	STATE OLYMPIC COORDINATION AMENDMENTS
	2024 GENERAL SESSION
	STATE OF UTAH
	Chief Sponsor: Jon Hawkins
	Senate Sponsor: Michael K. McKell
1	LONG TITLE
(	General Description:
	This bill modifies provisions related to the Olympic and Paralympic Winter Games
(	Coordination Committee and the Olympic and Paralympic Venues Grant Fund.
I	Highlighted Provisions:
	This bill:
	<ul> <li>amends provisions related to the duties of the Division of Facilities Construction</li> </ul>
8	and Management;
	<ul><li>modifies definitions;</li></ul>
	<ul> <li>permits the Division of Facilities Construction and Management to seek</li> </ul>
r	non-binding recommendations from the Olympic and Paralympic Winter Games
(	Coordination Committee regarding the Olympic and Paralympic Venues Grant Fund
8	and grants from the fund; and
	<ul> <li>requires the division to provide reports to the committee regarding the fund and its</li> </ul>
8	activities.
I	Money Appropriated in this Bill:
	None
(	Other Special Clauses:
	This bill provides a special effective date.
Į	Utah Code Sections Affected:
A	AMENDS:



	63A-5b-303 (Superseded 07/01/24), as last amended by Laws of Utah 2023, Chapter
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	63A-5b-303 (Effective 07/01/24), as last amended by Laws of Utah 2023, Chapters
329, 3	394
	63G-28-101, as enacted by Laws of Utah 2023, Chapter 14
	63G-28-202, as enacted by Laws of Utah 2023, Chapter 14
	63G-28-302, as renumbered and amended by Laws of Utah 2023, Chapter 14
ENA	CTS:
	63G-28-204, Utah Code Annotated 1953
Be it	enacted by the Legislature of the state of Utah:
	Section 1. Section 63A-5b-303 (Superseded 07/01/24) is amended to read:
	63A-5b-303 (Superseded 07/01/24). Duties and authority of division.
	(1) (a) The division shall:
	(i) subject to Subsection (1)(b), supervise and control the allocation of space, in
accor	dance with legislative directive through annual appropriations acts, other legislation, or
tatut	e, to agencies in all buildings or space owned, leased, or rented by or to the state, except
as pro	ovided in Subsection (3) or as otherwise provided by statute;
	(ii) assure the efficient use of all building space under the division's supervision and
contr	ol;
	(iii) acquire title to all real property, buildings, fixtures, and appurtenances for use by
the st	ate or an agency, as authorized by the Legislature through an appropriation act, other
legisl	ation, or statute, subject to Subsection (1)(c);
	(iv) except as otherwise provided by statute, hold title to all real property, buildings,
ixtur	es, and appurtenances owned by the state or an agency;
	(v) collect and maintain all deeds, abstracts of title, and all other documents evidencing
itle t	o or an interest in property belonging to the state or to the state's departments, except
nstiti	ations of higher education and the trust lands administration;
	(vi) (A) periodically conduct a market analysis of proposed rates and fees; and
	(B) include in a market analysis a comparison of the division's rates and fees with the
rates	and fees of other public or private sector providers of comparable services, if rates and

59	fees for comparable services are reasonably available;
60	(vii) fulfill the division's responsibilities under Part 10, Energy Conservation and
61	Efficiency, including responsibilities:
62	(A) to implement the state building energy efficiency program under Section
63	63A-5b-1002; and
64	(B) related to the approval of loans from the State Facility Energy Efficiency Fund
65	under Section 63A-5b-1003;
66	(viii) administer grants from the Olympic and Paralympic Venues Grant Fund created
67	in Section 63G-28-302 and provide reports to the Olympic and Paralympic Winter Games
68	Coordination Committee as provided in Section 63G-28-202 and Section 63G-28-204;
69	[(viii)] (ix) convey, lease, or dispose of the real property, water rights, or water shares
70	associated with the Utah State Developmental Center if directed to do so by the Utah State
71	Developmental Center board, as provided in Subsection 26B-6-507(2); and
72	[(ix)] (x) take all other action that the division is required to do under this chapter or
73	other applicable statute.
74	(b) In making an allocation of space under Subsection (1)(a)(i), the division shall
75	conduct one or more studies to determine the actual needs of each agency.
76	(c) The division may, without legislative approval, acquire title to real property for use
77	by the state or an agency if the acquisition cost does not exceed \$500,000.
78	(2) The division may:
79	(a) sue and be sued;
80	(b) as authorized by the Legislature, buy, lease, or otherwise acquire, by exchange or
81	otherwise, and hold real or personal property necessary for the discharge of the division's
82	duties; and
83	(c) take all other action necessary for carrying out the purposes of this chapter.
84	(3) (a) The division may not supervise or control the allocation of space for an entity in
85	the public education system.
86	(b) The supervision and control of the legislative area is reserved to the Legislature.
87	(c) The supervision and control of capitol hill facilities and capitol hill grounds is

(d) (i) Subject to Subsection (3)(d)(ii), the supervision and control of the allocation of

reserved to the State Capitol Preservation Board.

space for an institution of higher education is reserved to the Utah Board of Higher Education.

- (ii) The Utah Board of Higher Education shall consult and cooperate with the division in the establishment and enforcement of standards for the supervision and control of the allocation of space for an institution of higher education.
- (e) (i) Subject to Subsection (3)(e)(ii), the supervision and control of the allocation of space for the courts of record listed in Subsection 78A-1-101(1) is reserved to the Administrative Office of the Courts referred to in Subsection 78A-2-108(3).
- (ii) The Administrative Office of the Courts shall consult and cooperate with the division in the establishment and enforcement of standards for the supervision and control of the allocation of space for the courts of record listed in Subsection 78A-1-101(1).
- (4) Before the division charges a rate, fee, or other amount for a service provided by the division's internal service fund to an executive branch agency, or to a service subscriber other than an executive branch agency, the division shall:
- (a) submit an analysis of the proposed rate, fee, or other amount to the rate committee created in Section 63A-1-114; and
- (b) obtain the approval of the Legislature as required by Section 63J-1-410 or 63J-1-504.
- Section 2. Section **63A-5b-303** (Effective **07/01/24**) is amended to read:
- 63A-5b-303 (Effective 07/01/24). Duties and authority of division.
- 109 (1) (a) The division shall:

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- (i) subject to Subsection (1)(b), supervise and control the allocation of space, in accordance with legislative directive through annual appropriations acts, other legislation, or statute, to agencies in all buildings or space owned, leased, or rented by or to the state, except as provided in Subsection (3) or as otherwise provided by statute;
- (ii) assure the efficient use of all building space under the division's supervision and control;
- (iii) acquire title to all real property, buildings, fixtures, and appurtenances for use by the state or an agency, as authorized by the Legislature through an appropriation act, other legislation, or statute, subject to Subsection (1)(c);
- (iv) except as otherwise provided by statute, hold title to all real property, buildings, fixtures, and appurtenances owned by the state or an agency;

121	(v) collect and maintain all deeds, abstracts of title, and all other documents evidencing
122	title to or an interest in property belonging to the state or to the state's departments, except
123	institutions of higher education and the trust lands administration;
124	(vi) (A) periodically conduct a market analysis of proposed rates and fees; and
125	(B) include in a market analysis a comparison of the division's rates and fees with the
126	rates and fees of other public or private sector providers of comparable services, if rates and
127	fees for comparable services are reasonably available;
128	(vii) fulfill the division's responsibilities under Part 10, Energy Conservation and
129	Efficiency, including responsibilities:
130	(A) to implement the state building energy efficiency program under Section
131	63A-5b-1002; and
132	(B) related to the approval of loans from the State Facility Energy Efficiency Fund
133	under Section 63A-5b-1003;
134	(viii) administer grants from the Olympic and Paralympic Venues Grant Fund created
135	in Section 63G-28-302 and provide reports to the Olympic and Paralympic Winter Games
136	Coordination Committee as provided in Section 63G-28-202 and Section 63G-28-204;
137	[(viii)] (ix) convey, lease, or dispose of the real property, water rights, or water shares
138	associated with the Utah State Developmental Center if directed to do so by the Utah State
139	Developmental Center board, as provided in Subsection 26B-6-507(2); and
140	$\left[\frac{(ix)}{(ix)}\right]$ take all other action that the division is required to do under this chapter or
141	other applicable statute.
142	(b) In making an allocation of space under Subsection (1)(a)(i), the division shall
143	conduct one or more studies to determine the actual needs of each agency.
144	(c) The division may, without legislative approval, acquire title to real property for use
145	by the state or an agency if the acquisition cost does not exceed \$500,000.
146	(2) The division may:
147	(a) sue and be sued;
148	(b) as authorized by the Legislature, buy, lease, or otherwise acquire, by exchange or
149	otherwise, and hold real or personal property necessary for the discharge of the division's
150	duties; and
151	(c) take all other action necessary for carrying out the purposes of this chapter.

152 (3) (a) The division may not supervise or control the allocation of space for an entity in 153 the public education system.

- (b) The supervision and control of the legislative area is reserved to the Legislature.
- (c) The supervision and control of capitol hill facilities and capitol hill grounds is reserved to the State Capitol Preservation Board.
  - (d) (i) Subject to Subsection (3)(d)(ii), the supervision and control of the allocation of space for an institution of higher education is reserved to the Utah Board of Higher Education.
  - (ii) The Utah Board of Higher Education shall consult and cooperate with the division in the establishment and enforcement of standards for the supervision and control of the allocation of space for an institution of higher education.
  - (e) (i) Subject to Subsection (3)(e)(ii), the supervision and control of the allocation of space for the courts of record listed in Subsection 78A-1-101(1) is reserved to the Administrative Office of the Courts described in Section 78A-2-108.
- (ii) The Administrative Office of the Courts shall consult and cooperate with the division in the establishment and enforcement of standards for the supervision and control of the allocation of space for the courts of record listed in Subsection 78A-1-101(1).
- (4) Before the division charges a rate, fee, or other amount for a service provided by the division's internal service fund to an executive branch agency, or to a service subscriber other than an executive branch agency, the division shall:
- (a) submit an analysis of the proposed rate, fee, or other amount to the rate committee created in Section 63A-1-114; and
- 173 (b) obtain the approval of the Legislature as required by Section 63J-1-410 or 63J-1-504.
- 175 Section 3. Section **63G-28-101** is amended to read:
- 176 **63G-28-101. Definitions.**
- 177 As used in this chapter:

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- 178 (1) "Division" means the Division of Facilities Construction and Management created 179 in Section 63A-5b-301.
- 180 (2) "Fund" means the Olympic and Paralympic Venues Grant Fund.
- 181 (3) "Games" means the 2030 or 2034 Olympic and Paralympic Winter Games.
- 182 [(2)] (4) "Games committee" means the Olympic and Paralympic Winter Games

183	Coordination Committee created in Section 63G-28-201.
184	[(3)] (5) "Host agreement" means an agreement with a site selection committee that is
185	made in connection with the selection of the state for the location of the games.
186	[(4)] (6) "Host assurance" means a written assurance to a site selection committee that
187	is made in connection with the selection of the state for the location of the games.
188	[(5)] (7) "Host committee" means a nonprofit corporation, including a successor in
189	interest, that may:
190	(a) provide an application and bid to a site selection committee for selection of the state
191	as the location of the games; and
192	(b) execute an agreement with the United States Olympic and Paralympic Committee
193	regarding a bid and the bid process to host the games.
194	[(6)] (8) "Site selection committee" means the International Olympic Committee or the
195	International Paralympic Committee.
196	[(7)] (9) "State security" means a financial obligation undertaken by the state under a
197	host agreement.
198	Section 4. Section 63G-28-202 is amended to read:
199	63G-28-202. Games committee duties.
200	(1) The games committee shall:
201	[(1)] (a) review issues related to:
202	[(a)] (i) the state's bid to host or hosting of the games;
203	[(b)] (ii) the impact of hosting the games on the state; and
204	[ <del>(c)</del> ] <u>(iii)</u> any state security;
205	[(2)] (b) review a report provided to the games committee under Section 63G-28-203;
206	[(3)] (c) review a host agreement or host assurance provided to the games committee
207	under Section 63G-28-401; and
208	[(4)] (d) make recommendations to the Legislature regarding a host agreement, a host
209	assurance, and the state's role in hosting the games.
210	(2) The games committee may, during a regular meeting of the games committee, or a
211	meeting scheduled by the games committee at the request of the division, provide
212	recommendations regarding the fund and grants from the fund.
213	Section 5. Section <b>63G-28-204</b> is enacted to read:

214	63G-28-204. Olympic and Paralympic Venues Grant Fund reports to games
215	committee.
216	(1) At least once a year and at the request of the games committee, the division shall
217	provide a report to the games committee that:
218	(a) provides an update on the balances and condition of the fund;
219	(b) provides a summary of all grants being considered and grants awarded from the
220	fund since the last report;
221	(c) lists in detail, for each grant awarded since the last report, the grant recipient, the
222	amount of the grant, the purpose of the grant, and the terms of the grant; and
223	(d) discusses other matters related to the fund.
224	(2) At the request of the division, the games committee may meet to review or provide
225	recommendations to the division in relation to a potential grantee or other matters relating to
226	the fund.
227	Section 6. Section 63G-28-302 is amended to read:
228	63G-28-302. Olympic and Paralympic Venues Grant Fund.
229	(1) [(a) (i)] (a) There is created an expendable special revenue fund known as the
230	"Olympic and Paralympic Venues Grant Fund."
231	[(ii)] (b) The fund shall consist of:
232	[(A)] (i) money appropriated to the fund by the Legislature;
233	[(B)] (ii) money donated to the fund from public or private individuals or entities; and
234	[ <del>(C)</del> ] <u>(iii)</u> interest on fund money.
235	(2) (a) The division shall award grants from the fund to a venue operator to provide
236	funding for construction, improvements, and repairs to a venue.
237	(b) The division may request or consider recommendations from the games committee
238	when considering a grant as provided in Section 63G-28-202 and Section 63G-28-204.
239	(3) A venue operator's application for a grant award under this section shall include:
240	(a) the number of venues the venue operator plans to construct, improve, or repair;
241	(b) the venue operator's proposed improvements, repairs, or construction plans for a
242	venue;
243	(c) the estimated cost of the venue operator's proposed improvements, repairs, or
244	construction plans for a venue;

(d) any plan to use funding sources in addition to a grant award under this section to construct, improve, or repair a venue;

- (e) the amount of the requested grant award to fund the construction, improvements, or repairs for each venue; and
- (f) existing or planned contracts or partnerships between the venue operator and other individuals or entities to complete venue construction, improvements, or repairs.
- (4) The division may only award and distribute a grant award to a venue operator that submits an application in accordance with Subsection (3).
- (5) (a) As a condition of an award of a grant, the venue operator shall sign an agreement with the division governing:
  - (i) the venue operator's responsibilities for expending the grant award; and
- (ii) the division's and the state's right to review and audit the venue operator's use of the grant award and the venue operator's performance under the grant award.
  - (b) The division shall ensure that the agreement contains:
- (i) a requirement for an annual report and the required contents of the report in accordance with Subsection (6)(b);
- (ii) a right for the division or the division's designee to visit and inspect the venue as often as needed before, during, and after construction or improvements, or repairs begin or are complete; and
- (iii) an absolute right for the division, the state auditor, and the legislative auditor to access and audit the financial records relevant to the grant award.
- (6) (a) A venue operator that receives a grant award under this section may only use the grant award to construct, improve, or repair a venue.
- (b) A venue operator that receives a grant award under this section shall annually file a report with the division that details for the immediately preceding calendar year:
- (i) the construction, improvements, and repairs, in process or completed, that were wholly or partially funded by a grant award under this section;
  - (ii) the total dollar amount expended from the grant award;
- 273 (iii) an itemized accounting that describes how the venue operator expended the grant 274 award;
  - (iv) the intended use for a grant award that has not been expended; and

276	(v) the results of any evaluations of venue construction, improvements, or repairs.
277	Section 7. Effective date.
278	(1) Except as provided in Subsection (2), this bill takes effect on May 1, 2024.
279	(2) The actions affecting Section 63A-5b-303 (Effective 07/01/24) take effect on July
280	1, 2024.