

**Representative Casey Snider** proposes the following substitute bill:

**HOUSING AND TRANSIT REINVESTMENT ZONE**

**AMENDMENTS**

2023 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Wayne A. Harper**

House Sponsor: Casey Snider

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**LONG TITLE**

**General Description:**

This bill amends provisions related to housing and transit reinvestment zones.

**Highlighted Provisions:**

This bill:

- ▶ amends definitions;
- ▶ amends provisions related to the objectives and required characteristics of a housing and transit reinvestment zone;
- ▶ restricts how much land a proponent county may own within a housing and transit reinvestment zone;
- ▶ requires a housing and transit reinvestment zone proposal to include certain maps of the proposed area;
- ▶ requires the Governor's Office of Economic Opportunity to provide notice to certain relevant entities after receiving a housing and transit reinvestment zone proposal;
- ▶ requires the State Tax Commission to provide feedback to a housing and transit reinvestment zone regarding the State Tax Commission's ability to administer the tax implications of the proposal;
- ▶ amends the membership of the housing and transit reinvestment zone committee;



- 26           ▶ amends provisions regarding circumstances in which certain counties are allowed to
- 27 submit a proposal for a housing and transit reinvestment zone;
- 28           ▶ provides a property owner near a public transit hub in a county with a small public
- 29 transit district with certain vested development rights if the county failed to submit
- 30 an application for a housing and transit reinvestment zone before a certain deadline;
- 31 and
- 32           ▶ makes technical changes.

33 **Money Appropriated in this Bill:**

34           None

35 **Other Special Clauses:**

36           None

37 **Utah Code Sections Affected:**

38 AMENDS:

39           **63N-3-602**, as last amended by Laws of Utah 2022, Chapters 68, 433

40           **63N-3-603**, as last amended by Laws of Utah 2022, Chapters 21, 406 and 433

41           **63N-3-604**, as last amended by Laws of Utah 2022, Chapter 433

42           **63N-3-605**, as last amended by Laws of Utah 2022, Chapter 433



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

45           Section 1. Section **63N-3-602** is amended to read:

46           **63N-3-602. Definitions.**

47           As used in this part:

48           (1) "Affordable housing" means housing occupied or reserved for occupancy by  
49 households with a gross household income equal to or less than 80% of the median gross  
50 income of the applicable municipal or county statistical area for households of the same size.

51           (2) "Agency" means the same as that term is defined in Section **17C-1-102**.

52           (3) "Base taxable value" means a property's taxable value as shown upon the  
53 assessment roll last equalized during the base year.

54           (4) "Base year" means, for a proposed housing and transit reinvestment zone area, a  
55 year beginning the first day of the calendar quarter determined by the last equalized tax roll  
56 before the adoption of the housing and transit reinvestment zone.

57 (5) "Bus rapid transit" means a high-quality bus-based transit system that delivers fast  
58 and efficient service that may include dedicated lanes, busways, traffic signal priority,  
59 off-board fare collection, elevated platforms, and enhanced stations.

60 (6) "Bus rapid transit station" means an existing station, stop, or terminal, or a  
61 proposed station, stop, or terminal that is specifically identified in a metropolitan planning  
62 organization's adopted long-range transportation plan and the relevant public transit district's  
63 five-year plan:

64 (a) along an existing bus rapid transit line; or

65 (b) along an extension to an existing bus rapid transit line or new bus rapid transit line.

66 [~~(6)~~] (7) (a) "Commuter rail" means a heavy-rail passenger rail transit facility operated  
67 by a large public transit district.

68 (b) "Commuter rail" does not include a light-rail passenger rail facility of a large public  
69 transit district.

70 [~~(7)~~] "~~Commuter rail station" means a station, stop, or terminal along an existing~~  
71 ~~commuter rail line, or along an extension to an existing commuter rail line or new commuter~~  
72 ~~rail line that is included in a metropolitan planning organization's adopted long-range~~  
73 ~~transportation plan.]~~

74 (8) "Commuter rail station" means an existing station, stop, or terminal, or a proposed  
75 station, stop, or terminal, which has been specifically identified in a metropolitan planning  
76 organization's adopted long-range transportation plan and the relevant public transit district's  
77 five-year plan:

78 (a) along an existing commuter rail line;

79 (b) along an extension to an existing commuter rail line or new commuter rail line; or

80 (c) along a fixed guideway extension from an existing commuter rail line.

81 [~~(8)~~] (9) (a) "Developable area" means the portion of land within a housing and transit  
82 reinvestment zone available for development and construction of business and residential uses.

83 (b) "Developable area" does not include portions of land within a housing and transit  
84 reinvestment zone that are allocated to:

85 (i) parks;

86 (ii) recreation facilities;

87 (iii) open space;

- 88 (iv) trails;
- 89 (v) publicly-owned roadway facilities; or
- 90 (vi) other public facilities.

91 ~~[(9)]~~ (10) "Dwelling unit" means one or more rooms arranged for the use of one or  
92 more individuals living together, as a single housekeeping unit normally having cooking,  
93 living, sanitary, and sleeping facilities.

94 ~~[(10)]~~ (11) "Enhanced development" means the construction of mixed uses including  
95 housing, commercial uses, and related facilities.

96 ~~[(11)]~~ (12) "Enhanced development costs" means extra costs associated with structured  
97 parking costs, vertical construction costs, horizontal construction costs, life safety costs,  
98 structural costs, conveyor or elevator costs, and other costs incurred due to the increased height  
99 of buildings or enhanced development.

100 (13) "Fixed guideway" means the same as that term is defined in Section [59-12-102](#).

101 ~~[(12)]~~ (14) "Horizontal construction costs" means the additional costs associated with  
102 earthwork, over excavation, utility work, transportation infrastructure, and landscaping to  
103 achieve enhanced development in the housing and transit reinvestment zone.

104 ~~[(13)]~~ (15) "Housing and transit reinvestment zone" means a housing and transit  
105 reinvestment zone created pursuant to this part.

106 ~~[(14)]~~ (16) "Housing and transit reinvestment zone committee" means a housing and  
107 transit reinvestment zone committee created pursuant to Section [63N-3-605](#).

108 ~~[(15)]~~ (17) "Large public transit district" means the same as that term is defined in  
109 Section [17B-2a-802](#).

110 ~~[(16)]~~ (18) "Light rail" means a passenger rail public transit system with right-of-way  
111 and fixed rails:

- 112 (a) dedicated to exclusive use by light-rail public transit vehicles;
- 113 (b) that may cross streets at grade; and
- 114 (c) that may share parts of surface streets.

115 (19) "Light rail station" means an existing station, stop, or terminal or a proposed  
116 station, stop, or terminal, which has been specifically identified in a metropolitan planning  
117 organization's adopted long-range transportation plan and the relevant public transit district's  
118 five-year plan:

119           (a) along an existing light rail line; or

120           (b) along an extension to an existing light rail line or new light rail line.

121           ~~[(17)]~~ (20) "Metropolitan planning organization" means the same as that term is  
122 defined in Section [72-1-208.5](#).

123           ~~[(18)]~~ (21) "Mixed use development" means development with a mix of multi-family  
124 residential use and at least one additional land use.

125           ~~[(19)]~~ (22) "Municipality" means the same as that term is defined in Section [10-1-104](#).

126           ~~[(20)]~~ (23) "Participant" means the same as that term is defined in Section [17C-1-102](#).

127           ~~[(21)]~~ (24) "Participation agreement" means the same as that term is defined in Section  
128 [17C-1-102](#), except that the agency may not provide and the person may not receive a direct  
129 subsidy.

130           ~~[(22)]~~ (25) "Public transit county" means a county that has created a small public  
131 transit district.

132           ~~[(23)]~~ (26) "Public transit hub" means a public transit depot or station where four or  
133 more routes serving separate parts of the county-created transit district stop to transfer riders  
134 between routes.

135           ~~[(24)]~~ (27) "Sales and use tax base year" means a sales and use tax year determined by  
136 the first year pertaining to the tax imposed in Section [59-12-103](#) after the sales and use tax  
137 boundary for a housing and transit reinvestment zone is established.

138           ~~[(25)]~~ (28) "Sales and use tax boundary" means a boundary created as described in  
139 Section [63N-3-604](#), based on state sales and use tax collection that corresponds as closely as  
140 reasonably practicable to the housing and transit reinvestment zone boundary.

141           ~~[(26)]~~ (29) "Sales and use tax increment" means the difference between:

142           (a) the amount of state sales and use tax revenue generated each year following the  
143 sales and use tax base year by the sales and use tax from the area within a housing and transit  
144 reinvestment zone designated in the housing and transit reinvestment zone proposal as the area  
145 from which sales and use tax increment is to be collected; and

146           (b) the amount of state sales and use tax revenue that was generated from that same  
147 area during the sales and use tax base year.

148           ~~[(27)]~~ (30) "Sales and use tax revenue" means revenue that is generated from the tax  
149 imposed under Section [59-12-103](#).

150           ~~[(28)]~~ (31) "Small public transit district" means the same as that term is defined in  
151 Section [17B-2a-802](#).

152           ~~[(29)]~~ (32) "Tax ~~[commission]~~ Commission" means the State Tax Commission created  
153 in Section [59-1-201](#).

154           ~~[(30)]~~ (33) "Tax increment" means the difference between:

155           (a) the amount of property tax revenue generated each tax year by a taxing entity from  
156 the area within a housing and transit reinvestment zone designated in the housing and transit  
157 reinvestment zone proposal as the area from which tax increment is to be collected, using the  
158 current assessed value and each taxing entity's current certified tax rate as defined in Section  
159 [59-2-924](#); and

160           (b) the amount of property tax revenue that would be generated from that same area  
161 using the base taxable value and each taxing entity's current certified tax rate as defined in  
162 Section [59-2-924](#).

163           ~~[(31)]~~ (34) "Taxing entity" means the same as that term is defined in Section  
164 [17C-1-102](#).

165           ~~[(32)]~~ (35) "Vertical construction costs" means the additional costs associated with  
166 construction above four stories and structured parking to achieve enhanced development in the  
167 housing and transit reinvestment zone.

168           Section 2. Section **63N-3-603** is amended to read:

169           **63N-3-603. Applicability, requirements, and limitations on a housing and transit**  
170 **reinvestment zone.**

171           (1) A housing and transit reinvestment zone proposal created under this part shall  
172 promote the following objectives:

173           (a) higher utilization of public transit;

174           (b) increasing availability of housing, including affordable housing, and fulfillment of  
175 moderate income housing plans;

176           (c) improving efficiencies in parking and transportation, including walkability of  
177 communities near public transit facilities;

178           (d) overcoming development impediments and market conditions that render a  
179 development cost prohibitive absent the proposal and incentives;

180           ~~[(e)]~~ (e) conservation of water resources through efficient land use;

181           ~~[(d)]~~ (f) improving air quality by reducing fuel consumption and motor vehicle trips;

182           ~~[(e)]~~ (g) encouraging transformative mixed-use development and investment in

183 transportation and public transit infrastructure in strategic areas;

184           ~~[(f)]~~ (h) strategic land use and municipal planning in major transit investment corridors

185 as described in Subsection 10-9a-403(2);

186           ~~[(g)]~~ (i) increasing access to employment and educational opportunities; and

187           ~~[(h)]~~ (j) increasing access to child care.

188           (2) In order to accomplish the objectives described in Subsection (1), a municipality or

189 public transit county that initiates the process to create a housing and transit reinvestment zone

190 as described in this part shall ensure that the proposal for a housing and transit reinvestment

191 zone includes:

192           (a) except as provided in Subsection (3), at least 10% of the proposed dwelling units

193 within the housing and transit reinvestment zone are affordable housing units;

194           (b) at least 51% of the developable area within the housing and transit reinvestment

195 zone includes residential uses with, except as provided in Subsection (4)(c), an average of 50

196 dwelling units per acre or greater;

197           (c) mixed-use development; and

198           (d) a mix of dwelling units to ensure that a reasonable percentage of the dwelling units

199 has more than one bedroom.

200           (3) A municipality or public transit county that, at the time the housing and transit

201 reinvestment zone proposal is approved by the housing and transit reinvestment zone

202 committee, meets the affordable housing guidelines of the United States Department of

203 Housing and Urban Development at 60% area median income is exempt from the requirement

204 described in Subsection (2)(a).

205           (4) (a) A municipality may only propose a housing and transit reinvestment zone at a

206 commuter rail station, and a public transit county may only propose a housing and transit

207 reinvestment zone at a public transit hub, that:

208           (i) subject to Subsection (5)(a):

209           (A) (I) except as provided in Subsection (4)(a)(i)(A)(II), for a municipality, does not

210 exceed a 1/3 mile radius of a commuter rail station;

211           (II) for a municipality that is a city of the first class with a population greater than

212 150,000 that is within a county of the first class, with an opportunity zone created pursuant to  
213 Section 1400Z-1, Internal Revenue Code, does not exceed a 1/2 mile radius of a commuter rail  
214 station located within the opportunity zone; or

215 (III) for a public transit county, does not exceed a 1/3 mile radius of a public transit  
216 hub; and

217 (B) has a total area of no more than 125 noncontiguous acres;

218 (ii) subject to Section 63N-3-607, proposes the capture of a maximum of 80% of each  
219 taxing entity's tax increment above the base year for a term of no more than 25 consecutive  
220 years on each parcel within a 45-year period not to exceed the tax increment amount approved  
221 in the housing and transit reinvestment zone proposal; and

222 (iii) the commencement of collection of tax increment, for all or a portion of the  
223 housing and transit reinvestment zone, will be triggered by providing notice as described in  
224 Subsection (6).

225 (b) A municipality or public transit county may only propose a housing and transit  
226 reinvestment zone at a light rail station or bus rapid transit station that:

227 (i) subject to Subsection (5):

228 (A) does not exceed:

229 (I) except as provided in Subsection (4)(b)(i)(A)(II) or (III), a 1/4 mile radius of a bus  
230 rapid transit station or light rail station;

231 (II) for a municipality that is a city of the first class with a population greater than  
232 150,000 that is within a county of the first class, a 1/2 mile radius of a light rail station located  
233 in an opportunity zone created pursuant to Section 1400Z-1, Internal Revenue Code; or

234 (III) a 1/2 mile radius of a light rail station located within a master-planned  
235 development of 500 acres or more; and

236 (B) has a total area of no more than 100 noncontiguous acres;

237 (ii) subject to Subsection (4)(c) and Section 63N-3-607, proposes the capture of a  
238 maximum of 80% of each taxing entity's tax increment above the base year for a term of no  
239 more than 15 consecutive years on each parcel within a 30-year period not to exceed the tax  
240 increment amount approved in the housing and transit reinvestment zone proposal; and

241 (iii) the commencement of collection of tax increment, for all or a portion of the  
242 housing and transit reinvestment zone, will be triggered by providing notice as described in



243 Subsection (6).

244 (c) For a housing and transit reinvestment zone proposed by a public transit county at a  
245 public transit hub, or for a housing and transit reinvestment zone proposed by a municipality at  
246 a bus rapid transit station, if the proposed housing density within the housing and transit  
247 reinvestment zone is between 39 and 49 dwelling units per acre, the maximum capture of each  
248 taxing entity's tax increment above the base year is 60%.

249 (d) A municipality that is a city of the first class with a population greater than 150,000  
250 in a county of the first class as described in Subsections (4)(a)(i)(A)(II) and (4)(b)(i)(A)(II) may  
251 only propose one housing and transit reinvestment zone within an opportunity zone.

252 (e) A county of the first class may not propose a housing and transit reinvestment zone  
253 that includes an area that is part of a project area, as that term is defined in Section 17C-1-102,  
254 and created under Title 17C, Chapter 1, Agency Operations, until the project area is dissolved  
255 pursuant to Section 17C-1-702.

256 (5) (a) For a housing and transit reinvestment zone for a commuter rail station, if a  
257 parcel is bisected by the relevant radius limitation, the full parcel may be included as part of the  
258 housing and transit reinvestment zone area and will not count against the limitations described  
259 in Subsection (4)(a)(i).

260 (b) For a housing and transit reinvestment zone for a light rail or bus rapid transit  
261 station, if a parcel is bisected by the relevant radius limitation, the full parcel may be included  
262 as part of the housing and transit reinvestment zone area and will not count against the  
263 limitations described in Subsection (4)(b)(i).

264 (6) The notice of commencement of collection of tax increment required in Subsection  
265 (4)(a)(iii) or (4)(b)(iii) shall be sent by mail or electronically to:

266 (a) the tax commission;

267 (b) the State Board of Education;

268 (c) the state auditor;

269 (d) the auditor of the county in which the housing and transit reinvestment zone is  
270 located;

271 (e) each taxing entity affected by the collection of tax increment from the housing and  
272 transit reinvestment zone; and

273 (f) the Governor's Office of Economic Opportunity.

274 (7) (a) The maximum number of housing and transit reinvestment zones at light rail  
275 stations is eight in any given county.

276 (b) ~~[The]~~ Within a county of the first class, the maximum number of housing and  
277 transit reinvestment zones at bus rapid transit stations is three ~~[in] [any given county]~~.

278 (8) (a) This Subsection (8) applies to a specified county, as defined in Section  
279 [17-27a-408](#), that has created a small public transit district on or before January 1, 2022.

280 (b) (i) A county described in Subsection (8)(a) shall, in accordance with Section  
281 [63N-3-604](#), prepare and submit to the Governor's Office of Economic Opportunity a proposal  
282 to create a housing and transit reinvestment zone on or before December 31, 2022.

283 (ii) A county described in Subsection (8)(a) that, on December 31, 2022, was  
284 noncompliant under Section [17-27a-408](#) for failure to demonstrate in the county's moderate  
285 income housing report that the county complied with Subsection (8)(b)(i), may cure the  
286 deficiency in the county's moderate income housing report by submitting satisfactory proof to  
287 the Housing and Community Development Division that, notwithstanding the deadline in  
288 Subsection (8)(b)(i), the county has submitted to the Governor's Office of Economic  
289 Opportunity a proposal to create a housing and transit reinvestment zone.

290 (c) (i) A county described in Subsection (8)(a) may not propose a housing and transit  
291 reinvestment zone if more than 15% of the acreage within the housing and transit reinvestment  
292 zone boundary is owned by the county.

293 (ii) For purposes of determining the percentage of acreage owned by the county as  
294 described in Subsection (8)(c)(i), a county may exclude any acreage owned that is used for  
295 highways, bus rapid transit, light rail, or commuter rail within the boundary of the housing and  
296 transit reinvestment zone.

297 (d) To accomplish the objectives described in Subsection (1), if a county described in  
298 Subsection (8)(a) has failed to comply with Subsection (8)(b)(i) by failing to submit an  
299 application before December 31, 2022, an owner of undeveloped property who has submitted a  
300 land use application to the county on or before December 31, 2022, and is within a 1/3 mile  
301 radius of a public transit hub in a county described in Subsection (8)(a), including parcels that  
302 are bisected by the 1/3 mile radius, shall have the right to develop and build a mixed-use  
303 development including the following:

304 (i) excluding the parcels devoted to commercial uses as described in Subsection

305 (8)(d)(ii), at least 39 dwelling units per acre on average over the developable area, with at least  
306 10% of the dwelling units as affordable housing units;

307 (ii) commercial uses including office, retail, educational, and healthcare in support of  
308 the mixed-use development constituting up to 1/3 of the total planned gross building square  
309 footage of the subject parcels; and

310 (iii) any other infrastructure element necessary or reasonable to support the mixed-use  
311 development, including parking infrastructure, streets, sidewalks, parks, and trails.

312 Section 3. Section 63N-3-604 is amended to read:

313 **63N-3-604. Process for a proposal of a housing and transit reinvestment zone --**  
314 **Analysis.**

315 (1) Subject to approval of the housing and transit reinvestment zone committee as  
316 described in Section 63N-3-605, in order to create a housing and transit reinvestment zone, a  
317 municipality or public transit county that has general land use authority over the housing and  
318 transit reinvestment zone area, shall:

319 (a) prepare a proposal for the housing and transit reinvestment zone that:

320 (i) demonstrates that the proposed housing and transit reinvestment zone will meet the  
321 objectives described in Subsection 63N-3-603(1);

322 (ii) explains how the municipality or public transit county will achieve the  
323 requirements of Subsection 63N-3-603(2)(a);

324 (iii) defines the specific transportation infrastructure needs, if any, and proposed  
325 improvements;

326 (iv) defines the boundaries of:

327 (A) the housing and transit reinvestment zone; and

328 (B) the sales and use tax boundary corresponding to the housing and transit  
329 reinvestment zone boundary, as described in Section 63N-3-610;

330 (v) includes maps of the proposed housing and transit reinvestment zone to illustrate:

331 (A) the proposed boundary and radius from a public transit hub;

332 (B) proposed housing density within the housing and transit reinvestment zone; and

333 (C) existing zoning and proposed zoning changes related to the housing and transit  
334 reinvestment zone;

335 [~~(v)~~] (vi) identifies any development impediments that prevent the development from

336 being a market-rate investment and proposed strategies for addressing each one;

337 ~~[(vi)]~~ (vii) describes the proposed development plan, including the requirements  
338 described in Subsections 63N-3-603(2) and (4);

339 ~~[(vii)]~~ (viii) establishes a base year and collection period to calculate the tax increment  
340 within the housing and transit reinvestment zone;

341 ~~[(viii)]~~ (ix) establishes a sales and use tax base year to calculate the sales and use tax  
342 increment within the housing and transit reinvestment zone;

343 ~~[(ix)]~~ (x) describes projected maximum revenues generated and the amount of tax  
344 increment capture from each taxing entity and proposed expenditures of revenue derived from  
345 the housing and transit reinvestment zone;

346 ~~[(x)]~~ (xi) includes an analysis of other applicable or eligible incentives, grants, or  
347 sources of revenue that can be used to reduce the finance gap;

348 ~~[(xi)]~~ (xii) evaluates possible benefits to active and public transportation availability  
349 and impacts on air quality;

350 ~~[(xii)]~~ (xiii) proposes a finance schedule to align expected revenue with required  
351 financing costs and payments; ~~[and]~~

352 ~~[(xiii)]~~ (xiv) provides a pro-forma for the planned development including the cost  
353 differential between surface parked multi-family development and enhanced development that  
354 satisfies the requirements described in Subsections 63N-3-603(2), (3), and (4); and

355 (xv) for a housing and transit reinvestment zone at a commuter rail station, light rail  
356 station, or bus rapid transit station that is proposed and not in public transit service operation as  
357 of the date of submission of the proposal, demonstrates that the proposed station is:

358 (A) included in a metropolitan planning organization's adopted long-range  
359 transportation plan and the relevant public transit district's five-year plan; and

360 (B) reasonably anticipated to be constructed in the near future; and

361 (b) submit the housing and transit reinvestment zone proposal to the Governor's Office  
362 of Economic Opportunity.

363 (2) As part of the proposal described in Subsection (1), a municipality or public transit  
364 county shall study and evaluate possible impacts of a proposed housing and transit  
365 reinvestment zone on parking within the city and housing and transit reinvestment zone.

366 (3) (a) After receiving the proposal as described in Subsection (1)(b), the Governor's

367 Office of Economic Opportunity shall[-];

368 (i) within 14 days after the date on which the Governor's Office of Economic  
369 Opportunity receives the proposal described in Subsection (1)(b), provide notice of the  
370 proposal to all affected taxing entities, including the Tax Commission, cities, counties, school  
371 districts, and metropolitan planning organizations; and

372 (ii) at the expense of the proposing municipality or public transit county as described  
373 in Subsection (5), contract with an independent entity to perform the gap analysis described in  
374 Subsection (3)(b).

375 (b) The gap analysis required in Subsection (3)(a)(ii) shall include:

376 (i) a description of the planned development;

377 (ii) a market analysis relative to other comparable project developments included in or  
378 adjacent to the municipality or public transit county absent the proposed housing and transit  
379 reinvestment zone;

380 (iii) an evaluation of the proposal to and a determination of the adequacy and efficiency  
381 of the proposal;

382 (iv) an evaluation of the proposed increment capture needed to cover the enhanced  
383 development costs associated with the housing and transit reinvestment zone proposal and  
384 enable the proposed development to occur; and

385 (v) based on the market analysis and other findings, an opinion relative to the  
386 [minimum] appropriate amount of potential public financing reasonably determined to be  
387 necessary to achieve the objectives described in Subsection 63N-3-603(1).

388 (c) After receiving notice from the Governor's Office of Economic Opportunity of a  
389 proposed housing and transit reinvestment zone as described in Subsection (3)(a)(i), the Tax  
390 Commission shall:

391 (i) evaluate the feasibility of administering the tax implications of the proposal; and

392 (ii) provide a letter to the Governor's Office of Economic Opportunity describing any  
393 challenges in the administration of the proposal, or indicating that the Tax Commission can  
394 feasibly administer the proposal.

395 (4) After receiving the results from the analysis described in Subsection (3)(b), the  
396 municipality or public transit county proposing the housing and transit reinvestment zone may:

397 (a) amend the housing and transit reinvestment zone proposal based on the findings of

398 the analysis described in Subsection (3)(b) and request that the Governor's Office of Economic  
399 Opportunity submit the amended housing and transit reinvestment zone proposal to the housing  
400 and transit reinvestment zone committee; or

401 (b) request that the Governor's Office of Economic Opportunity submit the original  
402 housing and transit reinvestment zone proposal to the housing and transit reinvestment zone  
403 committee.

404 (5) (a) The Governor's Office of Economic Opportunity may accept, as a dedicated  
405 credit, up to \$20,000 from a municipality or public transit county for the costs of the gap  
406 analysis described in Subsection (3)(b).

407 (b) The Governor's Office of Economic Opportunity may expend funds received from a  
408 municipality or public transit county as dedicated credits to pay for the costs associated with  
409 the gap analysis described in Subsection (3)(b).

410 Section 4. Section **63N-3-605** is amended to read:

411 **63N-3-605. Housing and Transit Reinvestment Zone Committee -- Creation.**

412 (1) For any housing and transit reinvestment zone proposed under this part, there is  
413 created a housing and transit reinvestment zone committee with membership described in  
414 Subsection (2).

415 (2) Each housing and transit reinvestment zone committee shall consist of the  
416 following members:

417 (a) one representative from the Governor's Office of Economic Opportunity, designated  
418 by the executive director of the Governor's Office of Economic Opportunity;

419 (b) one representative from each municipality that is a party to the proposed housing  
420 and transit reinvestment zone, designated by the chief executive officer of each respective  
421 municipality;

422 (c) a member of the Transportation Commission created in Section 72-1-301;

423 (d) a member of the board of trustees of a large public transit district;

424 [~~(c) one representative from the Department of Transportation created in Section~~  
425 ~~72-1-201, designated by the executive director of the Department of Transportation;]~~

426 [~~(d) one representative from a large public transit district that serves the proposed~~  
427 ~~housing and transit reinvestment zone area, designated by the chair of the board of trustees of a~~  
428 ~~large public transit district;]~~

429 (e) one individual from the Office of the State Treasurer, designated by the state  
430 treasurer;

431 (f) one member designated by the president of the Senate;

432 (g) one member designated by the speaker of the House of Representatives;

433 ~~[(h) one individual from the tax commission, designated by the executive director of~~  
434 ~~the tax commission;]~~

435 [(†)] (h) one member designated by the chief executive officer of each county affected  
436 by the housing and transit reinvestment zone;

437 [(‡)] (i) one representative designated by the school superintendent from the school  
438 district affected by the housing and transit reinvestment zone; and

439 [(k)] (j) one representative, representing the largest participating local taxing entity,  
440 after the municipality, county, and school district.

441 (3) The individual designated by the Governor's Office of Economic Opportunity as  
442 described in Subsection (2)(a) shall serve as chair of the housing and transit reinvestment zone  
443 committee.

444 (4) (a) A majority of the members of the housing and transit reinvestment zone  
445 committee constitutes a quorum of the housing and transit reinvestment zone committee.

446 (b) An action by a majority of a quorum of the housing and transit reinvestment zone  
447 committee is an action of the housing and transit reinvestment zone committee.

448 (5) After the Governor's Office of Economic Opportunity receives the results of the  
449 analysis described in Section [63N-3-604](#), and after the Governor's Office of Economic  
450 Opportunity has received a request from the submitting municipality or public transit county to  
451 submit the housing and transit reinvestment zone proposal to the housing and transit  
452 reinvestment zone committee, the Governor's Office of Economic Opportunity shall notify each  
453 of the entities described in Subsection (2) of the formation of the housing and transit  
454 reinvestment zone committee.

455 (6) (a) The chair of the housing and transit reinvestment zone committee shall convene  
456 a public meeting to consider the proposed housing and transit reinvestment zone.

457 (b) A meeting of the housing and transit reinvestment zone committee is subject to  
458 Title 52, Chapter 4, Open and Public Meetings Act.

459 (7) (a) The proposing municipality or public transit county shall present the housing



460 and transit reinvestment zone proposal to the housing and transit reinvestment zone committee  
461 in a public meeting.

462 (b) The housing and transit reinvestment zone committee shall:

463 (i) evaluate and verify whether the elements of a housing and transit reinvestment zone  
464 described in Subsections 63N-3-603(2) and (4) have been met; and

465 (ii) evaluate the proposed housing and transit reinvestment zone relative to the analysis  
466 described in Subsection 63N-3-604(2).

467 (8) (a) Subject to Subsection (8)(b), the housing and transit reinvestment zone  
468 committee may:

469 (i) request changes to the housing and transit reinvestment zone proposal based on the  
470 analysis, characteristics, and criteria described in Section 63N-3-604; or

471 (ii) vote to approve or deny the proposal.

472 (b) Before the housing and transit reinvestment zone committee may approve the  
473 housing and transit reinvestment zone proposal, the municipality or public transit county  
474 proposing the housing and transit reinvestment zone shall ensure that the area of the proposed  
475 housing and transit reinvestment zone is zoned in such a manner to accommodate the  
476 requirements of a housing and transit reinvestment zone described in this section and the  
477 proposed development.

478 (9) If a housing and transit reinvestment zone is approved by the committee:

479 (a) the proposed housing and transit reinvestment zone is established according to the  
480 terms of the housing and transit reinvestment zone proposal;

481 (b) affected local taxing entities are required to participate according to the terms of the  
482 housing and transit reinvestment zone proposal; and

483 (c) each affected taxing municipality is required to participate at the same rate as a  
484 participating county.

485 (10) A housing and transit reinvestment zone proposal may be amended by following  
486 the same procedure as approving a housing and transit reinvestment zone proposal.