

**Effective 7/1/2021**

**Chapter 4  
Governor's Office of Planning and Budget**

**Part 1  
General Provisions**

**63J-4-101 Title.**

This chapter is known as the "Governor's Office of Planning and Budget."

Amended by Chapter 382, 2021 General Session

**63J-4-102 Definitions.**

As used in this chapter:

- (1) "Executive director" means the chief administrative officer of the office, appointed under Section 63J-4-202.
- (2) "Office" means the Governor's Office of Planning and Budget created in Section 63J-4-201.
- (3) "Planning coordinator" means the individual appointed as the planning coordinator under Section 63J-4-401.
- (4) "Political subdivision" means:
  - (a) a county, municipality, special district, special service district, school district, or interlocal entity, as defined in Section 11-13-103; or
  - (b) an administrative subunit of an entity listed in Subsection (4)(a).

Amended by Chapter 16, 2023 General Session

**Part 2  
Creation - Appointments**

**63J-4-201 Creation of Governor's Office of Planning and Budget.**

There is created within the governor's office the Governor's Office of Planning and Budget to be administered by an executive director.

Amended by Chapter 382, 2021 General Session

**63J-4-202 Appointment of executive director, state planning coordinator, and state homelessness coordinator.**

- (1)
  - (a) The governor shall appoint, to serve at the governor's pleasure:
    - (i) an executive director of the office; and
    - (ii) a state homelessness coordinator.
  - (b) The state homelessness coordinator shall serve as:
    - (i) an advisor to the governor on homelessness issues; and
    - (ii) the chief administrative officer of the Office of Homeless Services created in Section 35A-1-202.

(2) The governor shall establish the executive director's salary within the salary range fixed by the Legislature in Title 67, Chapter 22, State Officer Compensation.

Amended by Chapter 281, 2021 General Session

Amended by Chapter 382, 2021 General Session

Amended by Chapter 382, 2021 General Session, (Coordination Clause)

### **Part 3 Budget Duties**

#### **63J-4-301 Duties of the executive director and office.**

(1) The executive director and the office shall:

- (a) comply with the procedures and requirements of Title 63J, Chapter 1, Budgetary Procedures Act;
- (b) under the direct supervision of the governor, assist the governor in the preparation of the governor's budget recommendations;
- (c) review agency budget execution plans as specified in Section 63J-1-209;
- (d) establish benchmarking practices for measuring operational costs, quality of service, and effectiveness across all state agencies and programs;
- (e) assist agencies with the development of an operational plan that uses continuous improvement tools and operational metrics to increase statewide capacity and improve interagency integration;
- (f) review and assess agency budget requests and expenditures using a clear set of goals and measures;
- (g) develop and maintain enterprise portfolio and electronic information systems to select and oversee the execution of projects, ensure a return on investment, and trace and report performance metrics; and
- (h) perform other duties and responsibilities as assigned by the governor.

(2)

- (a) The executive director or the executive director's designee is the Federal Assistance Management Officer.
- (b) In acting as the Federal Assistance Management Officer, the executive director or designee shall:
  - (i) study the administration and effect of federal assistance programs in the state and advise the governor and the Legislature, through the Office of the Legislative Fiscal Analyst and the Executive Appropriations Committee, of alternative recommended methods and procedures for the administration of these programs;
  - (ii) assist in the coordination of federal assistance programs that involve or are administered by more than one state agency; and
  - (iii) analyze and advise on applications for new federal assistance programs submitted to the governor for approval as required by Chapter 5, Federal Funds Procedures Act.

Amended by Chapter 282, 2021 General Session

Amended by Chapter 382, 2021 General Session

## Part 4 Planning

### **63J-4-401 Planning coordinator appointment, functions, and duties.**

- (1)
  - (a) The executive director shall appoint a planning coordinator to perform the functions and duties stated in this section.
  - (b) The planning coordinator serves at the pleasure of and under the direction of the executive director.
- (2) The planning coordinator shall:
  - (a) act as the governor's adviser on state, regional, metropolitan, and local governmental planning matters relating to public improvements and land use;
  - (b) counsel with the authorized representatives of the Department of Transportation, the Division of Facilities Construction and Management, the Department of Health, the Department of Workforce Services, the Labor Commission, the Department of Natural Resources, the School and Institutional Trust Lands Administration, and other proper persons concerning all state planning matters;
  - (c) when designated to do so by the governor, receive funds made available to the state by the federal government;
  - (d) receive, review, and provide an internet-accessible repository of plans and studies of the various state agencies and political subdivisions relating to public improvements, housing, land use, economic development, transportation infrastructure, water infrastructure, and utility infrastructure;
  - (e) if a conflict occurs between the plans and proposals of state agencies, prepare specific recommendations for the resolution of the conflict and submit the recommendations to the governor for a decision resolving the conflict;
  - (f) if a conflict occurs between the plans and proposals of a state agency and a political subdivision or between two or more political subdivisions, advise these entities of the conflict and make specific recommendations for the resolution of the conflict;
  - (g) act as the governor's planning agent in planning public improvements and land use and, in this capacity, undertake special studies and investigations, participate in cross-jurisdictional planning activities, and, if needed, provide coordination;
  - (h) provide information and cooperate with the Legislature or any of its committees in conducting planning studies;
  - (i) cooperate and exchange information with federal agencies and local, metropolitan, or regional agencies as necessary to assist with federal, state, regional, metropolitan, and local programs;
  - (j) make recommendations to the governor that the planning coordinator considers advisable for the proper development and coordination of plans for state government and political subdivisions;
  - (k) assist in the interpretation of projections and analyses with respect to future growth needs; and
  - (l) actively participate in informing the short-term and long-term budgetary needs of the state.
- (3)
  - (a) The planning coordinator may:
    - (i) perform regional and state planning and assist state government planning agencies in performing state planning;

- (ii) provide planning assistance to Indian tribes regarding planning for Indian reservations;
- (iii) assist city, county, metropolitan, and regional planning agencies in performing local, metropolitan, and regional planning, subject to Subsection (3)(b); and
- (iv) conduct, or coordinate with stakeholders to conduct, public meetings or hearings to:
  - (A) encourage maximum public understanding of and agreement with the factual data and assumptions upon which projections and analyses are based; and
  - (B) receive suggestions as to the types of projections and analyses that are needed.
- (b) In performing the duties described in Subsection (3)(a)(iii), to the extent possible the planning coordinator and any agent or designee of the planning coordinator shall recognize and promote the plans, policies, programs, processes, and desired outcomes of the city, county, metropolitan, or regional planning agency that the planning coordinator or the planning coordinator's agent or designee is assisting.
- (4) In assisting in the preparation of plans, policies, programs, or processes related to the management or use of federal lands or natural resources on federal lands in the state, the planning coordinator shall coordinate with the Public Lands Policy Coordinating Office created in Section 63L-11-201.

Amended by Chapter 421, 2022 General Session

**63J-4-402 State housing plan.**

- (1) The office shall develop a state housing plan by December 31, 2025.
- (2)
  - (a) The office shall partner with the Legislature, municipal and county governments, the home building industry and related stakeholders, and the general public in the development of the state housing plan described in Subsection (1).
  - (b) In developing the state housing plan, the office may develop regional housing plans within the state housing plan.
- (3) The state housing plan shall:
  - (a) prioritize collaboration over preemption and collaboration across private and public sectors;
  - (b) promote a holistic and regional approach to housing;
  - (c) enable connected communities and center-based development;
  - (d) acknowledge cross-issue policy alignment;
  - (e) maintain a long-range vision;
  - (f) promote opportunity and inclusivity;
  - (g) recognize complex market forces; and
  - (h) consider rural and urban contexts.
- (4) The state housing plan shall include data and metrics:
  - (a) about actual and potential housing production;
  - (b) about actual and potential infrastructure capacity, maintenance, and development; and
  - (c) allowing the office to measure success of the state housing plan over time.
- (5) In gathering data and developing metrics, the office may analyze moderate income housing reports received by the Division of Housing and Community Development and:
  - (a) determine which, if any, of the moderate income housing strategies described in Subsections 10-9a-403(2)(b)(iii) and 17-27a-403(2)(b)(ii) are correlated with an increase in the supply of moderate income housing, either built or entitled to be built, in the political subdivision that implements the moderate income housing strategy; and
  - (b) draw conclusions regarding any data trends identified by the office as meaningful or significant.

- (6) By no later than October 1 of each year, the office shall provide a written report on the development and implementation of the state housing plan to the Political Subdivisions Interim Committee.

Enacted by Chapter 385, 2025 General Session

## **Part 8**

### **COVID-19 Local Assistance Matching Grant Program**

#### **63J-4-801 Definitions.**

As used in this part:

- (1) "American Rescue Plan Act" means the American Rescue Plan Act, Pub. L. 117-2.
- (2) "COVID-19" means:
  - (a) severe acute respiratory syndrome coronavirus 2; or
  - (b) the disease caused by severe acute respiratory syndrome coronavirus 2.
- (3) "COVID-19 emergency" means the spread of COVID-19 that the World Health Organization declared a pandemic on March 11, 2020.
- (4) "Grant program" means the COVID-19 Local Assistance Matching Grant Program established in Section 63J-4-802.
- (5) "Local government" means a county, city, town, special district, or special service district.
- (6) "Review committee" means the COVID-19 Local Assistance Matching Grant Program Review Committee established in Section 63J-4-803.

Amended by Chapter 438, 2024 General Session

#### **63J-4-802 Creation of COVID-19 Local Assistance Matching Grant Program -- Eligibility -- Duties of the office.**

- (1) There is established a grant program known as COVID-19 Local Assistance Matching Grant Program that is administered by the office.
- (2) The office shall award financial grants to local governments that meet the qualifications described in Subsection (3) to provide support for:
  - (a) projects or services that address the economic impacts of the COVID-19 emergency on housing insecurity, lack of affordable housing, or homelessness;
  - (b) costs incurred in addressing public health challenges resulting from the COVID-19 emergency;
  - (c) necessary investments in water and sewer infrastructure; or
  - (d) any other purpose authorized under the American Rescue Plan Act.
- (3) To be eligible for a grant under this part, a local government shall:
  - (a) provide matching funds in an amount determined by the office; and
  - (b) certify that the local government will spend grant funds:
    - (i) on a purpose described in Subsection (2);
    - (ii) within the time period determined by the office; and
    - (iii) in accordance with the American Rescue Plan Act.
- (4) As soon as is practicable, but on or before September 15, 2021, the office shall, with recommendations from the review committee, establish:

- (a) procedures for applying for and awarding grants under this part, using an online grants management system that:
    - (i) manages each grant throughout the duration of the grant;
    - (ii) allows for:
      - (A) online submission of grant applications; and
      - (B) auditing and reporting for a local government that receives grant funds; and
    - (iii) generates reports containing information about each grant;
  - (b) criteria for awarding grants; and
  - (c) reporting requirements for grant recipients.
- (5) Subject to appropriation, the office shall award grant funds on a competitive basis until December 31, 2024.
- (6) Before November 30 of each year, ending November 30, 2025, the office shall submit a report to the Executive Appropriations Committee that includes:
- (a) a summary of the procedures, criteria, and requirements established under Subsection (4);
  - (b) a summary of the recommendations of the review committee under Section 63J-4-803;
  - (c) the number of applications submitted under the grant program during the previous year;
  - (d) the number of grants awarded under the grant program during the previous year;
  - (e) the aggregate amount of grant funds awarded under the grant program during the previous year; and
  - (f) any other information the office considers relevant to evaluating the success of the grant program.
- (7) The office may use funds appropriated by the Legislature for the grant program to pay for administrative costs.

Amended by Chapter 88, 2023 General Session

**63J-4-803 COVID-19 Local Assistance Matching Grant Program Review Committee.**

- (1) There is created the COVID-19 Local Assistance Matching Grant Program Review Committee composed of the following five members:
- (a) one member of the Senate, appointed by the president of the Senate;
  - (b) one member of the House of Representatives, appointed by the speaker of the House of Representatives;
  - (c) one individual representing the office, appointed by the executive director;
  - (d) one individual representing the Utah Association of Counties, appointed by the Utah Association of Counties; and
  - (e) one individual representing the Utah League of Cities and Towns, appointed by the Utah League of Cities and Towns.
- (2) The review committee shall make recommendations to the office for:
- (a) the allocation of grant funds under this part; and
  - (b) the procedures, criteria, and requirements established under Subsection 63J-4-802(4).
- (3)
- (a) A member serves an indeterminate term and may be removed from the review committee by the appointing authority at any time.
  - (b) A vacancy may be filled in the same manner as an appointment under Subsection (1).
- (4)
- (a) The salary and expenses of review committee members who are legislators shall be paid in accordance with Section 36-2-2 and Legislative Joint Rules, Title 5, Legislative Compensation and Expenses.

- (b) A review committee member who is not a legislator may not receive compensation or benefits for the member's service on the review committee, but may receive per diem and reimbursement for travel expenses incurred as a review committee member at the rates established by the Division of Finance under:
  - (i) Sections 63A-3-106 and 63A-3-107; and
  - (ii) rules made by the Division of Finance pursuant to Sections 63A-3-106 and 63A-3-107.
- (5) The office shall provide any necessary staff support to the review committee.

Enacted by Chapter 4, 2021 Special Session 1