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FUNDS AMENDMENTS

2024 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Don L. Ipson

House Sponsor: _____

LONG TITLE

General Description:

This bill modifies provisions related to state funds and accounts.

Highlighted Provisions:

This bill:

- ▶ changes the Brain Injury Fund to a restricted account and renames it the Brain Injury Account;
- ▶ clarifies how carry forward funds are deposited into the Division of Services for People with Disabilities Restricted Account;
- ▶ changes the Alternative Eligibility Expendable Revenue Fund to a restricted account and renames it the Alternative Eligibility Account;
- ▶ creates the State Armory Account;
- ▶ modifies the Department of Government Operations' authority to transfer money appropriated for certain costs;
- ▶ allows the Division of Finance to transfer money from the Income Tax Fund to the Uniform School Fund under certain circumstances;
- ▶ changes the Transient Room Tax Fund to a fiduciary fund;
- ▶ repeals:
 - the Invasive Species Mitigation Account; and
 - the Prison Project Fund; and
- ▶ makes technical and conforming changes.



28 **Money Appropriated in this Bill:**

29 None

30 **Other Special Clauses:**

31 This bill provides a special effective date.

32 **Utah Code Sections Affected:**

33 AMENDS:

34 **4-17-115**, as last amended by Laws of Utah 2018, Chapter 355

35 **26B-1-318**, as last amended by Laws of Utah 2023, Chapter 335 and renumbered and
36 amended by Laws of Utah 2023, Chapter 305

37 **26B-1-335**, as enacted by Laws of Utah 2023, Chapter 325

38 **26B-3-910**, as enacted by Laws of Utah 2023, Chapter 332

39 **39A-2-102**, as renumbered and amended by Laws of Utah 2022, Chapter 373

40 **53F-9-201 (Superseded 01/01/25)**, as last amended by Laws of Utah 2022, Chapter
41 456

42 **53F-9-201 (Effective 01/01/25)**, as last amended by Laws of Utah 2023, Chapter 293

43 **63J-1-206**, as last amended by Laws of Utah 2022, Chapters 40, 425

44 **63J-1-207**, as renumbered and amended by Laws of Utah 2009, Chapter 183

45 **63N-3-403**, as renumbered and amended by Laws of Utah 2015, Chapter 283

46 REPEALS:

47 **4-17-114**, as last amended by Laws of Utah 2018, Chapter 355

48 **63A-5b-1107**, as last amended by Laws of Utah 2023, Chapter 534

49 **63B-25-101**, as last amended by Laws of Utah 2020, Chapter 152



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

52 Section 1. Section **4-17-115** is amended to read:

53 **4-17-115. Cooperative agreements and grants to rehabilitate areas infested with**
54 **or threatened by invasive species.**

55 The department may:

56 (1) enter into a cooperative agreement with a political subdivision, a state agency, a
57 federal agency, a tribe, a county weed board, a cooperative weed management area, a nonprofit
58 organization, a university, or a private landowner to:

59 (a) rehabilitate or treat an area infested with, or threatened by, an invasive species; or

60 (b) conduct research related to invasive species; and

61 [~~(2) expend money from the Invasive Species Mitigation Account created in Section~~
62 ~~4-17-114; and]~~

63 [~~(3)~~] (2) in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking
64 Act, make rules to[~~:~~]

65 [~~(a) administer this section; and]~~

66 [~~(b) give grants from the Invasive Species Mitigation Account]~~ administer this section.

67 Section 2. Section **26B-1-318** is amended to read:

68 **26B-1-318. Brain Injury Account.**

69 (1) There is created [~~an expendable special revenue fund]~~ a restricted account within
70 the General Fund known as the "Brain Injury [~~Fund]~~ Account."

71 (2) The [~~fund]~~ account shall consist of:

72 (a) gifts, grants, donations, or any other conveyance of money that may be made to the
73 fund from private sources; and

74 (b) additional amounts as appropriated by the Legislature.

75 [~~(3) The fund shall be administered by the executive director.]~~

76 [~~(4) Fund]~~

77 (3) Upon appropriation by the Legislature, account money may be used to:

78 (a) educate the general public and professionals regarding understanding, treatment,
79 and prevention of brain injury;

80 (b) provide access to evaluations and coordinate short-term care to assist an individual
81 in identifying services or support needs, resources, and benefits for which the individual may
82 be eligible;

83 (c) develop and support an information and referral system for persons with a brain
84 injury and their families; and

85 (d) provide grants to persons or organizations to provide the services described in
86 Subsections [~~(4)(a), (b), and (c).~~] (3)(a) through (c).

87 [~~(5)~~] (4) Not less than 50% of the [~~fund]~~ account shall be used each fiscal year to
88 directly assist individuals who meet the qualifications described in Subsection [~~(6)~~] (5).

89 [~~(6)~~] (5) An individual who receives services either paid for from the [~~fund]~~ account, or

90 through an organization under contract with the ~~[fund]~~ account, shall:

- 91 (a) be a resident of Utah;
- 92 (b) have been diagnosed by a qualified professional as having a brain injury which
- 93 results in impairment of cognitive or physical function; and
- 94 (c) have a need that can be met within the requirements of this section.

95 ~~[(7)]~~ (6) The ~~[fund]~~ account may not duplicate any services or support mechanisms
96 being provided to an individual by any other government or private agency.

97 ~~[(8)]~~ (7) All actual and necessary operating expenses for the Brain Injury Advisory
98 Committee created in Section 26B-1-417 and staff shall be paid by the ~~[fund]~~ account.

99 ~~[(9)]~~ (8) The ~~[fund]~~ account may not be used for medical treatment, long-term care, or
100 acute care.

101 Section 3. Section 26B-1-335 is amended to read:

102 **26B-1-335. Division of Services for People with Disabilities Restricted Account.**

103 (1) As used in this section, "account" means the Division of Services for People with
104 Disabilities Restricted Account created in Subsection (2).

105 (2) There is created ~~[in the General Fund an account]~~ a restricted account within the
106 General Fund known as the "Division of Services for People with Disabilities Restricted
107 Account."

108 (3) The account consists of:

- 109 (a) carry forward funds from the division's budget; and
- 110 (b) unexpended balances lapsed to the account from the division's budget.

111 (4) At the close of a fiscal year, the division may, without an appropriation, deposit
112 into the account carry forward funds described in Subsection (3).

113 ~~[(4)]~~ (5) Subject to appropriation, the Department of Health and Human Services may
114 expend funds from the account to serve individuals eligible for division services statewide.

115 Section 4. Section 26B-3-910 is amended to read:

116 **26B-3-910. Alternative eligibility -- Report -- Alternative Eligibility Account.**

117 (1) A child who is not a traditionally eligible child may enroll in the program if:

- 118 (a) the child:
 - 119 (i) has been living in the state for at least 180 days before the day on which the child
 - 120 applies for the program; and

121 (ii) meets the requirements described in Subsections 26B-3-903(1)(a) through (e); and
122 (b) the child's parent has unsubsidized employment.

123 (2) (a) Enrollment under Subsection (1) is subject to funds in the Alternative Eligibility
124 [~~Expendable Revenue Fund~~] Account.

125 (b) The department may create a waiting list for enrollment under Subsection (2)(a) if
126 eligible applicants exceed funds in the Alternative Eligibility [~~Expendable Revenue Fund~~]
127 Account.

128 (3) Notwithstanding Section 26B-3-904, the program benefits, coverage, and cost
129 sharing for a child enrolled under this section shall be equal to the benefits, coverage, and cost
130 sharing provided to a child who:

131 (a) is eligible under Subsection 26B-3-903(1); and

132 (b) resides in a household that has a gross family income equal to 200% of the federal
133 poverty level.

134 (4) Notwithstanding Section 26B-3-906, program services provided to a child enrolled
135 under this section shall be funded by the Alternative Eligibility [~~Expendable Revenue Fund~~]
136 Account.

137 (5) Each year the department enrolls a child in the program under this section, the
138 department shall submit a report to the Health and Human Services Interim Committee before
139 November 30 detailing:

140 (a) the number of individuals served under the program;

141 (b) average duration of coverage for individuals served under the program;

142 (c) the cost of the program; and

143 (d) any benefits of the program, including data showing:

144 (i) percentage of enrolled individuals who had well-child visits with a primary care
145 practitioner at recommended ages;

146 (ii) percentage of enrolled individuals who received a comprehensive or periodic oral
147 evaluation;

148 (iii) percentage of enrolled individuals who received recommended immunizations at
149 recommended ages;

150 (iv) rate of emergency department visits per 1,000 member months;

151 (v) rate of medication adherence to treat chronic conditions; and

- 152 (vi) a comparison of utilization patterns before and after enrollment.
- 153 (6) (a) There is created [~~an expendable special revenue fund~~] a restricted account
154 within the General Fund known as the "Alternative Eligibility [~~Expendable Revenue Fund~~]
155 Account."
- 156 (b) The Alternative Eligibility [~~Expendable Revenue Fund~~] Account shall consist of:
- 157 (i) appropriations by the Legislature;
- 158 (ii) any other funds received as donations for the [~~fund~~] account; and
- 159 (iii) interest earned on the account.
- 160 (c) If the balance of the Alternative Eligibility [~~Expendable Revenue Fund~~] Account
161 exceeds \$4,500,000, state funds shall be transferred from the Alternative Eligibility
162 [~~Expendable Revenue Fund~~] Account to the General Fund in an amount equal to the amount
163 needed to reduce the balance of the Alternative Eligibility [~~Expendable Revenue Fund~~]
164 Account to \$4,500,000.
- 165 (d) [~~Money~~] The Legislature may appropriate money in the Alternative Eligibility
166 [~~Expendable Revenue Fund shall be used~~] Account to provide benefits to a child enrolled in the
167 program under this section.
- 168 Section 5. Section **39A-2-102** is amended to read:
- 169 **39A-2-102. Responsibilities of State Armory Board.**
- 170 (1) The board shall supervise and control all facilities, ranges, training lands, and all
171 real property held or acquired for the military purposes of the state.
- 172 (2) The board may:
- 173 (a) provide suitable facilities, ranges, and training lands for the different organizations
174 of the National Guard;
- 175 (b) lease real property throughout the state wherever necessary for the use of
176 organizations of the National Guard and for the storage of state and government property at a
177 rental that the board considers reasonable;
- 178 (c) erect facilities and ranges at places within the state that it considers necessary upon
179 lands to which it has acquired the legal title;
- 180 (d) expend military funds to acquire legal title to lands and to construct facilities and
181 ranges;
- 182 (e) sell and lease property that the board holds under Subsection (1) for purposes

183 consistent with the mission of the Utah National Guard; and

184 (f) conduct meetings and take official action in person or as necessary via electronic
185 means, including telephone or video teleconferencing, or a combination of these methods.

186 (3) (a) Subject to Subsection (3)(b), the board may take options for the purchase of any
187 premises under lease to the state for National Guard purposes:

188 (i) at any time during the life of the lease; and

189 (ii) when the purchase is in the state's interest.

190 (b) An option is not binding upon the board until it is approved by the Legislature.

191 (4) (a) Before legally binding the state to sell or lease any real property owned by the
192 National Guard, the board shall submit a description of the proposed sale to the Legislative
193 Management Committee for its review and recommendations.

194 (b) Before legally binding the state to purchase any interest in real property, the board
195 shall submit a description of the proposed sale to the Legislative Management Committee for
196 its review and recommendations.

197 (c) The Legislative Management Committee shall review each proposal and may
198 approve or disapprove the sale.

199 ~~[(5) The proceeds from the sales and leases of real property authorized by this section
200 shall be appropriated to the State Armory Board to be applied toward the acquisition and sale
201 of real property, and the construction of new armories.]~~

202 ~~[(6) Funds may be deposited into a public treasury investment fund to earn interest
203 until use.]~~

204 (5) (a) There is created a restricted account within the General Fund known as the
205 "State Armory Account."

206 (b) The State Armory Account shall consist of:

207 (i) proceeds from the sales and leases of real property authorized by this section;

208 (ii) appropriations by the Legislature; and

209 (iii) interest earned on the account.

210 (c) The Legislature may appropriate money from the State Armory Account to the State
211 Armory Board to pay for the acquisition and sale of real property and the construction of new
212 armories.

213 Section 6. Section **53F-9-201 (Superseded 01/01/25)** is amended to read:

214 **53F-9-201 (Superseded 01/01/25). Uniform School Fund -- Contents -- Trust**

215 **Distribution Account.**

216 (1) As used in this section:

217 (a) "Annual distribution calculation" means, for a given fiscal year, the average of:

218 (i) 4% of the average market value of the State School Fund for that fiscal year; and

219 (ii) the distribution amount for the prior fiscal year, multiplied by the sum of:

220 (A) one;

221 (B) the percent change in student enrollment from the school year two years prior to

222 the prior school year; and

223 (C) the actual total percent change of the consumer price index during the last 12

224 months as measured in June of the prior fiscal year.

225 (b) "Average market value of the State School Fund" means the results of a calculation

226 completed by the SITFO director each fiscal year that averages the value of the State School

227 Fund for the past 20 consecutive quarters ending in the prior fiscal year.

228 (c) "Consumer price index" means the Consumer Price Index for All Urban

229 Consumers: All Items Less Food & Energy, as published by the Bureau of Labor Statistics of

230 the United States Department of Labor.

231 (d) "SITFO director" means the director of the School and Institutional Trust Fund

232 Office appointed under Section [53D-1-401](#).

233 (e) "State School Fund investment earnings distribution amount" or "distribution

234 amount" means, for a fiscal year, the lesser of:

235 (i) the annual distribution calculation; or

236 (ii) 4% of the average market value of the State School Fund.

237 (2) The Uniform School Fund, a special revenue fund, established by Utah

238 Constitution,

239 Article X, Section 5, consists of:

240 (a) distributions derived from the investment of money in the permanent State School
241 Fund established by Utah Constitution, Article X, Section 5;

242 (b) money transferred to the fund [~~pursuant to~~] under Title 67, Chapter 4a, Revised
243 Uniform Unclaimed Property Act; [~~and~~]

244 (c) money transferred to the fund under Section [63J-1-207](#); and

245 [~~(e)~~] (d) all other constitutional or legislative allocations to the fund, including:

246 (i) appropriations for the Minimum School Program, enrollment growth, and inflation
247 under Section 53F-9-201.1; and

248 (ii) revenues received by donation.

249 (3) (a) There is created within the Uniform School Fund a restricted account known as
250 the Trust Distribution Account.

251 (b) The Trust Distribution Account consists of:

252 (i) in accordance with Subsection (4), quarterly deposits of the State School Fund
253 investment earnings distribution amount from the prior fiscal year;

254 (ii) all interest earned on the Trust Distribution Account in the prior fiscal year; and

255 (iii) any unused appropriation for the administration of the School LAND Trust
256 Program, as described in Subsection 53F-2-404(1)(c).

257 (4) If, at the end of a fiscal year, the Trust Distribution Account has a balance
258 remaining after subtracting the appropriation amount described in Subsection 53F-2-404(1)(a)
259 for the next fiscal year, the SITFO director shall, during the next fiscal year, apply the amount
260 of the remaining balance from the prior fiscal year toward the current fiscal year's distribution
261 amount by reducing a quarterly deposit to the Trust Distribution Account by the amount of the
262 remaining balance from the prior fiscal year.

263 (5) On or before October 1 of each year, the SITFO director shall:

264 (a) in accordance with this section, determine the distribution amount for the following
265 fiscal year; and

266 (b) report the amount described in Subsection (5)(a) as the funding amount, described
267 in Subsection 53F-2-404(1)(c), for the School LAND Trust Program, to:

268 (i) the State Treasurer;

269 (ii) the Legislative Fiscal Analyst;

270 (iii) the Division of Finance;

271 (iv) the director of the Land Trusts Protection and Advocacy Office, appointed under
272 Section 53D-2-203;

273 (v) the School and Institutional Trust Lands Administration created in Section
274 53C-1-201;

275 (vi) the state board; and

276 (vii) the Governor's Office of Planning and Budget.
277 (6) The School and Institutional Trust Fund Board of Trustees created in Section
278 53D-1-301 shall:
279 (a) annually review the distribution amount; and
280 (b) make recommendations, if necessary, to the Legislature for changes to the formula
281 for calculating the distribution amount.

282 (7) Upon appropriation by the Legislature, the SITFO director shall place in the Trust
283 Distribution Account funds for the School LAND Trust Program as described in Subsections
284 53F-2-404(1)(a) and (c).

285 Section 7. Section 53F-9-201 (Effective 01/01/25) is amended to read:

286 **53F-9-201 (Effective 01/01/25). Uniform School Fund -- Contents -- Trust**
287 **Distribution Account.**

288 (1) As used in this section:

289 (a) "Annual distribution calculation" means, for a given fiscal year, the average of:

290 (i) 5% of the average market value of the State School Fund for that fiscal year; and

291 (ii) the distribution amount for the prior fiscal year, multiplied by the sum of:

292 (A) one;

293 (B) the percent change in student enrollment from the school year two years prior to
294 the prior school year; and

295 (C) the actual total percent change of the consumer price index during the last 12
296 months as measured in June of the prior fiscal year.

297 (b) "Average market value of the State School Fund" means the results of a calculation
298 completed by the SITFO director each fiscal year that averages the value of the State School
299 Fund for the past 20 consecutive quarters ending in the prior fiscal year.

300 (c) "Consumer price index" means the Consumer Price Index for All Urban
301 Consumers: All Items Less Food & Energy, as published by the Bureau of Labor Statistics of
302 the United States Department of Labor.

303 (d) "SITFO director" means the director of the School and Institutional Trust Fund
304 Office appointed under Section 53D-1-401.

305 (e) "State School Fund investment earnings distribution amount" or "distribution
306 amount" means, for a fiscal year, the lesser of:

- 307 (i) the annual distribution calculation; or
- 308 (ii) 5% of the average market value of the State School Fund.
- 309 (2) The Uniform School Fund, a special revenue fund, established by Utah
- 310 Constitution,
- 311 Article X, Section 5, consists of:
 - 312 (a) distributions derived from the investment of money in the permanent State School
 - 313 Fund established by Utah Constitution, Article X, Section 5;
 - 314 (b) money transferred to the fund [~~pursuant to~~] under Title 67, Chapter 4a, Revised
 - 315 Uniform Unclaimed Property Act; [~~and~~]
 - 316 (c) money transferred to the fund under Section 63J-1-207; and
 - 317 ~~[(e)]~~ (d) all other constitutional or legislative allocations to the fund, including:
 - 318 (i) appropriations for the Minimum School Program, enrollment growth, and inflation
 - 319 under Section 53F-9-201.1; and
 - 320 (ii) revenues received by donation.
 - 321 (3) (a) There is created within the Uniform School Fund a restricted account known as
 - 322 the Trust Distribution Account.
 - 323 (b) The Trust Distribution Account consists of:
 - 324 (i) in accordance with Subsection (4), quarterly deposits of the State School Fund
 - 325 investment earnings distribution amount from the prior fiscal year;
 - 326 (ii) all interest earned on the Trust Distribution Account in the prior fiscal year; and
 - 327 (iii) any unused appropriation for the administration of the School LAND Trust
 - 328 Program, as described in Subsection 53F-2-404(1)(c).
 - 329 (4) If, at the end of a fiscal year, the Trust Distribution Account has a balance
 - 330 remaining after subtracting the appropriation amount described in Subsection 53F-2-404(1)(a)
 - 331 for the next fiscal year, the SITFO director shall, during the next fiscal year, apply the amount
 - 332 of the remaining balance from the prior fiscal year toward the current fiscal year's distribution
 - 333 amount by reducing a quarterly deposit to the Trust Distribution Account by the amount of the
 - 334 remaining balance from the prior fiscal year.
 - 335 (5) On or before October 1 of each year, the SITFO director shall:
 - 336 (a) in accordance with this section, determine the distribution amount for the following
 - 337 fiscal year; and

338 (b) report the amount described in Subsection (5)(a) as the funding amount, described
339 in Subsection 53F-2-404(1)(c), for the School LAND Trust Program, to:

340 (i) the State Treasurer;

341 (ii) the Legislative Fiscal Analyst;

342 (iii) the Division of Finance;

343 (iv) the director of the Land Trusts Protection and Advocacy Office, appointed under
344 Section 53D-2-203;

345 (v) the School and Institutional Trust Lands Administration created in Section
346 53C-1-201;

347 (vi) the state board; and

348 (vii) the Governor's Office of Planning and Budget.

349 (6) The School and Institutional Trust Fund Board of Trustees created in Section
350 53D-1-301 shall:

351 (a) annually review the distribution amount; and

352 (b) make recommendations, if necessary, to the Legislature for changes to the formula
353 for calculating the distribution amount.

354 (7) Upon appropriation by the Legislature, the SITFO director shall place in the Trust
355 Distribution Account funds for the School LAND Trust Program as described in Subsections
356 53F-2-404(1)(a) and (c).

357 Section 8. Section 63J-1-206 is amended to read:

358 **63J-1-206. Appropriations governed by chapter -- Restrictions on expenditures --**
359 **Transfer of funds -- Exclusion.**

360 (1) (a) Except as provided in Subsections (1)(b) and (2)(e), or where expressly
361 exempted in the appropriating act:

362 (i) all money appropriated by the Legislature is appropriated upon the terms and
363 conditions set forth in this chapter; and

364 (ii) any department, agency, or institution that accepts money appropriated by the
365 Legislature does so subject to the requirements of this chapter.

366 (b) This section does not apply to:

367 (i) the Legislature and its committees; and

368 (ii) the Investigation Account of the Water Resources Construction Fund, which is

369 governed by Section [73-10-8](#).

370 (2) (a) Each item of appropriation is to be expended subject to any schedule of
371 programs and any restriction attached to the item of appropriation, as designated by the
372 Legislature.

373 (b) Each schedule of programs or restriction attached to an appropriation item:

374 (i) is a restriction or limitation upon the expenditure of the respective appropriation
375 made;

376 (ii) does not itself appropriate any money; and

377 (iii) is not itself an item of appropriation.

378 (c) (i) An appropriation or any surplus of any appropriation may not be diverted from
379 any department, agency, institution, division, or line item to any other department, agency,
380 institution, division, or line item.

381 (ii) If the money appropriated to an agency to pay lease payments under the program
382 established in Section [63A-5b-703](#) exceeds the amount required for the agency's lease
383 payments to the Division of Facilities Construction and Management, the agency may:

384 (A) transfer money from the lease payments line item to other line items within the
385 agency; and

386 (B) retain and use the excess money for other purposes.

387 (d) The money appropriated subject to a schedule of programs or restriction may be
388 used only for the purposes authorized.

389 (e) In order for a department, agency, or institution to transfer money appropriated to it
390 from one program to another program, the department, agency, or institution shall revise its
391 budget execution plan as provided in Section [63J-1-209](#).

392 (f) (i) The procedures for transferring money between programs within a line item as
393 provided by Subsection (2)(e) do not apply to money appropriated to the State Board of
394 Education for the Minimum School Program or capital outlay programs created in Title 53F,
395 Chapter 3, State Funding -- Capital Outlay Programs.

396 (ii) The state superintendent may transfer money appropriated for the programs
397 specified in Subsection (2)(f)(i) only as provided by Section [53F-2-205](#).

398 (3) Notwithstanding Subsection (2)(c)(i):

399 (a) the state superintendent may transfer money appropriated for the Minimum School

400 Program between line items in accordance with Section [53F-2-205](#); and

401 (b) the Department of Government Operations may transfer money appropriated [for
402 the purpose of paying the costs of paid employee parental leave and postpartum recovery leave
403 under Section [63A-17-511](#) to another department, agency, institution, or division] to another
404 department, agency, institution, or division for the purpose of paying the costs of pay for
405 performance under Section [63A-17-112](#).

406 Section 9. Section **63J-1-207** is amended to read:

407 **63J-1-207. Uniform School Fund -- Appropriations.**

408 (1) Appropriations made from the General Fund to the Uniform School Fund to assist
409 in financing the state's portion of the minimum school program, as provided by law, shall be
410 conditioned upon available revenue.

411 (2) If revenues to the General Fund are not sufficient to permit transfers to the Uniform
412 School Fund as provided by appropriation, the state fiscal officers shall withhold transfers from
413 the General Fund to the Uniform School Fund during the fiscal period, as in their judgment the
414 available revenues justify until:

415 (a) all other appropriations made by law have been provided for;

416 (b) any modifications to department and agency work programs have been made; and

417 (c) the governor has approved the transfer.

418 (3) Transfers from the General Fund to the Uniform School Fund shall be made at such
419 times as required to equalize the property levy for each fiscal year.

420 (4) If, at the end of a fiscal year, there is a deficit in the Uniform School Fund, the
421 Division of Finance may transfer from the Income Tax Fund to the Uniform School Fund an
422 amount equal to the deficit.

423 Section 10. Section **63N-3-403** is amended to read:

424 **63N-3-403. Transient Room Tax Fund -- Source of revenues -- Interest --**
425 **Expenditure or pledge of revenues.**

426 (1) There is created [~~an expendable special revenue~~] a fiduciary fund held by the state
427 in a purely custodial capacity known as the Transient Room Tax Fund.

428 (2) (a) The fund shall be funded by the portion of the sales and use tax described in
429 Subsection [59-12-301](#)(2).

430 (b) (i) The fund shall earn interest.

431 (ii) Any interest earned on fund money shall be deposited into the fund.

432 (3) (a) Subject to Subsection (3)(b), the executive director shall expend or pledge the
433 money deposited into the fund:

434 (i) to mitigate the impacts of traffic and parking relating to a convention facility within
435 a county of the first class;

436 (ii) for a purpose listed in Section 17-31-2, except that any requirements in Section
437 17-31-2 for the expenditure of money do not apply; or

438 (iii) for a combination of Subsections (3)(a)(i) and (ii).

439 (b) The executive director may not expend more than \$20,000,000 in total to mitigate
440 the impacts of traffic and parking relating to a convention facility within a county of the first
441 class.

442 Section 11. **Repealer.**

443 This bill repeals:

444 Section 4-17-114, **Invasive Species Mitigation Account created.**

445 Section 63A-5b-1107, **Development of new correctional facilities.**

446 Section 63B-25-101, **General obligation bonds for prison project -- Maximum
447 amount -- Use of proceeds.**

448 Section 12. **Effective date.**

449 (1) Except as provided in Subsection (2), this bill takes effect on July 1, 2024.

450 (2) The actions affecting Section 53F-9-201 (Effective 01/01/25) take effect on January
451 1, 2025.