



28 (iii) requires that for each year under the lease the corporation holds a state fair meeting  
29 the requirements of Subsection 9-4-1103(5)(a)(vi); and

30 (iv) provides for the renegotiation or termination of the lease if the corporation;

31 (A) no longer operates as an independent public nonprofit corporation as provided in Title  
32 9, Chapter 4, Part 11, Utah State Fair Corporation Act[-]; or

33 (B) engages in any activity inconsistent with Title 9, Chapter 4, Part 11, Utah State Fair  
34 Corporation Act.

35 (3) (a) Notwithstanding Subsection (2), the division may review and adjust the amount of  
36 any payments made by the corporation under the lease every three years beginning July 1, 2000.

37 (b) Notwithstanding Subsection (2)(a), the division may lease the state fair park to the  
38 corporation for a period beginning July 1, 1997, and ending no later than June 30, 2037, if:

39 (i) the corporation demonstrates to the satisfaction of the division that the extension of the  
40 lease period will result in significant capital improvements at the state fair park by a private entity;  
41 and

42 (ii) the division notifies the speaker of the House of Representatives and the president of  
43 the Senate of its intention to extend the lease period in accordance with this Subsection (3)(b) at  
44 least 30 calendar days before the date the division executes any agreement to extend the lease  
45 period.

46 (4) The state shall assume the responsibilities of the corporation under any contract that  
47 is in effect on the day a lease between the division and the corporation terminates if:

48 (a) the contract is for the lease or construction of a building or facility at the state park; and

49 (b) the lease between the division and the corporation is terminated in accordance with [the  
50 renegotiation provided for under] Subsection (2)(b)(iv).

51 (5) (a) Payments made by the corporation under a lease with the division shall be deposited  
52 into the Capital Project Fund.

53 (b) If in accordance with Subsection (3), the payments made by the corporation under a  
54 lease with the division are increased from the amount paid on July 1, 1997, the lease payments  
55 made by the division shall be dedicated to capital improvements at the state fair park unless, as part  
56 of the capital budget, the Legislature directs that the monies be used for other capitol  
57 improvements.

**Legislative Review Note**

**as of 2-1-99 9:00 AM**

A limited legal review of this legislation raises no obvious constitutional or statutory concerns.

**Office of Legislative Research and General Counsel**