

**Effective 5/10/2016**

**63N-9-203 Rulemaking and requirements for awarding an infrastructure grant.**

- (1) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the outdoor recreation office shall make rules establishing the eligibility and reporting criteria for an entity to receive an infrastructure grant, including:
  - (a) the form and process of submitting an application to the outdoor recreation office for an infrastructure grant;
  - (b) which entities are eligible to apply for an infrastructure grant;
  - (c) specific categories of projects that are eligible for an infrastructure grant;
  - (d) the method and formula for determining grant amounts; and
  - (e) the reporting requirements of grant recipients.
- (2) In determining the award of an infrastructure grant, the outdoor recreation office may prioritize a project that will serve an underprivileged or underserved community.
- (3) An infrastructure grant may only be awarded by the executive director after consultation with the director and the board.
- (4) The following entities may not receive an infrastructure grant under this part:
  - (a) a federal government entity;
  - (b) a state agency; and
  - (c) a for-profit entity.
- (5) An infrastructure grant may only be awarded under this part:
  - (a) for a project that is accessible to the general public; and
  - (b) subject to Subsections (6) and (7), if the grant recipient agrees to provide matching funds having a value equal to or greater than the amount of the infrastructure grant.
- (6) Up to 50% of the grant recipient match described in Subsection (5)(b) may be provided through an in-kind contribution by the grant recipient, if:
  - (a) approved by the executive director after consultation with the director and the board; and
  - (b) the in-kind donation does not include real property.
- (7) An infrastructure grant may not be awarded under this part if the grant, or the grant recipient match described in Subsection (5)(b), will be used for the purchase of real property or for the purchase or transfer of a conservation easement.

Enacted by Chapter 88, 2016 General Session