

Senator Curtis S. Bramble proposes the following substitute bill:

ENERGY AMENDMENTS

2009 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Curtis S. Bramble

House Sponsor: _____

LONG TITLE

General Description:

This bill creates the Utah Generated Renewable Energy Electricity Network Authority as an independent state agency.

Highlighted Provisions:

This bill:

- ▶ modifies provisions related to independent entities;
- ▶ enacts the Utah Generated Renewable Energy Electricity Network Authority Act,

including:

- creating the authority as an independent state agency;
 - defining terms;
 - providing for approval of qualifying transmission projects;
 - addressing powers and duties, including rulemaking authority;
 - authorizing bonding by the authority;
 - addressing annual budgets;
 - addressing audits;
 - providing a process related to dissolution; and
 - creating a board; and
- ▶ makes technical and conforming amendments.



26 **Monies Appropriated in this Bill:**

27 None

28 **Other Special Clauses:**

29 None

30 **Utah Code Sections Affected:**

31 **AMENDS:**

32 **63E-1-102**, as last amended by Laws of Utah 2008, Chapters 360 and 382

33 **ENACTS:**

34 **63H-2-101**, Utah Code Annotated 1953

35 **63H-2-102**, Utah Code Annotated 1953

36 **63H-2-201**, Utah Code Annotated 1953

37 **63H-2-202**, Utah Code Annotated 1953

38 **63H-2-203**, Utah Code Annotated 1953

39 **63H-2-204**, Utah Code Annotated 1953

40 **63H-2-301**, Utah Code Annotated 1953

41 **63H-2-302**, Utah Code Annotated 1953

42 **63H-2-401**, Utah Code Annotated 1953

43 **63H-2-402**, Utah Code Annotated 1953

44 **63H-2-403**, Utah Code Annotated 1953

45 **63H-2-404**, Utah Code Annotated 1953

46 **63H-2-501**, Utah Code Annotated 1953

47 **63H-2-502**, Utah Code Annotated 1953

48 **63H-2-503**, Utah Code Annotated 1953

49 **63H-2-504**, Utah Code Annotated 1953



51 *Be it enacted by the Legislature of the state of Utah:*

52 Section 1. Section **63E-1-102** is amended to read:

53 **63E-1-102. Definitions.**

54 As used in this title:

55 (1) "Authorizing statute" means the statute creating an entity as an independent entity.

56 (2) "Committee" means the Retirement and Independent Entities Committee created in

57 Section 63E-1-201.

58 (3) "Independent corporation" means a corporation incorporated in accordance with
59 Chapter 2, Independent Corporations Act.

60 (4) (a) "Independent entity" means an entity having a public purpose relating to the
61 state or its citizens that is individually created by the state or is given by the state the right to
62 exist and conduct its affairs as an:

63 (i) independent state agency; or

64 (ii) independent corporation.

65 (b) "Independent entity" includes the:

66 (i) Dairy Commission created in Title 4, Chapter 22, Dairy Promotion Act;

67 (ii) Heber Valley Railroad Authority created in Title 9, Chapter 3, Part 3, Heber Valley
68 Historic Railroad Authority;

69 (iii) Utah Science Center Authority created in Title 9, Chapter 3, Part 4, Utah Science
70 Center Authority;

71 (iv) Utah Housing Corporation created in Title 9, Chapter 4, Part 9, Utah Housing
72 Corporation Act;

73 (v) Utah State Fair Corporation created in Title 9, Chapter 4, Part 11, Utah State Fair
74 Corporation Act;

75 (vi) Workers' Compensation Fund created in Title 31A, Chapter 33, Workers'
76 Compensation Fund;

77 (vii) Utah State Retirement Office created in Title 49, Chapter 11, Utah State
78 Retirement Systems Administration;

79 (viii) School and Institutional Trust Lands Administration created in Title 53C,
80 Chapter 1, Part 2, School and Institutional Trust Lands Administration;

81 (ix) Utah Communications Agency Network created in Title 63C, Chapter 7, Utah
82 Communications Agency Network Act; ~~and~~

83 (x) Utah Generated Renewable Energy Electricity Network Authority created in Title
84 63H, Chapter 2, Utah Generated Renewable Energy Electricity Network Authority Act; and

85 ~~(x)~~ (xi) Utah Capital Investment Corporation created in Title 63M, Chapter 1, Part
86 12, Utah Venture Capital Enhancement Act.

87 (c) Notwithstanding this Subsection (4), "independent entity" does not include:

- 88 (i) the Public Service Commission of Utah created in Section 54-1-1;
- 89 (ii) an institution within the state system of higher education;
- 90 (iii) a city, county, or town;
- 91 (iv) a local school district;
- 92 (v) a local district under Title 17B, Limited Purpose Local Government Entities - Local
- 93 Districts; or

- 94 (vi) a special service district under Title 17D, Chapter 1, Special Service District Act.

95 (5) "Independent state agency" means an entity that is created by the state, but is
 96 independent of the governor's direct supervisory control.

97 (6) "Monies held in trust" means monies maintained for the benefit of:

- 98 (a) one or more private individuals, including public employees;
- 99 (b) one or more public or private entities; or
- 100 (c) the owners of a quasi-public corporation.

101 (7) "Public corporation" means an artificial person, public in ownership, individually
 102 created by the state as a body politic and corporate for the administration of a public purpose
 103 relating to the state or its citizens.

104 (8) "Quasi-public corporation" means an artificial person, private in ownership,
 105 individually created as a corporation by the state which has accepted from the state the grant of
 106 a franchise or contract involving the performance of a public purpose relating to the state or its
 107 citizens.

108 Section 2. Section **63H-2-101** is enacted to read:

109 **CHAPTER 2. UTAH GENERATED RENEWABLE ENERGY ELECTRICITY**
 110 **NETWORK AUTHORITY ACT**

111 **Part 1. General Provisions**

112 **63H-2-101. Title.**

113 This chapter is known as the "Utah Generated Renewable Energy Electricity Network
 114 Authority Act."

115 Section 3. Section **63H-2-102** is enacted to read:

116 **63H-2-102. Definitions.**

117 As used in this chapter:

118 (1) "Authority" means the Utah Generated Renewable Energy Electricity Network

119 Authority created in Section 63H-2-201.

120 (2) "Authority bond" means a bond issued by the authority in accordance with Part 4,

121 Bonding.

122 (3) "Board" means the board created under Section 63H-2-202.

123 (4) "Community" means the county, city, or town in which is located a qualifying
124 transmission project financed by an authority bond.

125 (5) "Electric interlocal entity" means an interlocal entity defined in Section 11-13-103.

126 (6) "Independent state agency" is as defined in Section 63E-1-102.

127 (7) "Public entity" means:

128 (a) the United States or an agency of the United States;

129 (b) the state or an agency of the state;

130 (c) a political subdivision of the state or an agency of a political subdivision of the
131 state;

132 (d) another state or an agency of that state; or

133 (e) a political subdivision of another state or an agency of that political subdivision.

134 (8) "Qualifying transmission project" means a transmission project approved by the
135 board in accordance with Part 3, Qualifying Transmission Projects.

136 (9) "Record" means information that is:

137 (a) inscribed on a tangible medium; or

138 (b) (i) stored in an electronic or other medium; and

139 (ii) retrievable in perceivable form.

140 (10) "Related facility" means a facility related to the effective operation of a

141 transmission line although the facility is not directly a part of a transmission line, including:

142 (a) a substation; or

143 (b) an access road.

144 (11) "Renewable energy source" is as defined in Section 10-19-102.

145 (12) "Transmission project" means a project that is designed to:

146 (a) increase capacity for transmission of electric power or energy to an electric load:

147 (i) within this state; or

148 (ii) outside of the state; or

149 (b) otherwise increase the capability of an existing electric transmission line or related

150 facility to transmit electric power and energy from a renewal energy resource to an electric
151 load:

152 (i) within this state; or

153 (ii) outside of the state.

154 (14) "Wholesale electrical cooperative" is as defined in Section 54-2-1.

155 Section 4. Section **63H-2-201** is enacted to read:

156 **Part 2. Organization or Dissolution**

157 **63H-2-201. Creation of Utah Generated Renewable Energy Electricity Network**

158 **Authority.**

159 (1) There is created an independent state agency known as the "Utah Generated
160 Renewable Energy Electricity Network Authority."

161 (2) Subject to Section 63H-2-203, the authority may:

162 (a) sue and be sued;

163 (b) enter into contracts generally;

164 (c) (i) accept financial or other assistance from a public or private source for the
165 authority's activities, powers, and duties; and

166 (ii) expend monies received under Subsection (2)(c)(i) for a qualifying transmission
167 project;

168 (d) (i) for the purpose of studying a qualifying transmission project, borrow money or
169 accept financial or other assistance from:

170 (A) a public entity; or

171 (B) any other source; and

172 (ii) comply with a condition of a loan or assistance described in Subsection (2)(d)(i);

173 (e) in accordance with Part 4, Bonding, issue one or more bonds to finance a qualifying
174 transmission project;

175 (f) hire one or more employees, including:

176 (i) a contract employee; and

177 (ii) legal counsel;

178 (g) enter into a partnership agreement with a business entity related to a qualifying
179 transmission project;

180 (h) enter into an agreement with a public entity related to a qualifying transmission

181 project;
182 (i) use monies available to the authority;
183 (i) for administrative, overhead, legal, or other operating expenses of the authority; and
184 (ii) to pay the principal and interest on an authority bond;
185 (j) create one or more subsidiaries to engage in an activity that the authority may
186 engage in under this chapter;
187 (k) transact other business related to a qualifying transmission project; or
188 (l) exercise a power provided for in this chapter.
189 (3) Unless expressly provided in this chapter, the state is not liable for an obligation,
190 expense, debt, or liability of the authority.
191 Section 5. Section **63H-2-202** is enacted to read:
192 **63H-2-202. Authority board.**
193 (1) There is created a board of the authority that consists of seven members, appointed
194 by the governor, except that the governor shall appoint:
195 (a) one member from the Governor's Office of Economic Development;
196 (b) three members from a public utility or electric interlocal entity that operates electric
197 transmission facilities within the state as follows:
198 (i) one member is to be appointed from recommendations from an investor-owned
199 electric corporation that operates in this state;
200 (ii) one member is to be appointed from recommendations from a wholesale electrical
201 cooperative in the state; and
202 (iii) one member is to be appointed from recommendations from an electric interlocal
203 entity;
204 (c) one member of the School and Institutional Trust Lands Board of Trustees created
205 in Section 53C-1-202;
206 (d) one member of a business entity that produces a renewable energy source; and
207 (e) one member of the general public.
208 (2) (a) The term of a board member is four years.
209 (b) Notwithstanding Subsection (2)(a), the governor shall, at the time of appointment
210 or reappointment, adjust the length of terms to ensure that the terms of board members are
211 staggered so that approximately half of the board is appointed every two years.

212 (c) The governor may remove a member of the board for cause.

213 (d) The governor shall fill a vacancy in the board in the same manner under this section
214 as the appointment of the member whose vacancy is being filled.

215 (e) An individual appointed to fill a vacancy shall serve the remaining unexpired term
216 of the member whose vacancy the individual is filling.

217 (f) A board member shall serve until a successor is appointed and qualified.

218 (3) The governor shall appoint a member of the board to be the chair of the board,
219 except that the member appointed as chair must be the member appointed under Subsection
220 (1)(a).

221 (4) (a) Four members of the board is a quorum for conducting board business.

222 (b) A majority vote of the quorum present is required for an action to be taken by the
223 board.

224 (5) (a) The board shall meet at least quarterly on a date the board sets.

225 (b) The chair of the board or any two members of the board may call additional
226 meetings.

227 (6) (a) (i) A member who is not a government employee may not receive compensation
228 or benefits for the member's service, but may receive per diem and expenses incurred in the
229 performance of the member's official duties at the rates established by the Division of Finance
230 under Sections 63A-3-106 and 63A-3-107.

231 (ii) A member who is not a government employee may decline to receive per diem and
232 expenses for the member's service.

233 (b) (i) A state government officer or employee member who does not receive salary,
234 per diem, or expenses from the agency the member represents for the member's service may
235 receive per diem and expenses incurred in the performance of the member's official duties at
236 the rates established by the Division of Finance under Sections 63A-3-106 and 63A-3-107.

237 (ii) A state government officer or employee member may decline to receive per diem
238 and expenses for the member's service.

239 Section 6. Section **63H-2-203** is enacted to read:

240 **63H-2-203. Powers of the board and authority -- Officers.**

241 (1) (a) The authority is governed by the board.

242 (b) Only the board may exercise a power of the authority.

- 243 (2) Subject to the other provisions of this chapter, the board shall:
- 244 (a) manage and conduct the activities of the authority; and
- 245 (b) determine the policies of the authority.
- 246 (3) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the
- 247 board may make rules necessary to implement this chapter.
- 248 (4) The board may:
- 249 (a) appoint one or more officers and employees required for the performance of the
- 250 board's duties under this chapter; and
- 251 (b) fix and determine the qualifications and duties of an officer or employee described
- 252 in Subsection (4)(a).

253 Section 7. Section **63H-2-204** is enacted to read:

254 **63H-2-204. Dissolution of authority.**

- 255 (1) Subject to the other provisions of this section, the board may dissolve the authority:
- 256 (a) if the board determines that the authority can no longer comply with the
- 257 requirements of this chapter; and
- 258 (b) by a vote of at least five members of the board.
- 259 (2) The authority may not be dissolved if the authority has any of the following:
- 260 (a) an outstanding bonded indebtedness;
- 261 (b) an unpaid loan, indebtedness, or advance; or
- 262 (c) a legally binding contractual obligation with a person other than the state.
- 263 (3) Upon the dissolution of the authority:
- 264 (a) the Governor's Office of Economic Development shall publish a notice of
- 265 dissolution in a newspaper of general circulation in each county in which a qualifying
- 266 transmission project is located; and
- 267 (b) the authority shall deposit its record with the state auditor, to be retained for the
- 268 time period determined by the state auditor.
- 269 (4) The authority shall pay the expenses of dissolution and winding up the affairs of the
- 270 authority.
- 271 (5) If a dissolution under this section is part of a privatization of the authority, the
- 272 dissolution is subject to Title 63E, Chapter 1, Part 4, Privatization of Independent Entities.

273 Section 8. Section **63H-2-301** is enacted to read:

274 **Part 3. Qualifying Transmission Projects**

275 **63H-2-301. Prioritization of transmission projects.**

276 (1) The board shall review the location and availability of renewable energy sources
277 servicing electric loads in the state.

278 (2) The board shall:

279 (a) determine if there is adequate transmission infrastructure and capacity to bring
280 renewable energy sources to market;

281 (b) prioritize transmission projects on the basis of:

282 (i) location;

283 (ii) supporting potential renewable energy source development;

284 (iii) feasibility of development; and

285 (iv) economic development factors; and

286 (c) provide available funding to develop energy resource plans to provide for
287 connecting to transmission lines a renewable energy source, including development of an
288 integrated resource plan.

289 Section 9. Section **63H-2-302** is enacted to read:

290 **63H-2-302. Approval of qualifying transmission project.**

291 (1) To approve a qualifying transmission project, the board shall determine that the
292 transmission project:

293 (a) contributes to the economy of the state and the one or more communities where the
294 transmission project is located;

295 (b) is strategically situated to maximize connections to a renewable energy source
296 project located in the state that is:

297 (i) existing;

298 (ii) under construction;

299 (iii) planned; or

300 (iv) foreseeable;

301 (c) is supported by a business case for providing the revenue necessary to:

302 (i) service an authority bond issued to finance the transmission project; and

303 (ii) finance the construction and operation of a transmission project;

304 (d) is supported by a transmission project plan related to:

- 305 (i) engineering;
- 306 (ii) environmental issues;
- 307 (iii) energy production;
- 308 (iv) load capacity; and
- 309 (v) any other issue related to the building and operation of a transmission line; and
- 310 (e) complies with the regulations of the following regarding the building of a

311 transmission line or connection:

- 312 (i) the Federal Energy Regulatory Commission;
- 313 (ii) the North American Electric Reliability Council; and
- 314 (iii) the Public Service Commission of Utah.

315 (2) This chapter may not be used to compel interconnection to or use of a transmission
316 or interconnection line or facility that belongs to another person.

317 Section 10. Section **63H-2-401** is enacted to read:

318 **Part 4. Bonding**

319 **63H-2-401. Resolution authorizing issuance of authority bond -- Characteristics**
320 **of bond.**

321 (1) (a) The authority may issue a bond subject to the requirements of this part to
322 finance, in whole or in part, a qualifying transmission project.

323 (b) The authority may not issue a bond under this part unless before the issuance of the
324 bond, the board adopts a resolution authorizing the issuance of the bond.

325 (2) (a) If provided in a resolution authorizing the issuance of an authority bond or in
326 the trust indenture under which the authority bond is issued, an authority bond may be:

327 (i) issued in one or more series; and

328 (ii) sold:

329 (A) at a public or private sale; and

330 (B) in the manner provided in the resolution or indenture.

331 (b) An authority bond shall:

332 (i) bear the date provided in the resolution authorizing the issuance of the authority
333 bond or the trust indenture under which the authority bond is issued;

334 (ii) be payable at the time provided in the resolution authorizing the issuance of the
335 authority bond or the trust indenture under which the authority bond is issued;

336 (iii) bear interest at the rate provided in the resolution authorizing the issuance of the
337 authority bond or the trust indenture under which the authority bond is issued;

338 (iv) be in the denomination and in the form provided in the resolution authorizing the
339 issuance of the authority bond or the trust indenture under which the authority bond is issued;

340 (v) carry the conversion or registration privileges provided in the resolution authorizing
341 the issuance of the authority bond or the trust indenture under which the authority bond is
342 issued;

343 (vi) have the rank or priority as provided in the resolution authorizing the issuance of
344 the authority bond or the trust indenture under which the authority bond is issued;

345 (vii) be executed in the manner as provided in the resolution authorizing the issuance
346 of the authority bond or the trust indenture under which the authority bond is issued;

347 (viii) be subject to the terms of redemption or tender, with or without premium, as
348 provided in the resolution authorizing the issuance of the authority bond or the trust indenture
349 under which the authority bond is issued;

350 (ix) be payable in the medium of payment and at the place as provided in the resolution
351 authorizing the issuance of the authority bond or the trust indenture under which the authority
352 bond is issued; and

353 (x) have other characteristics as provided in the resolution authorizing the issuance of
354 the authority bond or the trust indenture under which the authority bond is issued.

355 Section 11. Section **63H-2-402** is enacted to read:

356 **63H-2-402. Sources from which an authority bond may be made payable --**
357 **Authority powers regarding authority bond.**

358 (1) The principal and interest on an authority bond may be made payable from:

359 (a) the income and revenues related to a qualifying transmission project financed with
360 the proceeds of the authority bond;

361 (b) the income and revenues from a public or private source under Subsection
362 63H-2-201(2)(c);

363 (c) a contribution, loan, grant, or other financial assistance from a public entity or other
364 source under Subsection 63H-2-201(2)(d);

365 (d) authority revenues generally; or

366 (e) monies derived from a combination of the methods listed in Subsections (1)(a)

367 through (d).

368 (2) In connection with the issuance of an authority bond, the authority may:

369 (a) pledge all or any part of the authority's gross or net revenues to which the authority:

370 (i) has a right that exists at issuance of the authority bond; or

371 (ii) may have a right that comes into existence after issuance of the authority bond; and

372 (b) even if a covenant or action is not specifically enumerated in this chapter, make a

373 covenant or take an action that:

374 (i) may be necessary, convenient, or desirable to secure the authority bond; or

375 (ii) except as otherwise provided in this chapter, will tend to make the authority bond

376 more marketable.

377 (3) A member of the board or other person executing an authority bond is not liable

378 personally on the authority bond.

379 (4) (a) An authority bond:

380 (i) is not a general obligation or liability of the state or any of the state's political

381 subdivisions; and

382 (ii) does not constitute a charge against the general credit or taxing powers of the state

383 or any of the state's political subdivisions.

384 (b) An authority bond is not payable out of monies or properties other than those of the

385 authority.

386 (c) A community, the state, or a political subdivision of the state may not be liable on

387 an authority bond.

388 (d) An authority bond does not constitute indebtedness within the meaning of a

389 constitutional or statutory debt limitation.

390 (5) An authority bond is fully negotiable.

391 (6) An authority bond is:

392 (a) issued for an essential public and governmental purpose; and

393 (b) together with interest on the authority bond and income from the authority bond,

394 exempt from state taxes except the corporate franchise tax.

395 (7) Nothing in this section may be construed to limit the right of an obligee to pursue a

396 remedy for the enforcement of a pledge or lien given under this part by the authority on the

397 authority's rents, fees, grants, properties, or revenues.

398 Section 12. Section **63H-2-403** is enacted to read:

399 **63H-2-403. Purchaser of an authority bond.**

400 (1) The following may purchase an authority bond with funds owned or controlled by
401 the purchaser:

402 (a) a person;

403 (b) a political subdivision of the state;

404 (c) another entity; or

405 (d) a public or private officer.

406 (2) Nothing in this section or Section 63H-2-402 may be construed to relieve a
407 purchaser of an authority bond of a duty to exercise reasonable care in selecting securities.

408 (3) The authority may purchase its own authority bond at a price that the board
409 determines.

410 Section 13. Section **63H-2-404** is enacted to read:

411 **63H-2-404. Obligee rights -- Board may confer other rights.**

412 (1) In addition to a right that is conferred on an obligee of an authority bond under this
413 chapter and subject to contractual restrictions binding on the obligee, an obligee may:

414 (a) by mandamus, suit, action, or other proceeding:

415 (i) compel the authority and its board, officers, agents, or employees to perform every
416 term, provision, and covenant contained in a contract of the authority with or for the benefit of
417 the obligee; and

418 (ii) require the authority to carry out the covenants and agreements of the authority and
419 to fulfill the duties imposed on the authority by this part; and

420 (b) by suit, action, or proceeding in equity, enjoin an act or things that may be unlawful
421 or violate the rights of the obligee.

422 (2) (a) In a resolution authorizing the issuance of an authority bond or in a trust
423 indenture, mortgage, lease, or other contract, the board may confer upon an obligee holding or
424 representing a specified amount in an authority bond, a right described in Subsection (2)(b):

425 (i) to accrue upon the happening of an event or default prescribed in the resolution,
426 indenture, mortgage, lease, or other contract; and

427 (ii) to be exercised by suit, action, or proceeding in a court of competent jurisdiction.

428 (b) (i) A right that the board may confer under Subsection (2)(a) is a right to:

- 429 (A) cause possession of all or part of a qualifying transmission project to be
- 430 surrendered to an obligee;
- 431 (B) obtain the appointment of a receiver of all or part of:
- 432 (I) a qualifying transmission project; and
- 433 (II) the rents and profits from a qualifying transmission project; and
- 434 (C) require the authority, its board, and its employees to account as if the authority,
- 435 board, and employees were the trustees of an express trust.
- 436 (ii) If a receiver is appointed through the exercise of a right granted under Subsection
- 437 (2)(b)(i)(B), the receiver:
- 438 (A) may:
- 439 (I) enter and take possession of a qualifying transmission project or any part of the
- 440 qualifying transmission project;
- 441 (II) operate and maintain the qualifying transmission project; and
- 442 (III) collect and receive the fees, rents, revenues, or other charges arising from the
- 443 qualifying transmission project after the receiver's appointment; and
- 444 (B) shall:
- 445 (I) keep money collected as receiver for the authority in one or more separate accounts;
- 446 and
- 447 (II) apply the monies collected as receiver pursuant to the authority obligations as the
- 448 court directs.

449 Section 14. Section **63H-2-501** is enacted to read:

450 **Part 5. General Operational Requirements**

451 **63H-2-501. Fiscal year.**

452 The authority's fiscal year is the period:

- 453 (1) beginning on July 1; and
- 454 (2) ending on June 30 of the following calendar year.

455 Section 15. Section **63H-2-502** is enacted to read:

456 **63H-2-502. Annual authority budget -- Auditor forms -- Requirement to file form.**

457 (1) (a) The authority shall prepare an annual budget of revenues and expenditures for

458 the authority for each fiscal year.

459 (b) Before June 22 of each year and subject to the other provisions of this section, the

460 board shall adopt an annual budget of revenues and expenditures of the authority for the
461 immediately following fiscal year.

462 (2) (a) Before adopting an annual budget, the board shall hold a public hearing on the
463 annual budget.

464 (b) Before holding the public hearing required by this Subsection (2), the board shall
465 post notice of the public hearing on the Utah Public Notice Website created under Section
466 63F-1-701 no less than 14 days before the day on which the public hearing is to be held.

467 (3) The state auditor shall prescribe the budget forms and the categories to be contained
468 in each annual budget of the authority, including:

469 (a) revenues and expenditures for the budget year;

470 (b) the outstanding bonds and related expenses;

471 (c) legal fees; and

472 (d) administrative costs, including:

473 (i) rent;

474 (ii) supplies;

475 (iii) other materials; and

476 (iv) salaries of authority personnel.

477 (4) Within 30 days after adopting an annual budget, the board shall file a copy of the
478 annual budget with:

479 (a) the State Tax Commission; and

480 (b) the state auditor.

481 (5) (a) Subject to Subsection (5)(b), the board may by resolution amend an annual
482 budget of the authority.

483 (b) The board may make an amendment of an annual budget that would increase total
484 expenditures of the authority only after:

485 (i) holding a public hearing; and

486 (ii) before holding the public hearing required by this Subsection (5)(b), posting notice
487 of the public hearing on the Utah Public Notice Website created under Section 63F-1-701 no
488 less than 14 days before the day on which the public hearing is to be held.

489 (6) The authority may not make expenditures in excess of the total expenditures
490 established in the annual budget as it is adopted or amended.

491 Section 16. Section **63H-2-503** is enacted to read:

492 **63H-2-503. Audits.**

493 The authority shall comply with the audit requirements of Title 51, Chapter 2a,
494 Accounting Reports from Political Subdivisions, Interlocal Organizations, and Other Local
495 Entities Act.

496 Section 17. Section **63H-2-504** is enacted to read:

497 **63H-2-504. Relation to other state statutes.**

498 (1) The authority is subject to review by the Retirement and Independent Entities
499 Committee in accordance with Title 63E, Chapter 1, Independent Entities Act.

500 (2) The authority is subject to:

- 501 (a) Title 51, Chapter 5, Funds Consolidation Act;
- 502 (b) Title 51, Chapter 7, State Money Management Act;
- 503 (c) Title 52, Chapter 4, Open and Public Meetings Act;
- 504 (d) Title 63A, Utah Administrative Services Code;
- 505 (e) Title 63G, Chapter 2, Government Records Access and Management Act;
- 506 (f) Title 63G, Chapter 3, Utah Administrative Rulemaking Act;
- 507 (g) Title 63G, Chapter 4, Administrative Procedures Act;
- 508 (h) Title 63G, Chapter 6, Utah Procurement Code;
- 509 (i) Title 63J, Chapter 1, Budgetary Procedures Act;
- 510 (j) Title 63J, Chapter 2, Revenue Procedures and Control Act; and
- 511 (k) Title 67, Chapter 19, Utah State Personnel Management Act.