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Wildlife Crossing Amendments
2026 GENERAL SESSION
STATE OF UTAH
Chief Sponsor: Scott H. Chew
Senate Sponsor:

2

LONG TITLE

3

General Description:

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This bill sets aside certain funding in the Transportation Investment Fund of 2005 for
5 wildlife connectivity and livestock protection projects.

6

Highlighted Provisions:

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This bill:

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- 9 ▶ sets aside funding in the Transportation Investment Fund of 2005 for projects that
10 improve wildlife safety and connectivity and livestock safety;
- 11 ▶ directs the Department of Transportation, in consultation with the Division of Wildlife, to
12 recommend projects to the Transportation Commission for prioritization; and
- 13 ▶ makes technical changes.

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Money Appropriated in this Bill:

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None

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Other Special Clauses:

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This bill provides a special effective date.

18

Utah Code Sections Affected:

19

AMENDS:

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59-12-2220 (Effective 05/06/26), as last amended by Laws of Utah 2025, First Special
21 Session, Chapter 15

22

72-2-124 (Effective 05/06/26) (Superseded 07/01/26), as last amended by Laws of Utah
23 2025, First Special Session, Chapter 15

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72-2-124 (Effective 07/01/26), as last amended by Laws of Utah 2025, First Special
25 Session, Chapter 15

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

28

Section 1. Section **59-12-2220** is amended to read:

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**59-12-2220 (Effective 05/06/26). County option sales and use tax to fund
30 highways or a system for public transit -- Base -- Rate.**

31 (1) Subject to the other provisions of this part and subject to the requirements of this
32 section, the following counties may impose a sales and use tax under this section:
33 (a) a county legislative body may impose the sales and use tax on the transactions
34 described in Subsection 59-12-103(1) located within the county, including the cities
35 and towns within the county if:
36 (i) the entire boundary of a county is annexed into a large public transit district; and
37 (ii) the maximum amount of sales and use tax authorizations allowed in accordance
38 with Section 59-12-2203 and authorized under the following sections has been
39 imposed:
40 (A) Section 59-12-2213;
41 (B) Section 59-12-2214;
42 (C) Section 59-12-2215;
43 (D) Section 59-12-2216;
44 (E) Section 59-12-2217;
45 (F) Section 59-12-2218; and
46 (G) Section 59-12-2219;
47 (b) if the county is not annexed into a large public transit district, the county legislative
48 body may impose the sales and use tax on the transactions described in Subsection
49 59-12-103(1) located within the county, including the cities and towns within the
50 county if:
51 (i) the county is an eligible political subdivision; or
52 (ii) a city or town within the boundary of the county is an eligible political
53 subdivision; or
54 (c) a county legislative body of a county not described in Subsection (1)(a) or (1)(b) may
55 impose the sales and use tax on the transactions described in Subsection 59-12-103(1)
56 located within the county, including the cities and towns within the county.
57 (2) For purposes of Subsection (1) and subject to the other provisions of this section, a
58 county legislative body that imposes a sales and use tax under this section may impose
59 the tax at a rate of .2%.
60 (3)(a) The commission shall distribute sales and use tax revenue collected under this
61 section as determined by a county legislative body as described in Subsection (3)(b).
62 (b) If a county legislative body imposes a sales and use tax as described in this section,
63 the county legislative body may elect to impose a sales and use tax revenue
64 distribution as described in Subsection (4), (5), (6), or (7), depending on the class of

65 county, and presence and type of a public transit provider in the county.

66 (4) Subject to Subsection (11), and after application of Subsection 59-12-2206(5), if a
67 county legislative body imposes a sales and use tax as described in this section, and the
68 entire boundary of the county is annexed into a large public transit district, and the
69 county is a county of the first class, the commission shall distribute the sales and use tax
70 revenue as follows:

71 (a) .10% to a public transit district as described in Subsection (11);
72 (b) .05% to the cities and towns as provided in Subsection (8); and
73 (c) .05% to the county legislative body.

74 (5) Subject to Subsection (11), if a county legislative body imposes a sales and use tax as
75 described in this section and the entire boundary of the county is annexed into a large
76 public transit district, and the county is a county not described in Subsection (4), the
77 commission shall distribute the sales and use tax revenue as follows:

78 (a) .10% to a public transit district as described in Subsection (11);
79 (b) .05% to the cities and towns as provided in Subsection (8); and
80 (c) .05% to the county legislative body.

81 (6)(a) Except as provided in Subsection (14)(c), if the entire boundary of a county that
82 imposes a sales and use tax as described in this section is not annexed into a single
83 public transit district, but a city or town within the county is annexed into a single
84 public transit district, or if the city or town is an eligible political subdivision, the
85 commission shall distribute the sales and use tax revenue collected within the county
86 as provided in Subsection (6)(b) or (c).

87 (b) For a city, town, or portion of the county described in Subsection (6)(a) that is
88 annexed into the single public transit district, or an eligible political subdivision, the
89 commission shall distribute the sales and use tax revenue collected within the portion
90 of the county that is within a public transit district or eligible political subdivision as
91 follows:

92 (i) .05% to a public transit provider as described in Subsection (11);
93 (ii) .075% to the cities and towns as provided in Subsection (8); and
94 (iii) .075% to the county legislative body.

95 (c) Except as provided in Subsection (14)(c), for a city, town, or portion of the county
96 described in Subsection (6)(a) that is not annexed into a single public transit district
97 or eligible political subdivision in the county, the commission shall distribute the
98 sales and use tax revenue collected within that portion of the county as follows:

99 (i) .08% to the cities and towns as provided in Subsection (8); and
100 (ii) .12% to the county legislative body.

101 (7) For a county without a public transit service that imposes a sales and use tax as
102 described in this section, the commission shall distribute the sales and use tax revenue
103 collected within the county as follows:
104 (a) .08% to the cities and towns as provided in Subsection (8); and
105 (b) .12% to the county legislative body.

106 (8)(a) Subject to Subsections (8)(b) and (c), the commission shall make the distributions
107 required by Subsections (4)(b), (5)(b), (6)(b)(ii), (6)(c)(i), and (7)(a) as follows:
108 (i) 50% of the total revenue collected under Subsections (4)(b), (5)(b), (6)(b)(ii),
109 (6)(c)(i), and (7)(a) within the counties that impose a tax under Subsections (4)
110 through (7) shall be distributed to the unincorporated areas, cities, and towns
111 within those counties on the basis of the percentage that the population of each
112 unincorporated area, city, or town bears to the total population of all of the
113 counties that impose a tax under this section; and
114 (ii) 50% of the total revenue collected under Subsections (4)(b), (5)(b), (6)(b)(ii),
115 (6)(c)(i), and (7)(a) within the counties that impose a tax under Subsections (4)
116 through (7) shall be distributed to the unincorporated areas, cities, and towns
117 within those counties on the basis of the location of the transaction as determined
118 under Sections 59-12-211 through 59-12-215.

119 (b)(i) Population for purposes of this Subsection (8) shall be based on, to the extent
120 not otherwise required by federal law:
121 (A) the most recent estimate from the Utah Population Committee created in
122 Section 63C-20-103; or
123 (B) if the Utah Population Committee estimate is not available for each
124 municipality and unincorporated area, the adjusted sub-county population
125 estimate provided by the Utah Population Committee in accordance with
126 Section 63C-20-104.
127 (ii) If a needed population estimate is not available from the United States Census
128 Bureau, population figures shall be derived from an estimate from the Utah
129 Population Estimates Committee created by executive order of the governor.

130 (c)(i) Beginning on January 1, 2024, if the Housing and Community Development
131 Division within the Department of Workforce Services determines that a city or
132 town is ineligible for funds in accordance with Subsection 10-21-202(6),

133 beginning the first day of the calendar quarter after receiving 90 days' notice, the
134 commission shall distribute the distribution that city or town would have received
135 under Subsection (8)(a) to cities or towns to which Subsection 10-21-202(6) does
136 not apply.

137 (ii) Beginning on January 1, 2024, if the Housing and Community Development
138 Division within the Department of Workforce Services determines that a county is
139 ineligible for funds in accordance with Subsection 17-80-202(6), beginning the
140 first day of the calendar quarter after receiving 90 days' notice, the commission
141 shall distribute the distribution that county would have received under Subsection
142 (8)(a) to counties to which Subsection 17-80-202(6) does not apply.

143 (9) If a public transit service is organized after the date a county legislative body first
144 imposes a tax under this section, a change in a distribution required by this section may
145 not take effect until the first distribution the commission makes under this section after a
146 90-day period that begins on the date the commission receives written notice from the
147 public transit provider that the public transit service has been organized.

148 (10)(a) Except as provided in Subsections (10)(b) and (c), a county, city, or town that
149 received distributions described in Subsections (4)(b), (4)(c), (5)(b), (5)(c), (6)(b)(ii),
150 (6)(b)(iii), (6)(c), and (7) may only expend those funds for a purpose described in
151 Section 59-12-2212.2.

152 (b) If a county described in Subsection (1)(a) that is a county of the first class imposes
153 the sales and use tax authorized in this section, the county may also use funds
154 distributed in accordance with Subsection (4)(c) for public safety purposes.

155 (c) In addition to the purposes described in Subsections (10)(a) and (b), for a city
156 relevant to a project area, as that term is defined in Section 63N-3-1401, an allowable
157 use of revenue from a sales and use tax under this section includes the revitalization
158 of a convention center owned by the county within a city of the first class and
159 surrounding revitalization projects related to the convention center.

160 (11)(a) Subject to Subsections (11)(b), (c), and (d), revenue designated for public transit
161 as described in this section may be used for capital expenses and service delivery
162 expenses of:

163 (i) a public transit district;
164 (ii) an eligible political subdivision; or
165 (iii) another entity providing a service for public transit or a transit facility within the
166 relevant county, as those terms are defined in Section 17B-2a-802.

167 (b)(i)(A) If a county of the first class imposes a sales and use tax described in this
168 section, beginning on the date on which the county imposes the sales and use
169 tax under this section, and for a three-year period after at least three counties
170 described in Subsections (4) and (5) have imposed a tax under this section, or
171 until June 30, 2030, whichever comes first, revenue designated for public
172 transit within a county of the first class as described in Subsection (4)(a) shall
173 be transferred to the County of the First Class Highway Projects Fund created
174 in Section 72-2-121.

175 (B) Revenue deposited into the County of the First Class Highway Projects Fund
176 created in Section 72-2-121 as described in Subsection (11)(b)(i)(A) may be
177 used for public transit innovation grants as provided in Title 72, Chapter 2, Part
178 4, Public Transit Innovation Grants.

179 (ii) If a county of the first class imposes a sales and use tax described in this section,
180 beginning on the day three years after the date on which at least three counties
181 described in Subsections (4) and (5) have imposed a tax under this section, or
182 beginning on July 1, 2030, whichever comes first, for revenue designated for
183 public transit as described in Subsection (4)(a):

184 (A) 50% of the revenue from a sales and use tax imposed under this section in a
185 county of the first class shall be transferred to the County of the First Class
186 Highway Projects Fund created in Section 72-2-121; and

187 (B) 50% of the revenue from a sales and use tax imposed under this section in a
188 county of the first class shall be transferred to the Transit Transportation
189 Investment Fund created in Subsection 72-2-124(9) Section 72-2-124.

190 (c)(i) If a county that is not a county of the first class for which the entire boundary of
191 the county is annexed into a large public transit district imposes a sales and use
192 tax described in this section, beginning on the date on which the county imposes
193 the sales and use tax under this section, and for a three-year period following the
194 date on which at least three counties described in Subsections (4) and (5) have
195 imposed a tax under this section, or until June 30, 2030, whichever comes first,
196 revenue designated for public transit as described in Subsection (5)(a) shall be
197 transferred to the relevant county legislative body to be used for a purpose
198 described in Subsection (11)(a).

199 (ii) If a county that is not a county of the first class for which the entire boundary of
200 the county is annexed into a large public transit district imposes a sales and use

201 tax described in this section, beginning on the day three years after the date on
202 which at least three counties described in Subsections (4) and (5) have imposed a
203 tax under this section, or beginning on July 1, 2030, whichever comes first, for the
204 revenue that is designated for public transit in Subsection (5)(a):

205 (A) 50% shall be transferred to the Transit Transportation Investment Fund
206 created in ~~Subseetion 72-2-124(9)~~ Section 72-2-124; and
207 (B) 50% shall be transferred to the relevant county legislative body to be used for
208 a purpose described in Subsection (11)(a).

209 (d) Except as provided in Subsection ~~(13)(e)~~ (14)(c), for a county that imposes a sales
210 and use tax under this section, for revenue designated for public transit as described
211 in Subsection (6)(b)(i), the revenue shall be transferred to the relevant county
212 legislative body to be used for a purpose described in Subsection (11)(a).

213 (12) A large public transit district shall send notice to the commission at least 90 days
214 before the earlier of:

215 (a) the date that is three years after the date on which at least three counties described in
216 Subsections (4) and (5) have imposed a tax under this section; or
217 (b) June 30, 2030.

218 (13) For a city described in Subsection (10)(c), during the bondable term of a revitalization
219 project described in Subsection (10)(c), the city shall transfer at least 50%, and may
220 transfer up to 100%, of any revenue the city receives from a distribution under
221 Subsection (4)(b) to a convention center public infrastructure district created in
222 accordance with Section 17D-4-202.1 for revitalization of a convention center owned by
223 the county within a city of the first class and surrounding revitalization projects related
224 to the convention center as permitted in Subsection (10)(c).

225 (14)(a) Notwithstanding Section 59-12-2208, a county legislative body may, but is not
226 required to, submit an opinion question to the county's registered voters in
227 accordance with Section 59-12-2208 to impose a sales and use tax under this section.

228 (b) If a county passes an ordinance to impose a sales and use tax as described in this
229 section, the sales and use tax shall take effect on the first day of the calendar quarter
230 after a 90-day period that begins on the date the commission receives written notice
231 from the county of the passage of the ordinance.

232 (c) A county that imposed the local option sales and use tax described in this section
233 before January 1, 2023, may maintain that county's distribution allocation in place as
234 of January 1, 2023.

235 (15)(a) Revenue collected from a sales and use tax under this section may not be used to
236 supplant existing General Fund appropriations that a county, city, or town budgeted
237 for transportation or public transit as of the date the tax becomes effective for a
238 county, city, or town.
239 (b) The limitation under Subsection (15)(a) does not apply to a designated transportation
240 or public transit capital or reserve account a county, city, or town established before
241 the date the tax becomes effective.

242 Section 2. Section **72-2-124** is amended to read:

243 **72-2-124 (Effective 05/06/26) (Superseded 07/01/26). Transportation Investment
244 Fund of 2005.**

245 (1) There is created a capital projects fund entitled the Transportation Investment Fund of
246 2005.
247 (2) The fund consists of money generated from the following sources:
248 (a) any voluntary contributions received for the maintenance, construction,
249 reconstruction, or renovation of state and federal highways;
250 (b) appropriations made to the fund by the Legislature;
251 (c) registration fees designated under Section 41-1a-1201;
252 (d) the sales and use tax revenues deposited into the fund in accordance with Section
253 59-12-103;
254 (e) revenues transferred to the fund in accordance with Section 72-2-106;
255 (f) revenues transferred into the fund in accordance with Subsection 72-2-121(4)(l); and
256 (g) revenue from bond proceeds described in Section 63B-34-101.

257 (3)(a) The fund shall earn interest.
258 (b) All interest earned on fund money shall be deposited into the fund.

259 (4)(a) Except as provided in Subsection (4)(b), the executive director may only use fund
260 money to pay:
261 (i) the costs of maintenance, construction, reconstruction, or renovation to state and
262 federal highways prioritized by the Transportation Commission through the
263 prioritization process for new transportation capacity projects adopted under
264 Section 72-1-304;
265 (ii) the costs of maintenance, construction, reconstruction, or renovation to the
266 highway projects described in Subsections 63B-18-401(2), (3), and (4);
267 (iii) subject to Subsection (9), costs of corridor preservation, as that term is defined in
268 Section 72-5-401;

269 (iv) principal, interest, and issuance costs of bonds authorized by Section 63B-18-401
270 minus the costs paid from the County of the First Class Highway Projects Fund in
271 accordance with Subsection 72-2-121(4)(e);
272 (v) for a fiscal year beginning on or after July 1, 2013, to transfer to the 2010 Salt
273 Lake County Revenue Bond Sinking Fund created by Section 72-2-121.3 the
274 amount certified by Salt Lake County in accordance with Subsection
275 72-2-121.3(4)(c) as necessary to pay the debt service on \$30,000,000 of the
276 revenue bonds issued by Salt Lake County;
277 (vi) principal, interest, and issuance costs of bonds authorized by Section 63B-16-101
278 for projects prioritized in accordance with Section 72-2-125;
279 (vii) for fiscal year 2015-16 only, to transfer \$25,000,000 to the County of the First
280 Class Highway Projects Fund created in Section 72-2-121 to be used for the
281 purposes described in Section 72-2-121;
282 (viii) if a political subdivision provides a contribution equal to or greater than 40% of
283 the costs needed for construction, reconstruction, or renovation of paved
284 pedestrian or paved nonmotorized transportation for projects that:
285 (A) mitigate traffic congestion on the state highway system;
286 (B) are part of an active transportation plan approved by the department; and
287 (C) are prioritized by the commission through the prioritization process for new
288 transportation capacity projects adopted under Section 72-1-304;
289 (ix) \$705,000,000 for the costs of right-of-way acquisition, construction,
290 reconstruction, or renovation of or improvement to the following projects:
291 (A) the connector road between Main Street and 1600 North in the city of
292 Vineyard;
293 (B) Geneva Road from University Parkway to 1800 South;
294 (C) the SR-97 interchange at 5600 South on I-15;
295 (D) subject to Subsection (4)(c), two lanes on U-111 from Herriman Parkway to
296 South Jordan Parkway;
297 (E) widening I-15 between mileposts 10 and 13 and the interchange at milepost 11;
298 (F) improvements to 1600 North in Orem from 1200 West to State Street;
299 (G) widening I-15 between mileposts 6 and 8;
300 (H) widening 1600 South from Main Street in the city of Spanish Fork to SR-51;
301 (I) widening US 6 from Sheep Creek to Mill Fork between mileposts 195 and 197
302 in Spanish Fork Canyon;

303 (J) I-15 northbound between mileposts 43 and 56;

304 (K) a passing lane on SR-132 between mileposts 41.1 and 43.7 between mileposts

305 43 and 45.1;

306 (L) east Zion SR-9 improvements;

307 (M) Toquerville Parkway;

308 (N) an environmental study on Foothill Boulevard in the city of Saratoga Springs;

309 (O) using funds allocated in this Subsection (4)(a)(ix), and other sources of funds,

310 for construction of an interchange on Bangerter Highway at 13400 South; and

311 (P) an environmental impact study for Kimball Junction in Summit County;

312 (x) \$28,000,000 as pass-through funds, to be distributed as necessary to pay project

313 costs based upon a statement of cash flow that the local jurisdiction where the

314 project is located provides to the department demonstrating the need for money

315 for the project, for the following projects in the following amounts:

316 (A) \$5,000,000 for Payson Main Street repair and replacement;

317 (B) \$8,000,000 for a Bluffdale 14600 South railroad bypass;

318 (C) \$5,000,000 for improvements to 4700 South in Taylorsville; and

319 (D) \$10,000,000 for improvements to the west side frontage roads adjacent to U.S.

320 40 between mile markers 7 and 10;

321 (xi) \$13,000,000 as pass-through funds to Spanish Fork for the costs of right-of-way

322 acquisition, construction, reconstruction, or renovation to connect Fingerhut Road

323 over the railroad and to U.S. Highway 6;

324 (xii) for a fiscal year beginning on July 1, 2025, only, as pass-through funds from

325 revenue deposited into the fund in accordance with Section 59-12-103, for the

326 following projects:

327 (A) \$3,000,000 for the department to perform an environmental study for the I-15

328 Salem and Benjamin project; and

329 (B) \$2,000,000, as pass-through funds, to Kane County for the Coral Pink Sand

330 Dunes Road project; and

331 (xiii) for a fiscal year beginning on July 1, 2025, up to \$300,000,000 for the costs of

332 right-of-way acquisition and construction for improvements on SR-89 in a county

333 of the first class.

334 (b) The executive director may use fund money to exchange for an equal or greater

335 amount of federal transportation funds to be used as provided in Subsection (4)(a).

336 (c)(i) Construction related to the project described in Subsection (4)(a)(ix)(D) may

337 not commence until a right-of-way not owned by a federal agency that is required
338 for the realignment and extension of U-111, as described in the department's 2023
339 environmental study related to the project, is dedicated to the department.

340 (ii) Notwithstanding Subsection (4)(c)(i), if a right-of-way is not dedicated for the
341 project as described in Subsection (4)(c)(i) on or before October 1, 2024, the
342 department may proceed with the project, except that the project will be limited to
343 two lanes on U-111 from Herriman Parkway to 11800 South.

344 (5)(a) Except as provided in Subsection (5)(b), if the department receives a notice of
345 ineligibility for a municipality as described in Subsection 10-21-202(8), the executive
346 director may not program fund money to a project prioritized by the commission
347 under Section 72-1-304, including fund money from the Transit Transportation
348 Investment Fund, within the boundaries of the municipality until the department
349 receives notification from the Housing and Community Development Division within
350 the Department of Workforce Services that ineligibility under this Subsection (5) no
351 longer applies to the municipality.

352 (b) Within the boundaries of a municipality described in Subsection (5)(a), the executive
353 director:

- 354 (i) may program fund money in accordance with Subsection (4)(a) for a
355 limited-access facility or interchange connecting limited-access facilities;
- 356 (ii) may not program fund money for the construction, reconstruction, or renovation
357 of an interchange on a limited-access facility;
- 358 (iii) may program Transit Transportation Investment Fund money for a
359 multi-community fixed guideway public transportation project; and
- 360 (iv) may not program Transit Transportation Investment Fund money for the
361 construction, reconstruction, or renovation of a station that is part of a fixed
362 guideway public transportation project.

363 (c) Subsections (5)(a) and (b) do not apply to a project programmed by the executive
364 director before July 1, 2022, for projects prioritized by the commission under Section
365 72-1-304.

366 (6)(a) Except as provided in Subsection (6)(b), if the department receives a notice of
367 ineligibility for a county as described in Subsection 17-80-202(8), the executive
368 director may not program fund money to a project prioritized by the commission
369 under Section 72-1-304, including fund money from the Transit Transportation
370 Investment Fund, within the boundaries of the unincorporated area of the county until

371 the department receives notification from the Housing and Community Development
372 Division within the Department of Workforce Services that ineligibility under this
373 Subsection (6) no longer applies to the county.

374 (b) Within the boundaries of the unincorporated area of a county described in Subsection

375 (6)(a), the executive director:

376 (i) may program fund money in accordance with Subsection (4)(a) for a
377 limited-access facility to a project prioritized by the commission under Section
378 72-1-304;

379 (ii) may not program fund money for the construction, reconstruction, or renovation
380 of an interchange on a limited-access facility;

381 (iii) may program Transit Transportation Investment Fund money for a
382 multi-community fixed guideway public transportation project; and

383 (iv) may not program Transit Transportation Investment Fund money for the
384 construction, reconstruction, or renovation of a station that is part of a fixed
385 guideway public transportation project.

386 (c) Subsections (6)(a) and (b) do not apply to a project programmed by the executive
387 director before July 1, 2022, for projects prioritized by the commission under Section
388 72-1-304.

389 (7)(a) Before bonds authorized by Section 63B-18-401 or 63B-27-101 may be issued in
390 any fiscal year, the department and the commission shall appear before the Executive
391 Appropriations Committee of the Legislature and present the amount of bond
392 proceeds that the department needs to provide funding for the projects identified in
393 Subsections 63B-18-401(2), (3), and (4) or Subsection 63B-27-101(2) for the current
394 or next fiscal year.

395 (b) The Executive Appropriations Committee of the Legislature shall review and
396 comment on the amount of bond proceeds needed to fund the projects.

397 (8) The Division of Finance shall, from money deposited into the fund, transfer the amount
398 of funds necessary to pay principal, interest, and issuance costs of bonds authorized by
399 Section 63B-18-401 or 63B-27-101 in the current fiscal year to the appropriate debt
400 service or sinking fund.

401 (9) The executive director may only use money in the fund for corridor preservation as
402 described in Subsection (4)(a)(iii):

403 (a) if the project has been prioritized by the commission, including the use of fund
404 money for corridor preservation; or

405 (b) for a project that has not been prioritized by the commission, if the commission:
406 (i) approves the use of fund money for the corridor preservation; and
407 (ii) finds that the use of fund money for corridor preservation will not result in any
408 delay to a project that has been prioritized by the commission.

409 (10)(a) The executive director shall set aside \$2,000,000 each year from the
410 Transportation Investment Fund of 2005 to be used for wildlife habitat connectivity
411 and livestock protection projects.
412 (b) The executive director shall use 10% of the funds described in Subsection (10)(a) for
413 livestock protection projects.
414 (c) In consultation with the Division of Wildlife Resources, the department shall
415 recommend wildlife connectivity projects to the commission for prioritization.
416 (d) The department shall recommend livestock protection projects to the commission for
417 prioritization based on needs and evaluation of problematic livestock incident areas.
418 (e) The commission shall determine which projects recommended in Subsections (10)(c)
419 and (d) to prioritize.
420 (f) The executive director may recommend, and the commission may choose to retain
421 funds described in Subsection (10)(a) from one year to combine with funds from
422 another year for allocation to a larger, more impactful project, as determined by the
423 commission.

424 [(10)] (11)(a) There is created in the Transportation Investment Fund of 2005 the Transit
425 Transportation Investment Fund.

426 (b) The fund shall be funded by:
427 (i) contributions deposited into the fund in accordance with Section 59-12-103;
428 (ii) appropriations into the account by the Legislature;
429 (iii) deposits of sales and use tax increment related to a housing and transit
430 reinvestment zone as described in Section 63N-3-610;
431 (iv) transfers of local option sales and use tax revenue as described in Subsection
432 59-12-2220(11)(b) or (c);
433 (v) private contributions; and
434 (vi) donations or grants from public or private entities.
435 (c)(i) The fund shall earn interest.
436 (ii) All interest earned on fund money shall be deposited into the fund.
437 (d) Subject to Subsection [(10)(e)] (11)(e), the commission may prioritize money from
438 the fund:

439 (i) for public transit capital development of new capacity projects and fixed guideway
440 capital development projects to be used as prioritized by the commission through
441 the prioritization process adopted under Section 72-1-304;

442 (ii) to the department for oversight of a fixed guideway capital development project
443 for which the department has responsibility; or

444 (iii) up to \$500,000 per year, to be used for a public transit study.

445 (e)(i) Subject to Subsections [(10)(g)] (11)(g), (h), and (i), the commission may only
446 prioritize money from the fund for a public transit capital development project or
447 pedestrian or nonmotorized transportation project that provides connection to the
448 public transit system if the public transit district or political subdivision provides
449 funds of equal to or greater than 30% of the costs needed for the project.

450 (ii) A public transit district or political subdivision may use money derived from a
451 loan granted in accordance with Part 2, State Infrastructure Bank Fund, to provide
452 all or part of the 30% requirement described in Subsection [(10)(e)(i)] (11)(e)(i) if:

453 (A) the loan is approved by the commission as required in Part 2, State
454 Infrastructure Bank Fund; and

455 (B) the proposed capital project has been prioritized by the commission pursuant
456 to Section 72-1-303.

457 (f) Before July 1, 2022, the department and a large public transit district shall enter into
458 an agreement for a large public transit district to pay the department \$5,000,000 per
459 year for 15 years to be used to facilitate the purchase of zero emissions or low
460 emissions rail engines and trainsets for regional public transit rail systems.

461 (g) For any revenue transferred into the fund in accordance with Subsection
462 59-12-2220(11)(b):

463 (i) the commission may prioritize money from the fund for public transit projects,
464 operations, or maintenance within the county of the first class; and

465 (ii) Subsection [(10)(e)] (11)(e) does not apply.

466 (h) For any revenue transferred into the fund in accordance with Subsection
467 59-12-2220(11)(c):

468 (i) the commission may prioritize public transit projects, operations, or maintenance
469 in the county from which the revenue was generated; and

470 (ii) Subsection [(10)(e)] (11)(e) does not apply.

471 (i) The requirement to provide funds equal to or greater than 30% of the costs needed for
472 the project described in Subsection [(10)(e)] (11)(e) does not apply to a public transit

473 capital development project or pedestrian or nonmotorized transportation project that
474 the department proposes.

475 (j) In accordance with Part 4, Public Transit Innovation Grants, the commission may
476 prioritize money from the fund for public transit innovation grants, as defined in
477 Section 72-2-401, for public transit capital development projects requested by a
478 political subdivision within a public transit district.

479 [~~(11)~~] (12)(a) There is created in the Transportation Investment Fund of 2005 the
480 Cottonwood Canyons Transportation Investment Fund.

481 (b) The fund shall be funded by:

482 (i) money deposited into the fund in accordance with Section 59-12-103;
483 (ii) appropriations into the account by the Legislature;
484 (iii) private contributions; and
485 (iv) donations or grants from public or private entities.

486 (c)(i) The fund shall earn interest.

487 (ii) All interest earned on fund money shall be deposited into the fund.

488 (d) The Legislature may appropriate money from the fund for public transit or
489 transportation projects in the Cottonwood Canyons of Salt Lake County.

490 (e) The department may use up to 2% of the revenue deposited into the account under
491 Subsection 59-12-103(7)(b) to contract with local governments as necessary for
492 public safety enforcement related to the Cottonwood Canyons of Salt Lake County.

493 (f) Beginning with fiscal year beginning on July 1, 2025, the department shall use any
494 sales and use tax growth over sales and use tax collections during the 2025 fiscal year
495 to fund projects to provide ingress and egress for a public transit hub, including
496 construction of the public transit hub, in the Big Cottonwood Canyon area.

497 [~~(12)~~] (13)(a) There is created in the Transportation Investment Fund of 2005 the Active
498 Transportation Investment Fund.

499 (b) The fund shall be funded by:

500 (i) money deposited into the fund in accordance with Section 59-12-103;
501 (ii) appropriations into the account by the Legislature; and
502 (iii) donations or grants from public or private entities.

503 (c)(i) The fund shall earn interest.

504 (ii) All interest earned on fund money shall be deposited into the fund.

505 (d) The executive director may only use fund money to pay the costs needed for:
506 (i) the planning, design, construction, maintenance, reconstruction, or renovation of

507 paved pedestrian or paved nonmotorized trail projects that:
508 (A) are prioritized by the commission through the prioritization process for new
509 transportation capacity projects adopted under Section 72-1-304;
510 (B) serve a regional purpose; and
511 (C) are part of an active transportation plan approved by the department or the
512 plan described in Subsection [(12)(d)(ii)] (13)(d)(ii);
513 (ii) the development of a plan for a statewide network of paved pedestrian or paved
514 nonmotorized trails that serve a regional purpose; and
515 (iii) the administration of the fund, including staff and overhead costs.

516 [(13)] (14)(a) As used in this Subsection [(13)] (14), "commuter rail" means the same as
517 that term is defined in Section 63N-3-602.
518 (b) There is created in the Transit Transportation Investment Fund the Commuter Rail
519 Subaccount.
520 (c) The subaccount shall be funded by:
521 (i) contributions deposited into the subaccount in accordance with Section 59-12-103;
522 (ii) appropriations into the subaccount by the Legislature;
523 (iii) private contributions; and
524 (iv) donations or grants from public or private entities.

525 (d)(i) The subaccount shall earn interest.
526 (ii) All interest earned on money in the subaccount shall be deposited into the
527 subaccount.
528 (e) As prioritized by the commission through the prioritization process adopted under
529 Section 72-1-304 or as directed by the Legislature, the department may only use
530 money from the subaccount for projects that improve the state's commuter rail
531 infrastructure, including the building or improvement of grade-separated crossings
532 between commuter rail lines and public highways.

533 (f) Appropriations made in accordance with this section are nonlapsing in accordance
534 with Section 63J-1-602.1.

535 Section 3. Section **72-2-124** is amended to read:

536 **72-2-124 (Effective 07/01/26). Transportation Investment Fund of 2005.**

537 (1) There is created a capital projects fund entitled the Transportation Investment Fund of
538 2005.
539 (2) The fund consists of money generated from the following sources:
540 (a) any voluntary contributions received for the maintenance, construction,

reconstruction, or renovation of state and federal highways;

- (b) appropriations made to the fund by the Legislature;
- (c) registration fees designated under Section 41-1a-1201;
- (d) the sales and use tax revenues deposited into the fund in accordance with Section 59-12-103;
- (e) revenues transferred to the fund in accordance with Section 72-2-106;
- (f) revenues transferred into the fund in accordance with Subsection 72-2-121(4)(l); and
- (g) revenue from bond proceeds described in Section 63B-34-201.

(3)(a) The fund shall earn interest.

(b) All interest earned on fund money shall be deposited into the fund.

(4)(a) Except as provided in Subsection (4)(b), the executive director may only use fund money to pay:

- (i) the costs of maintenance, construction, reconstruction, or renovation to state and federal highways prioritized by the Transportation Commission through the prioritization process for new transportation capacity projects adopted under Section 72-1-304;
- (ii) the costs of maintenance, construction, reconstruction, or renovation to the highway projects described in Subsections 63B-18-401(2), (3), and (4);
- (iii) subject to Subsection (9), costs of corridor preservation, as that term is defined in Section 72-5-401;
- (iv) principal, interest, and issuance costs of bonds authorized by Section 63B-18-401 minus the costs paid from the County of the First Class Highway Projects Fund in accordance with Subsection 72-2-121(4)(e);
- (v) for a fiscal year beginning on or after July 1, 2013, to transfer to the 2010 Salt Lake County Revenue Bond Sinking Fund created by Section 72-2-121.3 the amount certified by Salt Lake County in accordance with Subsection 72-2-121.3(4)(c) as necessary to pay the debt service on \$30,000,000 of the revenue bonds issued by Salt Lake County;
- (vi) principal, interest, and issuance costs of bonds authorized by Section 63B-16-101 for projects prioritized in accordance with Section 72-2-125;
- (vii) for fiscal year 2015-16 only, to transfer \$25,000,000 to the County of the First Class Highway Projects Fund created in Section 72-2-121 to be used for the purposes described in Section 72-2-121;
- (viii) if a political subdivision provides a contribution equal to or greater than 40% of

575 the costs needed for construction, reconstruction, or renovation of paved
576 pedestrian or paved nonmotorized transportation for projects that:
577 (A) mitigate traffic congestion on the state highway system;
578 (B) are part of an active transportation plan approved by the department; and
579 (C) are prioritized by the commission through the prioritization process for new
580 transportation capacity projects adopted under Section 72-1-304;
581 (ix) \$705,000,000 for the costs of right-of-way acquisition, construction,
582 reconstruction, or renovation of or improvement to the following projects:
583 (A) the connector road between Main Street and 1600 North in the city of
584 Vineyard;
585 (B) Geneva Road from University Parkway to 1800 South;
586 (C) the SR-97 interchange at 5600 South on I-15;
587 (D) subject to Subsection (4)(c), two lanes on U-111 from Herriman Parkway to
588 South Jordan Parkway;
589 (E) widening I-15 between mileposts 10 and 13 and the interchange at milepost 11;
590 (F) improvements to 1600 North in Orem from 1200 West to State Street;
591 (G) widening I-15 between mileposts 6 and 8;
592 (H) widening 1600 South from Main Street in the city of Spanish Fork to SR-51;
593 (I) widening US 6 from Sheep Creek to Mill Fork between mileposts 195 and 197
594 in Spanish Fork Canyon;
595 (J) I-15 northbound between mileposts 43 and 56;
596 (K) a passing lane on SR-132 between mileposts 41.1 and 43.7 between mileposts
597 43 and 45.1;
598 (L) east Zion SR-9 improvements;
599 (M) Toquerville Parkway;
600 (N) an environmental study on Foothill Boulevard in the city of Saratoga Springs;
601 (O) using funds allocated in this Subsection (4)(a)(ix), and other sources of funds,
602 for construction of an interchange on Bangerter Highway at 13400 South; and
603 (P) an environmental impact study for Kimball Junction in Summit County;
604 (x) \$28,000,000 as pass-through funds, to be distributed as necessary to pay project
605 costs based upon a statement of cash flow that the local jurisdiction where the
606 project is located provides to the department demonstrating the need for money
607 for the project, for the following projects in the following amounts:
608 (A) \$5,000,000 for Payson Main Street repair and replacement;

609 (B) \$8,000,000 for a Bluffdale 14600 South railroad bypass;
610 (C) \$5,000,000 for improvements to 4700 South in Taylorsville; and
611 (D) \$10,000,000 for improvements to the west side frontage roads adjacent to U.S.
612 40 between mile markers 7 and 10;
613 (xi) \$13,000,000 as pass-through funds to Spanish Fork for the costs of right-of-way
614 acquisition, construction, reconstruction, or renovation to connect Fingerhut Road
615 over the railroad and to U.S. Highway 6;
616 (xii) for a fiscal year beginning on July 1, 2025, only, as pass-through funds from
617 revenue deposited into the fund in accordance with Section 59-12-103, for the
618 following projects:
619 (A) \$3,000,000 for the department to perform an environmental study for the I-15
620 Salem and Benjamin project; and
621 (B) \$2,000,000, as pass-through funds, to Kane County for the Coral Pink Sand
622 Dunes Road project; and
623 (xiii) for a fiscal year beginning on July 1, 2025, up to \$300,000,000 for the costs of
624 right-of-way acquisition and construction for improvements on SR-89 in a county
625 of the first class.

626 (b) The executive director may use fund money to exchange for an equal or greater
627 amount of federal transportation funds to be used as provided in Subsection (4)(a).

628 (c)(i) Construction related to the project described in Subsection (4)(a)(ix)(D) may
629 not commence until a right-of-way not owned by a federal agency that is required
630 for the realignment and extension of U-111, as described in the department's 2023
631 environmental study related to the project, is dedicated to the department.
632 (ii) Notwithstanding Subsection (4)(c)(i), if a right-of-way is not dedicated for the
633 project as described in Subsection (4)(c)(i) on or before October 1, 2024, the
634 department may proceed with the project, except that the project will be limited to
635 two lanes on U-111 from Herriman Parkway to 11800 South.

636 (5)(a) Except as provided in Subsection (5)(b), if the department receives a notice of
637 ineligibility for a municipality as described in Subsection 10-21-202(8), the executive
638 director may not program fund money to a project prioritized by the commission
639 under Section 72-1-304, including fund money from the Transit Transportation
640 Investment Fund, within the boundaries of the municipality until the department
641 receives notification from the Housing and Community Development Division within
642 the Department of Workforce Services that ineligibility under this Subsection (5) no

643 longer applies to the municipality.

644 (b) Within the boundaries of a municipality described in Subsection (5)(a), the executive
645 director:

- 646 (i) may program fund money in accordance with Subsection (4)(a) for a
647 limited-access facility or interchange connecting limited-access facilities;
- 648 (ii) may not program fund money for the construction, reconstruction, or renovation
649 of an interchange on a limited-access facility;
- 650 (iii) may program Transit Transportation Investment Fund money for a
651 multi-community fixed guideway public transportation project; and
- 652 (iv) may not program Transit Transportation Investment Fund money for the
653 construction, reconstruction, or renovation of a station that is part of a fixed
654 guideway public transportation project.

655 (c) Subsections (5)(a) and (b) do not apply to a project programmed by the executive
656 director before July 1, 2022, for projects prioritized by the commission under Section
657 72-1-304.

658 (6)(a) Except as provided in Subsection (6)(b), if the department receives a notice of
659 ineligibility for a county as described in Subsection 17-80-202(8), the executive
660 director may not program fund money to a project prioritized by the commission
661 under Section 72-1-304, including fund money from the Transit Transportation
662 Investment Fund, within the boundaries of the unincorporated area of the county until
663 the department receives notification from the Housing and Community Development
664 Division within the Department of Workforce Services that ineligibility under this
665 Subsection (6) no longer applies to the county.

666 (b) Within the boundaries of the unincorporated area of a county described in Subsection
667 (6)(a), the executive director:

- 668 (i) may program fund money in accordance with Subsection (4)(a) for a
669 limited-access facility to a project prioritized by the commission under Section
670 72-1-304;
- 671 (ii) may not program fund money for the construction, reconstruction, or renovation
672 of an interchange on a limited-access facility;
- 673 (iii) may program Transit Transportation Investment Fund money for a
674 multi-community fixed guideway public transportation project; and
- 675 (iv) may not program Transit Transportation Investment Fund money for the
676 construction, reconstruction, or renovation of a station that is part of a fixed

677 guideway public transportation project.

678 (c) Subsections (6)(a) and (b) do not apply to a project programmed by the executive
679 director before July 1, 2022, for projects prioritized by the commission under Section
680 72-1-304.

681 (7)(a) Before bonds authorized by Section 63B-18-401 or 63B-27-101 may be issued in
682 any fiscal year, the department and the commission shall appear before the Executive
683 Appropriations Committee of the Legislature and present the amount of bond
684 proceeds that the department needs to provide funding for the projects identified in
685 Subsections 63B-18-401(2), (3), and (4) or Subsection 63B-27-101(2) for the current
686 or next fiscal year.

687 (b) The Executive Appropriations Committee of the Legislature shall review and
688 comment on the amount of bond proceeds needed to fund the projects.

689 (8) The Division of Finance shall, from money deposited into the fund, transfer the amount
690 of funds necessary to pay principal, interest, and issuance costs of bonds authorized by
691 Section 63B-18-401 or 63B-27-101 in the current fiscal year to the appropriate debt
692 service or sinking fund.

693 (9) The executive director may only use money in the fund for corridor preservation as
694 described in Subsection (4)(a)(iii):

695 (a) if the project has been prioritized by the commission, including the use of fund
696 money for corridor preservation; or

697 (b) for a project that has not been prioritized by the commission, if the commission:
698 (i) approves the use of fund money for the corridor preservation; and
699 (ii) finds that the use of fund money for corridor preservation will not result in any
700 delay to a project that has been prioritized by the commission.

701 (10)(a) The executive director shall set aside \$2,000,000 each year from the
702 Transportation Investment Fund of 2005 to be used for wildlife habitat connectivity
703 and livestock protection projects.

704 (b) The executive director shall use 10% of the funds described in Subsection (10)(a) for
705 livestock protection projects.

706 (c) In consultation with the Division of Wildlife Resources, the department shall
707 recommend wildlife connectivity projects to the commission for prioritization.

708 (d) The department shall recommend livestock protection projects to the commission for
709 prioritization based on needs and evaluation of problematic livestock incident areas.

710 (e) The commission shall determine which projects recommended in Subsection (10)(c)

711 and (d) to prioritize.

712 (f) The executive director may recommend, and the commission may choose to retain
713 funds described in Subsection (10)(a) from one year to combine with funds from
714 another year for allocation to a larger, more impactful project, as determined by the
715 commission.

716 [(10)] (11)(a) There is created in the Transportation Investment Fund of 2005 the Transit
717 Transportation Investment Fund.

718 (b) The fund shall be funded by:

719 (i) contributions deposited into the fund in accordance with Section 59-12-103;
720 (ii) appropriations into the account by the Legislature;
721 (iii) deposits of sales and use tax increment related to a housing and transit
722 reinvestment zone as described in Section 63N-3-610;
723 (iv) transfers of local option sales and use tax revenue as described in Subsection
724 59-12-2220(11)(b) or (c);
725 (v) private contributions; and
726 (vi) donations or grants from public or private entities.

727 (c)(i) The fund shall earn interest.

728 (ii) All interest earned on fund money shall be deposited into the fund.

729 (d) Subject to Subsection [(10)(e)] (11)(e), the commission may prioritize money from
730 the fund:

731 (i) for public transit capital development of new capacity projects and fixed guideway
732 capital development projects to be used as prioritized by the commission through
733 the prioritization process adopted under Section 72-1-304;
734 (ii) to the department for oversight of a fixed guideway capital development project
735 for which the department has responsibility; or
736 (iii) up to \$500,000 per year, to be used for a public transit study.

737 (e)(i) Subject to Subsections [(10)(g)] (11)(g), (h), and (i), the commission may only
738 prioritize money from the fund for a public transit capital development project or
739 pedestrian or nonmotorized transportation project that provides connection to the
740 public transit system if the public transit district or political subdivision provides
741 funds of equal to or greater than 30% of the costs needed for the project.

742 (ii) A public transit district or political subdivision may use money derived from a
743 loan granted in accordance with Part 2, State Infrastructure Bank Fund, to provide
744 all or part of the 30% requirement described in Subsection [(10)(e)(i)] (11)(e)(i) if:

745 (A) the loan is approved by the commission as required in Part 2, State
746 Infrastructure Bank Fund; and
747 (B) the proposed capital project has been prioritized by the commission pursuant
748 to Section 72-1-303.

749 (f) Before July 1, 2022, the department and a large public transit district shall enter into
750 an agreement for a large public transit district to pay the department \$5,000,000 per
751 year for 15 years to be used to facilitate the purchase of zero emissions or low
752 emissions rail engines and trainsets for regional public transit rail systems.

753 (g) For any revenue transferred into the fund in accordance with Subsection
754 59-12-2220(11)(b):
755 (i) the commission may prioritize money from the fund for public transit projects,
756 operations, or maintenance within the county of the first class; and
757 (ii) Subsection [(10)(e)] (11)(e) does not apply.

758 (h) For any revenue transferred into the fund in accordance with Subsection
759 59-12-2220(11)(c):
760 (i) the commission may prioritize public transit projects, operations, or maintenance
761 in the county from which the revenue was generated; and
762 (ii) Subsection [(10)(e)] (11)(e) does not apply.

763 (i) The requirement to provide funds equal to or greater than 30% of the costs needed for
764 the project described in Subsection [(10)(e)] (11)(e) does not apply to a public transit
765 capital development project or pedestrian or nonmotorized transportation project that
766 the department proposes.

767 (j) In accordance with Part 4, Public Transit Innovation Grants, the commission may
768 prioritize money from the fund for public transit innovation grants, as defined in
769 Section 72-2-401, for public transit capital development projects requested by a
770 political subdivision within a public transit district.

771 [(11)] (12)(a) There is created in the Transportation Investment Fund of 2005 the
772 Cottonwood Canyons Transportation Investment Fund.

773 (b) The fund shall be funded by:
774 (i) money deposited into the fund in accordance with Section 59-12-103;
775 (ii) appropriations into the account by the Legislature;
776 (iii) private contributions; and
777 (iv) donations or grants from public or private entities.

778 (c)(i) The fund shall earn interest.

- (ii) All interest earned on fund money shall be deposited into the fund.
- (d) The Legislature may appropriate money from the fund for public transit or transportation projects in the Cottonwood Canyons of Salt Lake County.
- (e) The department may use up to 2% of the revenue deposited into the account under Subsection 59-12-103(4)(f) to contract with local governments as necessary for public safety enforcement related to the Cottonwood Canyons of Salt Lake County.
- (f) Beginning with fiscal year beginning on July 1, 2025, the department shall use any sales and use tax growth over sales and use tax collections during the 2025 fiscal year to fund projects to provide ingress and egress for a public transit hub, including construction of the public transit hub, in the Big Cottonwood Canyon area.

[12] (13)(a) There is created in the Transportation Investment Fund of 2005 the Active Transportation Investment Fund.

- (b) The fund shall be funded by:
 - (i) money deposited into the fund in accordance with Section 59-12-103;
 - (ii) appropriations into the account by the Legislature; and
 - (iii) donations or grants from public or private entities.
- (c)(i) The fund shall earn interest.
 - (ii) All interest earned on fund money shall be deposited into the fund.
- (d) The executive director may only use fund money to pay the costs needed for:
 - (i) the planning, design, construction, maintenance, reconstruction, or renovation of paved pedestrian or paved nonmotorized trail projects that:
 - (A) are prioritized by the commission through the prioritization process for new transportation capacity projects adopted under Section 72-1-304;
 - (B) serve a regional purpose; and
 - (C) are part of an active transportation plan approved by the department or the plan described in Subsection (12)(d)(ii) (13)(d)(ii);
 - (ii) the development of a plan for a statewide network of paved pedestrian or paved nonmotorized trails that serve a regional purpose; and
 - (iii) the administration of the fund, including staff and overhead costs.

[§13] (14)(a) As used in this Subsection [§13] (14), "commuter rail" means the same as that term is defined in Section 63N-3-602.

- (b) There is created in the Transit Transportation Investment Fund the Commuter Rail Subaccount.
- (c) The subaccount shall be funded by:

- (i) contributions deposited into the subaccount in accordance with Section 59-12-103;
- (ii) appropriations into the subaccount by the Legislature;
- (iii) private contributions; and
- (iv) donations or grants from public or private entities.

(d)(i) The subaccount shall earn interest.

- (ii) All interest earned on money in the subaccount shall be deposited into the subaccount.

(e) As prioritized by the commission through the prioritization process adopted under Section 72-1-304 or as directed by the Legislature, the department may only use money from the subaccount for projects that improve the state's commuter rail infrastructure, including the building or improvement of grade-separated crossings between commuter rail lines and public highways.

(f) Appropriations made in accordance with this section are nonlapsing in accordance with Section 63J-1-602.1.

Section 4. Effective Date.

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

(2) The actions affecting Section 72-2-124 (Effective 07/01/26) take effect on July 1, 2026.