

1 **Utah Inland Port Authority Amendments**

2026 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Jerry W Stevenson

House Sponsor: Tyler Clancy

LONG TITLE**General Description:**

This bill modifies provisions related to the Utah Inland Port Authority.

Highlighted Provisions:

This bill:

- ▶ defines terms and modifies definitions;
- ▶ clarifies the process by which the Utah Inland Port Authority (authority) maintains an official boundary of the authority jurisdictional land;
- ▶ provides that the description of a boundary of a project area created by the authority may include a legal description, parcel number, property identification number, or other method of description that accurately depicts the project area;
- ▶ provides a process for the authority to make an adjustment to a project area boundary;
- ▶ modifies the process by which a transition date and a trigger date are established for a parcel;
- ▶ modifies a prohibition on the use of property tax differential as a business recruitment incentive for certain development within authority jurisdictional land that is in the capital city; and
- ▶ makes technical and conforming changes.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:**AMENDS:**

- 27 **11-58-102**, as last amended by Laws of Utah 2024, Chapters 53, 438 and 535
- 28 **11-58-202**, as last amended by Laws of Utah 2025, Chapter 24
- 29 **11-58-501**, as last amended by Laws of Utah 2023, Chapter 259
- 30 **11-58-503**, as last amended by Laws of Utah 2024, Chapter 535

31 **11-58-601**, as last amended by Laws of Utah 2025, First Special Session, Chapter 16

32 **11-58-602**, as last amended by Laws of Utah 2025, Chapter 459

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

35 Section 1. Section **11-58-102** is amended to read:

36 **11-58-102 . Definitions.**

37 As used in this chapter:

38 (1) "Authority" means the Utah Inland Port Authority, created in Section 11-58-201.

39 (2) "Authority jurisdictional land" means land within the authority boundary delineated:

40 (a) in the electronic shapefile that is the electronic component of H.B. 2001, Utah Inland
41 Port Authority Amendments, 2018 Second Special Session; and

42 (b) beginning April 1, 2020, as provided in Subsection 11-58-202(3).

43 (3) "Base taxable value" means:

44 (a)(i) except as provided in Subsection (3)(a)(ii), for a project area that consists of the
45 authority jurisdictional land, the taxable value of authority jurisdictional land in
46 calendar year 2018; and

47 (ii) for an area described in Section 11-58-600.7, the taxable value of that area in
48 calendar year 2017; or

49 (b) for a project area that consists of land outside the authority jurisdictional land, the
50 taxable value of property within any portion of a project area, as designated by board
51 resolution, from which the property tax differential will be collected, as shown upon
52 the assessment roll last equalized before the year in which the authority adopts a
53 project area plan for that area.

54 (4) "Board" means the authority's governing body, created in Section 11-58-301.

55 (5) "Business plan" means a plan designed to facilitate, encourage, and bring about
56 development of the authority jurisdictional land to achieve the goals and objectives
57 described in Subsection 11-58-203(1), including the development and establishment of
58 an inland port.

59 (6) "Contaminated land" means land:

60 (a) within a project area; and

61 (b) that contains hazardous materials, as defined in Section 19-6-302, hazardous
62 substances, as defined in Section 19-6-302, or landfill material on, in, or under the
63 land.

64 (7) "Development" means:

65 (a) the demolition, construction, reconstruction, modification, expansion, or
66 improvement of a building, utility, infrastructure, landscape, parking lot, park, trail,
67 recreational amenity, or other facility, including public infrastructure and
68 improvements; and

69 (b) the planning of, arranging for, or participation in any of the activities listed in
70 Subsection (7)(a).

71 (8) "Development project" means a project for the development of land within a project
72 area.

73 (9) "Distribution center" means a building that is:

74 (a) used for the storage, sorting, and distribution of goods intended for sale; and
75 (b) not associated with or operated in conjunction with an adjacent manufacturing facility,
76 rail facility, intermodal facility, customs clearance facility, or foreign trade zone
77 facility.

78 (10) "GIS boundary file" means a digital storage format generated by geographic
79 information systems used to store the geometric location and associated attribute
80 information of geographic features.

81 (11) "Inland port" means one or more sites that:

82 (a) contain multimodal facilities, intermodal facilities, or other facilities that:
83 (i) are related but may be separately owned and managed; and
84 (ii) together are intended to:
85 (A) allow global trade to be processed and altered by value-added services as
86 goods move through the supply chain;
87 (B) provide a regional merging point for transportation modes for the distribution
88 of goods to and from ports and other locations in other regions;
89 (C) provide cargo-handling services to allow freight consolidation and
90 distribution, temporary storage, customs clearance, and connection between
91 transport modes; and
92 (D) provide international logistics and distribution services, including freight
93 forwarding, customs brokerage, integrated logistics, and information systems;
94 and

95 (b) may include a satellite customs clearance terminal, an intermodal facility, a customs
96 pre-clearance for international trade, or other facilities that facilitate, encourage, and
97 enhance regional, national, and international trade.

98 [(11)] (12) "Inland port use" means a use of land:

99 (a) for an inland port;
100 (b) that directly implements or furthers the purposes of an inland port, as stated in
101 Subsection [~~(10)~~] (11);
102 (c) that complements or supports the purposes of an inland port, as stated in Subsection [
103 ~~(10)~~] (11); or
104 (d) that depends upon the presence of the inland port for the viability of the use.

105 (12) ~~(13)~~ "Intermodal facility" means a facility for transferring containerized cargo
106 between rail, truck, air, or other transportation modes.

107 (13) ~~(14)~~ "Landfill material" means garbage, waste, debris, or other materials disposed of
108 or placed in a landfill.

109 (14) ~~(15)~~ "Multimodal facility" means a hub or other facility for trade combining any
110 combination of rail, trucking, air cargo, and other transportation services.

111 (15) ~~(16)~~ "Nonvoting member" means an individual appointed as a member of the board
112 under Subsection 11-58-302(3) who does not have the power to vote on matters of
113 authority business.

114 (16) ~~(17)~~ "Project area" means:

115 (a) the authority jurisdictional land, subject to Section 11-58-605; or
116 (b) land outside the authority jurisdictional land, whether consisting of a single
117 contiguous area or multiple noncontiguous areas, described in a project area plan or
118 draft project area plan, where the development project set forth in the project area
119 plan or draft project area plan takes place or is proposed to take place.

120 (17) ~~(18)~~ "Project area budget" means a multiyear projection of annual or cumulative
121 revenues and expenses and other fiscal matters pertaining to the project area.

122 (18) ~~(19)~~ "Project area plan" means a written plan that, after its effective date, guides and
123 controls the development within a project area.

124 (19) ~~(20)~~ "Property tax" includes a privilege tax and each levy on an ad valorem basis on
125 tangible or intangible personal or real property.

126 (20) ~~(21)~~ "Property tax differential":

127 (a) means the difference between:
128 (i) the amount of property tax revenues generated each tax year by all taxing entities
129 from a project area, using the current assessed value of the property; and
130 (ii) the amount of property tax revenues that would be generated from that same area
131 using the base taxable value of the property; and
132 (b) does not include property tax revenue from:

133 (i) a county additional property tax or multicounty assessing and collecting levy
134 imposed in accordance with Section 59-2-1602;
135 (ii) a judgment levy imposed by a taxing entity under Section 59-2-1328 or 59-2-1330;
136 or
137 (iii) a levy imposed by a taxing entity under Section 11-14-310 to pay for a general
138 obligation bond.

139 ~~(21)~~ (22) "Public entity" means:

140 (a) the state, including each department, division, or other agency of the state; or
141 (b) a county, city, town, school district, special district, special service district, interlocal
142 cooperation entity, community reinvestment agency, or other political subdivision of
143 the state, including the authority.

144 ~~(22)~~ (23)(a) "Public infrastructure and improvements" means infrastructure,

145 improvements, facilities, or buildings that:

146 (i)(A) benefit the public and are owned by a public entity or a utility; or
147 (B) benefit the public and are publicly maintained or operated by a public entity; or
148 (ii)(A) are privately owned;
149 (B) benefit the public;
150 (C) as determined by the board, provide a substantial benefit to the development
151 and operation of a project area; and
152 (D) are built according to applicable county or municipal design and safety
153 standards.

154 (b) "Public infrastructure and improvements" includes:

155 (i) facilities, lines, or systems that provide:
156 (A) water, chilled water, or steam; or
157 (B) sewer, storm drainage, natural gas, electricity, energy storage, clean energy,
158 microgrids, or telecommunications service;
159 (ii) streets, roads, curb, gutter, sidewalk, walkways, solid waste facilities, parking
160 facilities, rail lines, intermodal facilities, multimodal facilities, and public
161 transportation facilities;
162 (iii) an inland port; and
163 (iv) infrastructure, improvements, facilities, or buildings that are developed as part of
164 a remediation project.

165 ~~(23)~~ (24) "Remediation" includes:

166 (a) activities for the cleanup, rehabilitation, and development of contaminated land; and

167 (b) acquiring an interest in land within a remediation project area.

168 [~~(24)~~] (25) "Remediation differential" means property tax differential generated from a
169 remediation project area.

170 [~~(25)~~] (26) "Remediation project" means a project for the remediation of contaminated land
171 that:

172 (a) is owned by:

- 173 (i) the state or a department, division, or other instrumentality of the state;
- 174 (ii) an independent entity, as defined in Section 63E-1-102; or
- 175 (iii) a political subdivision of the state; and

176 (b) became contaminated land before the owner described in Subsection [~~(24)(a)~~] (26)(a)
177 obtained ownership of the land.

178 [~~(26)~~] (27) "Remediation project area" means a project area consisting of contaminated land
179 that is or is expected to become the subject of a remediation project.

180 [~~(27)~~] (28) "Shapefile" means the digital vector storage format for storing geometric
181 location and associated attribute information.

182 [~~(28)~~] (29) "Taxable value" means the value of property as shown on the last equalized
183 assessment roll.

184 [~~(29)~~] (30) "Taxing entity":

- 185 (a) means a public entity that levies a tax on property within a project area; and
- 186 (b) does not include a public infrastructure district that the authority creates under Title
187 17D, Chapter 4, Public Infrastructure District Act.

188 [~~(30)~~] (31) "Voting member" means an individual appointed or designated as a member of
189 the board under Subsection 11-58-302(2).

190 Section 2. Section **11-58-202** is amended to read:

191 **11-58-202 . Authority powers and duties.**

192 (1) The authority has exclusive jurisdiction, responsibility, and power to coordinate the
193 efforts of all applicable state and local government entities, property owners and other
194 private parties, and other stakeholders to:

- 195 (a) develop and implement a business plan for the authority jurisdictional land, to
196 include an environmental sustainability component, developed in conjunction with
197 the Department of Environmental Quality, incorporating policies and best practices to
198 meet or exceed applicable federal and state standards, including:
 - 199 (i) emissions monitoring and reporting; and
 - 200 (ii) strategies that use best available practices to mitigate environmental impacts

resulting from development and uses on the authority jurisdictional land;

(b) plan and facilitate the development of inland port uses on authority jurisdictional land and on land in other authority project areas;

(c) manage any inland port located on land owned or leased by the authority; and

(d) establish a foreign trade zone, as provided under federal law, covering some or all of the authority jurisdictional land or land in other authority project areas.

(2) The authority may:

(a) facilitate and bring about the development of inland port uses on land that is part of the authority jurisdictional land or that is in other authority project areas, including engaging in marketing and business recruitment activities and efforts to encourage and facilitate:

(i) the development of an inland port on the authority jurisdictional land; and

(ii) other development of the authority jurisdictional land consistent with the policies and objectives described in Subsection 11-58-203(1);

(b) facilitate and provide funding for the development of land in a project area, land related to land in a project area, and land adjacent to a project area, including:

(i) the development of public infrastructure and improvements in a project area and directly adjacent to a project area; and

(ii) other infrastructure and improvements, including environmental sustainability projects, on or related to land in a project area;

(c) engage in marketing and business recruitment activities and efforts to encourage and facilitate development of the authority jurisdictional land;

(d) apply for and take all other necessary actions for the establishment of a foreign trade zone, as provided under federal law, covering some or all of the authority jurisdictional land;

(e) as the authority considers necessary or advisable to carry out any of the authority's duties or responsibilities under this chapter:

(i) buy, obtain an option upon, or otherwise acquire any interest in real or personal property;

(ii) sell, convey, grant, dispose of by gift, or otherwise dispose of any interest in real or personal property;

(iii) provide funding, through a grant or agreement, to another governmental entity for the governmental entity to help fulfill the authority's duties and responsibilities; or

235 (iv) enter into a lease agreement on real or personal property, either as lessee or
236 lessor;

237 (f) sue and be sued;

238 (g) enter into contracts generally;

239 (h) provide funding for the development of public infrastructure and improvements or
240 other infrastructure and improvements on or related to the authority jurisdictional
241 land or other authority project areas;

242 (i) exercise powers and perform functions under a contract, as authorized in the contract;

243 (j) receive the property tax differential, as provided in this chapter;

244 (k) accept financial or other assistance from any public or private source for the
245 authority's activities, powers, and duties, and expend any funds so received for any of
246 the purposes of this chapter;

247 (l) borrow money, contract with, or accept financial or other assistance from the federal
248 government, a public entity, or any other source for any of the purposes of this
249 chapter and comply with any conditions of the loan, contract, or assistance;

250 (m) issue bonds to finance the undertaking of any development objectives of the
251 authority, including bonds under Chapter 17, Utah Industrial Facilities and
252 Development Act, bonds under Chapter 42, Assessment Area Act, and bonds under
253 Chapter 42a, Commercial Property Assessed Clean Energy Act;

254 (n) hire employees, including contract employees;

255 (o) transact other business and exercise all other powers provided for in this chapter;

256 (p) engage one or more consultants to advise or assist the authority in the performance
257 of the authority's duties and responsibilities;

258 (q) work with other political subdivisions and neighboring property owners and
259 communities to mitigate potential negative impacts from the development of
260 authority jurisdictional land;

261 (r) own, lease, operate, or otherwise control public infrastructure and improvements in a
262 project area;

263 (s) exercise powers and perform functions that the authority is authorized by statute to
264 exercise or perform;

265 (t) develop and implement world-class, state-of-the-art, zero-emissions logistics to:
266 (i) support continued growth of the state's economy;
267 (ii) promote the state as the global center of efficient and sustainable supply chain
268 logistics;

269 (iii) facilitate the efficient movement of goods on roads and rails and through the air;

270 and

271 (iv) benefit the commercial viability of tenants and users; and

272 (u) attract capital and expertise in pursuit of the next generation of logistics solutions.

273 (3)(a) Beginning April 1, 2020, the authority shall:

274 (i) be the repository of the official delineation of the boundary of the authority
275 jurisdictional land, identical to the boundary as delineated in the shapefile that is
276 the electronic component of H.B. 2001, Utah Inland Port Authority Amendments,
277 2018 Second Special Session, subject to:

278 (A) boundary adjustments made and recorded in accordance with Subsection (3)(b);
279 and

280 (B) any [later] changes to the boundary enacted by the Legislature; and

281 (ii) maintain an accurate digital file of the boundary that is easily accessible by the
282 public.

283 (b)(i) As used in this Subsection (3)(b), "split property" means a piece of land:

284 (A) with a single tax identification number; and

285 (B) that is partly included within and partly excluded from the authority
286 jurisdictional land by the boundary delineated in the shapefile described in
287 Subsection [11-58-102(2)] 11-58-102(2)(a).

288 (ii) With the consent of the mayor of the municipality in which the split property is
289 located, the executive director may adjust the boundary of the authority
290 jurisdictional land to include an excluded portion of a split property or exclude an
291 included portion of a split property.

292 (iii) In adjusting the boundary under Subsection (3)(b)(ii), the executive director shall
293 consult with the county assessor, the county surveyor, the owner of the split
294 property, and the municipality in which the split property is located.

295 (iv) A boundary adjustment under this Subsection (3)(b) affecting the northwest
296 boundary of the authority jurisdictional land shall maintain the buffer area
297 between authority jurisdictional land intended for development and land outside
298 the boundary of the authority jurisdictional land to be preserved from
299 development.

300 (v) Upon completing boundary adjustments under this Subsection (3)(b), the
301 executive director shall cause to be recorded in the county recorder's office a map
302 or other description, sufficient for purposes of the county recorder, of the adjusted

303 boundary of the authority jurisdictional land.

304 (vi) [The] After a boundary adjustment is recorded in accordance with Subsection
305 (3)(b)(v), the authority shall modify the official delineation of the boundary of the
306 authority jurisdictional land [under] described in Subsection (3)(a) to reflect a
307 boundary adjustment under this Subsection (3)(b).

308 (4)(a) The authority may establish a community enhancement program designed to
309 address the impacts that development or inland port uses within project areas have on
310 adjacent communities.

311 (b)(i) The authority may use authority money to support the community enhancement
312 program and to pay for efforts to address the impacts described in Subsection
313 (4)(a).

314 (ii) Authority money designated for use under Subsection (4)(b)(i) is exempt from
315 execution or any other process in the collection of a judgment against or debt or
316 other obligation of the authority arising out of the authority's activities with
317 respect to the community enhancement program.

318 Section 3. Section **11-58-501** is amended to read:

319 **11-58-501 . Preparation of project area plan -- Required contents of project area
320 plan.**

321 (1)(a) Subject to Section 11-58-605, the authority jurisdictional land constitutes a single
322 project area.
323 (b) The authority is not required to adopt a project area plan for a project area consisting
324 of the authority jurisdictional land.

325 (2)(a) The board may adopt a project area plan for land that is outside the authority
326 jurisdictional land, as provided in this part, if the board receives written consent to
327 include the land in the project area described in the project area plan from, as
328 applicable:

329 (i) the legislative body of the county in whose unincorporated area the land is
330 located; or
331 (ii) the legislative body of the municipality in which the land is located.

332 (b)(i) An owner of land proposed to be included within a project area may request
333 that the owner's land be excluded from the project area.

334 (ii) A request under Subsection (2)(b)(i) shall be submitted to the board:
335 (A) in writing; and
336 (B) no more than 45 days after the public meeting under Subsection 11-58-502(1).

337 (c) Land included or to be included within a project area need not be contiguous or in
338 close proximity to the authority jurisdictional land.

339 (d) In order to adopt a project area plan, the board shall:
340 (i) prepare a draft project area plan;
341 (ii) give notice as required under Subsection 11-58-502(2);
342 (iii) hold at least one public meeting, as required under Subsection 11-58-502(1); and
343 (iv) after holding at least one public meeting and subject to Subsections (2)(b) and (e),
344 adopt the draft project area plan as the project area plan.

345 (e) Before adopting a draft project area plan as the project area plan, the board:
346 (i) shall eliminate from the proposed project area the land of any owner who requests
347 the owner's land to be excluded from the project area under Subsection (2)(b); and
348 (ii) may make other modifications to the draft project area plan that the board
349 considers necessary or appropriate.

350 (3)(a) Each project area plan and draft project area plan shall contain:
351 [(a) (i) a [legal] description of the boundary of the project area;
352 [(b) (ii) the authority's purposes and intent with respect to the project area; and
353 [(c) (iii) the board's findings and determination that:
354 [(i) (A) there is a need to effectuate a public purpose;
355 [(ii) (B) there is a public benefit to the proposed development project;
356 [(iii) (C) it is economically sound and feasible to adopt and carry out the project
357 area plan; and
358 [(iv) (D) carrying out the project area plan will promote the goals and objectives
359 stated in Subsection 11-58-203(1).

360 (b) A description of a boundary of a project area, as described in Subsection (3)(a)(i),
361 may include a legal description, parcel number, property identification number, metes
362 and bounds narrative description, GIS boundary file, or other method of description
363 that accurately depicts the project area.

364 Section 4. Section **11-58-503** is amended to read:

**11-58-503 . Notice of project area plan adoption -- Effective date of plan -- Time
for challenging a project area plan or project area.**

367 (1) Upon the board's adoption of a project area plan, the board shall provide notice as
368 provided in Subsection (2) by publishing or causing to be published legal notice for the
369 project area, as a class A notice under Section 63G-30-102, for at least 30 days.

370 (2)(a) Each notice under Subsection (1) shall include:

371 (i) the board resolution adopting the project area plan or a summary of the resolution;
372 and

373 (ii) a statement that the project area plan is available for general public inspection and
374 the hours for inspection.

375 (b) The statement required under Subsection (2)(a)(ii) may be included within the board
376 resolution adopting the project area plan or within the summary of the resolution.

377 (3) The project area plan shall become effective on the date designated in the board
378 resolution.

379 (4) The authority shall make the adopted project area plan available to the general public at
380 the authority's offices during normal business hours.

381 (5)(a) The authority may make adjustments to the boundaries of a project area:

382 (i) with the consent of the board; or

383 (ii) administratively, if the adjustment is a minor adjustment.

384 (b) If a boundary adjustment is necessary only to conform with county recording
385 standards, the boundary adjustment is a minor adjustment.

386 (c) The executive director shall, with the approval of the board, establish policies to
387 determine whether a boundary adjustment not described in Subsection (5)(b) is a
388 minor adjustment.

389 [(5)] (6)(a) Within 10 days after the day on which a project area plan is adopted that
390 establishes a project area, or after an amendment to a project area plan is adopted
391 under which the boundary of a project area is modified, the authority shall send
392 notice of the establishment or modification of the project area and an accurate map or
393 plat of the project area to:

394 [(a)] (i) the State Tax Commission;

395 [(b)] (ii) the Utah Geospatial Resource Center created in Section 63A-16-505; and

396 [(c)] (iii) the assessor and recorder of each county where the project area is located.

397 (b) For purposes of Subsection (6)(a), an accurate map or plat is any map or plat
398 developed by a qualified cartographer or licensed surveyor.

399 [(6)] (7)(a) A legal action or other challenge to a project area plan or a project area
400 described in a project area plan is barred unless brought within 30 days after the
401 effective date of the project area plan.

402 (b) A legal action or other challenge to a project area that consists of authority
403 jurisdictional land is barred unless brought within 30 days after the board adopts a
404 business plan under Subsection 11-58-202(1)(a) for the authority jurisdictional land.

405 Section 5. Section **11-58-601** is amended to read:

406 **11-58-601 . General differential and nonmunicipal differential.**

407 (1) As used in this section:

408 (a) "Designation resolution order" means a resolution adopted by the board written
409 determination, issued by the executive director, that designates a transition date and a
410 trigger date, which may be the same date, for the parcel specified in the resolution
411 written determination.

412 (b) "Post-designation parcel" means a parcel within a project area after the transition
413 date for that parcel.

414 (c) "Pre-designation parcel" means a parcel within a project area before the transition
415 date for that parcel.

416 (d) "Transition date" means the date indicated in a designation resolution order after
417 which the parcel that is the subject of the designation resolution order is a
418 post-designation parcel.

419 (e) "Trigger date" means the date indicated in a designation resolution order upon
420 which tax differential payments due to the authority commence.

421 (2) This section applies to nonmunicipal differential and general differential to be paid to
422 the authority.

423 (3) The authority shall be paid 75% of nonmunicipal differential generated from a
424 pre-designation parcel that is part of the authority jurisdictional land:

425 (a) for the period beginning November 2019 and ending the earlier of:

426 (i) the transition date for that parcel; and
427 (ii) November 30, 2044; and

428 (b) for a period of up to 15 years following November 2044 if, before the end of
429 November 2044:

430 (i) the parcel has not become a post-designation parcel; and
431 (ii) the board adopts a resolution approving the extension.

432 (4)(a) As provided in Subsection (4)(b), the authority shall be paid:

433 (i) 75% of nonmunicipal differential generated from a post-designation parcel that is
434 part of the authority jurisdictional land; and
435 (ii) up to 75% of general differential, as determined by the board and included in a
436 project area plan adopted or amended under Part 5, Project Area Plan and Budget,
437 generated from a post-designation parcel that is not part of the authority
438 jurisdictional land.

439 (b) The property tax differential paid under Subsection (4)(a) from a post-designation
440 parcel shall be paid:
441 (i) for a period of 25 years beginning on the trigger date for that parcel; and
442 (ii) for a period of up to an additional 15 years beyond the period stated in Subsection
443 (4)(b)(i) if the board determines by resolution that the additional years of
444 nonmunicipal differential or general differential, as the case may be, from that
445 parcel will produce a significant benefit.

446 (5)(a) For purposes of this section, the authority may designate an improved portion of a
447 parcel in a project area as a separate parcel.

448 (b) An authority designation of an improved portion of a parcel as a separate parcel
449 under Subsection (5)(a) does not constitute a subdivision, as defined in Section
450 10-20-102 or Section 17-79-102.

451 (c) A county recorder shall assign a separate tax identification number to the improved
452 portion of a parcel designated by the authority as a separate parcel under Subsection
453 (5)(a).

454 Section 6. Section **11-58-602** is amended to read:

455 **11-58-602 . Allowable uses of property tax differential and other funds.**

456 (1)(a) The authority may use money from property tax differential, money the authority
457 receives from the state, money the authority receives under Subsection
458 59-12-205(2)(a)(ii)(C), and other money available to the authority:
459 (i) for any purpose authorized under this chapter;
460 (ii) for administrative, overhead, legal, consulting, and other operating expenses of
461 the authority;
462 (iii) to pay for, including financing or refinancing, all or part of the development of
463 land within or adjacent to a project area, including assisting the ongoing operation
464 of a development or facility within or adjacent to the project area;
465 (iv) to pay the cost of the installation and construction of public infrastructure and
466 improvements within the project area from which the property tax differential
467 funds were collected;
468 (v) to pay the cost of the installation of public infrastructure and improvements
469 outside a project area if the board determines by resolution that the infrastructure
470 and improvements are of benefit to the project area;
471 (vi) to pay to a community reinvestment agency for affordable housing, as provided
472 in Subsection 11-58-606(2);

473 (vii) to pay the principal and interest on bonds issued by the authority;

474 (viii) to pay the cost of acquiring land or an easement on land that is part of or

475 adjacent to authority jurisdictional land:

476 (A) for the perpetual preservation of the land from development; and

477 (B) to provide a buffer area between authority jurisdictional land intended for

478 development and land outside the boundary of the authority jurisdictional land;

479 and

480 (ix) subject to Subsection (1)(b), to encourage, incentivize, or require development

481 that:

482 (A) mitigates noise, air pollution, light pollution, surface and groundwater

483 pollution, and other negative environmental impacts;

484 (B) mitigates traffic congestion; or

485 (C) uses high efficiency building construction and operation.

486 (b)(i)(A) The authority shall establish minimum mitigation and environmental

487 standards that a landowner is required to meet to qualify for the use of property

488 tax differential under Subsection (1)(a)(ix) in the landowner's development.

489 (B) Minimum mitigation and environmental standards established under

490 Subsection (1)(b)(i)(A) shall include a standard prohibiting the use of property

491 tax differential as a business recruitment incentive, as defined in Section

492 11-58-603, for new commercial or industrial development or an expansion of

493 existing commercial or industrial development within [the] authority

494 jurisdictional land that is in the capital city if the new or expanded

495 development will consume on an annual basis more than 200,000 gallons of

496 potable water per day.

497 (ii) In establishing minimum mitigation and environmental standards, the authority

498 shall consult with:

499 (A) the municipality in which the development is expected to occur, for

500 development expected to occur within a municipality; or

501 (B) the county in whose unincorporated area the development is expected to

502 occur, for development expected to occur within the unincorporated area of a

503 county.

504 (iii) The authority may not use property tax differential under Subsection (1)(a)(viii)

505 for a landowner's development in a project area unless the minimum mitigation

506 and environmental standards are followed with respect to that landowner's

507 development.

508 (2) The authority may use revenue generated from the operation of public infrastructure
509 operated by the authority or improvements, including an intermodal facility, operated by
510 the authority to:
511 (a) operate and maintain the infrastructure or improvements; and
512 (b) pay for authority operating expenses, including administrative, overhead, and legal
513 expenses.

514 (3) The determination of the board under Subsection (1)(a)(v) regarding benefit to the
515 project area is final.

516 (4) The authority may not use property tax differential revenue collected from one project
517 area for a development project within another project area.

518 (5)(a) The authority may use up to 10% of the general differential revenue generated
519 from a project area to pay for affordable housing within or near the project area.
520 (b) In using general differential revenue described in Subsection (5)(a), the authority
521 may provide general differential revenue generated from a project area to a non-profit
522 housing fund, as defined in Section 17C-1-102:
523 (i) for that non-profit housing fund to assist low-income individuals and families who
524 would qualify for income targeted housing to achieve homeownership, or retain
525 homeownership, within a 15 mile radius of the project area that generated the
526 general differential revenue, in accordance with the mission of the non-profit
527 housing fund; and
528 (ii) pursuant to an agreement between the non-profit housing fund and the authority
529 governing appropriate uses of general differential revenue.

530 (6) The authority may share general differential funds with a taxing entity that levies a
531 property tax on land within the project area from which the general differential is
532 generated.

533 **Section 7. Effective Date.**

534 This bill takes effect on May 6, 2026.