

## SB0212S01 compared with SB0212

~~text~~ shows text that was in SB0212 but was deleted in SB0212S01.

inserted text shows text that was not in SB0212 but was inserted into SB0212S01.

**DISCLAIMER:** This document is provided to assist you in your comparison of the two bills. Sometimes this automated comparison will NOT be completely accurate. Therefore, you need to read the actual bills. This automatically generated document could contain inaccuracies caused by: limitations of the compare program; bad input data; or other causes.

Senator Ann Millner proposes the following substitute bill:

### MANUFACTURING MODERNIZATION GRANT PROGRAM

2022 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Ann Millner**

House Sponsor: \_\_\_\_\_

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#### LONG TITLE

##### General Description:

This bill creates the Manufacturing Modernization Grant Program.

##### Highlighted Provisions:

This bill:

- ▶ defines terms;
- ▶ creates the Manufacturing Modernization Grant Program within the Governor's Office of Economic Opportunity;
- ▶ provides rulemaking authority;
- ▶ includes a sunset date;
- ▶ creates reporting requirements; and
- ▶ makes technical and conforming changes.

##### Money Appropriated in this Bill:

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This bill appropriates in fiscal year 2023:

- ▶ to Governor's Office of Economic Opportunity -- Business Development --- Corporate Recruitment and Business Services, as a one-time appropriation:
  - from General Fund, One-time, \$10,000,000.

### Other Special Clauses:

None

### Utah Code Sections Affected:

AMENDS:

**63I-1-263**, as last amended by Laws of Utah 2021, Chapters 70, 72, 84, 90, 171, 196, 260, 280, 282, 345, 382, 401, 421 and last amended by Coordination Clause, Laws of Utah 2021, Chapter 382

ENACTS:

**63N-3-801**, Utah Code Annotated 1953

**63N-3-802**, Utah Code Annotated 1953

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

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

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

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

- (a) Section 63A-16-102 is repealed;
- (b) Section 63A-16-201 is repealed; and
- (c) Section 63A-16-202 is repealed.

(2) Subsection 63A-5b-405(5), relating to prioritizing and allocating capital improvement funding, is repealed July 1, 2024.

(3) Section 63A-5b-1003, State Facility Energy Efficiency Fund, is repealed July 1, 2023.

(4) Sections 63A-9-301 and 63A-9-302, related to the Motor Vehicle Review Committee, are repealed July 1, 2023.

(5) Title 63C, Chapter 4a, Constitutional and Federalism Defense Act, is repealed July 1, 2028.

(6) Title 63C, Chapter 6, Utah Seismic Safety Commission, is repealed January 1,

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2025.

(7) Title 63C, Chapter 12, Snake Valley Aquifer Advisory Council, is repealed July 1, 2024.

(8) Title 63C, Chapter 17, Point of the Mountain Development Commission Act, is repealed July 1, 2023.

(9) Title 63C, Chapter 18, Behavioral Health Crisis Response Commission, is repealed July 1, 2023.

(10) Title 63C, Chapter 23, Education and Mental Health Coordinating Council, is repealed July 1, 2026.

(11) Title 63A, Chapter 16, Part 7, Data Security Management Council, is repealed July 1, 2025.

(12) Section 63G-6a-805, which creates the Purchasing from Persons with Disabilities Advisory Board, is repealed July 1, 2026.

(13) Title 63G, Chapter 21, Agreements to Provide State Services, is repealed July 1, 2025.

(14) Title 63H, Chapter 4, Heber Valley Historic Railroad Authority, is repealed July 1, 2024.

(15) Title 63H, Chapter 8, Utah Housing Corporation Act, is repealed July 1, 2026.

(16) Subsection 63J-1-602.1(17), Nurse Home Visiting Restricted Account is repealed July 1, 2026.

(17) (a) Subsection 63J-1-602.1(61), relating to the Utah Statewide Radio System Restricted Account, is repealed July 1, 2022.

(b) When repealing Subsection 63J-1-602.1(61), the Office of Legislative Research and General Counsel shall, in addition to the office's authority under Subsection 36-12-12(3), make necessary changes to subsection numbering and cross references.

(18) Subsection 63J-1-602.2(5), referring to dedicated credits to the Utah Marriage Commission, is repealed July 1, 2023.

(19) Subsection 63J-1-602.2(6), referring to the Trip Reduction Program, is repealed July 1, 2022.

(20) Subsection 63J-1-602.2(24), related to the Utah Seismic Safety Commission, is repealed January 1, 2025.

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

(22) In relation to the advisory committee created in Subsection 63L-11-305(3), on July 1, 2022:

(a) Subsection 63L-11-305(1)(a), which defines "advisory committee," is repealed; and

(b) Subsection 63L-11-305(3), which creates the advisory committee, is repealed.

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

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

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

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

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

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

"(2) The commission shall:

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

(b) coordinate the implementation of Section 77-18-104 and related provisions in Subsections 77-18-103(2)(c) and (d)."

(24) The Crime Victim Reparations and Assistance Board, created in Section 63M-7-504, is repealed July 1, 2027.

(25) Title 63M, Chapter 7, Part 6, Utah Council on Victims of Crime, is repealed July 1, 2022.

(26) Title 63M, Chapter 11, Utah Commission on Aging, is repealed July 1, 2026.

(27) Title 63N, Chapter 1, Part 5, Governor's Economic Development Coordinating Council, is repealed July 1, 2024.

(28) Title 63N, Chapter 2, Part 2, Enterprise Zone Act, is repealed July 1, 2028.

(29) Section 63N-2-512, related to the Hotel Impact Mitigation Fund, is repealed July 1, 2028.

(30) (a) Title 63N, Chapter 2, Part 6, Utah Small Business Jobs Act, is repealed

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January 1, 2021.

(b) Section 59-9-107 regarding tax credits against premium taxes is repealed for calendar years beginning on or after January 1, 2021.

(c) Notwithstanding Subsection(30)(b), an entity may carry forward a tax credit in accordance with Section 59-9-107 if:

(i) the person is entitled to a tax credit under Section 59-9-107 on or before December 31, 2020; and

(ii) the qualified equity investment that is the basis of the tax credit is certified under Section 63N-2-603 on or before December 31, 2023.

(31) Title 63N, Chapter 3, Part 8, Manufacturing Modernization Grant Program, is repealed July 1, 2025.

~~[(31)]~~ (32) Title 63N, Chapter 4, Part 4, Rural Employment Expansion Program, is repealed July 1, 2023.

~~[(32)]~~ (33) Title 63N, Chapter 7, Part 1, Board of Tourism Development, is repealed July 1, 2025.

~~[(33)]~~ (34) Title 63N, Chapter 9, Part 2, Outdoor Recreational Infrastructure Grant Program, is repealed January 1, 2028.

Section 2. Section **63N-3-801** is enacted to read:

### **Part 8. Manufacturing Modernization Grant Program**

#### **63N-3-801. Definitions.**

As used in this part:

(1) "Grant" means a grant awarded under Section 63N-3-802.

(2) "Program" means the Manufacturing Modernization Grant Program created in Section 63N-3-802.

(3) "Targeted industry" means an industry or group of industries targeted by the GO Utah board under Section 63N-3-111 for economic development in the state.

Section 3. Section **63N-3-802** is enacted to read:

**63N-3-802. Manufacturing Modernization Grant Program -- Creation -- Purpose -- Requirements -- Rulemaking -- Report.**

(1) (a) There is created the Manufacturing Modernization Grant Program to be administered by the office.

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(b) The purpose of the program is to award grants to establish, relocate, retain, or develop manufacturing industry in the state and lessen dependence on manufacturing overseas.

(2) (a) An entity that submits a proposal for a grant to the office shall include details in the proposal regarding:

(i) how the entity plans to use the grant to fulfill the purpose described in Subsection (1)(b);

(ii) any plan to use funding sources in addition to a grant for the proposal; and

(iii) any existing or planned partnerships between the entity and another individual or entity to implement the proposal.

(b) In evaluating a proposal for a grant, the office shall consider:

(i) the likelihood the proposal will accomplish the purpose described in Subsection (1)(b);

(ii) the extent to which any additional funding sources or existing or planned partnerships will benefit the proposal; and

(iii) the viability and sustainability of the proposal.

(c) In determining a grant award, the office:

(i) shall consult with the GO Utah board; and

(ii) may prioritize a targeted industry or an entity with fewer than 250 employees.

(3) Before receiving the grant, a grant recipient shall enter into a written agreement with the office that specifies:

(a) the grant amount;

(b) the time period and structure for distribution of the grant, including any terms and conditions the recipient is required to meet to receive a distribution; and

(c) the expenses for which the recipient may use the grant, including:

(i) to acquire manufacturing equipment;

(ii) production, design, or engineering costs;

(iii) specialized employee training; ~~or~~

(iv) technology upgrades ~~or~~; or

(v) to provide a grant to another individual or entity for the expenses described in Subsections (3)(c)(i) through (iv) or to otherwise fulfill the recipient's proposal.

(4) Subject to Subsection (2), the office may, in accordance with Title 63G, Chapter 3,

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Utah Administrative Rulemaking Act, make rules to establish:

- (a) the form and process for submitting a proposal to the office for a grant;
- (b) which entities are eligible to apply for a grant;
- (c) the method and formula for determining a grant amount; and
- (d) the reporting requirements for a grant recipient.
- (5) On or before November 30 of each year, the office shall provide a written report to

the Economic Development and Workforce Services Interim Committee regarding:

- (a) each grant awarded; and
- (b) the economic impact of each grant.

### **Section 4. Appropriation.**

The following sums of money are appropriated for the fiscal year beginning July 1, 2022, and ending July 1, 2023. These are additions to amounts previously appropriated for fiscal year 2023. Under the terms and conditions of Title 63J, Chapter 1, Budgetary Procedures Act, the Legislature appropriates the following sums of money from the funds or accounts indicated for the use and support of the government of the state of Utah.

#### ITEM 1

To Governor's Office of Economic Opportunity -- Business Development

<u>From General Fund, One-time</u>	<u>\$10,000,000</u>
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Schedule of Programs:

<u>Corporate Recruitment and Business Services</u>	<u>\$10,000,000</u>
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The Legislature intends that:

- (1) the appropriations under this item be used to award grants under Title 63N, Chapter 3, Part 8, Manufacturing Modernization Grant Program; and
- (2) under Section 63J-1-603, the appropriations under this item not lapse at the close of fiscal year 2023 or 2024 and the use of any nonlapsing funds is limited to the purpose described in Subsection (1) of this item.