

462 (ii) between them the same priority for vacant division-owned property.

463 (2) If the division receives multiple timely qualified proposals from applicants with the
464 highest and same priority, the division shall:

465 (a) notify the board of:

466 (i) the availability of the vacant division-owned property; and

467 (ii) the applicants with the highest and same priority that have submitted qualified
468 proposals; and

469 (b) provide the board with a copy of the timely qualified proposals submitted by the
470 applicants with the highest and same priority.

471 (3) Within 30 days after being notified under Subsection (2), the board shall:

472 (a) determine which applicant's qualified proposal is most likely to result in the highest
473 and best public benefit; and

474 (b) notify the division of the board's decision under Subsection (3)(a).

475 (4) The division shall convey the vacant division-owned property to:

476 (a) the applicant with the highest priority under Subsection (1), if the division receives
477 a timely qualified proposal from a single applicant with the highest priority; or

478 (b) the applicant whose qualified proposal was determined by the board under
479 Subsection (3) to be most likely to result in the highest and best public benefit, if the division
480 receives multiple timely qualified proposals from applicants with the highest and same priority.

480a **H→ (5) If the division leases vacant division-owned property to a private party, the division**
480b **shall, within 30 days after a lease agreement is executed, provide written notice of the lease to:**

480c **(a) the municipality in which the vacant division-owned property is located, if the**
480d **vacant division-owned property is within a municipality; or**

480e **(b) the county in whose unincorporated area the vacant division-owned property is**
480f **located, if the vacant division-owned property is not located within a municipality.** ←H

481 Section 12. Section **63A-5a-205** is enacted to read:

482 **63A-5a-205. Referring vacant division-owned property to the Department of**
483 **Transportation for auction.**

484 (1) The division may refer vacant division-owned property to the Department of
485 Transportation for a public auction if:

486 (a) (i) the division has provided notice under Section 63A-5a-202 with respect to the
487 vacant division-owned property; and

488 (ii) the division receives no qualified proposals in response to the notice under Section
489 63A-5a-202;

490 (b) the director determines that:

491 (i) there is no reasonable likelihood that within the foreseeable future:

492 (A) a primary state agency will use or occupy the vacant division-owned property; or