

400 increase in state funding.

401 (7) (a) Except as provided in Subsection (7)(b), the Legislature may not fund the design  
402 or construction of any new capital development projects, except to complete the funding of  
403 projects for which partial funding has been previously provided, until the Legislature has  
404 appropriated 1.1% of the replacement cost of existing state facilities and infrastructure to  
405 capital improvements.

406 [~~(b) (i) As used in this Subsection (7)(b):~~]

407 [~~(A) "Education Fund budget deficit" is as defined in Section 63J-1-312; and]~~

408 [~~(B) "General Fund budget deficit" is as defined in Section 63J-1-312.~~]

409 [(ii)] (b) If the Legislature determines that there exists an Education Fund budget  
410 deficit or a General Fund budget deficit ~~[exists]~~ as those terms are defined in Section  
411 63J-1-312, the Legislature may, in eliminating the deficit, reduce the amount appropriated to  
412 capital improvements to 0.9% of the replacement cost of state buildings and infrastructure.

413 [~~(8) It is the policy of the Legislature that a new building or facility be approved and~~  
414 ~~funded for construction in a single budget action, therefore the]~~

415 (8) (a) The Legislature may not fund the [~~programming;~~] design[;] and construction of  
416 a new ~~Ĥ→~~ **Ĥ→ [building or]** ~~←Ĥ~~ facility in phases over more than one year unless the Legislature  
416a ~~Ĥ→~~ **Ĥ→ [has**  
417 **approved each phase of the funding for the construction of the new building or facility by]** ~~←Ĥ~~ [the  
418 affirmative] **Ĥ→ approves the funding for both the design and construction by** ~~←Ĥ~~ a vote of  
418a two-thirds of all the members elected to each house.

419 ~~Ĥ→ [(b) This Subsection (8) does not apply to an appropriation to fund a new building or~~  
420 ~~facility's programming.]~~

420a **(b) An agency is required to receive approval from the board before the agency begins**  
420b **programming for a new facility that requires legislative approval under Subsection (3).**

420c **(c) The board or an agency may fund the programming of a new facility before the**  
420d **Legislature makes an appropriation for the new facility under Subsection (8)(a).** ~~←Ĥ~~

421 (9) (a) [~~If, after approval of]~~ Notwithstanding the requirements of Title 63J, Chapter 1,  
422 Budgetary Procedures Act, after the Legislatures approves capital development and capital  
423 improvement priorities [by the Legislature] under this section, [emergencies arise that create  
424 unforeseen critical capital improvement projects, the State Building Board may;  
425 notwithstanding the requirements of Title 63J, Chapter 1, Budgetary Procedures Act,] if an  
426 emergency arises that creates an unforeseen and critical need for a capital improvement project,  
427 the board may reallocate capital improvement funds to address [those projects] the project.