# Accountable Budget Process: Capital Budget

Utah State Legislature



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## Capital Development

Infrastructure and General Government Appropriations Subcommittee Staff: Rachel Boe, Amanda Kilian | 08/08/2023

#### Introduction

This brief is intended to assist the members of the Infrastructure and General Government Appropriations Subcommittee during the Accountable Budget Process. JR3-2 requires the Legislature to create a budget for a line item or a program by starting from zero and determining whether or to what extent to recommend funding be included in a budget for fiscal year 2025.

### **Background**

Capital development means a remodeling, site, or utility project with a total cost of \$3.5 million or more; a new facility with a construction cost of \$500,000 or more; or purchase of real property where an appropriation is requested to fund the purchase. In the 2022 General Session, the State Building Board (SBB) was eliminated and the duties of the board were given to the Division of Facilities Construction and Management and the Department of Government Operations (Senate Bill 82, "State Facilities Management Amendments").

SBB was required by statute -- and on behalf of all state agencies and institutions -- to submit its capital development recommendations and priorities to the Legislature for approval and prioritization. SBB was able to approve a capital development project without the approval of the Legislature if the board determines that a requesting agency or institution has provided adequate assurance that state funds will not be used for construction, operation and maintenance, or future capital improvements of the facility; and that the use of the state property is appropriate and consistent with the master plan for the property and will not create an adverse impact on the state.

The Capital Development line item has three programs: Higher Education, Other State Government and Public Education. The programs are described in greater detail in the "Programs" section below.

<u>S.B. 82</u> clarifies the capital development process, and the Division of Facilities and Construction Management's role in reviewing and prioritizing capital development projects before presenting to the Legislature.

### **Enabling Authority**

63A-5b-401. Definitions.

63A-5b-402. Capital development process -- Approval requirements.

<u>63A-5b-406.</u> Limitations on new projects.

### **Changes in Appropriations Over Time**

The Legislature funds different projects each fiscal year, so the amount of funding for each program varies annually.



## Capital Development

#### **Programs**

The Other State Government program was created to distinguish projects for state agencies from projects for institutions of higher education and public education.

The Capital Development - Higher Education line item was created to distinguish projects at institutions in the <a href="Utah System of Higher Education">USHE</a>) rather than general state government or public education. USHE includes eight public universities and colleges (Utah Tech University, Salt Lake Community College, Snow College, Southern Utah University, University of Utah, Utah State University, Utah Valley University, and Weber State University) and eight technical colleges (Bridgerland, Davis, Dixie, Mountainland, Ogden-Weber, Southwest, Tooele, and Uintah Basin).

The Capital Development - Public Education line item was created to distinguish projects for institutions of public education from projects for institutions of higher education and state agencies.

### **Intent Language**

During the 2023 General Session, the Legislature passed the following intent language included in <u>House Bill 6</u>, "Appropriations Adjustments":

The Legislature intends that before commencing construction of a capital development project funded for an institution of higher education during the 2022 General Session, the Division of Facilities Construction and Management (DFCM) and the institution shall report to the Infrastructure and General Government Appropriations Subcommittee and the Higher Education Appropriations Subcommittee on the status and cost of the project, and that DFCM and the institution shall seek feedback from the committees before committing funds for demolition or construction. The Legislature further intends that prior to committing funds for construction that DFCM, the institution, and the Board of Higher Education shall certify to the committees that the institution (1) has developed a plan that will utilize each classroom space in the building an average of 33.75 hours of instruction per week for spring and fall semesters with 66.7 percent seat occupancy, and will work to increase utilization of classroom space during the summer; and (2) has presented a plan to implement space utilization of non-classroom areas as per industry standards. (Item 17)

### **Funding & Expenditures**

The <u>Compendium of Budget Information</u> (COBI) details Utah's state budget and related financial authorizations. The Capital Development line item COBI pages have detailed information on funding and expenditures for each program:

- Higher Education;
- Other State Government; and
- Public Education.



## Capital Development

### **Major Building Blocks**

During each legislative session, requests are put forth for the appropriate appropriations committee to consider. The tables below reflect some of the requests for this line item since the 2019 General Session.

#### **Other State Government**

Item Name	Program	Fund Name	FY 2022	FY 2023	FY 2024
Brigham City Consolidated Public Safety Building	Brigham City Consolidated Public Safety Building	Capital Projects Fund	\$7,525,700		
Capitol Hill North Building	Capitol Hill North Building	Capital Projects Fund	\$140,000,000		
Capitol Hill North Building Rebuild	Capitol Hill North Building	Capital Projects Fund		\$68,000,000	
Central Utah Court Access	Sanpete County Courthouse	Capital Projects Fund	\$2,000,000		
Convergence Hall	Convergence Hall	Capital Projects Fund			\$50,000,000
DFCM & DPS - Block 407	DFCM and DPS Block 407	Capital Projects Fund			\$30,000,000
Fleet, Surplus, and DFCM Relocation	DGO Fleet Surplus and DFCM Relocation	Capital Projects Fund		\$8,913,900	
Forestry, Fire, and Land Lone Peak Facility Relocation	DNR Lone Peak Facility	Capital Projects Fund		\$16,602,600	
Loa Fish Hatchery (Building Board Recommendation)	DNR Loa Fish Hatchery	Capital Projects Fund			\$56,843,400
Salt Lake Veterans Nursing Home Replacement	Salt Lake Veteran Nursing Home	Capital Projects Fund		\$21,300,000	
Sixth District Court - Manti Courthouse	Sanpete County Courthouse	Capital Projects Fund		\$14,161,000	
UDOT - Ogden Maintenance Signals & Materials Lab	<b>UDOT Ogden Maintenance Signals and Materials Lab</b>	Capital Projects Fund			\$23,469,700
Utah State Developmental Center Comprehensive Therapy Building	Utah State Dev Center Comp Therapy Building	Capital Projects Fund		\$38,589,800	
Grand Total			\$149,525,700	\$167,567,300	\$160,313,100

**Higher Education** 

Tilgilei Education					
Item Name	Program	Fund Name	FY 2022	FY 2023	FY 2024
Bridgerland Health Science and Technology Building	Bridgerland Technical College Health Science and Technology Building	Capital Projects Fund	\$38,059,600		
Cox Performing Arts Center Renovation	UTU Cox Performing Arts Center Renovation	Capital Projects Fund			\$28,000,000
Davis Technical College - Campus Renovations	Davis Tech Campus Renovations	Technical Colleges Capital Projects Fund		\$20,366,000	
Mental Health Facility at University of Utah	UU Mental Health Facility	Capital Projects Fund	\$90,000,000		
Mountainland Technical College - Payson Campus Building	Mountainland Tech Payson Campus Building	Technical Colleges Capital Projects Fund		\$47,922,000	
Mountainland Technical College Wasatch Campus Building	Mountainland Technical College Wasatch Campus Building	Higher Education Capital Projects Fund			\$0
		Technical Colleges Capital Projects Fund			\$39,116,200
Mountainland Technical College Wasatch Campus Building (Reallocation)	Mountainland Technical College Wasatch Campus Building	Higher Education Capital Projects Fund			\$0
		Technical Colleges Capital Projects Fund			\$26,620,300
Salt Lake Community College Herriman Campus Gen. Ed. Building	SLCC Herriman Building	Capital Projects Fund	\$32,674,800		
SLCC Business Building Expansion & Remodel	SLCC Business Building Expansion and Remodel	Higher Education Capital Projects Fund			\$18,063,400
Southern Utah University - Music Center Renovation	SUU Music Center Renovation	Higher Education Capital Projects Fund		\$19,500,000	
SUU Academic Classroom Building	SUU Academic Classroom Building	Capital Projects Fund	\$43,013,700		
SUU Business Building West Addition	SUU Business Building West Addition	Higher Education Capital Projects Fund			\$12,500,000
SUU Stadium Flood Repair & Prevention	SUU Stadium Flood Repair and Prevention	Higher Education Capital Projects Fund		\$9,200,000	
Tooele Technical College - Campus Building Expansion	Tooele Tech Campus Building Expansion	Technical Colleges Capital Projects Fund		\$24,749,000	
University of Utah Applied Sciences Building	UU Applied Sciences Building	Capital Projects Fund	\$60,000,000		
University of Utah School of Medicine	UU School of Medicine	Higher Education Capital Projects Fund	\$60,000,000		
UofU Computing and Engineering Building	UU Computing and Engineering Building	Higher Education Capital Projects Fund			\$108,344,200
USU Heravi Global Teaching & Learning Center	USU Heravi Global Teaching and Learning Center	Capital Projects Fund	\$14,500,000		
USU Huntsman Experiential Learning Center	USU Huntsman Experiential Learning Center	Higher Education Capital Projects Fund			\$10,000,000
USU Science Engineering Research Building Renovation	USU Science Engineering Research Building Renovation	Higher Education Capital Projects Fund			\$4,200,000
Utah State University - Monument Valley	USU Monument Valley	Federal Funds - American Rescue Plan		\$5,000,000	
Utah Tech University - General Classroom Building	UTU General Classroom Building	Higher Education Capital Projects Fund		\$56,085,000	
Utah Valley University - Engineering Building	UVU Engineering Building	Higher Education Capital Projects Fund		\$80,000,000	
Weber State David O. McKay Education Building Renovation	WSU David O McKay Education Building Renovation	Higher Education Capital Projects Fund		\$27,132,200	
WSU Engineering Technology Building Renovation	WSU Engineering Technology Building Renovation	Higher Education Capital Projects Fund			\$8,332,400
WSU Farmington Station - Infrastructure	WSU Farmington Station Infrastructure	General Fund			\$5,300,000
Grand Total			\$338,248,100	\$289,954,200	\$260,476,500

#### **Public Education**

Item Name	Program	Fund Name	FY 2023
PED Budget Stabilization to Capital Development	Capital Dev - Public Ed	Public Education Economic Stabilization Restricted Account	\$0
USDB Salt Lake High School	Schools for the Deaf and the Blind Salt Lake	Public Education Capital Development Fund	\$15,000,000
USDB St. George Campus	Schools for the Deaf and the Blind St. George	Public Education Capital Development Fund	\$15,000,000
Grand Total			\$30,000,000



## Capital Development Fund

Infrastructure and General Government Appropriations Subcommittee Staff: Rachel Boe, Amanda Kilian| 08/08/2023

#### Introduction

This brief is intended to assist the members of the Infrastructure and General Government Appropriations Subcommittee during the Accountable Budget Process. JR3-2 requires the Legislature to create a budget for a line item or a program by starting from zero and determining whether or to what extent to recommend funding be included in a budget for fiscal year 2025.

### **Background**

Capital developments include renovations or other projects costing \$3.5 million or more, new facilities costing \$500,000 or more, or real property purchases needing an appropriation for financing. In recent sessions, the Legislature has appropriated from the General Fund and Income Tax Fund directly to the Capital Development Fund and then from the fund to specific capital development projects. In some instances, these appropriations are then deposited in the Capital Projects Fund for use by the Division of Facilities Construction and Management (DFCM).

During the 2020 General Session, the Legislature passed <u>House Bill 451</u>, "Amendments Relating to Administration of State Facilities," which defines a capital development project and amends the guidelines that DFCM must follow when considering an agency or institution's proposed capital improvement project.

During the 2022 General Session, the Legislature passed <u>Senate Bill 82</u>, "State Facilities Management Amendments," which clarifies the capital development process and the Division of Facilities and Construction Management's role in reviewing and prioritizing capital development projects.

### **Enabling Authority**

63A-5b-401. Definitions.

<u>63A-5b-402.</u> Capital development process – Approval requirements.

63A-5b-406. Limitations on new projects.

### **Funding & Expenditures**

This fund has had an ongoing appropriation of \$2,077,400 since FY 2021 to be used for community correctional housing. DFCM has completed one project so far and plans to use ongoing funds to start on a second project. DFCM estimates that they will need to utilize six years of ongoing funding to complete the second project.

The Compendium of Budget Information (COBI) details Utah's state budget and related financial authorizations. The <u>Capital Development Fund</u> COBI page has detailed information on funding and expenditures.



## Capital Development Fund

### **Major Building Blocks**

During each legislative session, requests are put forth for the appropriate appropriations committee to consider. The table below reflects some of the requests for this line item since the 2019 General Session.

Sum of Amount			Fiscal Year			
Item Name	Program	Fund Name	FY 2020	FY 2021	FY 2022	Grand Total
Behavioral Health Transition Facility	Capital Development Fund	General Fund		\$11,000,000		\$11,000,000
Bridgerland Health Science and Technology Building	Capital Development Fund	Income Tax Fund		\$0	\$38,059,600	\$38,059,600
Brigham City Consolidated Public Safety Building	<b>Capital Development Fund</b>	General Fund		\$0	\$7,525,700	\$7,525,700
Capitol Hill North Building	Capital Development Fund	General Fund			\$30,000,000	\$30,000,000
		Prison Project Fund			\$110,000,000	\$110,000,000
Central Utah Court Access	Capital Development Fund	General Fund			\$2,000,000	\$2,000,000
Dixie State University Human Performance Building Cost Overru	nCapital Development Fund	Income Tax Fund	\$4,400,000			\$4,400,000
DSU Science Building	Capital Development Fund	Income Tax Fund	\$50,000,000			\$50,000,000
Funding for Capital Development	<b>Capital Development Fund</b>	General Fund		\$40,000,000		\$40,000,000
Mental Health Facility at University of Utah	Capital Development Fund	Federal Funds - Amer	ican Rescue Plan		\$90,000,000	\$90,000,000
Offender Housing	<b>Capital Development Fund</b>	General Fund		\$2,077,400		\$2,077,400
Ongoing Funding for Capital Development	<b>Capital Development Fund</b>	General Fund	(\$40,000,000)			(\$40,000,000)
		Income Tax Fund	(\$47,000,000)			(\$47,000,000)
Salt Lake Community College Herriman Campus Gen. Ed. Buildin	g Capital Development Fund	Income Tax Fund		\$30,800,600	\$32,674,800	\$63,475,400
Schools for the Deaf and Blind Springville Building Cost Overrun	(Capital Development Fund	Income Tax Fund	\$2,995,100			\$2,995,100
SLCC Herriman Campus Gen. Ed. Building	Capital Development Fund	Income Tax Fund		(\$30,800,600)		(\$30,800,600)
SUU - Technology, Engineering & Design Building	<b>Capital Development Fund</b>	Income Tax Fund	\$2,000,000			\$2,000,000
SUU Academic Classroom Building	Capital Development Fund	Income Tax Fund		\$0	\$43,013,700	\$43,013,700
University of Utah Applied Sciences Building	Capital Development Fund	Income Tax Fund		\$59,353,500	\$60,000,000	\$119,353,500
USU Heravi Global Teaching & Learning Center	Capital Development Fund	Income Tax Fund		\$0	\$14,500,000	\$14,500,000
UU Applied Sciences Building	<b>Capital Development Fund</b>	Income Tax Fund		(\$59,353,500)		(\$59,353,500)
UVU - New Business Building	Capital Development Fund	Income Tax Fund	\$50,000,000			\$50,000,000
WSU - Norda Engineering and Applied Science Building	<b>Capital Development Fund</b>	Income Tax Fund	\$50,000,000			\$50,000,000
Grand Total			\$72,395,100	\$53,077,400	\$427,773,800	\$553,246,300

#### **Recommendations**

#### We recommend:

1. Consider increasing appropriations to fully fund correctional community housing projects.



### Capital Improvements

Infrastructure and General Government Appropriations Subcommittee Staff: Rachel Boe, Amanda Kilian| 08/08/2023

#### Introduction

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### **Background**

A capital improvement is a project on an existing facility that costs less than \$3.5 million; a utility project that costs less than \$7.0 million subject to certain provisions; or new construction that costs less than \$500,000. The Legislature is required by statute to appropriate at least 1.1 percent of the current replacement value (CRV) of existing state facilities and infrastructure to capital improvements before funding the design or construction of any new capital development projects (or at least 0.9 percent of CRV in certain circumstances). The Division of Facilities Construction and Management (DFCM) must allocate at least 90 percent of the state funds appropriated for capital improvements for projects that address a structural issue, fire safety, a code violation, or any issue that impacts health and safety; or for projects that upgrade an HVAC system, an electrical system, essential equipment, an essential building component, or infrastructure. DFCM must allocate no more than 10 percent for aesthetic upgrades or additions to existing buildings.

During the 2020 General Session, the Legislature passed <u>House Bill 451</u>, "Amendments Relating to Administration of State Facilities," which changes the definition of capital improvements and amends the guidelines that the Division of Facilities and Construction Management must follow when considering an agency or institution's proposed capital improvement project. In the case of an Income Tax Fund budget deficit, this amendment also allows the Legislature to reduce the amount appropriated to capital improvements to 0.9 percent of the replacement costs of state buildings and infrastructure.

During the 2023 General Session, the Legislature passed <u>Senate Bill 168</u>, "State Agency Capital Development Fund," creating the State Agency Capital Development Fund. S.B. 168 also clarifies the legislative process for appropriating funds from the State Agency Capital Development Fund for a capital improvement project and made other changes.

### **Enabling Authority**

63A-5b-401. Definitions.

<u>63A-5b-405.</u> Capital improvement projects.

<u>63A-5b-406.</u> Limitations on new projects.

<u>63A-5b-407.</u> State Agency Capital Development Fund -- Creation -- Process.



### Capital Improvements

### **Changes in Appropriations Over Time**

In addition to appropriations for capital improvements that are allocated by the Division of Facilities Construction and Management (DFCM), the Legislature appropriated the following amounts for specified projects:

- 2017 General Session: \$1.2 million Utah State University (USU) Botanical Center;
- 2016 General Session \$4,135,000 total:
  - \$135,000 Goblin Valley State Park (fencing);
  - \$250,000 Salt Lake Community College (fencing);
  - \$1,250,000 USU Botanical Center;
  - \$1.5 million Utah Valley University Student Activity Center; and
  - \$1.0 million Weber State University Browning Center (seating).

The Legislature directed through intent language that a portion of capital improvement appropriations be used as follows:

- 2018 General Session: up to \$535,000 for project manager, cost estimator, and/or data analyst positions for DFCM;
- 2017 General Session: \$4.0 million to extend utilities to the Utah National Guard's property in Nephi;
- 2016 General Session: \$250,000 for Matheson Courthouse/Church Street fire lane improvements;
   and
- 2014 General Session: \$744,800 to construct the Utah Veterinary Diagnostic Laboratory in Nephi.

### **Intent Language**

During the 2023 General Session, the Legislature passed the following intent language (Senate Bill 2, Item 46):

The Legislature intends that the Division of Facilities Construction and Management use up to \$1.5 million from appropriations for Capital Improvements to make improvements on the Fort Douglas Military Museum.

The Legislature intends that the University of Utah use up to \$1,000,000 in this line item for parking lot safety improvements and to repair a HVAC system for the Thomas S. Monson Center Building.

### **Funding & Expenditures**

The Compendium of Budget Information (COBI) details Utah's state budget and related financial authorizations. The <u>Capital Improvements</u> line item COBI page has detailed information on funding and expenditures.



## **Capital Improvements**

### **Major Building Blocks**

During each legislative session, requests are put forth for the appropriate appropriations committee to consider. The table below reflects some of the requests for this line item since the 2021 General Session.

Sum of Amount			Fiscal Year			
Item Name	Program	Fund Name		FY 2023	FY 2024	Grand Total
Buildings 1.3% of Current Replacement Value	Capital Improvements	General Fund	\$9,359,300			\$9,359,300
		Income Tax Fund	\$10,045,300			\$10,045,300
Capital Improvement Funding - Agency	Capital Improvements	General Fund	(\$7,369,600)			(\$7,369,600)
Capital Improvement Funding - Education	Capital Improvements	Income Tax Fund	\$7,369,600			\$7,369,600
Capital Improvement Percentage of Replacement Value	Capital Improvements	General Fund		\$18,086,700	\$8,743,300	\$26,830,000
		Income Tax Fund		\$19,359,600	\$9,801,900	\$29,161,500
Capitol Hill Committee Rooms	Capital Improvements	General Fund	\$0			\$0
Thomas S. Monson Center Building	Capital Improvements	Income Tax Fund			\$1,000,000	\$1,000,000
Grand Total			\$19,404,600	\$37,446,300	\$19,545,200	\$76,396,100



## **DFCM Capital Projects Fund**

Infrastructure and General Government Appropriations Subcommittee Staff: Amanda Kilian, Rachel Boe | 08/8/2023

#### Introduction

This brief is intended to assist the members of the Infrastructure and General Government Appropriations Subcommittee during the Accountable Budget Process. JR3-2 requires the Legislature to create a budget for a line item or a program by starting from zero and determining whether or to what extent to recommend funding be included in a budget for fiscal year 2025.

### **Background**

The Division of Facilities Construction and Management (DFCM) Capital Projects Fund is used by DFCM to account for expenditures related to acquisition or construction of capital facilities. The fund does not receive direct appropriations; rather appropriations for specific projects occur in the Capital Development line items, and these appropriations are then deposited in the Capital Projects Fund.

### **Changes in Appropriations Over Time**

Projects that are funded in the DFCM Capital Projects Fund are primarily for state agencies. The Legislature funded the following state agency projects in the past two legislative sessions:

Agency/Entity	Project	2022 G.S.	2023 G.S.
Capitol Preservation Board	Capitol Hill North Building Rebuild	\$68.0m	-
Capitol Preservation Board	Capitol Plaza Replacement	-	\$25.0m
Department of Corrections	State Prison Demolition Additional Funding	-	\$15.0m
Department of Government Operations	Fleet, Surplus, & DFCM Reallocation	\$8.9m	-
Department of Health and Human Services	Developmental Center Comp. Therapy Building	\$38.6m	-
DFCM & Department of Public Safety	Block 407	-	\$30.0m
Department of Natural Resources	FFSL Lone Peak Facility Relocation	\$16.6m	-
Department of Natural Resources	Loa Fish Hatchery	-	\$56.8m
Department of Transportation	Ogden Maintenance Signals & Materials Lab	-	\$23.5m
Department of Veterans and Military Affairs	Salt Lake Veterans Nursing Home Replacement	\$25.0m	-
The Point	Convergence Hall	-	\$50.0m
Utah State Courts	Sixth District Court – Manti Courthouse	\$14.2m	-
Multiple State Agencies & Higher Ed Institutions	Construction Inflation on Previous Projects	-	\$110.0m
Total		\$171.3m	\$310.3m



### **DFCM Capital Projects Fund**

#### **Intent Language**

During the 2023 General Session, the Legislature passed the following intent language (Senate Bill 2, Item 232):

The Legislature intends that the Division of Facilities Construction and Management and the University of Utah use \$100,000,000 of funds appropriated to the University of Utah to acquire property adjacent to the University of Utah and to coordinate with the Utah National Guard and the U.S. Army Reserve to relocate the Stephen A. Douglas Armed Forces Reserve Center to land held by the State Armory Board at Camp Williams, including the design and construction of facilities to complete the relocation.

The Legislature also passed the following intent language (Senate Bill 3, Item 563):

The Legislature intends that in conjunction with the construction of the Department of Veterans Affairs West Valley Veterans Nursing Home, the Division of Facilities Construction and Management (DFCM) relocate the Department of Public Safety driving range to other state-owned property. The Legislature further intends that the Utah Department of Transportation transfer the 14.8-acre parcel which the driving range encumbers to DFCM for the West Valley Veterans Home.

The Legislature intends that the Division of Facilities Construction and Management use up to \$15,000,000 from the Capital Projects Fund for demolition of the old state prison.

### **Funding & Expenditures**

The <u>Compendium of Budget Information</u> (COBI) details Utah's state budget and related financial authorizations. The <u>DFCM Capital Projects Fund</u> COBI page has detailed information on funding and expenditures.

### **Major Building Blocks**

During each legislative session, requests are put forth for the appropriate appropriations committee to consider. The table below reflects some of the requests for this fund since the 2021 General Session.

Item Name	Program	Fund Name	FY 2022	FY 2023	FY 2024	Grand Total
Capitol Hill North Building Rebuild	<b>DFCM Capital Projects Fund</b>	General Fund		\$68,000,000		\$68,000,000
Capitol Plaza Replacement	<b>DFCM Capital Projects Fund</b>	General Fund		\$25,000,000		\$25,000,000
Construction Inflation on Previous Projects	<b>DFCM Capital Projects Fund</b>	General Fund			\$16,000,000	\$16,000,000
		Income Tax Fund			\$94,000,000	\$94,000,000
Convergence Hall	<b>DFCM Capital Projects Fund</b>	Income Tax Fund			\$50,000,000	\$50,000,000
Cox Performing Arts Center Renovation	<b>DFCM Capital Projects Fund</b>	Income Tax Fund			\$28,000,000	\$28,000,000
DFCM & DPS - Block 407	<b>DFCM Capital Projects Fund</b>	General Fund			\$30,000,000	\$30,000,000
Fleet, Surplus, and DFCM Relocation	<b>DFCM Capital Projects Fund</b>	General Fund		\$8,913,900		\$8,913,900
Forestry, Fire, and Land Lone Peak Facility Relocation	<b>DFCM Capital Projects Fund</b>	General Fund		\$16,602,600		\$16,602,600
Loa Fish Hatchery (Building Board Recommendation)	DFCM Capital Projects Fund	General Fund			\$56,843,400	\$56,843,400
Point of the Mountain	DFCM Capital Projects Fund	General Fund		\$25,000,000		\$25,000,000
Prison Construction Cost Savings	<b>DFCM Capital Projects Fund</b>	Prison Project Fund	\$25,000,000			\$25,000,000
Project Reserve Fund	<b>DFCM Capital Projects Fund</b>	General Fund	\$307,500			\$307,500
		Income Tax Fund	\$7,692,500			\$7,692,500
Salt Lake Veterans Nursing Home Replacement	<b>DFCM Capital Projects Fund</b>	General Fund		\$25,000,000		\$25,000,000
Sixth District Court - Manti Courthouse	<b>DFCM Capital Projects Fund</b>	General Fund		\$14,161,000		\$14,161,000
State Prison Demolition Additional Funding	<b>DFCM Capital Projects Fund</b>	General Fund			\$15,000,000	\$15,000,000
UDOT - Ogden Maintenance Signals & Materials Lab	DFCM Capital Projects Fund	General Fund			\$23,469,700	\$23,469,700
<b>Utah State Developmental Center Comprehensive Therapy</b>	Bud DFCM Capital Projects Fund	Income Tax Fund		\$38,589,800		\$38,589,800
Grand Total			\$33,000,000	\$221,267,300	\$313,313,100	\$567,580,400



## DFCM Prison Project Fund

Infrastructure and General Government Appropriations Subcommittee Staff: Rachel Boe, Amanda Kilian | 08/08/2023

#### Introduction

This brief is intended to assist the members of the Infrastructure and General Government Appropriations Subcommittee during the Accountable Budget Process. JR3-2 requires the Legislature to create a budget for a line item or a program by starting from zero and determining whether or to what extent to recommend funding be included in a budget for fiscal year 2025.

### **Background**

The Legislature created the Prison Development Restricted Account and the Prison Project Fund (a capital projects fund) in the 2015 General Session. The Prison Development Restricted Account is funded by appropriations and interest, and it is essentially a holding account for funds that will be used for prison construction. The Prison Project Fund is funded by appropriations and proceeds from the issuance of bonds and interest on money in the fund, and it is effectively the expenditures account for the prison project. The Legislature authorized the issuance of up to \$575.7 million in bonds for the prison project.

### **Enabling Authority**

63A-5b-1107. Development of new correctional facilities.

<u>63B-25-101.</u> General obligation bonds for prison project -- Maximum amount -- Use of proceeds.

### **Intent Language**

During the 2023 General Session, the Legislature passed the following intent language (<u>House Bill 6</u>, Item 47):

The Legislature intends that the Division of Facilities Construction and Management may transfer surplus funding from the Prison Project Fund to the Capital Projects Fund in fiscal year 2023 and fiscal year 2024 for construction of other capital development projects previously authorized by the Legislature.

### **Funding & Expenditures**

Upon the completion of the new state prison in 2022, the Fund had a surplus totaling \$142.0 million. Since the 2022 General Session, the Legislature has provided intent language allowing the Division of Facilities Construction and Management (DFCM) to transfer the surplus from the Fund to the DFCM Capital Projects Fund. DFCM transferred \$110.0 million in FY 2022 and anticipates transferring the remaining amount of \$32.0 million in FY 2024.

The Compendium of Budget Information (COBI) details Utah's state budget and related financial authorizations. The <u>DFCM Prison Project Fund</u> COBI page has detailed information on funding and expenditures.



## **DFCM Prison Project Fund**

### **Major Building Blocks**

During each legislative session, requests are put forth for the appropriate appropriations committee to consider. The table below reflects some of the requests for this line item since the 2018 General Session.

Sum of Amount			Fiscal Year			
Item Name	Program	<b>▼</b> Fund Name	FY 2019	FY 2020	FY 2021	Grand Total
Cash Payment to Minimize Prison Bonding	DFCM Prison Project Fund	General Fund		\$0		\$0
Prison Bonding	<b>DFCM Prison Project Fund</b>	General Fund			\$220,000,000	\$220,000,000
Prison Construction Cash Funding	DFCM Prison Project Fund	General Fund	\$67,000,000	\$168,000,000		\$235,000,000
Prison Project Bond Issuance	DFCM Prison Project Fund	Other Financing Sou	\$201,515,000			\$201,515,000
Grand Total			\$268,515,000	\$168,000,000	\$220,000,000	\$656,515,000

#### **Recommendations**

We recommend:

1. Consider closing the DFCM Prison Project Fund.



Infrastructure and General Government Appropriations Subcommittee Staff: Amanda Kilian, Rachel Boe | 08/8/2023

#### Introduction

This brief is intended to assist the members of the Infrastructure and General Government Appropriations Subcommittee during the Accountable Budget Process. JR3-2 requires the Legislature to create a budget for a line item or a program by starting from zero and determining whether or to what extent to recommend funding be included in a budget for fiscal year 2025.

### **Background**

The Legislature appropriates into and out of the Higher Education Capital Projects Fund (HECPF) to pay for capital development projects at the State's degree-granting institutions, and to pay debt service on general obligation bonds issued for such capital development projects. Interest earned on money in the fund accrues to the fund. The Utah Board of Higher Education (UBHE) allocates appropriations within the HECPF to each degree-granting institution and the Division of Finance maintains separate accounting for each institution's allocation. Appropriations from the fund are nonlapsing.

In the 2019 General Session, the Legislature passed <u>Senate Bill 102</u>, "Higher Education Capital Facilities," creating the Higher Education Capital Projects Fund and the Technical Colleges Capital Projects Fund. S.B. 102 also describes procedures for how institutions receive legislative approval for a capital development project and requires the Utah Board of Higher Education to establish certain measurements and procedures, and makes other amendments and technical changes.

### **Enabling Authority**

53B-22-201. Definitions.

<u>53B-22-202.</u> Higher Education Capital Projects Fund -- Use of money in fund -- Appropriations to fund -- Administration of fund.

<u>53B-22-203.</u> Fund money -- Institution allocations.

<u>53B-22-204.</u> Funding request for capital development project -- Legislative approval -- Board prioritization, approval, and review.



**Changes in Appropriations Over Time** 

Fund	2019 G.S.	2020 G.S.	2020 5 <sup>th</sup>	2021	2022 G.S.	2023 G.S.
			Special Session	G.S.		
General Fund, ongoing	\$26,000,000	-	(\$26,000,000)	-	-	-
General Fund, one- time	(\$26,000,000)	(\$13,000,000)	\$13,000,000	-	-	-
Income Tax Fund, ongoing	\$47,000,000	-	(\$47,000,000)	-	\$100,689,700	\$100,689,700
Income Tax Fund, one-time	(\$47,000,000)	(\$820,000)	\$820,000	-	\$142,709,400	\$72,801,200

The HECPF first received appropriations during the 2019 General Session in Senate Bill 102, "Higher Education Capital Facilities," that was later removed during the 2020 Fifth Special Session due to the passage of <u>Senate Bill 5001</u>, "Budget Balancing and Coronavirus Relief Appropriations Adjustments,", that reduced appropriations across state government agencies during the COVID-19 pandemic. The HECPF received ongoing appropriations again beginning in the 2022 General Session with <u>Senate Bill 6</u>, "Infrastructure and General Government Base Budget."

### **Intent Language**

The Higher Education Capital Projects Fund did not have intent language included in any appropriations bill in the 2023 General Session.

### **Funding & Expenditures**

The funding in the HECPF can be used for dedicated and non-dedicated projects. Dedicated projects are defined as a capital development project for which state funds from an institution's allocation are requested or used. Nondedicated projects are defined as a capital development project for which state funds from a source other than an institution's allocation are requested or used.

Statute allows UBHE to recommend a certain number of nondedicated projects contingent on how much ongoing funding the fund is receiving. In the 2022 and 2023 General Session, the HECPF has had an ongoing appropriation over \$100.0 million which allowed UBHE to recommend only one nondedicated project.

Per statute, UBHE is required to annually determine how to allocate among all institutions money that has not been previously allocated to an institution. This allocated funding is what institutions can use to request a dedicated project for UBHE's consideration and recommendation. UBHE must determine the amount of funding allocated based on the following factors for each institution:

- i. enrollment;
- ii. total performance across the metrics described in Section <u>53B-7-706</u>;
- iii. projected growth in student population;



- iv. existing square feet per student full-time equivalent;
- v. facility age and condition; and
- vi. utilization of academic space, including off-campus facilities.

UBHE approved the following allocations in FY 2023 and 2024:

Institution	FY 2023	FY 2024
Salt Lake City Community College	\$9,031,700	\$8,783,200
Snow College	\$8,018,200	\$7,921,200
Southern Utah University	\$12,510,000	\$11,533,600
University of Utah	\$20,171,500	\$20,251,300
Utah State University	\$14,260,500	\$13,457,700
Utah Tech University	\$11,341,000	\$11,141,800
Utah Valley University	\$15,079,000	\$16,211,200
Weber State University	\$10,277,800	\$11,389,700
Total	\$100,689,700	\$100,689,700

The Compendium of Budget Information (COBI) details Utah's state budget and related financial authorizations. The <u>Higher Education Capital Projects Fund</u> COBI page has detailed information on funding and expenditures.

### **Major Building Blocks**

During each legislative session, requests are put forth for the appropriate appropriations committee to consider. The table below reflects some of the requests for this line item since the 2022 General Session.

Item Name	Program	Fund Name	FY 2022	FY 2023	FY 2024
Higher Education Buildings Fund	<b>Higher Education Capital Projects Fund</b>	Income Tax Fund		\$100,689,700	
Southern Utah University - Music Center Renovation	<b>Higher Education Capital Projects Fund</b>	Income Tax Fund		\$6,990,000	
SUU Stadium Flood Repair & Prevention	<b>Higher Education Capital Projects Fund</b>	Income Tax Fund		\$9,200,000	
University of Utah School of Medicine	<b>Higher Education Capital Projects Fund</b>	Income Tax Fund	\$60,000,000		
<b>UofU Computing and Engineering Building</b>	<b>Higher Education Capital Projects Fund</b>	Income Tax Fund			\$72,801,200
Utah Tech University - General Classroom Building	<b>Higher Education Capital Projects Fund</b>	Income Tax Fund		\$44,744,000	
Utah Valley University - Engineering Building	<b>Higher Education Capital Projects Fund</b>	Income Tax Fund		\$64,921,000	
Weber State David O. McKay Education Building Renovation	<b>Higher Education Capital Projects Fund</b>	Income Tax Fund		\$16,854,400	
Grand Total			\$60,000,000	\$243,399,100	\$72,801,200



#### **Recommendations**

We recommend:

- 1. Codify how land banks should be prioritized and requested by USHE.
- 2. Consider using dedicated project funds allocated to institutions from the Higher Education Capital Projects Fund for land bank purchases.
- 3. Accelerate the USHE deadline for reporting updated institution allocations of Higher Education Capital Projects Fund appropriations from May 31 to February 15 each year.



## Long-term Capital Projects Fund

Infrastructure and General Government Appropriations Subcommittee Staff: Rachel Boe, Amanda Kilian| 08/08/23

#### Introduction

This brief is intended to assist the members of the Infrastructure and General Government Appropriations Subcommittee during the Accountable Budget Process. JR3-2 requires the Legislature to create a budget for a line item or a program by starting from zero and determining whether or to what extent to recommend funding be included in a budget for fiscal year 2025.

### **Background**

This fund is used by the Legislature to set aside money for long-term capital projects until such time as the Legislature chooses to appropriate the money to specific infrastructure projects.

### **Changes in Appropriations Over Time**

During the 2023 General Session, the Legislature passed <u>Senate Bill 107</u>, "Oil and Gas Severance Tax Amendments," which appropriates \$20,000,000 one-time in FY 2024 from the General Fund to the Long-Term Capital Projects Fund, and \$20,000,000 one-time in FY 2024 from the Long-Term Capital Projects Fund to the Permanent Community Impact Loan Fund.

### **Intent Language**

The Long-term Capital Projects Fund did not have intent language included in any appropriations bill in the 2023 General Session.

### **Funding & Expenditures**

The Compendium of Budget Information (COBI) details Utah's state budget and related financial authorizations. The <u>Long-term Capital Projects Fund</u> COBI page has detailed information on funding and expenditures.

### **Major Building Blocks**

During each legislative session, requests are put forth for the appropriate appropriations committee to consider. The table below reflects some of the requests for this line item since the 2021 General Session.

Item Name	Fund Name	<b>FY 2022</b>	FY 2023	<b>Grand Total</b>
Economic Development Infrastructure Rest. Acct.	General Fund	(\$40,000,000)		(\$40,000,000)
Infrastructure Development Account	General Fund	\$115,000,000		\$115,000,000
Long-term Infrastructure Investment	General Fund	(\$15,000,000)	\$100,000,000	\$85,000,000
Grand Total		\$60,000,000	\$100,000,000	\$160,000,000



## Pass-Through

Infrastructure and General Government Appropriations Subcommittee Staff: Amanda Kilian, Rachel Boe | 08/8/2023

#### Introduction

This brief is intended to assist the members of the Infrastructure and General Government Appropriations Subcommittee during the Accountable Budget Process. JR3-2 requires the Legislature to create a budget for a line item or a program by starting from zero and determining whether or to what extent to recommend funding be included in a budget for fiscal year 2025.

### **Background**

This line item was created to distinguish projects that benefit the public but that do not fall under general state government, higher education, or public education. "Pass-through" projects often tend to be small in scope compared to projects in the other three categories. Additionally, unlike projects in the other three categories, "pass-through" projects generally are not overseen by the Division of Facilities Construction and Management.

### **Enabling Authority**

63J-1-220. Reporting related to pass through money distributed by state agencies.

### **Changes in Appropriations Over Time**

The Legislature has appropriated one-time and ongoing appropriations to specific entities over time. The following entities have received one-time funding:

Entity	2015 G.S.	2016 G.S.	2018 G.S.	2019 G.S.	2021 G.S.	2022 G.S.	2023 G.S.
American Fork	-	-	\$2.7m	-	-	-	-
Department of Public Safety	\$2.5m	-	-	-	-	-	-
Grand County	-	-	-	\$1.0m	-	-	-
Historic Wendover Airfield	\$500,000	\$400,000	\$250,000	-	-	-	-
Jordan River	-	\$1.2m	-	-	-		-
Orangeville City	-	\$200,000	-	-	-	-	-
Tess Avenue School Sidewalk Project	-	\$200,000	-	-	-	-	-



## Pass-Through

Entity	2015 G.S.	2016 G.S.	2018 G.S.	2019 G.S.	2021 G.S.	2022 G.S.	2023 G.S.
Utah Olympic Legacy Foundation	\$4.0m	\$500,000	\$6.0m	\$300,000	\$8.6m	\$22.0m	\$40.0m
Wasatch Canyons Behavioral Health Hospital	-	-	-	-	-	-	\$25.0m*
Total	\$7.0m	\$2.5m	\$8.9m	\$1.3m	\$8.6m	\$22.0m	\$65.0m

<sup>\*</sup>This appropriation is from the federal American Rescue Plan Act (ARPA) Capital Project Fund.

The Utah Olympic Legacy Foundation has received ongoing General Fund since the 2017 General Session:

Entity	2017	2018	2019	2020	2021	2022	2023
	G.S.	G.S.	G.S.	G.S.	G.S.	G.S.	G.S.
Utah Olympic Legacy Foundation	\$500,000	\$3.0m	\$3.0m	\$3.0m	\$3.0m	\$3.0m	\$3.0m

### **Intent Language**

During the 2023 General Session, the Legislature passed the following intent language (<u>House Bill 6</u>, Item 19):

The Legislature intends that appropriations for Olympic Park Improvement may be used for improvements at the Utah Olympic Park, Utah Olympic Oval, or Soldier Hollow Nordic Center.

The Legislature intends that up to \$22,000,000 of appropriations provided in this item shall not lapse at the close of FY 2023.

The Legislature also passed the following intent language (Senate Bill 2, Item 47):

The Legislature intends that the appropriations by this line item from the American Rescue Plan Act Capital Projects Fund may only be expended or distributed for purposes that comply with the legal requirements and federal guidelines under the American Rescue Plan Act of 2021 Capital Projects Fund after the Grant Plan has been approved by the U.S. Department of the Treasury. Additionally, the Legislature intends that the agency administering these funds meet all compliance and reporting requirements associated with these funds, as directed by the Governor's Office of Planning and Budget.



## Pass-Through

### **Funding & Expenditures**

The Compendium of Budget Information (COBI) details Utah's state budget and related financial authorizations. The <u>Pass-Through</u> line item COBI page has detailed information on funding and expenditures.

### **Major Building Blocks**

During each legislative session, requests are put forth for the appropriate appropriations committee to consider. The table below reflects some of the requests for this line item since the 2021 General Session.

Item Name	Program	Fund Name	FY 2022	FY 2023	FY 2024
Elevating Utah's Support of Winter Sport	Olympic Park Improvement	General Fund		\$22,000,000	
Olympic Facility Improvements	<b>Olympic Park Improvement</b>	General Fund	\$8,600,000		
<b>Utah Olympic Legacy Foundation Facilities Updating</b>	<b>Olympic Park Improvement</b>	General Fund			\$40,000,000
Wasatch Canyons Behavioral Health Hospital	DFCM Pass Through	Federal Funds - American Rescue Plan - Capital Projects Fund			\$25,000,000
Grand Total			\$8,600,000	\$22,000,000	\$65,000,000

#### Recommendations

We recommend:

1. The Utah Olympic Legacy Foundation develop and report on performance measures related to the \$3.0 million ongoing appropriation they receive annually.



## **Property Acquisition**

Infrastructure and General Government Appropriations Subcommittee Staff: Amanda Kilian, Rachel Boe | 08/8/2023

#### Introduction

This brief is intended to assist the members of the Infrastructure and General Government Appropriations Subcommittee during the Accountable Budget Process. JR3-2 requires the Legislature to create a budget for a line item or a program by starting from zero and determining whether or to what extent to recommend funding be included in a budget for fiscal year 2025.

### **Background**

Property Acquisition includes appropriations to purchase real property. The Legislature uses this line item to fund acquisitions of existing real property, whereas it uses the Capital Development line item to fund the construction of buildings.

### **Enabling Authority**

63A-5b-806. Division rules on the value of property bought or exchanged -- Exception.

### **Changes in Appropriations Over Time**

Most properties purchased in recent years have been for institutions of higher education. The Utah Board of Higher Education recommends land banks for the Legislature's consideration. The Legislature has purchased land banks for the following institutions since the 2015 General Session:

Institution	2015 G.S.	2016 G.S.	2017 G.S.	2021 G.S.	2022 G.S.	2023 G.S.
Bridgerland Technical College	-	-	-	-	\$16.5m	-
Davis Technical College	-	-	-	\$1.0m	-	-
Snow College	-	\$400,000	\$555,000	-	-	\$5.9m
Tooele Technical College	-	\$525,000	-	-	-	-
Utah Tech	\$3.0 m	-	-	\$15.0m	-	\$1.3m
Weber State University	-	-	-	-	-	\$5.7m
Total	\$3.0m	\$925,000	\$555,000	\$16.0m	\$16.5m	\$12.9m

### **Intent Language**

The Property Acquisition line item did not have intent language included in any appropriations bill in the 2023 General Session.

### **Funding & Expenditures**

The Compendium of Budget Information (COBI) details Utah's state budget and related financial authorizations. The <u>Property Acquisition</u> line item COBI page has detailed information on funding and expenditures.



## **Property Acquisition**

### **Major Building Blocks**

During each legislative session, requests are put forth for the appropriate appropriations committee to consider. The table below reflects some of the requests for this line item since the 2021 General Session.

Item Name	Program	Fund Name	FY 2022	FY 2024
Bridgerland Technical College - Land Bank	Bridgerland Tech Land Bank	Income Tax Fund	\$16,500,000	
Davis Tech Land Purchase	Davis Tech Land Purchase	Income Tax Fund	\$1,000,000	
Dixie State University Land Bank	Dixie State University Land Bank	Income Tax Fund	\$15,000,000	
Snow College Land Bank - Central Valley Medical Center	Snow College Central Valley Medical Center Land Bank	Income Tax Fund		\$2,000,000
Snow College Land Bank - Jorgensen Property	Snow College Jorgensen Land Bank	Income Tax Fund		\$850,000
Snow College Land Bank - Triple D	Snow College Triple D Land Bank	Income Tax Fund		\$3,000,000
Utah Tech University 1000E Land Purchase	UTU 1000E Land Bank	Income Tax Fund		\$1,340,000
WSU Farmington Station - Land Bank	WSU Farmington Station Land Bank	Income Tax Fund		\$5,723,800
Grand Total			\$32,500,000	\$12,913,800



## SBOA Capital Projects Fund

Infrastructure and General Government Appropriations Subcommittee Staff: Amanda Kilian, Rachel Boe | 08/8/2023

#### Introduction

This brief is intended to assist the members of the Infrastructure and General Government Appropriations Subcommittee during the Accountable Budget Process. JR3-2 requires the Legislature to create a budget for a line item or a program by starting from zero and determining whether or to what extent to recommend funding be included in a budget for fiscal year 2025.

### **Background**

The State Building Ownership Authority (SBOA) Capital Projects Fund is used to account for expenditures related to the acquisition or construction of capital facilities for which the Legislature has authorized issuance of revenue bonds to finance the project.

### **Intent Language**

The SBOA Capital Projects Fund did not have intent language included in any appropriations bill in the 2023 General Session.

### **Funding & Expenditures**

The Compendium of Budget Information (COBI) details Utah's state budget and related financial authorizations. The <u>SBOA Capital Projects Fund</u> page has detailed information on funding and expenditures.



## State Agency Capital Development Fund

Infrastructure and General Government Appropriations Subcommittee Staff: Amanda Kilian, Rachel Boe | 08/8/2023

#### Introduction

This brief is intended to assist the members of the Infrastructure and General Government Appropriations Subcommittee during the Accountable Budget Process. JR3-2 requires the Legislature to create a budget for a line item or a program by starting from zero and determining whether or to what extent to recommend funding be included in a budget for fiscal year 2025.

### **Background**

In the 2023 General Session, the Legislature passed <u>Senate Bill 168</u>, "State Agency Capital Development Fund," creating and establishing the State Agency Capital Development Fund. S.B. 168 requires the Division of Facilities and Construction Management (DFCM) to present a five-year building plan to the Infrastructure and General Government Appropriations Subcommittee (IGG) and IGG must recommend appropriations from the Fund to the Legislature, requires the sale or lease of state agency buildings to be deposited to the Fund, and other technical changes.

#### **Enabling Authority**

63A-5b-407. State Agency Capital Development Fund -- Creation -- Process.

### **Changes in Appropriations Over Time**

The State Agency Capital Development Fund first received funding in the 2023 General Session in <u>Senate Bill 3</u>, "Appropriations Adjustments". In Items 564 and 565, the Legislature appropriated \$35.0 million one-time General Fund, and \$125.0 million one-time Income Tax Fund.

### **Intent Language**

During the 2023 General Session, the Legislature passed the following intent language included in <u>Senate Bill 3</u>, "Appropriations Adjustments":

The Legislature intends that the Division of Facilities Construction and Management use up to \$35,000,000 from the State Agency Capital Development Fund for the Richfield Regional Center and the Farmington Regional Center. (Item 564)

The Legislature intends that, should revenue collections for fiscal year 2023 and revised revenue projections for fiscal year 2024 be sufficient to support all existing appropriations from the General and Income Tax Funds for those years including the \$335,000,000 ongoing and \$440,000,000 one-time appropriation contained in Debt Service-G.O. Bonds-Higher Ed of this Act, the Legislative Fiscal Analyst shall, when drafting the base budget bills for the 2024 legislative General Session, rescind this appropriation from Income Tax Funds, apply those funds to qualified program base budgets freeing-up General Fund money one-time in fiscal year 2025, and replace this appropriation with a one-time appropriation of up to \$125,000,000 from the General Fund for the State Building Infrastructure Fund in fiscal year 2025. (Item 565)

The Legislature intends that the Division of Facilities Construction Management does not commit, encumber, or expend this appropriation until after the tenth day of the 2024 legislative General Session. (Item 565)



# State Agency Capital Development Fund

### **Funding & Expenditures**

The Compendium of Budget Information (COBI) details Utah's state budget and related financial authorizations. The State Agency Capital Development Fund COBI page has detailed information on funding and expenditures.



## Technical Colleges Capital Projects Fund

Infrastructure and General Government Appropriations Subcommittee Staff: Rachel Boe, Amanda Kilian| 08/08/2023

#### Introduction

This brief is intended to assist the members of the Infrastructure and General Government Appropriations Subcommittee during the Accountable Budget Process. JR3-2 requires the Legislature to create a budget for a line item or a program by starting from zero and determining whether or to what extent to recommend funding be included in a budget for fiscal year 2025.

### **Background**

The Legislature appropriates into and out of the Technical Colleges Capital Projects Fund (TCCPF) to pay for capital development projects at the State's technical colleges and to pay debt service on general obligation bonds issued for such capital development projects. Interest earned on money in the fund accrues to the fund. Appropriations from the fund are nonlapsing.

During the 2019 General Session, the Legislature passed <u>Senate Bill 102</u>, "Higher Education Capital Facilities," establishing the Technical Colleges Capital Projects Fund.

### **Enabling Authority**

53B-2a-117. Legislative approval -- Capital development projects -- Prioritization.

<u>53B-2a-118.</u> Technical Colleges Capital Projects Fund -- Use of money in fund -- Appropriations to fund -- Administration of fund.

63J-1-602.1. List of nonlapsing appropriations from accounts and funds.

### **Changes in Appropriations Over Time**

During the 2023 General Session, the Legislature passed <u>Senate Bill 2</u>, "Infrastructure and General Government Base Budget," which appropriated \$39,116,200 to the Technical Colleges Capital Projects Fund for the Mountainland Technical College Wasatch Campus Building.

During the 2022 General Session, the Legislature passed <u>House Bill 2</u>, "New Fiscal Year Supplemental Appropriations Act," which appropriated \$100,347,300 to the Technical Colleges Capital Projects Fund to commence construction of the Davis Technical College Campus Renovations, Mountainland Technical College Payson Campus Building, and the Tooele Technical College Campus Building Expansion.

### **Intent Language**

The Technical Colleges Capital Projects Fund did not have intent language included in any appropriations bill in the 2023 General Session.

### **Funding & Expenditures**

The <u>Compendium of Budget Information</u> (COBI) details Utah's state budget and related financial authorizations. The <u>Technical Colleges Capital Projects Fund</u> COBI page has detailed information on funding and expenditures.



## **Technical Colleges Capital Projects Fund**

### **Major Building Blocks**

During each legislative session, requests are put forth for the appropriate appropriations committee to consider. The table below reflects some of the requests for this line item since the 2020 General Session.

Sum of Amount		_	Fiscal Year	Y		
Item Name	* Program	Fund Name	<b>FY 2021</b>	FY 2023	FY 2024	Grand Total
Davis Technical College - Campus Renovations	Technical Colleges Capital Projects	s Income Tax Fund		\$16,366,000		\$16,366,000
Higher Education Buildings Fund	Technical Colleges Capital Projects	Income Tax Fund		\$19,310,300		\$19,310,300
Higher Education Capital Development Plan	<b>Technical Colleges Capital Projects</b>	s General Fund	(\$7,000,000	0)		(\$7,000,000)
		Income Tax Fund	\$0	)		\$0
Mountainland Technical College - Payson Campus Building	<b>Technical Colleges Capital Projects</b>	s Income Tax Fund		\$43,922,000		\$43,922,000
Mountainland Technical College Wasatch Campus Building	Technical Colleges Capital Projects	Income Tax Fund			\$39,116,200	\$39,116,200
Tooele Technical College - Campus Building Expansion	Technical Colleges Capital Projects	s Income Tax Fund		\$20,749,000		\$20,749,000
Grand Total				\$100,347,300	\$39,116,200	\$132,463,500

#### **Recommendations**

We recommend:

- 1. Codify how land banks should be prioritized and requested by USHE.
- 2. Consider using dedicated project funds from the Technical Colleges Capital Projects Fund for land bank purchases.



## **Utah State Legislature**