

OUTDOOR RECREATION INFRASTRUCTURE AMENDMENTS

2024 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Jeffrey D. Stenquist

Senate Sponsor: Ronald M. Winterton

LONG TITLE

~~Committee Note:~~

~~The Economic Development and Workforce Services Interim Committee recommended this bill:~~

~~Legislative Vote: 8 voting for 1 voting against 5 absent~~

General Description:

This bill makes changes related to outdoor recreation infrastructure.

Highlighted Provisions:

This bill:

- clarifies the definition for outdoor recreation infrastructure;

H→ includes additional authorized uses for funds in the Outdoor Adventure Infrastructure

Restricted Account; ←H

- allows the division to reimburse itself for costs from the Outdoor Adventure

Infrastructure Restricted Account; and

- makes technical changes.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

51-9-901, as enacted by Laws of Utah 2022, Chapter 77

51-9-902, as last amended by Laws of Utah 2023, Chapters 183, 471



28 79-7-501, as enacted by Laws of Utah 2023, Chapter 145

29 79-7-503, as enacted by Laws of Utah 2023, Chapter 145



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

32 Section 1. Section 51-9-901 is amended to read:

33 **51-9-901. Definitions.**

34 As used in this part:

35 (1) "Account" means the Outdoor Adventure Infrastructure Restricted Account created
36 in Section 51-9-902.

37 (2) "Facility" means a site, location, building, structure, or other improvement to
38 property.

39 (3) (a) "Outdoor recreation infrastructure" means a public facility or public land used
40 by the public to access outdoor recreational opportunities.

41 (b) "Outdoor recreation infrastructure" includes:

42 (i) a facility used for water sports, snow sports, backpacking, canoeing, canyoning,
43 caving, camping, climbing, hiking, hill walking, hunting, kayaking, rafting, biking, operating a
44 snowmobile or all-terrain vehicle, or any similar motorized or nonmotorized activity; ~~[and]~~

45 (ii) a state park, golf course, sports field, playground, toboggan run, sledding hill, trail,
46 paved pedestrian or paved nonmotorized transportation facility, park, pool, waterway, road,
47 bridge, or similar facility[-];

48 (iii) an unpaved trail, trail head infrastructure, signage, or crossing infrastructure for
49 recreation, regardless of whether the recreation is motorized or nonmotorized recreation;

50 (iv) a campground or day-use recreation site;

51 (v) water recreation infrastructure, including a pier, dock, or boat ramp; and

52 (vi) outdoor recreation facilities that are accessible to visitors with disabilities.

53 Section 2. Section 51-9-902 is amended to read:

54 **51-9-902. Outdoor Adventure Infrastructure Restricted Account.**

55 ~~[(1) As used in this section, "outdoor recreation infrastructure" means:]~~

56 ~~[(a) an unpaved trail, trail head infrastructure, signage, or crossing infrastructure for~~
57 ~~recreation, regardless of whether the recreation is motorized or nonmotorized recreation;]~~

58 ~~[(b) a campground or day-use recreation site;]~~

59 ~~[(c) water recreation infrastructure, including a pier, dock, or boat ramp; or]~~
 60 ~~[(d) outdoor recreation facilities that are accessible to visitors with disabilities.]~~

61 ~~[(2)]~~ (1) There is created within the General Fund a restricted account known as the
 62 "Outdoor Adventure Infrastructure Restricted Account."

63 ~~[(3)]~~ (2) The account shall consist of:

64 (a) money deposited into the account under Subsection 59-12-103(15); and

65 (b) interest and earnings on money in the account.

66 ~~[(4)]~~ (3) Subject to appropriation from the Legislature, money from the account shall
 67 be used for:

68 (a) new construction of outdoor recreation infrastructure;

69 (b) upgrades of outdoor recreation infrastructure;

70 (c) the replacement of or structural improvements to outdoor recreation infrastructure;

71 (d) the acquisition of land, a right-of-way, or easement used in relationship to outdoor
 72 recreation infrastructure; ~~H→ [or] ←H~~

73 (e) providing access from state highways, as defined in Section 72-1-102, to outdoor
 74 recreation infrastructure ~~H→ [;]~~ ;

74a **(f) the costs associated with bringing new construction or upgrades of outdoor**
 74b **recreation infrastructure into environmental compliance; ~~S→ [or] ←S~~**

74c **(g) strategic planning related to the development of outdoor recreation infrastructure**
 74c1 **~~S→ [;]~~ ; or**

74c2 **(h) facilitating avalanche safety forecasting to protect the public in relation to outdoor**
 74c3 **recreation infrastructure. ←S**

74d ~~←H~~

75 ~~[(5)]~~ (4) For each fiscal year, beginning with fiscal year 2023-2024, the Division of
 76 Finance shall, subject to appropriation by the Legislature, distribute money from the Outdoor
 77 Adventure Infrastructure Restricted Account as follows:

78 (a) at least 15% to the Department of Natural Resources - Division of State Parks -
 79 Capital, to be expended using the department's existing prioritization process for capital
 80 projects in state parks described in Subsection ~~[(4)]~~ (3);

81 (b) at least 22% to the Department of Natural Resources - Division of Outdoor
 82 Recreation - Capital, to be expended for competitive Recreation Restoration Infrastructure
 83 grants or Outdoor Recreational Infrastructure grants for outdoor recreation capital projects and
 84 related maintenance expenses, where maintenance expenses do not exceed 15% of the
 85 appropriation; and

86 (c) at least 53% to the Department of Natural Resources - Division of Outdoor
 87 Recreation - Capital, to be expended for larger outdoor recreation infrastructure projects
 88 described in Subsection ~~H→ [3]~~ (3) ←H as recommended to the Legislature by the Outdoor

88a Adventure

89 Commission [~~described in Subsection (4)~~].

90 ~~[(6)]~~ (5) If the Legislature appropriates money to the Department of Transportation
91 from the account, the Transportation Commission, created in Section 72-1-301, shall prioritize
92 projects and determine funding levels in accordance with Subsection 72-1-303(1)(a) based on
93 recommendations of the Department of Transportation.

94 Section 3. Section 79-7-501 is amended to read:

95 **79-7-501. Definitions.**

96 As used in this part:

97 (1) "Initiative" means the Recreation Coordinated Investment Initiative created in ~~[this~~
98 ~~part]~~ Section 79-7-502.

99 (2) "Outdoor recreation infrastructure" ~~[includes:]~~ means the same as that term is
100 defined in 51-9-901.

101 ~~[(a) a trail, trail head infrastructure, signage, and crossing infrastructure for both~~
102 ~~nonmotorized and motorized recreation;]~~

103 ~~[(b) a campground or day-use recreation site;]~~

104 ~~[(c) water recreation infrastructure, including a pier, dock, or boat ramp, and]~~

105 ~~[(d) outdoor recreation facilities that are accessible to visitors with disabilities.]~~

106 (3) "Public lands" includes local, state, and federal lands.

107 Section 4. Section 79-7-503 is amended to read:

108 **79-7-503. Funding of initiative.**

109 (1) The initiative is funded from the following sources:

110 ~~[(1)]~~ (a) appropriations made to the initiative by the Legislature, including any
111 appropriation from the Outdoor Adventure Infrastructure Restricted Account created in Section
112 51-9-902; and

113 ~~[(2)]~~ (b) contributions, including in-kind assistance, from public and private sources,
114 including a federal agency, state agency, local government, or private entity.

115 (2) The division may reimburse itself with initiative funds for costs related to
116 administering the initiative.

117 Section 5. **Effective date.**

118 This bill takes effect on May 1, 2024.