

TRANSPORTATION FUNDING MODIFICATIONS

2024 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Robert M. Spendlove

Senate Sponsor: Kirk A. Cullimore

LONG TITLE

General Description:

This bill distributes money from the County of the First Class Highway Projects Fund to Sandy for a pedestrian bridge.

Highlighted Provisions:

This bill:

- ▶ distributes money from the County of the First Class Highway Projects Fund to Sandy for a pedestrian bridge.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

72-2-121, as last amended by Laws of Utah 2023, Chapter 529

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

Section 1. Section **72-2-121** is amended to read:

72-2-121. County of the First Class Highway Projects Fund.

(1) There is created a special revenue fund within the Transportation Fund known as the "County of the First Class Highway Projects Fund."



- 28 (2) The fund consists of money generated from the following revenue sources:
- 29 (a) any voluntary contributions received for new construction, major renovations, and
- 30 improvements to highways within a county of the first class;
- 31 (b) the portion of the sales and use tax described in Subsection [59-12-2214\(3\)\(b\)](#)
- 32 deposited into or transferred to the fund;
- 33 (c) the portion of the sales and use tax described in Section [59-12-2217](#) deposited into
- 34 or transferred to the fund;
- 35 (d) a portion of the local option highway construction and transportation corridor
- 36 preservation fee imposed in a county of the first class under Section [41-1a-1222](#) deposited into
- 37 or transferred to the fund; and
- 38 (e) the portion of the sales and use tax transferred into the fund as described in
- 39 Subsections [59-12-2220\(4\)\(a\)](#) and [59-12-2220\(11\)\(b\)](#).
- 40 (3) (a) The fund shall earn interest.
- 41 (b) All interest earned on fund money shall be deposited into the fund.
- 42 (4) Subject to Subsection (9), the executive director shall use the fund money only:
- 43 (a) to pay debt service and bond issuance costs for bonds issued under Sections
- 44 [63B-16-102](#), [63B-18-402](#), and [63B-27-102](#);
- 45 (b) for right-of-way acquisition, new construction, major renovations, and
- 46 improvements to highways within a county of the first class and to pay any debt service and
- 47 bond issuance costs related to those projects, including improvements to a highway located
- 48 within a municipality in a county of the first class where the municipality is located within the
- 49 boundaries of more than a single county;
- 50 (c) for the construction, acquisition, use, maintenance, or operation of:
- 51 (i) an active transportation facility for nonmotorized vehicles;
- 52 (ii) multimodal transportation that connects an origin with a destination; or
- 53 (iii) a facility that may include a:
- 54 (A) pedestrian or nonmotorized vehicle trail;
- 55 (B) nonmotorized vehicle storage facility;
- 56 (C) pedestrian or vehicle bridge; or
- 57 (D) vehicle parking lot or parking structure;
- 58 (d) to transfer to the 2010 Salt Lake County Revenue Bond Sinking Fund created by

59 Section 72-2-121.3 the amount required in Subsection 72-2-121.3(4)(c) minus the amounts
60 transferred in accordance with Subsection 72-2-124(4)(a)(iv);

61 (e) for a fiscal year beginning on or after July 1, 2013, to pay debt service and bond
62 issuance costs for \$30,000,000 of the bonds issued under Section 63B-18-401 for the projects
63 described in Subsection 63B-18-401(4)(a);

64 (f) for a fiscal year beginning on or after July 1, 2013, and after the department has
65 verified that the amount required under Subsection 72-2-121.3(4)(c) is available in the fund, to
66 transfer an amount equal to 50% of the revenue generated by the local option highway
67 construction and transportation corridor preservation fee imposed under Section 41-1a-1222 in
68 a county of the first class:

69 (i) to the legislative body of a county of the first class; and

70 (ii) to be used by a county of the first class for:

71 (A) highway construction, reconstruction, or maintenance projects; or

72 (B) the enforcement of state motor vehicle and traffic laws;

73 (g) for a fiscal year beginning on or after July 1, 2015, after the department has verified
74 that the amount required under Subsection 72-2-121.3(4)(c) is available in the fund and the
75 transfer under Subsection (4)(e) has been made, to annually transfer an amount of the sales and
76 use tax revenue imposed in a county of the first class and deposited into the fund in accordance
77 with Subsection 59-12-2214(3)(b) equal to an amount needed to cover the debt to:

78 (i) the appropriate debt service or sinking fund for the repayment of bonds issued under
79 Section 63B-27-102; and

80 (ii) the appropriate debt service or sinking fund for the repayment of bonds issued
81 under Sections 63B-31-102 and 63B-31-103;

82 (h) after the department has verified that the amount required under Subsection
83 72-2-121.3(4)(c) is available in the fund and after the transfer under Subsection (4)(d), the
84 payment under Subsection (4)(e), and the transfer under Subsection (4)(g)(i) has been made, to
85 annually transfer \$2,000,000 to a public transit district in a county of the first class to fund a
86 system for public transit;

87 (i) for a fiscal year beginning on or after July 1, 2018, after the department has verified
88 that the amount required under Subsection 72-2-121.3(4)(c) is available in the fund and after
89 the transfer under Subsection (4)(d), the payment under Subsection (4)(e), and the transfer

90 under Subsection (4)(g)(i) has been made, to annually transfer 20% of the amount deposited
91 into the fund under Subsection (2)(b):

92 (i) to the legislative body of a county of the first class; and

93 (ii) to fund parking facilities in a county of the first class that facilitate significant
94 economic development and recreation and tourism within the state;

95 (j) for the 2018-19 fiscal year only, after the department has verified that the amount
96 required under Subsection 72-2-121.3(4)(c) is available in the fund and after the transfer under
97 Subsection (4)(d), the payment under Subsection (4)(e), and the transfers under Subsections
98 (4)(g), (h), and (i) have been made, to transfer \$12,000,000 to the department to distribute for
99 the following projects:

100 (i) \$2,000,000 to West Valley City for highway improvement to 4100 South;

101 (ii) \$1,000,000 to Herriman for highway improvements to Herriman Boulevard from
102 6800 West to 7300 West;

103 (iii) \$1,100,000 to South Jordan for highway improvements to Grandville Avenue;

104 (iv) \$1,800,000 to Riverton for highway improvements to Old Liberty Way from 13400
105 South to 13200 South;

106 (v) \$1,000,000 to Murray City for highway improvements to 5600 South from State
107 Street to Van Winkle;

108 (vi) \$1,000,000 to Draper for highway improvements to Lone Peak Parkway from
109 11400 South to 12300 South;

110 (vii) \$1,000,000 to Sandy City for right-of-way acquisition for Monroe Street;

111 (viii) \$900,000 to South Jordan City for right-of-way acquisition and improvements to
112 10200 South from 2700 West to 3200 West;

113 (ix) \$1,000,000 to West Jordan for highway improvements to 8600 South near
114 Mountain View Corridor;

115 (x) \$700,000 to South Jordan right-of-way improvements to 10550 South; and

116 (xi) \$500,000 to Salt Lake County for highway improvements to 2650 South from
117 7200 West to 8000 West; ~~and~~

118 (k) subject to Subsection (5), for a fiscal year beginning on or after July 1, 2021, and
119 for 15 years thereafter, to annually transfer the following amounts to the following cities, metro
120 townships, and the county of the first class for priority projects to mitigate congestion and

121 improve transportation safety:

- 122 (i) \$2,000,000 to Sandy;
- 123 (ii) \$2,000,000 to Taylorsville;
- 124 (iii) \$1,100,000 to Salt Lake City;
- 125 (iv) \$1,100,000 to West Jordan;
- 126 (v) \$1,100,000 to West Valley City;
- 127 (vi) \$800,000 to Herriman;
- 128 (vii) \$700,000 to Draper;
- 129 (viii) \$700,000 to Riverton;
- 130 (ix) \$700,000 to South Jordan;
- 131 (x) \$500,000 to Bluffdale;
- 132 (xi) \$500,000 to Midvale;
- 133 (xii) \$500,000 to Millcreek;
- 134 (xiii) \$500,000 to Murray;
- 135 (xiv) \$400,000 to Cottonwood Heights; and
- 136 (xv) \$300,000 to Holladay[-]; and

137 (l) for the 2024-25 fiscal year only, to transfer \$3,000,000 to Sandy for a pedestrian
138 bridge.

139 (5) (a) If revenue in the fund is insufficient to satisfy all of the transfers described in
140 Subsection (4)(k), the executive director shall proportionately reduce the amounts transferred
141 as described in Subsection (4)(k).

142 (b) A local government entity, as that term is defined in Section 63J-1-220, is exempt
143 from entering into an agreement as described in Section 63J-1-220 pertaining to the receipt or
144 expenditure of any funding described in Subsection (4)(k).

145 (c) A local government may not use revenue described in Subsection (4)(k) to supplant
146 existing class B or class C road funds that a local government has budgeted for transportation
147 projects.

148 (d) (i) A municipality or county that received a transfer of funds described in
149 Subsection (4)(j) shall submit to the department a statement of cash flow and progress
150 pertaining to the municipality's or county's respective project described in Subsection (4)(j).

151 (ii) After the department is satisfied that the municipality or county described in

152 Subsection (4)(j) has made substantial progress and the expenditure of funds is programmed
153 and imminent, the department may transfer to the same municipality or county the respective
154 amounts described in Subsection (4)(k).

155 (6) The revenues described in Subsections (2)(b), (c), and (d) that are deposited into the
156 fund and bond proceeds from bonds issued under Sections 63B-16-102, 63B-18-402, and
157 63B-27-102 are considered a local matching contribution for the purposes described under
158 Section 72-2-123.

159 (7) The additional administrative costs of the department to administer this fund shall
160 be paid from money in the fund.

161 (8) Subject to Subsection (9), and notwithstanding any statutory or other restrictions on
162 the use or expenditure of the revenue sources deposited into this fund, the Department of
163 Transportation may use the money in this fund for any of the purposes detailed in Subsection
164 (4).

165 (9) Any revenue deposited into the fund as described in Subsection (2)(e) shall be used
166 to provide funding or loans for public transit projects, operations, and supporting infrastructure
167 in the county of the first class.

168 **Section 2. Effective date.**

169 This bill takes effect on May 1, 2024.