

**Development Planning and Coordination Amendments**

2026 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Calvin Roberts**

Senate Sponsor:

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**LONG TITLE****General Description:**

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

**Highlighted Provisions:**

This bill:

- defines terms and modifies definitions;
- modifies the duties of the executive director of the Governor's Office of Economic Opportunity (executive director);
- establishes the Economic Opportunity Coordinating Council (council);
- describes the membership of the council;
- describes the duties of the council;
- requires the council to create a work group to provide oversight for the opportunity zone application process in 2026;
- establishes reporting requirements for the council;
- beginning January 1, 2028, requires the executive director to provide an annual written report to the Economic Development and Workforce Services Interim Committee;
- modifies the requirements for the creation of an economic development zone; and
- makes technical and conforming changes.

**Money Appropriated in this Bill:**

None

**Other Special Clauses:**

None

**Utah Code Sections Affected:****AMENDS:**

**63N-1a-102**, as last amended by Laws of Utah 2025, Chapter 512

**63N-1a-303**, as last amended by Laws of Utah 2025, Chapter 512

**63N-2-103**, as last amended by Laws of Utah 2025, Chapter 512

31       **63N-2-104**, as last amended by Laws of Utah 2022, Chapters 200, 362

32       ENACTS:

33       **63N-1a-501**, Utah Code Annotated 1953

34       **63N-1a-502**, Utah Code Annotated 1953

35       **63N-1a-503**, Utah Code Annotated 1953

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

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

39             **63N-1a-102 . Definitions.**

40             As used in this title:

41       (1) "Baseline jobs" means the number of full-time employee positions that existed within a  
42       business entity in the state before the date on which a project related to the business  
43       entity is approved by the office or by the GOEO board.

44       (2) "Baseline state revenue" means the amount of state tax revenue collected from a  
45       business entity or the employees of a business entity during the year before the date on  
46       which a project related to the business entity is approved by the office or by the GOEO  
47       board.

48       (3) "Council" means the Economic Opportunity Coordinating Council created in Section  
49       63N-1a-501.

50       ~~[(3)]~~ (4) "Economic opportunity agency" includes:

- 51             (a) the Department of Workforce Services;
- 52             (b) the Department of Cultural and Community Engagement;
- 53             (c) the Department of Commerce;
- 54             (d) the Department of Natural Resources;
- 55             (e) the Office of Energy Development;
- 56             (f) the State Board of Education;
- 57             (g) institutions of higher education;
- 58             (h) the Utah Multicultural Commission;
- 59             (i) the World Trade Center Utah;
- 60             (j) local government entities;
- 61             (k) associations of governments;
- 62             (l) the Utah League of Cities and Towns;
- 63             (m) the Utah Association of Counties;
- 64             (n) the Economic Development Corporation of Utah;

- (o) the Small Business Administration;
- (p) chambers of commerce;
- (q) industry associations;
- (r) small business development centers; and
- (s) other entities identified by the commission or the executive director.

~~[(4)]~~ (5) "Executive director" means the executive director of the office.

~~[(5)]~~ (6) "Full-time employee" means an employment position that is filled by an employee who works at least 30 hours per week and:

- (a) may include an employment position filled by more than one employee, if each employee who works less than 30 hours per week is provided benefits comparable to a full-time employee; and
- (b) may not include an employment position that is shifted from one jurisdiction in the state to another jurisdiction in the state.

~~[(6)]~~ (7) "GOEO board" means the Board of Economic Opportunity created in Section 63N-1a-401.

~~[(7)]~~ (8) "High paying job" means a newly created full-time employee position where the aggregate average annual gross wage of the employment position, not including health care or other paid or unpaid benefits, is:

- (a) at least 110% of the average wage of the county in which the employment position exists; or
- (b) for an employment position related to a project described in Chapter 2, Part 1, Economic Development Tax Increment Financing, and that is located within the boundary of a county of the third, fourth, fifth, or sixth class, or located within a municipality in a county of the second class and where the municipality has a population of 10,000 or less:
  - (i) at least 100% of the average wage of the county in which the employment position exists; or
  - (ii) an amount determined by rule made by the office in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, if the office determines the project is in a county experiencing economic distress.

~~[(8)]~~ (9)(a) "Incremental job" means a full-time employment position in the state that:

- (i) did not exist within a business entity in the state before the beginning of a project related to the business entity; and
- (ii) is created in addition to the number of baseline jobs that existed within a business

- 99                   entity.
- 100       (b) "Incremental job" includes a full-time employment position where the employee is  
101       hired:
- 102       (i) directly by a business entity; or
- 103       (ii) by a professional employer organization, as defined in Section 31A-40-102, on  
104       behalf of a business entity.
- 105   ~~[(9)]~~ (10) "New state revenue" means the state revenue collected from a business entity or a  
106       business entity's employees during a calendar year minus the baseline state revenue  
107       calculation.
- 108   ~~[(10)]~~ (11) "Office" or "GOEO" means the Governor's Office of Economic Opportunity.
- 109   ~~[(11)]~~ (12) "State revenue" means state tax liability paid by a business entity or a business  
110       entity's employees under any combination of the following provisions:
- 111       (a) Title 59, Chapter 7, Corporate Franchise and Income Taxes;
- 112       (b) Title 59, Chapter 10, Part 1, Determination and Reporting of Tax Liability and  
113       Information;
- 114       (c) Title 59, Chapter 10, Part 2, Trusts and Estates;
- 115       (d) Title 59, Chapter 10, Part 4, Withholding of Tax; and
- 116       (e) Title 59, Chapter 12, Sales and Use Tax Act.
- 117   ~~[(12)]~~ (13) "State strategic goals" means the strategic goals listed in Section 63N-1a-103.
- 118   ~~[(13)]~~ (14) "Statewide economic development strategy" means the economic development  
119       strategy developed by the office in accordance with Section 63N-1a-301.
- 120   ~~[(14)]~~ (15) "Targeted industry" means an industry or group of industries targeted by the  
121       office under Section 63N-1a-301, for economic development in the state.
- 122       Section 2. Section **63N-1a-303** is amended to read:
- 123       **63N-1a-303 . Powers and duties of executive director.**
- 124   (1) Unless otherwise expressly provided by statute, the executive director may organize the  
125       office in any appropriate manner, including the appointment of deputy directors of the  
126       office.
- 127   (2) The executive director may consolidate personnel and service functions for efficiency  
128       and economy in the office.
- 129   (3) The executive director, with the approval of the governor:
- 130       (a) may, by following the procedures and requirements of Title 63J, Chapter 5, Federal  
131       Funds Procedures Act, seek federal grants, loans, or participation in federal programs;
- 132       (b) may enter into a lawful contract or agreement with another state, a chamber of

commerce organization, a service club, or a private entity; and

(c) shall annually prepare and submit to the governor a budget of the office's financial requirements.

(4) With the governor's approval, if a federal program requires the expenditure of state funds as a condition for the state to participate in a fund, property, or service, the executive director may expend necessary funds from money provided by the Legislature for the use of the office.

(5) The executive director shall coordinate with the executive directors of the Department of Workforce Services and the Governor's Office of Planning and Budget to review data and metrics to be reported to the Legislature as described in Section 63N-1a-306.

(6) The executive director shall:

(a) receive guidance from the Economic Opportunity Coordinating Council created in Section 63N-1a-502;

(b) establish and implement strategies to recruit industries identified by the Economic Opportunity Coordinating Council to locate in the state;

(c) encourage businesses to permanently relocate to, or significantly expand operations in, the state;

(d) establish strategies for and actively support entrepreneurship and small business development in the state;

(e) coordinate state and local efforts on economic development activities, including efforts led by:

(i) the Utah Inland Port Authority created in Section 11-58-201;

(ii) the Point of the Mountain State Land Authority created in Section 11-59-201;

(iii) the Utah Lake Authority created in Section 11-65-201;

(iv) the Utah Fairpark Area Investment and Restoration District created in Section 11-68-201;

(v) the Military Installation Development Authority created in Section 63H-1-201; and

(vi) regional associations of governments created under Title 11, Chapter 13, Interlocal Cooperation Act;

(f) identify areas of the state for targeted economic development, including housing development;

(g) match areas of the state for targeted economic development, including housing development, with targeted industries or businesses encouraged to permanently

relocate to, or significantly expand operations in, the state;

(h) ensure the office's efforts are, to the extent practicable, data-driven, evidence-based, and focused on developing human capital, physical capital, and innovation; and

(i) support an integrated international trade strategy for the state.

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

(a) give the executive director authority over an entity described in Subsection (6)(e); or

(b) modify the legal status of a political subdivision.

[(6)] (8) Unless otherwise provided in this title, the executive director may make rules in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, as necessary for the administration of programs established under state law.

Section 3. Section **63N-1a-501** is enacted to read:

**63N-1a-501 . Creation of Economic Opportunity Coordinating Council.**

(1) There is created the Economic Opportunity Coordinating Council.

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

(a) the governor, or the governor's designee, who shall be the chair of the council;

(b) the president of the Senate or the president's designee;

(c) the speaker of the House of Representatives or the speaker's designee;

(d) a member appointed by the Utah Inland Port Authority board created in Section 11-58-301, to represent the interests of the Utah Inland Port Authority;

(e) a member appointed by the Point of the Mountain State Land Authority board created in Section 11-59-301, to represent the interests of the Point of the Mountain State Land Authority;

(f) a member appointed by the Utah Fairpark Area Investment and Restoration District board created in Section 11-70-301, to represent the interests of the Utah Fairpark Area Investment and Restoration District;

(g) a member appointed by the Military Installation Development Authority board created in Section 63H-1-301, to represent the interests of the Military Installation Development Authority;

(h) the director of the School and Institutional Trust Lands Administration created in Section 53C-1-201 or the director's designee;

(i) a member to represent the interests of municipalities, appointed by the Utah League of Cities and Towns; and

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

- (3)(a) A majority of council members, not including a vacancy, constitutes a quorum for the purpose of conducting council business.
- (b) The action of a majority of a quorum constitutes the action of the council.
- (4) The office shall provide office space and staff support for the council.
- (5)(a) A council member may not receive compensation or benefits for the member's service on the council, but may receive per diem and travel expenses in accordance with:
- (i) Sections 63A-3-106 and 63A-3-107; and
- (ii) rules made by the Division of Finance in accordance with Sections 63A-3-106 and 63A-3-107.
- (b) Compensation and expenses of a council member who is a legislator are governed by Section 36-2-2 and Legislative Joint Rules, Title 5, Legislative Compensation and Expenses.

Section 4. Section **63N-1a-502** is enacted to read:

**63N-1a-502 . Economic Opportunity Coordinating Council duties.**

- (1) The council shall:
- (a) establish strategic economic development objectives for the state, including establishing broad objectives;
- (b) provide recommendations to the executive director regarding efforts to achieve strategic economic development objectives;
- (c) make recommendations to the Legislature;
- (d) unify and coordinate economic development projects that have regional or statewide impact;
- (e) at least once every five years, recommend to the executive director industries or groups of industries to target for economic development in the state;
- (f) gather input from organizations contributing to economic development in the state, including economic opportunity agencies; and
- (g) receive an annual report from the board.
- (2) The council may establish working groups as appropriate to assist and advise the council.
- (3) The council shall create a working group to provide oversight for the opportunity zone application process in 2026.

Section 5. Section **63N-1a-503** is enacted to read:

**63N-1a-503 . Reporting.**

- (1) The chair and executive director shall, no later than May 31, 2026, provide a report to the Economic Development and Workforce Services Interim Committee that describes the council and office's progress in coordinating efforts around opportunity zone application development.
- (2) Beginning January 1, 2027, the chair or the chair's designee shall, no later than July 1, provide an annual written report to the Economic Development and Workforce Services Interim Committee that describes:
- (a) the strategic economic development objectives established under Section 63N-1a-501;
  - (b) the council's efforts to unify and coordinate economic development projects with regional or statewide impact, if any; and
  - (c) any recommendations for action from the Legislature.
- (3) Beginning January 1, 2028, the executive director shall, no later than July 1, provide an annual written report to the Economic Development and Workforce Services Interim Committee, on:
- (a) the executive director's progress toward achieving strategic economic development objectives identified by the council; and
  - (b) the executive director's efforts to fulfill the duties described in Subsection 63N-1a-303(6).

Section 6. Section **63N-2-103** is amended to read:

**63N-2-103 . Definitions.**

As used in this part:

- (1)(a) "Business entity" means a person that enters into a written agreement with the office to initiate a new commercial project in Utah that will qualify the person to receive a tax credit under Section 59-7-614.2 or 59-10-1107.
- (b) With respect to a tax credit authorized by the office in accordance with Subsection 63N-2-104.3(2), "business entity" includes a nonprofit entity.
- (2) "Commercial or industrial zone" means an area zoned agricultural, commercial, industrial, manufacturing, business park, research park, or other appropriate business related use in a general plan that contemplates future growth.
- (3) "Development zone" means an economic development zone created under Section 63N-2-104.
- (4) "Local government entity" means:
- (a) a county, city, or town[-] ;
  - (b) a regional economic development authority;



(c) an independent entity, as that term is defined in Section 63E-1-102; or

(d) an Indian tribe, as that term is defined in Section 9-9-402.

(5) "New commercial project" means an economic development opportunity that:

(a) involves a targeted industry; or

(b) is located within:

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

(ii) a municipality that has a population of 10,000 or less and the municipality is located within a county of the second class.

(6) "Regional economic development authority" means:

(a) the Utah Inland Port Authority created in Section 11-58-201;

(b) the Point of the Mountain State Land Authority created in Section 11-59-201;

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

(d) the Military Installation Development Authority created in Section 63H-1-201.

(7) "Remote work opportunity" means a new commercial project that:

(a) does not require a physical office in the state where employees associated with the new commercial project are required to work; and

(b) requires employees associated with the new commercial project to:

(i) work remotely from a location within the state; and

(ii) maintain residency in the state.

~~[(7)]~~ (8) "Significant capital investment" means an investment in capital or fixed assets, which may include real property, personal property, and other fixtures related to a new commercial project that represents an expansion of existing operations in the state or that increases the business entity's existing workforce in the state.

~~[(8)]~~ (9) "Tax credit" means an economic development tax credit created by Section 59-7-614.2 or 59-10-1107.

~~[(9)]~~ (10) "Tax credit amount" means the amount the office lists as a tax credit on a tax credit certificate for a taxable year.

~~[(10)]~~ (11) "Tax credit certificate" means a certificate issued by the office that:

(a) lists the name of the business entity to which the office authorizes a tax credit;

(b) lists the business entity's taxpayer identification number;

(c) lists the amount of tax credit that the office authorizes the business entity for the taxable year; and

(d) may include other information as determined by the office.

303 [(11)] (12) "Written agreement" means a written agreement entered into between the office  
304 and a business entity under Section 63N-2-104.2.

305 Section 7. Section **63N-2-104** is amended to read:

306 **63N-2-104 . Creation of economic development zones -- Tax credits --**

307 **Assignment of tax credit.**

308 (1) The office may create an economic development zone in the state if the following  
309 requirements are satisfied:

- 310 (a) the area is located within a commercial or industrial zone;  
311 (b) the local government entity having jurisdiction over the area supports the creation of  
312 the development zone; and  
313 (c) the local government entity described in Subsection (1)(b) provides or commits to  
314 provide local incentives within the area in accordance with the local government  
315 entity's approved incentive policy.

316 (2) A local government entity may, for the purpose of incentivizing new commercial  
317 projects within the local government entity's boundaries or on the local government  
318 entity's land, create an economic development zone if the following requirements are  
319 satisfied:

- 320 (a) the area is located:  
321 (i) within a commercial or industrial zone; and  
322 (ii) within the geographic boundaries of, or land owned by, the local government  
323 entity;  
324 (b) the local government entity adopts a long-term plan that addresses the following  
325 planning elements within the area:  
326 (i) transportation and infrastructure;  
327 (ii) workforce development; and  
328 (iii) housing needs; and  
329 (c) the office approves the local government entity's request to create the development  
330 zone.

331 **Section 8. Effective Date.**

332 This bill takes effect on May 6, 2026.