendations for uniform standards for enforcing pedestrian safety and unsanctioned camping laws and ordinances;

[~~(n)~~] (m) shall identify best practices or innovative strategies for responding to unsheltered individuals experiencing mental health disorder and substance use disorder;

[~~(o)~~] (n) shall make recommendations for strategies to reduce illegal drug use within homeless shelters, transitional housing, and permanent supportive housing;

[~~(p)~~] (o) shall facilitate client connection to alternative support systems, including behavioral health services, addiction recovery, and residential services;

[~~(q)~~] (p) shall facilitate participation in HMIS, where appropriate and in alignment with established HMIS policies, and data sharing agreements among all participants in a client support network, including homeless services, physical health systems, mental health systems, and the criminal justice system;

[~~(r) shall make recommendations to the office for defining "successful exit," "unsuccessful exit," and "neutral exit";~~]

[~~(s)~~] (q) shall evaluate additional opportunities for the office to become a collaborative applicant;

[~~(t)~~] (r) shall coordinate with the continuums of care to provide for cooperative distribution of available funding;

[~~(u)~~] (s) shall work in conjunction with the executive directors of the Department of Workforce Services, the Department of Health and Human Services, and the Department of Corrections to create best practices or innovative strategies for helping individuals exiting from incarceration or an institution to avoid homelessness;

[~~(v)~~] (t) shall establish standards for the prioritization of beds located in homeless shelters in accordance with Section 35A-16-205.1; and

[~~(w)~~] (u) shall work in conjunction with the Department of Veterans and Military Affairs to create best practices for helping veterans, as that term is defined in Section

68-3-12.5, avoid homelessness.

(2)(a) In approving a funding formula, as described in Subsection (1)(a)(i), the board shall take action on a proposed funding formula by a two-thirds vote.

(b) If the board cannot approve a proposed funding formula, the board shall refer the proposed funding formula back to the steering committee for further consideration.

(3)(a) The executive committee shall act in an advisory capacity for the board and make recommendations regarding the board's duties under Subsection (1).

(b) The executive committee does not have authority to make decisions independent of the board.

Section 8. Section **35A-16-207** is amended to read:

35A-16-207 (Effective 05/06/26) (Repealed 07/01/27). Duties of the steering committee.

(1) The steering committee shall:

(a) support connections across continuums of care, local homeless councils, and state and local governments;

(b) coordinate statewide emergency and crisis response in relation to services for individuals experiencing homelessness;

(c) provide training to providers of services for individuals experiencing homelessness, stakeholders, and policymakers;

(d) educate the general public and other interested persons regarding the needs, challenges, and opportunities for individuals experiencing homelessness; and

(e) make recommendations to the board regarding the awarding of funding for the provision of homeless services as described in Subsection [~~35A-16-203(1)(d)~~] 35A-16-203(1)(c).

(2) The steering committee shall, in consultation with members of the board, the office, members of local homeless councils, and the coordinator, develop a funding formula as described in Section 35A-16-211.

Section 9. Section **35A-16-208** is amended to read:

35A-16-208 (Effective 05/06/26). Reporting requirements -- Outcome measures.

[~~(1)(a) The office shall report, for the state and for each local homeless council:~~]

[~~(i) the state's year-to-date progress toward reaching a functional zero level of homelessness for each type of homelessness and subpopulation, including:~~]

[~~(A) the number of individuals who are homeless for the first time;~~]

[~~(B) the number of individuals who returned to homelessness after having exited~~

~~homelessness within the two previous years;~~]

[~~(C) the number of individuals who remained homeless since the last report;~~]

[~~(D) the number of individuals experiencing homelessness since the last report by household type;~~]

[~~(E) the number of individuals who exited by exit destination; and~~]

[~~(F) the number of individuals who are experiencing homelessness for the first time plus the number of individuals who are returning to homelessness minus the number of individuals who are exiting homelessness;~~]

[~~(ii) the percentage of individuals experiencing homelessness who:~~]

[~~(A) have a mental health disorder;~~]

[~~(B) have a substance use disorder;~~]

[~~(C) have a chronic health condition;~~]

[~~(D) have a physical disability;~~]

[~~(E) have a developmental disability;~~]

[~~(F) have HIV/AIDS;~~]

[~~(G) are survivors of domestic violence;~~]

[~~(H) are veterans; and~~]

[~~(I) are unaccompanied youth 24 years old or younger;~~]

[~~(iii) the number of individuals who exited homeless services since the last report by:~~]

[~~(A) type of homelessness;~~]

[~~(B) subpopulation; and~~]

[~~(C) exit destination;~~]

[~~(iv) the progress, by project type, on each goal established in accordance with Subsection (3); and~~]

[~~(v) the data provided by the homeless services provider ombudsman as described in Section 35A-16-1002.~~]

[~~(b) The reports described in this Subsection (1) shall contain aggregated, de-identified information.~~]

[~~(2) The office shall report the data described in Subsection (1):~~]

[~~(a) in the annual report required by Section 35A-16-203;~~]

[~~(b) on or before October 1 of each year, through an oral presentation to the Economic Development and Workforce Services Interim Committee; and~~]

[~~(c) on a data dashboard for the public with specific additional data points recommended by the board.~~]

[~~(3) The board and the local homeless councils shall jointly establish quarterly goals for each project type.~~]

[~~(4) The board and the local homeless councils shall jointly make annual progress reports identifying:~~]

[~~(a) the percentage of clients:~~]

[~~(i) screened for social needs; and~~]

[~~(ii) referred for services that match the clients' social needs;~~]

[~~(b) the percentage of clients subsequently referred to community-based providers who can:~~]

[~~(i) address the client's needs;~~]

[~~(ii) follow-up on status of addressing the client's needs; and~~]

[~~(iii) report back to the referring entity;~~]

[~~(c) the number of youth receiving parent or guardian bereavement support services; and~~]

[~~(d) the number of clients with:~~]

[~~(i) a successful exit;~~]

[~~(ii) an unsuccessful exit;~~]

[~~(iii) a neutral exit; and~~]

[~~(iv) continued enrollment in the project.~~]

(1)(a) The office shall report, for the state and for each local homeless council:

(i) the state's year-to-date progress toward reaching a functional zero level of homelessness for each type of homelessness and subpopulation;

(ii) the number of individuals who are experiencing homelessness for the first time plus the number of individuals who are returning to homelessness minus the number of individuals who are exiting homelessness;

(iii) the progress, by project type, on each goal established in accordance with Subsection (3); and

(iv) the data provided by the homeless services provider ombudsman as described in Section 35A-16-1002.

(b) The reports described in this Subsection (1) shall contain aggregated, de-identified information.

(2) The office shall report the data described in Subsection (1):

(a) in the annual report required by Section 35A-16-203; and

(b) on a data dashboard for the public with specific additional data points recommended by the board.

(3) The board and the local homeless councils shall jointly establish quarterly goals for each project type.

Section 10. Section **35A-16-210** is amended to read:

35A-16-210 (Effective 05/06/26). Shelter Cities Advisory Board.

(1) There is established the Shelter Cities Advisory Board.

(2) The Shelter Cities Advisory Board shall consist of the following members:

(a) the chief executive officer of each first-tier eligible municipality, or the chief executive officer's designee; and

(b) the chief executive officer of each second-tier eligible municipality, or the chief executive officer's designee.

(3)(a) The Shelter Cities Advisory Board shall appoint, in accordance with this section, one chief executive officer representing a municipality as a member to the board.

(b) The members of the Shelter Cities Advisory Board shall make an appointment, or fill a vacancy, by a majority vote of all members of the Shelter Cities Advisory Board who are present at the meeting during which an appointment is made.

(c) The Shelter Cities Advisory Board may not appoint the chief executive officer described in Subsection 35A-16-204(2)(a)(vi).

(d) Section 35A-16-204 governs other terms of appointment.

(4) The Shelter Cities Advisory Board may make recommendations to the board regarding improvements to coordinating and providing services to individuals experiencing homelessness in the state.

(5) [~~The office and an~~] An association representing at least two municipalities in the state shall [~~jointly~~]provide staff and administrative support to the Shelter Cities Advisory Board.

Section 11. Section **35A-16-210.1** is amended to read:

35A-16-210.1 (Effective 05/06/26). Shelter Counties Advisory Board.

(1) There is established the Shelter Counties Advisory Board.

(2) The Shelter Counties Advisory Board shall consist of the chief executive officer of each county that maintains a homeless shelter year round, or the chief executive officer's designee.

(3) The Shelter Counties Advisory Board may make recommendations to the board regarding improvements to coordinating and providing services to individuals experiencing homelessness in the state.

(4) [~~The office and an~~] An association representing at least two counties in the state shall [

~~jointly~~]provide staff and administrative support to the Shelter Counties Advisory Board.

Section 12. Section **35A-16-212** is amended to read:

35A-16-212 (Effective 05/06/26) (Repealed 07/01/28). Property Loss Related to Homelessness Compensation Enterprise Fund.

(1) As used in this part:

(a) "Fund" means the Property Loss Related to Homelessness Compensation Enterprise Fund created in Subsection (3).

(b) "Homeless services facility" means an eligible shelter under Subsection 35A-16-401(5)(a)[~~ or (5)(b)~~] , (b), or (c).

(c) "Property loss" means:

(i) documented damage to or theft of personal property; or

(ii) documented cost of cleaning, sanitizing, repairing, or restoring real property.

(2) Documentation required for Subsection (1)(c) shall include closed insurance claim information with any settlement amount.

(3) There is created an enterprise fund known as the Property Loss Related to Homelessness Compensation Enterprise Fund.

(4) The fund shall consist of:

(a) gifts, grants, donations, and loan repayments or any other conveyance of money that may be made to the fund from private sources; and

(b) additional amounts as appropriated by the Legislature.

(5) The fund shall be administered by the office.

(6) Funds may be used to:

(a) provide a no-interest loan to a business that:

(i) meets the requirements of Subsection (6)(b); and

(ii) enters into an agreement with the department to:

(A) use loan funds for documented costs for property loss or for documented costs to mitigate property loss as a direct result of the presence of the homeless services facility; and

(B) repay the loan no later than one year from the day on which the loan is disbursed to the business;

(b) except as provided in Subsection (12), compensate a business that:

(i) is located within 1/5 of a mile of a homeless services facility; and

(ii) experiences property loss as a direct result of the presence of the homeless services facility; or

(c) compensate an individual who:

(i) lives within 1/5 of a mile from a homeless services facility; and

(ii) experiences property loss as a direct result of the presence of the homeless services facility.

(7) An individual who receives compensation from the fund shall:

(a) be a resident of Utah; and

(b) have a need that meets the requirements of this section.

(8)(a) A business that receives compensation or a loan from the fund shall be in good standing with the State Tax Commission and Department of Commerce.

(b) The State Tax Commission and Department of Commerce may charge a business described in Subsection (8)(a) a nominal fee to obtain a certificate of good standing to meet the requirements under this section.

(9)(a) The fund may not duplicate or supplant a service or support mechanism provided to an individual or business by another government entity or private agency.

(b) The fund may supplement a service or support mechanism provided to an individual or business by another government entity or private agency, if the service or support mechanism does not fully cover the cost of the individual's or business's property loss.

(10) Administrative and operating expenses for the fund shall be paid from the fund.

(11) The executive director may expend up to 4% of the revenues of the fund, including any appropriations to the fund, for administrative expenses.

(12) A business located at parcel record number 15-26-326-016-0000 is not eligible to receive compensation for property loss as a direct result of the presence of a homeless services facility.

(13) The office shall:

(a) administer the loan program, including:

(i) in each calendar year that money is available from the fund for distribution by the office, announcing, at least once in that year, a loan application period by sending notice to interested persons;

(ii) accepting applications received in a timely manner;

(iii) reviewing loan applications;

(iv) determining eligibility in accordance with this section; and

(v) distributing loan money to an approved loan recipient; and

(b) in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, make rules to administer the program, including:

(i) loan application requirements;
(ii) procedures to approve a loan;
(iii) procedures for distributing money to loan recipients;
(iv) criteria for confirming the amount of property loss; and
(v) criteria prioritizing disbursements in the event of limited funds.

(14) The office may do any act necessary or convenient to the exercise of the powers granted by this part or reasonably implied from those granted powers, including:
(a) service or contract, under Title 63G, Chapter 6a, Utah Procurement Code, for the servicing of loans made by the fund;
(b) make or execute contracts and other instruments necessary or convenient for the performance of the office's duties and exercise of the office's powers and functions under this part, including contracts or agreements for the servicing and originating of loans; and
(c) selling, at a public or private sale, with public bidding, an obligation held by the fund.

(15) Any money returned to the department under this section from a person that received a loan from the fund shall be deposited into the fund.

Section 13. Section **35A-16-302** is amended to read:

35A-16-302 (Effective 05/06/26). Uses of Homeless to Housing Reform Restricted Account.

(1) The board may award ongoing or one-time grants or contracts funded from the Homeless to Housing Reform Restricted Account created in Section 35A-16-303.

(2) As a condition of receiving money, including any ongoing money, from the restricted account, an entity awarded a grant or contract under this section shall provide detailed and accurate reporting on at least an annual basis to the board and the coordinator that describes:
(a) how money provided from the restricted account has been spent by the entity; and
(b) the progress towards measurable outcome-based benchmarks agreed to between the entity and the board before the awarding of the grant or contract.

(3) In determining the awarding of a grant or contract under this section, the board and the coordinator shall:
(a) ensure that the services to be provided through the grant or contract will be provided in a cost-effective manner;
(b) give priority to a project or contract that will include significant additional or matching funds from a private organization, nonprofit organization, or local

government entity;

(c) ensure that the project or contract will target the distinct housing needs of one or more at-risk or homeless subpopulations, which may include:

(i) families with children;

(ii) transitional-aged youth;

(iii) single men or single women;

(iv) veterans;

(v) victims of domestic violence;

(vi) individuals with behavioral health disorders, including mental health or substance use disorders;

(vii) individuals who are medically frail or terminally ill;

(viii) individuals exiting prison or jail; or

(ix) individuals who are homeless without shelter; and

(d) consider whether the project will address one or more of the following goals:

(i) diverting homeless or imminently homeless individuals and families from emergency shelters by providing better housing-based solutions;

(ii) meeting the basic needs of homeless individuals and families in crisis;

(iii) providing homeless individuals and families with needed stabilization services;

(iv) decreasing the state's homeless rate;

(v) implementing a coordinated entry system with consistent assessment tools to provide appropriate and timely access to services for homeless individuals and families;

(vi) providing access to caseworkers or other individualized support for homeless individuals and families;

(vii) encouraging employment and increased financial stability for individuals and families being diverted from or exiting homelessness;

(viii) creating additional affordable housing for state residents;

(ix) providing services and support to prevent homelessness among at-risk individuals and adults;

(x) providing services and support to prevent homelessness among at-risk children, adolescents, and young adults;

(xi) preventing the reoccurrence of homelessness among individuals and families exiting homelessness; and

(xii) providing medical respite care for homeless individuals where the homeless individuals can access medical care and other supportive services[~~; and~~] .

[~~(e) address the needs identified in the strategic plan described in Section 35A-16-203 for inclusion in the annual written report described in Section 35A-1-109.~~]

(4) In addition to the other provisions of this section, in determining the awarding of a grant or contract under this section to design, build, create, or renovate a facility that will provide shelter or other resources for the homeless, the board, with the concurrence of the coordinator, may consider whether the facility will be:

(a) located near mass transit services;

(b) located in an area that meets or will meet all zoning regulations before a final dispersal of funds;

(c) safe and welcoming both for individuals using the facility and for members of the surrounding community; and

(d) located in an area with access to employment, job training, and positive activities.

(5) In accordance with Subsection (4), and subject to the approval of the board, with the concurrence of the coordinator, the following may recommend a site location, acquire a site location, and hold title to real property, buildings, fixtures, and appurtenances of a facility that provides or will provide shelter or other resources for the homeless:

(a) the county executive of a county of the first class on behalf of the county of the first class, if the facility is or will be located in the county of the first class in a location other than Salt Lake City;

(b) the state;

(c) a nonprofit entity approved by the board, with the concurrence of the coordinator; and

(d) a mayor of a municipality on behalf of the municipality where a facility is or will be located.

(6)(a) If a homeless shelter commits to provide any amount of matching funds under this Subsection (6), the board, with the concurrence of the coordinator, may award a grant for the ongoing operations of the homeless shelter.

(b) In awarding a grant under this Subsection (6), the board, with the concurrence of the coordinator, shall consider:

(i) the number of beds available at the homeless shelter;

(ii) the number and quality of the homeless services provided by the homeless shelter; and

(iii) the amount of matching funds provided by the homeless shelter.

(7)(a) To meet the goals described in Subsection (3), the office may expend money from the restricted account to provide individuals experiencing homelessness transportation costs to connect the individual with a support network outside of the state.

(b) A service provider that applies for a grant award for the purposes described under Subsection (7)(a) shall provide the office with a detailed report that includes:

(i) the name and address of the person to provide support services for the individual experiencing homelessness; and

(ii) the transportation costs that the individual experiencing homelessness may require.

(8) The office may expend money from the restricted account to offset actual office and board expenses related to administering this section.

Section 14. Section **35A-16-401** is amended to read:

35A-16-401 (Effective 05/06/26). Definitions.

As used in this part:

(1) "Account" means the Homeless Shelter Cities Mitigation Restricted Account created in Section 35A-16-402.

(2) "Authorized provider" means a nonprofit provider of homeless services that is authorized by a third-tier eligible municipality to operate a temporary [~~winter response~~] emergency shelter within the municipality[~~ in accordance with Part 5, Winter Response Plan Requirements~~].

(3) "Eligible municipality" means:

(a) a first-tier eligible municipality;

(b) a second-tier eligible municipality; or

(c) a third-tier eligible municipality.

(4) "Eligible services" means any activities or services that mitigate the impacts of the location of an eligible shelter, including direct services, public safety services, and emergency services, as further defined by rule made by the office in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act.

(5) "Eligible shelter" means:

(a) for a first-tier eligible municipality, a homeless shelter that:

(i) has the capacity to provide temporary shelter to at least 80 individuals per night, as verified by the office;

(ii) operates year-round; and

(iii) is not subject to restrictions that limit the hours, days, weeks, or months of operation;

(b) for a second-tier municipality, a homeless shelter that:

(i) has the capacity to provide temporary shelter to at least 25 individuals per night, as verified by the office;

(ii) operates year-round; and

(iii) is not subject to restrictions that limit the hours, days, weeks, or months of operation;[~~ and~~]

(c) an eligible shelter under Subsection (5)(a) or (b), if the homeless shelter operates for more than 365 continuous days, regardless of whether the homeless shelter is intended to operate as an emergency shelter, as long as the homeless shelter meets the requirements of an eligible shelter defined in Subsection (5)(a) or (b); and

[~~(c)~~] (d) for a third-tier eligible municipality, a homeless shelter that:

[~~(i)(A) has the capacity to provide temporary shelter to at least 50 individuals per night, as verified by the office; and~~]

[~~(B) operates for no less than three months during the period beginning October 1 and ending April 30 of the following year; or~~]

[~~(ii)(A) meets the definition of a homeless shelter under Section 35A-16-501; and~~]

[~~(B) contains beds that are utilized as part of a county's winter response plan under Section 35A-16-502.~~]

(i) has the capacity to provide temporary shelter to at least 50 individuals per night, as verified by the office; and

(ii) operates for no less than three months during the period beginning October 1 and ending April 30 of the following year.

(6) "Homeless shelter" means a facility that provides or is proposed to provide temporary shelter to individuals experiencing homelessness.

(7) "Municipality" means a city or town.

(8) "Public safety services" means law enforcement, emergency medical services, or fire protection.

(9) "Third-tier eligible municipality" means a municipality that:

(a) as determined by the office, has or is proposed to have an eligible shelter within the municipality's geographic boundaries within the following fiscal year; and

(b) due to the location of an eligible shelter within the municipality's geographic boundaries, requires eligible services.

Section 15. Section **35A-16-1301** is enacted to read:

Part 13. Temporary Shelter Expansion

35A-16-1301 (Effective 05/06/26). Temporary shelter expansion -- Definitions -- Requirements -- Mitigation.

(1) As used in this part, "municipal consent" means the written approval from a municipality in which a congregate shelter is located to the office and to a service provider for temporary expansion of a congregate shelter's designated bed capacity.

(2) A service provider may expand the capacity limit of a congregate shelter up to 135% of the shelter's designated bed capacity to provide temporary shelter to individuals experiencing homelessness if:

(a) the service provider informs the office of the need to temporarily expand the capacity limit of the shelter;

(b) the service provider requests approval from the municipality in which the congregate shelter is located to expand the shelter's capacity;

(c) the municipality in which the congregate shelter is located provides municipal consent to the service provider and the office; and

(d) the congregate shelter remains in compliance with the applicable state and local building and fire codes.

(3) Municipal consent under this section may include reasonable conditions related to public safety, coordination, or neighborhood mitigation.

(4) The authorization provided under this section does not modify any other applicable licensing, health, or safety requirements.

(5) For purposes of formula distributions made under this chapter, the number of beds operated under Subsection (2) may be counted as tier three beds.

(6) Additional bed capacity authorized under this section may be mitigated using funds appropriated under this chapter as determined in rule made by the office in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act.

(7)(a) A congregate shelter may not operate at the expanded capacity limit described in Subsection (2) after April 30, 2027.

(b) On or after May 1, 2027, a congregate shelter shall return to the congregate shelter's capacity limit as determined by the congregate shelter's conditional use permit unless otherwise authorized by the relevant municipality.

Section 16. Section **59-12-205** is amended to read:

59-12-205 (Effective 01/01/27). Ordinances to conform with statutory amendments -- Distribution of tax revenue -- Determination of population.

(1) To maintain in effect sales and use tax ordinances adopted [~~pursuant to~~] in accordance with Section 59-12-204, a county, city, or town shall adopt amendments to the county's, city's, or town's sales and use tax ordinances:..

(a) within 30 days of the day on which the state makes an amendment to an applicable provision of Part 1, Tax Collection; and

(b) as required to conform to the amendments to Part 1, Tax Collection.

(2)(a) Except as provided in Subsections (3), (4), and (5) and subject to Subsection (6):

(i) 50% of each dollar collected from the sales and use tax authorized by this part shall be distributed to each county, city, and town on the basis of the percentage that the population of the county, city, or town bears to the total population of all counties, cities, and towns in the state; and

(ii)(A) except as provided in Subsections (2)(a)(ii)(B), (C), (D), (E), and (F), 50% of each dollar collected from the sales and use tax authorized by this part shall be distributed to each county, city, and town on the basis of the location of the transaction as determined under Sections 59-12-211 through 59-12-215;

(B) except as provided in Subsections (10) through (13), 50% of each dollar collected from the sales and use tax authorized by this part within a project area described in a project area plan adopted by the military installation development authority under Title 63H, Chapter 1, Military Installation Development Authority Act, shall be distributed to the military installation development authority created in Section 63H-1-201;

(C) except as provided in Subsections (10) through (13), beginning July 1, 2024, 20% of each dollar collected from the sales and use tax authorized by this part within a project area under Title 11, Chapter 58, Utah Inland Port Authority Act, shall be distributed to the Utah Inland Port Authority, created in Section 11-58-201;

(D) except as provided in Subsections (10) through (13), 50% of each dollar collected from the sales and use tax authorized by this part within the lake authority boundary, as defined in Section 11-65-101, shall be distributed to the Utah Lake Authority, created in Section 11-65-201, beginning the next full calendar quarter following the creation of the Utah Lake Authority;[~~ and~~]

(E) except as provided in Subsections (10) through (13), beginning January 1, 2026, 50% of each dollar collected from the sales and use tax authorized by this part within the boundary of an eligible basic special district, as that term is defined in Section 17B-1-1405, and if applicable, the boundary of a public infrastructure district created by the eligible basic special district, shall be distributed to the eligible basic special district[~~.~~] ; and

(F) except as provided in Subsections (10) through (13), beginning the first day of a calendar quarter after the sales and use tax boundary for a major sporting event venue zone is established, the commission, at least annually, shall transfer an amount equal to 50% of the sales and use tax increment, as defined in Section 63N-3-1701, from the sales and use tax imposed under this part on transactions occurring within a sales and use tax boundary, as described in Section 63N-3-1710, to the creating entity of the major sporting event venue zone.

(b) Subsection (2)(a)(ii)(C) does not apply to sales and use tax revenue collected before July 1, 2022.

(3) Beginning no sooner than January 1, 2026, and before application of Subsections (2), (4), (5), and (6), and except as provided in Subsections (8) and (9), and as described in Section 63N-3-610.1, beginning the first day of a calendar quarter after the year set in the proposal and after the sales and use tax boundary for a convention center reinvestment zone is established under Title 63N, Chapter 3, Part 6, Housing and Transit Reinvestment Zone Act, the commission, at least annually, shall transfer an amount equal to 100% of the sales and use tax increment, as defined in Section 63N-3-602, from the sales and use tax imposed under this part on transactions occurring within an established sales and use tax boundary, as defined in Section 63N-3-602, to the entity specified in the convention center reinvestment zone proposal submitted[~~ pursuant to ~~] in accordance with Title 63N, Chapter 3, Part 6, Housing and Transit Reinvestment Zone Act.

(4)(a) As used in this Subsection (4):

(i) "Eligible county, city, or town" means a county, city, or town that:

(A) for fiscal year 2012-13, received a tax revenue distribution under Subsection (4)(b) equal to the amount described in Subsection (4)(b)(ii); and

(B) does not impose a sales and use tax under Section 59-12-2103 on or before July 1, 2016.

(ii) "Minimum tax revenue distribution" means the total amount of tax revenue distributions an eligible county, city, or town received from a tax imposed in accordance with this part for fiscal year 2004-05.

(b) An eligible county, city, or town shall receive a tax revenue distribution for a tax imposed in accordance with this part equal to the greater of:

(i) the payment required by Subsection (2); or

(ii) the minimum tax revenue distribution.

(c) For an eligible county, city, or town that qualifies to receive a distribution described in this Subsection (4), the commission shall apply the provisions of this Subsection (4) after the commission applies the provisions of Subsection (3).

(5)(a) For purposes of this Subsection (5):

(i)(A) "Annual local contribution" means, for a calendar year beginning on January 1, 2027, the lesser of $316,250 or an amount equal to 2.93% of the participating local government's tax revenue distribution amount under Subsection (2)(a)(i) for a previous fiscal year.

(B) "Annual local contribution" means, for a calendar year beginning on or after January 1, 2028, the lesser of $275,000 or an amount equal to 2.55% of the participating local government's tax revenue distribution amount under Subsection (2)(a)(i) for the previous fiscal year.

(ii) "Participating local government" means a county or municipality, as defined in Section 10-1-104, that is not an eligible municipality certified in accordance with Section 35A-16-404.

(b) For revenue collected from the tax authorized by this part that is distributed on or after January 1, 2019, the commission, before making a tax revenue distribution under Subsection (2)(a)(i) to a participating local government, shall:

(i) adjust a participating local government's tax revenue distribution under Subsection (2)(a)(i) by:

(A) subtracting an amount equal to one-twelfth of the annual local contribution for each participating local government from the participating local government's tax revenue distribution; and

(B) if applicable, reducing the amount described in Subsection (5)(b)(i)(A) by an amount equal to one-twelfth of $250 for each bed that is available at all homeless shelters located within the boundaries of the participating local government, as reported to the commission by the Office of Homeless Services in accordance with Section 35A-16-405; and

(ii) deposit the resulting amount described in Subsection (5)(b)(i) into the Homeless Shelter Cities Mitigation Restricted Account created in Section 35A-16-402.

(c) For a participating local government that qualifies to receive a distribution described in Subsection (4), the commission shall apply the provisions of this Subsection (5) after the commission applies the provisions of Subsections (3) and (4).

(6)(a) As used in this Subsection (6):

(i) "Annual dedicated sand and gravel sales tax revenue" means an amount equal to the total revenue an establishment described in NAICS Code 327320, Ready-Mix Concrete Manufacturing, of the 2022 North American Industry Classification System of the federal Executive Office of the President, Office of Management and Budget, collects and remits under this part for a calendar year.

(ii) "Sand and gravel" means sand, gravel, or a combination of sand and gravel.

(iii) "Sand and gravel extraction site" means a pit, quarry, or deposit that:

(A) contains sand and gravel; and

(B) is assessed by the commission in accordance with Section 59-2-201.

(iv) "Ton" means a short ton of 2,000 pounds.

(v) "Tonnage ratio" means the ratio of:

(A) the total amount of sand and gravel, measured in tons, sold during a calendar year from all sand and gravel extraction sites located within a county, city, or town; to

(B) the total amount of sand and gravel, measured in tons, sold during the same calendar year from sand and gravel extraction sites statewide.

(b) For purposes of calculating the ratio described in Subsection (6)(a)(v), the commission shall:

(i) use the gross sales data provided to the commission as part of the commission's property tax valuation process; and

(ii) if a sand and gravel extraction site operates as a unit across municipal or county lines, apportion the reported tonnage among the counties, cities, or towns based on the percentage of the sand and gravel extraction site located in each county, city, or town, as approximated by the commission.

(c)(i) Each July, the commission shall distribute from total collections under this part an amount equal to the annual dedicated sand and gravel sales tax revenue for the preceding calendar year to each county, city, or town in the same proportion as the county's, city's, or town's tonnage ratio for the preceding calendar year.

(ii) The commission shall ensure that the revenue distributed under this Subsection (6)(c) is drawn from each jurisdiction's collections in proportion to the jurisdiction's share of total collections for the preceding 12-month period.

(d) A county, city, or town shall use revenue described in Subsection (6)(c) for class B or class C roads.

(7)(a) Population figures for purposes of this section shall be based on, to the extent not otherwise required by federal law:

(i) the most recent estimate from the Utah Population Committee created in Section 63C-20-103; or

(ii) if the Utah Population Committee estimate is not available for each municipality and unincorporated area, the adjusted sub-county population estimate provided by the Utah Population Committee in accordance with Section 63C-20-104.

(b) The population of a county for purposes of this section shall be determined only from the unincorporated area of the county.

(8)(a) As used in Subsections (8) and (9):

(i) "Applicable percentage" means, for a convention center reinvestment zone created under Title 63N, Chapter 3, Part 6, Housing and Transit Reinvestment Zone Act, for sales occurring within the qualified development zone described in Subsection (8)(a)(ii), 100% of the sales and use tax increment, as that term is defined in Section 63N-3-602, from the sales and use tax:

(A) imposed by a city of the first class in a county of the first class under this part;

(B) imposed by a city of the first class in a county of the first class under Section 59-12-402.1;

(C) imposed by a county of the first class under Section 59-12-1102; and

(D) imposed by a county of the first class under Part 22, Local Option Sales and Use Taxes for Transportation Act.

(ii) "Qualified development zone" means the sales and use tax boundary of a convention center reinvestment zone created under Title 63N, Chapter 3, Part 6, Housing and Transit Reinvestment Zone Act.

(iii) "Qualifying construction materials" means construction materials that are:

(A) delivered to a delivery outlet within a qualified development zone; and

(B) intended to be permanently attached to real property within the qualified development zone.

(b) For a sale of qualifying construction materials, the commission shall distribute the product calculated in Subsection (8)(c) to a qualified development zone if the seller of the construction materials:

(i) establishes a delivery outlet with the commission within the qualified development zone;

(ii) reports the sales of the construction materials to the delivery outlet described in Subsection (8)(b)(i); and

(iii) does not report the sales of the construction materials on a simplified electronic return.

(c) For the purposes of Subsection (8)(b), the product is equal to:

(i) the sales price or purchase price of the qualifying construction materials; and

(ii) the applicable percentage.

(9)(a) As used in this Subsection (9), "Schedule J sale" means a sale reported on State Tax Commission Form TC-62M, Schedule J, or a substantially similar form as designated by the commission.

(b) Revenue generated from the applicable percentage by a Schedule J sale within a qualified development zone shall be distributed into the jurisdiction that would have received the revenue in the absence of the qualified development zone.

(10)(a) As used in this Subsection (10):

(i) "Applicable percentage" means:

(A) for a project area adopted by the military installation development authority under Title 63H, Chapter 1, Military Installation Development Authority Act, for sales occurring within a qualified development zone described in Subsection (10)(a)(iii)(A):

(I) 50% of the revenue from the sales and use tax imposed under this part;

(II) 100% of the revenue from the sales and use tax imposed by the military installation development authority under Section 59-12-401; and

(III) 100% of the revenue from the sales and use tax imposed by the military installation development authority under Section 59-12-402; [~~and~~]

(B) for a project area under Title 11, Chapter 58, Utah Inland Port Authority Act, for sales occurring within a qualified development zone described in Subsection (10)(a)(iii)(B), 20% of the revenue from the sales and use tax under this part;

(C) for the lake authority boundary, as defined in Section 11-65-101, for sales occurring within the qualified development zone described in Subsection (10)(a)(ii)(C), 50% of the revenue from the sales and use tax under this part;

(D) for the Utah Fairpark Area Investment and Restoration District, created in

Section 11-70-201, for sales occurring within the qualified development zone described in Subsection (10)(a)(iii)(D), 100% of the revenue from the sales and use tax imposed by the Utah Fairpark Area Investment and Restoration District under Sections 59-12-401 and 59-12-402; and

(E) for an eligible basic special district created under Title 17B, Chapter 1, Part 14, Basic Special District, for sales occurring within a qualified development zone described in Subsection (10)(a)(iii)(E), 50% of the revenue from the sales and use tax imposed under this part[~~;~~] .

(ii) "Eligible basic special district" means the same as that term is defined in Section 17B-1-1405.

(iii) "Qualified development zone" means the sales and use tax boundary of:

(A) a project area adopted by the military installation development authority under Title 63H, Chapter 1, Military Installation Development Authority Act;

(B) a project area under Title 11, Chapter 58, Utah Inland Port Authority Act;

(C) the lake authority boundary, as defined in Section 11-65-101;

(D) the Utah Fairpark Investment and Restoration District, created in Section 11-70-201; or

(E) the area within the boundary of an eligible basic special district, and if applicable, the boundary of a public infrastructure district created by the basic special district[~~;~~] .

(iv) "Qualifying construction materials" means construction materials that are:

(A) delivered to a delivery outlet within a qualified development zone; and

(B) intended to be permanently attached to real property within the qualified development zone.

(b) For a sale of qualifying construction materials, the commission shall distribute the product calculated in Subsection (10)(c) to a qualified development zone if the seller of the construction materials:

(i) establishes a delivery outlet with the commission within the qualified development zone;

(ii) reports the sales of the construction materials to the delivery outlet described in Subsection (10)(b)(i); and

(iii) does not report the sales of the construction materials on a simplified electronic return[~~; or~~] .

(c) For the purposes of Subsection (10)(b), the product is equal to:

(i) the sales price or purchase price of the qualifying construction materials; and

(ii) the applicable percentage.

(11)(a) As used in this Subsection (11):

(i) "Applicable percentage" means the same as that term is defined in Subsection (10).

(ii) "Qualified development zone" means the same as that term is defined in Subsection (10).

(iii) "Schedule J sale" means a sale reported on State Tax Commission Form TC-62M, Schedule J or a substantially similar form as designated by the commission.

(b) Revenue generated from the applicable percentage by a Schedule J sale within a qualified development zone shall be distributed to the jurisdiction that would have received the revenue in the absence of the qualified development zone.

(12)(a) As used in this Subsection (12):

(i) "Applicable percentage" means, for a major sporting event venue zone created under Title 63N, Chapter 3, Part 17, Major Sporting Event Venue Zone Act, for sales occurring within the qualified development zone described in Subsection (12)(a)(ii):

(A) 50% of the sales and use tax increment, as that term is defined in Section 63N-3-601, from the sales and use tax imposed under this part;

(B) 100% of the revenue from the sales and use tax imposed by the creating entity of a major sporting event venue zone under Section 59-12-401; and

(C) 100% of the revenue from the sales and use tax imposed by the creating entity of a major sporting event venue zone under Section 59-12-402.

(ii) "Qualified development zone" means the sales and use tax boundary, as described in Section 63N-3-1710, of a major sporting event venue zone created under Title 63N, Chapter 3, Part 17, Major Sporting Event Venue Zone Act.

(iii) "Qualifying construction materials" means construction materials that are:

(A) delivered to a delivery outlet within a qualified development zone; and

(B) intended to be permanently attached to real property within the qualified development zone.

(b) For a sale of qualifying construction materials, the commission shall distribute the product calculated in Subsection (12)(c) to the creating entity of a qualified development zone if the seller of the construction materials:

(i) establishes a delivery outlet with the commission within the qualified development zone;

(ii) reports the sales of the construction materials to the delivery outlet described in Subsection (12)(b)(i); and

(iii) does not report the sales of the construction materials on a simplified electronic return[~~; or~~] .

(c) For the purposes of Subsection (12)(b), the product is equal to:

(i) the sales price or purchase price of the qualifying construction materials; and

(ii) the applicable percentage.

(13)(a) As used in this Subsection (13):

(i) "Applicable percentage" means the same as that term is defined in Subsection (12).

(ii) "Qualified development zone" means the same as that term is defined in Subsection (12).

(iii) "Schedule J sale" means a sale reported on State Tax Commission Form TC-62M, Schedule J or a substantially similar form as designated by the commission.

(b) Revenue generated from the applicable percentage by a Schedule J sale within a qualified development zone shall be distributed to the jurisdiction that would have received the revenue in the absence of the qualified development zone.

Section 17. Section **63J-4-202** is amended to read:

63J-4-202 (Effective 05/06/26). Appointment of executive director.

(1)[~~(a)~~] The governor shall appoint[~~,~~] an executive director of the office to serve at the governor's pleasure[~~:~~] .

[~~(i) an executive director of the office; and~~]

[~~(ii) a state homelessness coordinator.~~]

[~~(b) The state homelessness coordinator shall serve as:~~]

[~~(i) an advisor to the governor on homelessness issues; and~~]

[~~(ii) the chief administrative officer of the Office of Homeless Services created in Section 35A-1-202.~~]

(2) The governor shall establish the executive director's salary within the salary range fixed by the Legislature in Title 67, Chapter 22, State Officer Compensation.

Section 18. **Repealer.**

This bill repeals:

Section **35A-16-101, Title.**

Section **35A-16-209, Cost measures.**

Section 19. **Effective Date.**

(1) Except as provided in Subsection (2), this bill takes effect May 6, 2026.

(2) The actions affecting Section 59-12-205 **(Effective 01/01/27)** take effect on January 1, 2027.