

INDUSTRIAL ASSISTANCE FUND AMENDMENTS

2011 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Curtis S. Bramble

House Sponsor: Todd E. Kiser

LONG TITLE

General Description:

This bill modifies a provision relating to the industrial assistance fund.

Highlighted Provisions:

This bill:

▶ includes a specified sports development organization with entities that may qualify for money from the Industrial Assistance Account.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

63M-1-909, as last amended by Laws of Utah 2010, Chapters 245 and 278

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

Section 1. Section **63M-1-909** is amended to read:

63M-1-909. Financial assistance to entities offering economic opportunities.

(1) Subject to the duties and powers of the board under Section 63M-1-303, the administrator may provide money from the Industrial Assistance Account to an entity offering an economic opportunity if that entity:



- 28 (a) applies to the administrator; and
- 29 (b) meets the qualifications of Subsection (2).
- 30 (2) The applicant shall:
 - 31 (a) demonstrate to the satisfaction of the administrator the nature of the economic
 - 32 opportunity and the related benefit to the economic well-being of the state by providing
 - 33 evidence documenting the logical and compelling linkage, either direct or indirect, between the
 - 34 expenditure of money necessitated by the economic opportunity and the likelihood that the
 - 35 state's tax base, regions of the state's tax base, or specific components of the state's tax base
 - 36 will not be reduced but will be maintained or enlarged;
 - 37 (b) demonstrate how the funding request will act in concert with other state, federal, or
 - 38 local agencies to achieve the economic benefit;
 - 39 (c) demonstrate how the funding request will act in concert with free market principles;
 - 40 (d) in the case of an economic opportunity that includes the retention of jobs,
 - 41 demonstrate how the potential relocation of jobs outside the state is related to a merger,
 - 42 acquisition, consolidation, or similar business reason other than the applicant simply requesting
 - 43 state assistance to remain in the state;
 - 44 (e) satisfy other criteria the administrator considers appropriate; and
 - 45 (f) be either:
 - 46 (i) an entity whose purpose is to exclusively or substantially promote, develop, or
 - 47 maintain the economic welfare and prosperity of the state as a whole, regions of the state, or
 - 48 specific components of the state, including an entity that is a sports development organization
 - 49 under contract with the state for sports development and sporting event attraction and related
 - 50 activities that provide an economic impact or promotional value to the state; or
 - 51 (ii) a company or individual that does not otherwise qualify under Section 63M-1-906.
 - 52 (3) Subject to the duties and powers of the board under Section 63M-1-303, the
 - 53 administrator shall:
 - 54 (a) make findings as to whether an applicant has satisfied each of the conditions set
 - 55 forth in Subsection (2);
 - 56 (b) establish benchmarks and timeframes in which progress toward the completion of
 - 57 the agreed upon activity is to occur;
 - 58 (c) monitor compliance by an applicant with any contract or agreement entered into by

59 the applicant and the state as provided by Section 63M-1-907; and

60 (d) make funding decisions based upon appropriate findings and compliance.

Legislative Review Note

as of 2-21-11 6:25 AM

Office of Legislative Research and General Counsel

FISCAL NOTE

S.B. 285

SHORT TITLE: **Industrial Assistance Fund Amendments**

SPONSOR: **Bramble, C.**

2011 GENERAL SESSION, STATE OF UTAH

STATE GOVERNMENT (UCA 36-12-13(2)(b))

Enactment of this bill would have no net fiscal impact. There could be a shift among the entities funded within existing allocations.

LOCAL GOVERNMENTS (UCA 36-12-13(2)(c))

Enactment of this bill likely will not result in direct, measurable costs for local governments.

DIRECT EXPENDITURES BY UTAH RESIDENTS AND BUSINESSES (UCA 36-12-13(2)(d))

Enactment of this bill likely will not result in direct, measurable expenditures by Utah residents or businesses.