

Effective 5/14/2019

Renumbered 5/12/2020

63A-5-225 Development of new correctional facilities.

- (1) As used in this section:
 - (a) "Committee" means the Legislative Management Committee created in Section 36-12-6.
 - (b) "New correctional facilities" means a new prison and related facilities to be constructed to replace the state prison located in Draper.
 - (c) "Prison project" means all aspects of a project for the design and construction of new correctional facilities on the selected site, including:
 - (i) the acquisition of land, interests in land, easements, or rights-of-way;
 - (ii) site improvement; and
 - (iii) the acquisition, construction, equipping, or furnishing of facilities, structures, infrastructure, roads, parking facilities, utilities, and improvements, whether on or off the selected site, that are necessary, incidental, or convenient to the development of new correctional facilities on the selected site.
 - (d) "Selected site" means the site selected under Subsection 63C-15-203(2) as the site for new correctional facilities.
- (2) In consultation with the committee, the division shall oversee the prison project, as provided in this section.
- (3)
 - (a) In accordance with Title 63G, Chapter 6a, Utah Procurement Code, and this section, the division shall:
 - (i) enter into contracts with persons providing professional and construction services for the prison project;
 - (ii) provide reports to the committee regarding the prison project, as requested by the commission; and
 - (iii) consider input from the committee on the prison project, subject to Subsection (3)(b).
 - (b) The division may not consult with or receive input from the committee regarding:
 - (i) the evaluation of proposals from persons seeking to provide professional and construction services for the prison project; or
 - (ii) the selection of persons to provide professional and construction services for the prison project.
 - (c) A contract with a project manager or person with a comparable position on the prison project shall include a provision that requires the project manager or other person to provide reports to the committee regarding the prison project, as requested by the committee.
- (4) All contracts associated with the design or construction of new correctional facilities shall be awarded and managed by the division in accordance with Title 63G, Chapter 6a, Utah Procurement Code, and this section.
- (5) The division shall coordinate with the Department of Corrections, created in Section 64-13-2, and the State Commission on Criminal and Juvenile Justice, created in Section 63M-7-201, during the prison project to help ensure that the design and construction of new correctional facilities are conducive to and consistent with, and help to implement any reforms of or changes to, the state's corrections system and corrections programs.
- (6)
 - (a) There is created within the General Fund a restricted account known as the "Prison Development Restricted Account."
 - (b) The account created in Subsection (6)(a) is funded by legislative appropriations.
 - (c)

- (i) The account shall earn interest or other earnings.
 - (ii) The Division of Finance shall deposit interest or other earnings derived from the investment of account funds into the account.
 - (d) Upon appropriation from the Legislature, money from the account shall be used to fund the Prison Project Fund created in Subsection (7).
- (7)
- (a) There is created a capital projects fund known as the "Prison Project Fund."
 - (b) The fund consists of:
 - (i) money appropriated to the fund by the Legislature; and
 - (ii) proceeds from the issuance of bonds authorized in Section 63B-25-101 to provide funding for the prison project.
 - (c)
 - (i) The fund shall earn interest or other earnings.
 - (ii) The Division of Finance shall deposit interest or other earnings derived from the investment of fund money into the fund.
 - (d) Money in the fund shall be used by the division to fund the prison project.