

Part 1 General Provisions

63E-1-101 Title.

- (1) This title is known as the "Independent Entities Code."
- (2) This chapter is known as the "Independent Entities Act."

Enacted by Chapter 201, 2001 General Session

63E-1-102 Definitions -- List of independent entities.

As used in this title:

- (1) "Authorizing statute" means the statute creating an entity as an independent entity.
- (2) "Committee" means the Retirement and Independent Entities Committee created by Section 63E-1-201.
- (3) "Independent corporation" means a corporation incorporated in accordance with Chapter 2, Independent Corporations Act.
- (4)
 - (a) "Independent entity" means an entity having a public purpose relating to the state or its citizens that is individually created by the state or is given by the state the right to exist and conduct its affairs as an:
 - (i) independent state agency; or
 - (ii) independent corporation.
 - (b) For purposes of this title, the independent entities are the:
 - (i) Utah Beef Council, created by Section 4-21-103;
 - (ii) Utah Dairy Commission created by Section 4-22-103;
 - (iii) Heber Valley Historic Railroad Authority created by Section 63H-4-102;
 - (iv) Utah Housing Corporation created by Section 63H-8-201;
 - (v) Utah State Retirement Office created by Section 49-11-201;
 - (vi) School and Institutional Trust Lands Administration created by Section 53C-1-201;
 - (vii) School and Institutional Trust Fund Office created by Section 53D-1-201;
 - (viii) Utah Communications Authority created by Section 63H-7a-201;
 - (ix) Utah Capital Investment Corporation created by Section 63N-6-301;
 - (x) Military Installation Development Authority created by Section 63H-1-201; and
 - (xi) Public Service Commission of Utah created by Section 54-1-1.
 - (c) Notwithstanding this Subsection (4), "independent entity" does not include:
 - (i) an institution within the state system of higher education;
 - (ii) a city, county, or town;
 - (iii) a local school district;
 - (iv) a special district under Title 17B, Limited Purpose Local Government Entities - Special Districts; or
 - (v) a special service district under Title 17D, Chapter 1, Special Service District Act.
- (5) "Independent state agency" means an entity that is created by the state, but is independent of the governor's direct supervisory control.
- (6) "Money held in trust" means money maintained for the benefit of:
 - (a) one or more private individuals, including public employees;
 - (b) one or more public or private entities; or
 - (c) the owners of a quasi-public corporation.

- (7) "Public corporation" means an artificial person, public in ownership, individually created by the state as a body politic and corporate for the administration of a public purpose relating to the state or its citizens.
- (8) "Quasi-public corporation" means an artificial person, private in ownership, individually created as a corporation by the state, which has accepted from the state the grant of a franchise or contract involving the performance of a public purpose relating to the state or its citizens.

Amended by Chapter 16, 2023 General Session
Amended by Chapter 431, 2023 General Session
Amended by Chapter 502, 2023 General Session

63E-1-103 Registration as a limited purpose entity.

- (1) Each independent entity shall register and maintain the independent entity's registration as a limited purpose entity, in accordance with Section 67-1a-15.
- (2) An independent entity that fails to comply with Subsection (1) or Section 67-1a-15 is subject to enforcement by the state auditor, in accordance with Section 67-3-1.

Enacted by Chapter 256, 2018 General Session