

1 **CHILDREN'S OUTDOOR RECREATION PROGRAM**

2 2019 GENERAL SESSION

3 STATE OF UTAH

4 **Chief Sponsor: Lincoln Fillmore**

5 House Sponsor: Mike Winder

6

7 **LONG TITLE**

8 **General Description:**

9 This bill creates a grant program in the Governor's Office of Economic Development.

10 **Highlighted Provisions:**

11 This bill:

- 12 ▶ defines terms;
- 13 ▶ creates the Utah Children's Outdoor Recreation and Education Grant Program in
- 14 GOED;
- 15 ▶ describes the requirements and purposes of the grant program; and
- 16 ▶ makes technical and conforming changes.

17 **Money Appropriated in this Bill:**

18 This bill appropriates in fiscal year 2020:

- 19 ▶ to the Governor's Office of Economic Development -- Utah Office of Outdoor
- 20 Recreation -- Utah Children's Outdoor Recreation and Education Grant, as a
- 21 one-time appropriation:
- 22 • from the General Fund, One-time, \$100,000.

23 **Other Special Clauses:**

24 None

25 **Utah Code Sections Affected:**

26 AMENDS:

27 **63N-9-102**, as last amended by Laws of Utah 2017, Chapter 166



28 **63N-9-106**, as last amended by Laws of Utah 2016, Chapter 88

29 ENACTS:

30 **63N-9-301**, Utah Code Annotated 1953

31 **63N-9-302**, Utah Code Annotated 1953

32 **63N-9-303**, Utah Code Annotated 1953

33 **63N-9-304**, Utah Code Annotated 1953

34

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

36 Section 1. Section **63N-9-102** is amended to read:

37 **63N-9-102. Definitions.**

38 As used in this chapter:

39 (1) "Accessible to the general public," in relation to the awarding of an infrastructure
40 grant, means:

41 (a) the public may use the infrastructure in accordance with federal and state
42 regulations; and

43 (b) no community or group retains exclusive rights to access the infrastructure.

44 (2) "Children," in relation to the awarding of a UCORE grant, means individuals who
45 are six years of age or older, and 18 years of age or younger.

46 [~~2~~] (3) "Director" means the director of the outdoor recreation office.

47 [~~3~~] (4) "Executive director" means the executive director of GOED.

48 [~~4~~] (5) "Infrastructure grant" means an outdoor recreational infrastructure grant
49 described in Section **63N-9-202**.

50 [~~5~~] (6) "Outdoor recreation office" means the Utah Office of Outdoor Recreation
51 created in Section **63N-9-104**.

52 [~~6~~] (7) (a) "Recreational infrastructure project" means an undertaking to build or
53 improve the approved facilities and installations needed for the public to access and enjoy the
54 state's outdoors.

55 (b) "Recreational infrastructure project" may include the:

56 (i) establishment, construction, or renovation of a trail, trail infrastructure, or trail
57 facilities;

58 (ii) construction of a project for water-related outdoor recreational activities;

59 (iii) development of a project for wildlife watching opportunities, including bird
60 watching;

61 (iv) development of a project that provides winter recreation amenities;

62 (v) construction or improvement of a community park that has amenities for outdoor
63 recreation; and

64 (vi) construction or improvement of a naturalistic and accessible playground.

65 (8) "UCORE grant" means a children's outdoor recreation and education grant
66 described in Section 63N-9-302.

67 ~~[(7)]~~ (9) (a) "Underserved or underprivileged community" means a group of people,
68 including a municipality, county, or American Indian tribe, that is economically
69 disadvantaged.

70 ~~[(a)]~~ (b) ~~[has]~~ "Underserved or underprivileged community" includes an economically
71 disadvantaged community where:

72 (i) in relation to awarding an infrastructure grant, the people of the community have
73 limited access to or [has] have demonstrated a low level of use of recreational infrastructure;
74 and

75 ~~[(b) is economically disadvantaged.]~~

76 (ii) in relation to awarding a UCORE grant, the children of the community, including
77 children with disabilities, have limited access to outdoor recreation or education programs.

78 Section 2. Section 63N-9-106 is amended to read:

79 **63N-9-106. Annual report.**

80 The executive director shall include in the annual written report described in Section
81 63N-1-301 a report from the director on the activities of the outdoor recreation office,
82 including a description and the amount of any awarded infrastructure grants and any awarded
83 UCORE grants.

84 Section 3. Section 63N-9-301 is enacted to read:

85 **Part 3. Utah Children's Outdoor Recreation and Education Grant Program**
86 **63N-9-301. Title.**

87 This part is known as the "Utah Children's Outdoor Recreation and Education Grant
88 Program."

89 Section 4. Section 63N-9-302 is enacted to read:

90 **63N-9-302. Creation and purpose of the UCORE grant program.**

91 (1) There is created the Utah Children's Outdoor Recreation and Education Grant
92 Program administered by the outdoor recreation office.

93 (2) The outdoor recreation office may seek to accomplish the following objectives in
94 administering the UCORE grant program:

95 (a) promote the health and social benefits of outdoor recreation to the state's children;

96 (b) encourage children to develop the skills and confidence to be physically active for
97 life;

98 (c) provide outdoor recreational opportunities to underserved or underprivileged
99 communities in the state; and

100 (d) encourage hands-on outdoor or nature-based learning and play to prepare children
101 for achievement in science, technology, engineering, and math.

102 Section 5. Section **63N-9-303** is enacted to read:

103 **63N-9-303. Rulemaking and requirements for awarding a UCORE grant.**

104 (1) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the
105 outdoor recreation office shall make rules establishing the eligibility and reporting criteria for
106 an entity to receive a UCORE grant, including:

107 (a) the form and process of submitting an application to the outdoor recreation office
108 for a UCORE grant;

109 (b) which entities are eligible to apply for a UCORE grant;

110 (c) specific categories of children's programs that are eligible for a UCORE grant;

111 (d) the method and formula for determining grant amounts; and

112 (e) the reporting requirements of grant recipients.

113 (2) In determining the award of a UCORE grant, the outdoor recreation office may
114 prioritize a children's program that will serve an underprivileged or underserved community in
115 the state.

116 (3) A UCORE grant may only be awarded by the executive director after consultation
117 with the director and the board.

118 (4) The following entities may not receive a UCORE grant under this part:

119 (a) a federal government entity;

120 (b) a state agency, except for public schools and institutions of higher education; and

- 121 (c) a for-profit entity.
- 122 (5) In awarding UCORE grants, consideration shall be given to entities that implement
- 123 programs that:
- 124 (a) contribute to healthy and active lifestyles through outdoor recreation; and
- 125 (b) include one or more of the following attributes in their programs or initiatives:
- 126 (i) serve children with the greatest needs in rural, suburban, and urban areas of the
- 127 state;
- 128 (ii) provide students with opportunities to directly experience nature;
- 129 (iii) maximize the number of children who can participate;
- 130 (iv) commit matching and in-kind resources;
- 131 (v) create partnerships with public and private entities;
- 132 (vi) include ongoing program evaluation and assessment;
- 133 (vii) utilize veterans in program implementation;
- 134 (viii) include outdoor or nature-based programming that incorporates concept learning
- 135 in science, technology, engineering, or math; or
- 136 (ix) utilize educated volunteers in program implementation.

Section 6. Section **63N-9-304** is enacted to read:

63N-9-304. Utah Children's Outdoor Recreation and Education Fund -- Uses --

Costs.

- 140 (1) There is created an expendable special revenue fund known as the "Utah Children's
- 141 Outdoor Recreation and Education Fund," which the office shall use to fund the Utah
- 142 Children's Outdoor Recreation and Education Grant Program created in Section [63N-9-302](#).
- 143 (2) The fund consists of:
- 144 (a) appropriations made by the Legislature;
- 145 (b) interest earned on the account; and
- 146 (c) private donations, grants, gifts, bequests, or money made available from any other
- 147 source to implement this part.
- 148 (3) The office shall, with the advice of the Utah Outdoor Recreation Grant Advisory
- 149 Committee created in Section [63N-9-204](#), administer the account.
- 150 (4) The cost of administering the account shall be paid from money in the account.
- 151 (5) Interest accrued from investment of money in the account shall remain in the

152 account.

153 Section 7. **Appropriation.**

154 The following sums of money are appropriated for the fiscal year beginning July 1,
155 2019, and ending June 30, 2020. These are additions to amounts previously appropriated for
156 fiscal year 2020. Under the terms and conditions of Title 63J, Chapter 1, Budgetary Procedures
157 Act, the Legislature appropriates the following sums of money from the funds or accounts
158 indicated for the use and support of the government of the state of Utah.

159 ITEM 1

160 To the Governor's Office of Economic Development -- Utah Office of Outdoor
161 Recreation

162 From General Fund, One-time \$100,000

163 Schedule of Programs:

164 Utah Children's Outdoor Recreation and Education Grant \$100,000