



30 -- Limits on debt or obligations.

31 (1) As used in this section:

32 (a) "Corporation" means the Utah State Fair Corporation created in Section 9-4-1103.

33 (b) "Division" means the Division of Facilities Construction and Management.

34 (c) "State fair park" means the property and buildings owned by the state located at  
35 155 North 1000 West, Salt Lake City, Utah.

36 (2) The division ~~shall~~:

37 (a) may lease the state fair park to the corporation for a period [~~beginning July 1,~~  
38 ~~1997, and ending June 30, 2017, at which time the lease may be renewed~~] not to exceed 50  
39 years:

40 [~~(i) at the discretion of the division; and]~~

41 [~~(ii) for any time period negotiated with the corporation;]~~

42 (i) subject to the corporation satisfying the requirements of Subsection (5)(b)(i); and

43 (ii) except that on June 30, 2017, that portion of the state fair park known as the White  
44 Ball Field located on the south side of North Temple Street shall revert to the division and not  
45 be a part of any continuing lease agreement between the division and the corporation, unless  
46 otherwise agreed upon by the division and the corporation prior to June 30, 2017;

47 (b) shall ensure that [~~the~~] any lease entered into under Subsection (2)(a):

48 (i) defines which party is responsible for repairs and maintenance to the grounds and  
49 buildings;

50 (ii) defines any restrictions on the use of the property or buildings, including the  
51 construction of any new buildings or facilities at the state fair park;

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

54 (iv) provides for the renegotiation or termination of the lease if the corporation:

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

57 (B) engages in any activity inconsistent with Title 9, Chapter 4, Part 11, Utah State

58 Fair Corporation Act; ~~and~~

59 (c) may:

60 (i) require that any lease entered into under Subsection (2)(a) grants the division the  
61 right to unilaterally terminate the lease at its discretion; and

62 (ii) provide a process to determine compensation, if any, the division shall pay the  
63 corporation for termination of the lease under Subsection (2)(c)(i); and

64 ~~(c)~~ (d) if the lease described in Subsection (2)(a) is amended or renewed after the  
65 effective date of this act and except as provided in Subsection (3), ~~requires~~ shall require the  
66 corporation under the lease to:

67 (i) obtain the approval of the State Building Board before demolishing a facility at the  
68 state fair park; and

69 (ii) include the approval requirement described in Subsection (2)~~(c)~~(d)(i) in any  
70 sublease entered into, renewed, or amended after the effective date of this act.

71 (3) (a) The approval required under Subsection (2)~~(c)~~(d) does not apply to a facility  
72 demolished in accordance with a contract entered into but not amended before the effective  
73 date of this act.

74 (b) Notwithstanding Subsection (3)(a), before a facility described in Subsection (3)(a)  
75 is demolished, the corporation shall notify the division concerning any demolishing of the  
76 facility.

77 (4) The State Building Board shall notify the state historic preservation office of any  
78 State Building Board meeting at which consideration will be given to a proposal to demolish  
79 facilities at the state fair park.

80 (5) (a) Notwithstanding Subsection (2), the division may review and adjust the amount  
81 of any payments made by the corporation under the lease every three years beginning July 1,  
82 2000.

83 (b) (i) ~~[Beginning July 1, 2004, and notwithstanding Subsection (2)(a), the]~~ The  
84 division may lease the state fair park to the corporation for a period [of up to] not to exceed 50  
85 years, if the corporation demonstrates to the satisfaction of the division that the [extension of

86 ~~the~~ lease period will result in significant capital improvements at the state fair park by a  
87 private or public entity.

88 (ii) The corporation may enter into a sublease of up to 50 years, subject to satisfying  
89 the requirements of Subsections (2)~~(e)~~(d)(i) and (5)(b)(i).

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

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

94 (b) the lease between the division and the corporation is terminated in accordance with  
95 Subsection (2)(b)(iv).

96 (7) (a) Payments made by the corporation under a lease with the division shall be  
97 deposited into the Capital Project Fund.

98 (b) If, in accordance with Subsection ~~[(3)]~~ (5), the payments made by the corporation  
99 under a lease with the division are increased from the amount paid on July 1, 1997, the lease  
100 payments made by the division shall be dedicated to capital improvements at the state fair  
101 park unless, as part of the capital budget, the Legislature directs that the monies be used for  
102 other capital improvements.

103 (8) (a) A debt or obligation contracted by the corporation is a debt or obligation of the  
104 corporation.

105 (b) The state is not liable for and assumes no legal or moral responsibility for any debt  
106 or obligation described in Subsection (8)(a), unless the Legislature through statute or an  
107 appropriation act specifically:

108 (i) authorizes the corporation to contract for that debt or obligation; and

109 (ii) accepts liability for or assumes responsibility for the debt or obligation.

110 **Section 2. Effective date.**

111 This bill takes effect on July 1, 2010.