

Effective 5/3/2023

Effective until 5/1/2024

63C-25-101 Definitions.

As used in this chapter:

- (1) "Authority" means the same as that term is defined in Section 63B-1-303.
- (2) "Bond" means the same as that term is defined in Section 63B-1-101.
- (3)
 - (a) "Bonding government entity" means the state or any entity that is authorized to issue bonds under any provision of state law.
 - (b) "Bonding government entity" includes:
 - (i) a bonding political subdivision; and
 - (ii) a public infrastructure district that is authorized to issue bonds either directly, or through the authority of a bonding political subdivision or other governmental entity.
- (4) "Bonding political subdivision" means:
 - (a) the Utah Inland Port Authority, created in Section 11-58-201;
 - (b) the Military Installation Development Authority, created in Section 63H-1-201;
 - (c) the Point of the Mountain State Land Authority, created in Section 11-59-201;
 - (d) the Utah Lake Authority, created in Section 11-65-201 ; or
 - (e) the State Fair Park Authority, created in Section 11-68-201.
- (5) "Commission" means the State Finance Review Commission created in Section 63C-25-201.
- (6) "Concessionaire" means a person who:
 - (a) operates, finances, maintains, or constructs a government facility under a contract with a bonding political subdivision; and
 - (b) is not a bonding government entity.
- (7) "Concessionaire contract" means a contract:
 - (a) between a bonding government entity and a concessionaire for the operation, finance, maintenance, or construction of a government facility;
 - (b) that authorizes the concessionaire to operate the government facility for a term of five years or longer, including any extension of the contract; and
 - (c) in which all or some of the annual source of payment to the concessionaire comes from state funds provided to the bonding government entity.
- (8) "Creating entity" means the same as that term is defined in Section 17D-4-102.
- (9) "Government facility" means infrastructure, improvements, or a building that:
 - (a) costs more than \$5,000,000 to construct; and
 - (b) has a useful life greater than five years.
- (10) "Large public transit district" means the same as that term is defined in Section 17B-2a-802.
- (11) "Loan entity" means the board, person, unit, or agency with legal responsibility for making a loan from a revolving loan fund.
- (12) "Obligation" means the same as that term is defined in Section 63B-1-303.
- (13) "Parameters resolution" means a resolution of a bonding government entity that sets forth for proposed bonds:
 - (a) the maximum:
 - (i) amount of bonds;
 - (ii) term; and
 - (iii) interest rate; and
 - (b) the expected security for the bonds.
- (14) "Public infrastructure district" means a public infrastructure district created under Title 17D, Chapter 4, Public Infrastructure District Act.

(15) "Revolving loan fund" means:

- (a) the Water Resources Conservation and Development Fund, created in Section 73-10-24;
- (b) the Water Resources Construction Fund, created in Section 73-10-8;
- (c) the Water Resources Cities Water Loan Fund, created in Section 73-10-22;
- (d) the Clean Fuel Conversion Funds, created in Title 19, Chapter 1, Part 4, Clean Fuels and Emission Reduction Technology Program Act;
- (e) the Water Development Security Fund and its subaccounts, created in Section 73-10c-5;
- (f) the Agriculture Resource Development Fund, created in Section 4-18-106;
- (g) the Utah Rural Rehabilitation Fund, created in Section 4-19-105;
- (h) the Permanent Community Impact Fund, created in Section 35A-8-303;
- (i) the Petroleum Storage Tank Fund, created in Section 19-6-409;
- (j) the School Building Revolving Account, created in Section 53F-9-206;
- (k) the State Infrastructure Bank Fund, created in Section 72-2-202;
- (l) the Uintah Basin Revitalization Fund, created in Section 35A-8-1602;
- (m) the Navajo Revitalization Fund, created in Section 35A-8-1704;
- (n) the Energy Efficiency Fund, created in Section 11-45-201;
- (o) the Brownfields Fund, created in Section 19-8-120;
- (p) the following enterprise revolving loan funds created in Section 63A-3-402:
 - (i) the inland port infrastructure revolving loan fund;
 - (ii) the point of the mountain infrastructure revolving loan fund; or
 - (iii) the military development infrastructure revolving loan fund; and
- (q) any other revolving loan fund created in statute where the borrower from the revolving loan fund is a public non-profit entity or political subdivision, including a fund listed in Section 63A-3-205, from which a loan entity is authorized to make a loan.

(16)

- (a) "State funds" means an appropriation by the Legislature identified as coming from the General Fund or Education Fund.
- (b) "State funds" does not include:
 - (i) a revolving loan fund; or
 - (ii) revenues received by a bonding political subdivision from:
 - (A) a tax levied by the bonding political subdivision;
 - (B) a fee assessed by the bonding political subdivision; or
 - (C) operation of the bonding political subdivision's government facility.