

Wildlife Crossing Amendments

2026 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Scott H. Chew

Senate Sponsor:

LONG TITLE**General Description:**

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

Highlighted Provisions:

This bill:

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

Money Appropriated in this Bill:

None

Other Special Clauses:

This bill provides a special effective date.

Utah Code Sections Affected:

AMENDS:

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

72-2-124 (Effective 05/06/26) (Superseded 07/01/26), as last amended by Laws of Utah 2025, First Special Session, Chapter 15

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

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

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

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

- (1) Subject to the other provisions of this part and subject to the requirements of this section, the following counties may impose a sales and use tax under this section:
- (a) a county legislative body may impose the sales and use tax on the transactions described in Subsection 59-12-103(1) located within the county, including the cities and towns within the county if:
 - (i) the entire boundary of a county is annexed into a large public transit district; and
 - (ii) the maximum amount of sales and use tax authorizations allowed in accordance with Section 59-12-2203 and authorized under the following sections has been imposed:
 - (A) Section 59-12-2213;
 - (B) Section 59-12-2214;
 - (C) Section 59-12-2215;
 - (D) Section 59-12-2216;
 - (E) Section 59-12-2217;
 - (F) Section 59-12-2218; and
 - (G) Section 59-12-2219;
 - (b) if the county is not annexed into a large public transit district, the county legislative body may impose the sales and use tax on the transactions described in Subsection 59-12-103(1) located within the county, including the cities and towns within the county if:
 - (i) the county is an eligible political subdivision; or
 - (ii) a city or town within the boundary of the county is an eligible political subdivision; or
 - (c) a county legislative body of a county not described in Subsection (1)(a) or (1)(b) may impose the sales and use tax on the transactions described in Subsection 59-12-103(1) located within the county, including the cities and towns within the county.
- (2) For purposes of Subsection (1) and subject to the other provisions of this section, a county legislative body that imposes a sales and use tax under this section may impose the tax at a rate of .2%.
- (3)(a) The commission shall distribute sales and use tax revenue collected under this section as determined by a county legislative body as described in Subsection (3)(b).
- (b) If a county legislative body imposes a sales and use tax as described in this section, the county legislative body may elect to impose a sales and use tax revenue distribution as described in Subsection (4), (5), (6), or (7), depending on the class of

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

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

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

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

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

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

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

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

(c) Except as provided in Subsection (14)(c), for a city, town, or portion of the county described in Subsection (6)(a) that is not annexed into a single public transit district or eligible political subdivision in the county, the commission shall distribute the 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),

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

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

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

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

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

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

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

(i) a public transit district;

(ii) an eligible political subdivision; or

(iii) another entity providing a service for public transit or a transit facility within the relevant county, as those terms are defined in Section 17B-2a-802.

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

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

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

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

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

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

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

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

(A) 50% shall be transferred to the Transit Transportation Investment Fund created in [~~Subsection 72-2-124(9)~~] Section 72-2-124; and

(B) 50% shall be transferred to the relevant county legislative body to be used for a purpose described in Subsection (11)(a).

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

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

(a) the date that is three years after the date on which at least three counties described in Subsections (4) and (5) have imposed a tax under this section; or

(b) June 30, 2030.

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

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

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

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

(15)(a) Revenue collected from a sales and use tax under this section may not be used to supplant existing General Fund appropriations that a county, city, or town budgeted for transportation or public transit as of the date the tax becomes effective for a county, city, or town.

(b) The limitation under Subsection (15)(a) does not apply to a designated transportation or public transit capital or reserve account a county, city, or town established before the date the tax becomes effective.

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

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

(1) There is created a capital projects fund entitled the Transportation Investment Fund of 2005.

(2) The fund consists of money generated from the following sources:

(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-34-101.

(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 the costs needed for construction, reconstruction, or renovation of paved pedestrian or paved nonmotorized transportation for projects that:
- (A) mitigate traffic congestion on the state highway system;
 - (B) are part of an active transportation plan approved by the department; and
 - (C) are prioritized by the commission through the prioritization process for new transportation capacity projects adopted under Section 72-1-304;
- (ix) \$705,000,000 for the costs of right-of-way acquisition, construction, reconstruction, or renovation of or improvement to the following projects:
- (A) the connector road between Main Street and 1600 North in the city of Vineyard;
 - (B) Geneva Road from University Parkway to 1800 South;
 - (C) the SR-97 interchange at 5600 South on I-15;
 - (D) subject to Subsection (4)(c), two lanes on U-111 from Herriman Parkway to South Jordan Parkway;
 - (E) widening I-15 between mileposts 10 and 13 and the interchange at milepost 11;
 - (F) improvements to 1600 North in Orem from 1200 West to State Street;
 - (G) widening I-15 between mileposts 6 and 8;
 - (H) widening 1600 South from Main Street in the city of Spanish Fork to SR-51;
 - (I) widening US 6 from Sheep Creek to Mill Fork between mileposts 195 and 197 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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(e) The commission shall determine which projects recommended in Subsections (10)(c) and (d) to prioritize.

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

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

(b) The fund shall be funded by:

- (i) contributions deposited into the fund in accordance with Section 59-12-103;
- (ii) appropriations into the account by the Legislature;
- (iii) deposits of sales and use tax increment related to a housing and transit reinvestment zone as described in Section 63N-3-610;
- (iv) transfers of local option sales and use tax revenue as described in Subsection 59-12-2220(11)(b) or (c);
- (v) private contributions; and
- (vi) 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) Subject to Subsection ~~[(10)(e)]~~ (11)(e), the commission may prioritize money from 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

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

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

~~[(11)]~~ (12)(a) There is created in the Transportation Investment Fund of 2005 the Cottonwood Canyons 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;
- (iii) private contributions; and
- (iv) 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 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(7)(b) 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 3. Section **72-2-124** is amended to read:

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

(1) There is created a capital projects fund entitled the Transportation Investment Fund of 2005.

(2) The fund consists of money generated from the following sources:

(a) any voluntary contributions received for the maintenance, construction,

- 541 reconstruction, or renovation of state and federal highways;
- 542 (b) appropriations made to the fund by the Legislature;
- 543 (c) registration fees designated under Section 41-1a-1201;
- 544 (d) the sales and use tax revenues deposited into the fund in accordance with Section
- 545 59-12-103;
- 546 (e) revenues transferred to the fund in accordance with Section 72-2-106;
- 547 (f) revenues transferred into the fund in accordance with Subsection 72-2-121(4)(l); and
- 548 (g) revenue from bond proceeds described in Section 63B-34-201.
- 549 (3)(a) The fund shall earn interest.
- 550 (b) All interest earned on fund money shall be deposited into the fund.
- 551 (4)(a) Except as provided in Subsection (4)(b), the executive director may only use fund
- 552 money to pay:
- 553 (i) the costs of maintenance, construction, reconstruction, or renovation to state and
- 554 federal highways prioritized by the Transportation Commission through the
- 555 prioritization process for new transportation capacity projects adopted under
- 556 Section 72-1-304;
- 557 (ii) the costs of maintenance, construction, reconstruction, or renovation to the
- 558 highway projects described in Subsections 63B-18-401(2), (3), and (4);
- 559 (iii) subject to Subsection (9), costs of corridor preservation, as that term is defined in
- 560 Section 72-5-401;
- 561 (iv) principal, interest, and issuance costs of bonds authorized by Section 63B-18-401
- 562 minus the costs paid from the County of the First Class Highway Projects Fund in
- 563 accordance with Subsection 72-2-121(4)(e);
- 564 (v) for a fiscal year beginning on or after July 1, 2013, to transfer to the 2010 Salt
- 565 Lake County Revenue Bond Sinking Fund created by Section 72-2-121.3 the
- 566 amount certified by Salt Lake County in accordance with Subsection
- 567 72-2-121.3(4)(c) as necessary to pay the debt service on \$30,000,000 of the
- 568 revenue bonds issued by Salt Lake County;
- 569 (vi) principal, interest, and issuance costs of bonds authorized by Section 63B-16-101
- 570 for projects prioritized in accordance with Section 72-2-125;
- 571 (vii) for fiscal year 2015-16 only, to transfer \$25,000,000 to the County of the First
- 572 Class Highway Projects Fund created in Section 72-2-121 to be used for the
- 573 purposes described in Section 72-2-121;
- 574 (viii) if a political subdivision provides a contribution equal to or greater than 40% of

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

and (d) to prioritize.

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

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

(b) The fund shall be funded by:

- (i) contributions deposited into the fund in accordance with Section 59-12-103;
- (ii) appropriations into the account by the Legislature;
- (iii) deposits of sales and use tax increment related to a housing and transit reinvestment zone as described in Section 63N-3-610;
- (iv) transfers of local option sales and use tax revenue as described in Subsection 59-12-2220(11)(b) or (c);
- (v) private contributions; and
- (vi) 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) Subject to Subsection ~~[(10)(e)]~~ (11)(e), the commission may prioritize money from the fund:

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

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

(ii) A public transit district or political subdivision may use money derived from a loan granted in accordance with Part 2, State Infrastructure Bank Fund, to provide 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.

- 779 (ii) All interest earned on fund money shall be deposited into the fund.
- 780 (d) The Legislature may appropriate money from the fund for public transit or
- 781 transportation projects in the Cottonwood Canyons of Salt Lake County.
- 782 (e) The department may use up to 2% of the revenue deposited into the account under
- 783 Subsection 59-12-103(4)(f) to contract with local governments as necessary for
- 784 public safety enforcement related to the Cottonwood Canyons of Salt Lake County.
- 785 (f) Beginning with fiscal year beginning on July 1, 2025, the department shall use any
- 786 sales and use tax growth over sales and use tax collections during the 2025 fiscal year
- 787 to fund projects to provide ingress and egress for a public transit hub, including
- 788 construction of the public transit hub, in the Big Cottonwood Canyon area.
- 789 ~~[(12)]~~ (13)(a) There is created in the Transportation Investment Fund of 2005 the Active
- 790 Transportation Investment Fund.
- 791 (b) The fund shall be funded by:
- 792 (i) money deposited into the fund in accordance with Section 59-12-103;
- 793 (ii) appropriations into the account by the Legislature; and
- 794 (iii) donations or grants from public or private entities.
- 795 (c)(i) The fund shall earn interest.
- 796 (ii) All interest earned on fund money shall be deposited into the fund.
- 797 (d) The executive director may only use fund money to pay the costs needed for:
- 798 (i) the planning, design, construction, maintenance, reconstruction, or renovation of
- 799 paved pedestrian or paved nonmotorized trail projects that:
- 800 (A) are prioritized by the commission through the prioritization process for new
- 801 transportation capacity projects adopted under Section 72-1-304;
- 802 (B) serve a regional purpose; and
- 803 (C) are part of an active transportation plan approved by the department or the
- 804 plan described in Subsection ~~[(12)(d)(ii)]~~ (13)(d)(ii);
- 805 (ii) the development of a plan for a statewide network of paved pedestrian or paved
- 806 nonmotorized trails that serve a regional purpose; and
- 807 (iii) the administration of the fund, including staff and overhead costs.
- 808 ~~[(13)]~~ (14)(a) As used in this Subsection ~~[(13)]~~ (14), "commuter rail" means the same as
- 809 that term is defined in Section 63N-3-602.
- 810 (b) There is created in the Transit Transportation Investment Fund the Commuter Rail
- 811 Subaccount.
- 812 (c) The subaccount shall be funded by:

- 813 (i) contributions deposited into the subaccount in accordance with Section 59-12-103;
814 (ii) appropriations into the subaccount by the Legislature;
815 (iii) private contributions; and
816 (iv) donations or grants from public or private entities.
- 817 (d)(i) The subaccount shall earn interest.
818 (ii) All interest earned on money in the subaccount shall be deposited into the
819 subaccount.
- 820 (e) As prioritized by the commission through the prioritization process adopted under
821 Section 72-1-304 or as directed by the Legislature, the department may only use
822 money from the subaccount for projects that improve the state's commuter rail
823 infrastructure, including the building or improvement of grade-separated crossings
824 between commuter rail lines and public highways.
- 825 (f) Appropriations made in accordance with this section are nonlapsing in accordance
826 with Section 63J-1-602.1.

827 **Section 4. Effective Date.**

- 828 (1) Except as provided in Subsection (2), this bill takes effect May 6, 2026.
829 (2) The actions affecting Section 72-2-124 (Effective 07/01/26) take effect on July 1, 2026.