

1 **POINT OF THE MOUNTAIN DEVELOPMENT COMMISSION**

2 **ACT MODIFICATIONS**

3 2021 GENERAL SESSION

4 STATE OF UTAH

5 **Chief Sponsor: V. Lowry Snow**

6 Senate Sponsor: Jerry W. Stevenson

8 **LONG TITLE**

9 **General Description:**

10 This bill revises the role of the Point of the Mountain Development Commission and
11 extends the repeal date of the Point of the Mountain Development Commission Act.

12 **Highlighted Provisions:**

13 This bill:

- 14 ▶ revises the Commission's role; and
- 15 ▶ extends the sunset date for the Point of the Mountain Development Commission

16 Act from July 1, 2021, to July 1, 2023.

17 **Money Appropriated in this Bill:**

18 None

19 **Other Special Clauses:**

20 None

21 **Utah Code Sections Affected:**

22 AMENDS:

23 **63C-17-104**, as enacted by Laws of Utah 2016, Chapter 156

24 **63I-1-263**, as last amended by Laws of Utah 2020, Chapters 82, 152, 154, 199, 230,
25 303, 322, 336, 354, 360, 375, 405 and last amended by Coordination Clause, Laws
26 of Utah 2020, Chapter 360

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

29 Section 1. Section **63C-17-104** is amended to read:

30 **63C-17-104. Commission duties.**

31 (1) The commission shall evaluate, study, prepare one or more reports, and make
32 recommendations concerning the future planning and development of the project area. The
33 study shall focus on the three key areas described in Subsections (2), (3), and (4).

34 (2) The commission shall study and develop strategies to engage the public and
35 collaborate with stakeholders, including:

36 (a) facilitating cooperation and transportation planning between:

37 (i) local governments;

38 (ii) the Wasatch Front Regional Council;

39 (iii) the Mountainland Association of Governments;

40 (iv) the Utah Department of Transportation; and

41 (v) the Utah Transit Authority;

42 ~~(a)~~ (b) providing a public forum to gather insight from citizens; and

43 ~~(b)~~ (c) evaluating the costs and benefits of growth, land use, and economic
44 development strategies in the project area and the impacts of those strategies on residents of the
45 project area and the state.

46 (3) (a) The commission shall study and make recommendations regarding future
47 transportation and infrastructure needs within the project area, including:

48 (i) evaluation of projected population, housing, and employment growth;

49 (ii) identification of transportation infrastructure needs, including:

50 (A) development, construction, operation, and maintenance of highways and streets, on
51 both the local and state jurisdictional levels;

52 (B) development, construction, operation, and maintenance of public transit; and

53 (C) development, construction, operation, and maintenance of active transportation
54 facilities, including trails; and

55 (iii) evaluation of projected costs related to transportation and other infrastructure
56 needs.

57 (b) In performing the study described in Subsection (3)(a), the commission shall

58 coordinate with transportation agencies, including:

- 59 (i) the Wasatch Front Regional Council;
- 60 (ii) the Mountainland Association of Governments;
- 61 (iii) the Utah Department of Transportation; and
- 62 (iv) the Utah Transit Authority.

63 (4) The commission shall study and make recommendations regarding financing
64 economic development of, and the infrastructure investment in, the project area, including:

- 65 (a) evaluation of economic growth projections; [~~and~~]
- 66 (b) evaluation of financing tools to encourage and facilitate economic growth in the
67 project area, including:

- 68 (i) property tax increment financing, with the requirement that the property tax
69 increment remain within the jurisdiction in which the property tax increment is created;

- 70 (ii) assessment districts;

- 71 (iii) bonding;

- 72 (iv) partnerships between public and private entities;

- 73 (v) excise taxes, including transient room taxes and taxes on community resorts;

- 74 (vi) redevelopment agency funds;

- 75 (vii) federal funding;

- 76 (viii) private capital;

- 77 (ix) investment strategies used by other governmental entities for purposes of
78 economic development; and

- 79 (x) other innovative financing strategies[-]; and

- 80 (c) exploring and recommending alternative methods for funding infrastructure needs
81 in the project area.

82 (5) The commission may hire or direct the hiring of one or more consultants, or enter
83 into agreements and otherwise collaborate with governmental entities and other stakeholders,
84 with experience or expertise in a subject under consideration by the commission, to assist the
85 commission in fulfilling the commission's duties under this part.

86 (6) In carrying out the study, the commission shall consider the following objectives
87 for the project area and the state as a whole:

- 88 (a) maximizing job creation;
- 89 (b) ensuring a high quality of life for residents in and surrounding the project area;
- 90 (c) strategic residential and commercial growth;
- 91 (d) preservation of natural lands and expansion of recreational opportunities;
- 92 (e) provision of a variety of community and housing types that match workforce needs;

93 and

94 (f) planning for future transportation infrastructure and other investments to enhance
95 mobility and protect the environment.

96 (7) The commission shall report the commission's interim findings and
97 recommendations to the Transportation Interim Committee, the Economic Development and
98 Workforce Services Interim Committee, the Revenue and Taxation Interim Committee, the
99 Executive Appropriations Committee, and the governor before December 1, 2016.

100 (8) The commission's recommendations under this section are advisory only.

101 Section 2. Section **63I-1-263** is amended to read:

102 **63I-1-263. Repeal dates, Titles 63A to 63N.**

103 (1) In relation to the Utah Transparency Advisory Board, on January 1, 2025:

- 104 (a) Subsection **63A-1-201**(1) is repealed;
- 105 (b) Subsection **63A-1-202**(2)(c), the language "using criteria established by the board"
106 is repealed;

107 (c) Section **63A-1-203** is repealed;

108 (d) Subsections **63A-1-204**(1) and (2), the language "After consultation with the board,
109 and" is repealed; and

110 (e) Subsection **63A-1-204**(1)(b), the language "using the standards provided in
111 Subsection **63A-1-203**(3)(c)" is repealed.

112 (2) Subsection **63A-5b-405**(5), relating to prioritizing and allocating capital
113 improvement funding, is repealed July 1, 2024.

- 114 (3) Section [63A-5b-1003](#), State Facility Energy Efficiency Fund, is repealed July 1,
115 2023.
- 116 (4) Sections [63A-9-301](#) and [63A-9-302](#), related to the Motor Vehicle Review
117 Committee, are repealed July 1, 2023.
- 118 (5) Title 63C, Chapter 4a, Constitutional and Federalism Defense Act, is repealed July
119 1, 2028.
- 120 (6) Title 63C, Chapter 6, Utah Seismic Safety Commission, is repealed January 1,
121 2025.
- 122 (7) Title 63C, Chapter 12, Snake Valley Aquifer Advisory Council, is repealed July 1,
123 2024.
- 124 (8) Title 63C, Chapter 17, Point of the Mountain Development Commission Act, is
125 repealed July 1, [~~2024~~] 2023.
- 126 (9) Title 63C, Chapter 18, Behavioral Health Crisis Response Commission, is repealed
127 July 1, 2023.
- 128 (10) Title 63C, Chapter 21, Outdoor Adventure Commission, is repealed July 1, 2025.
- 129 (11) Title 63F, Chapter 2, Data Security Management Council, is repealed July 1,
130 2025.
- 131 (12) Section [63G-6a-805](#), which creates the Purchasing from Persons with Disabilities
132 Advisory Board, is repealed July 1, 2026.
- 133 (13) Title 63G, Chapter 21, Agreements to Provide State Services, is repealed July 1,
134 2025.
- 135 (14) Title 63H, Chapter 4, Heber Valley Historic Railroad Authority, is repealed July 1,
136 2024.
- 137 (15) Title 63H, Chapter 8, Utah Housing Corporation Act, is repealed July 1, 2026.
- 138 (16) Subsection [63J-1-602.1](#)(14), Nurse Home Visiting Restricted Account is repealed
139 July 1, 2026.
- 140 (17) (a) Subsection [63J-1-602.1](#)(58), relating to the Utah Statewide Radio System
141 Restricted Account, is repealed July 1, 2022.

142 (b) When repealing Subsection 63J-1-602.1(58), the Office of Legislative Research and
143 General Counsel shall, in addition to the office's authority under Subsection 36-12-12(3), make
144 necessary changes to subsection numbering and cross references.

145 (18) Subsection 63J-1-602.2(4), referring to dedicated credits to the Utah Marriage
146 Commission, is repealed July 1, 2023.

147 (19) Subsection 63J-1-602.2(5), referring to the Trip Reduction Program, is repealed
148 July 1, 2022.

149 (20) Subsection 63J-1-602.2(25), related to the Utah Seismic Safety Commission, is
150 repealed January 1, 2025.

151 (21) Title 63J, Chapter 4, Part 5, Resource Development Coordinating Committee, is
152 repealed July 1, 2027.

153 (22) Subsection 63J-4-608(3), which creates the Federal Land Application Advisory
154 Committee, is repealed on July 1, 2021.

155 (23) In relation to the Utah Substance Use and Mental Health Advisory Council, on
156 January 1, 2023:

157 (a) Sections 63M-7-301, 63M-7-302, 63M-7-303, 63M-7-304, and 63M-7-306 are
158 repealed;

159 (b) Section 63M-7-305, the language that states "council" is replaced with
160 "commission";

161 (c) Subsection 63M-7-305(1) is repealed and replaced with:

162 "(1) "Commission" means the Commission on Criminal and Juvenile Justice."; and

163 (d) Subsection 63M-7-305(2) is repealed and replaced with:

164 "(2) The commission shall:

165 (a) provide ongoing oversight of the implementation, functions, and evaluation of the
166 Drug-Related Offenses Reform Act; and

167 (b) coordinate the implementation of Section 77-18-1.1 and related provisions in
168 Subsections 77-18-1(5)(b)(iii) and (iv).".

169 (24) The Crime Victim Reparations and Assistance Board, created in Section

- 170 [63M-7-504](#), is repealed July 1, 2027.
- 171 (25) Title 63M, Chapter 7, Part 6, Utah Council on Victims of Crime, is repealed July
172 1, 2022.
- 173 (26) Title 63M, Chapter 11, Utah Commission on Aging, is repealed July 1, 2021.
- 174 (27) Subsection [63N-1-301\(4\)\(c\)](#), related to the Talent Ready Utah Board, is repealed
175 January 1, 2023.
- 176 (28) Title 63N, Chapter 1, Part 5, Governor's Economic Development Coordinating
177 Council, is repealed July 1, 2024.
- 178 (29) Title 63N, Chapter 2, Part 2, Enterprise Zone Act, is repealed July 1, 2028.
- 179 (30) Section [63N-2-512](#) is repealed July 1, 2021.
- 180 (31) (a) Title 63N, Chapter 2, Part 6, Utah Small Business Jobs Act, is repealed
181 January 1, 2021.
- 182 (b) Section [59-9-107](#) regarding tax credits against premium taxes is repealed for
183 calendar years beginning on or after January 1, 2021.
- 184 (c) Notwithstanding Subsection (31)(b), an entity may carry forward a tax credit in
185 accordance with Section [59-9-107](#) if:
- 186 (i) the person is entitled to a tax credit under Section [59-9-107](#) on or before December
187 31, 2020; and
- 188 (ii) the qualified equity investment that is the basis of the tax credit is certified under
189 Section [63N-2-603](#) on or before December 31, 2023.
- 190 (32) Subsections [63N-3-109\(2\)\(e\)](#) and [63N-3-109\(2\)\(f\)\(i\)](#) are repealed July 1, 2023.
- 191 (33) Title 63N, Chapter 4, Part 4, Rural Employment Expansion Program, is repealed
192 July 1, 2023.
- 193 (34) Title 63N, Chapter 7, Part 1, Board of Tourism Development, is repealed July 1,
194 2025.
- 195 (35) Title 63N, Chapter 9, Part 2, Outdoor Recreational Infrastructure Grant Program,
196 is repealed January 1, 2023.
- 197 (36) Title 63N, Chapter 12, Part 5, Talent Ready Utah Center, is repealed January 1,

198 2023.