

Representative Robert M. Spendlove proposes the following substitute bill:

STATE FUNDING AMENDMENTS

2024 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Don L. Ipson

House Sponsor: Robert M. Spendlove

LONG TITLE

General Description:

This bill modifies provisions related to state funding.

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 Fund;

▶ increases the amount the Legislature may appropriate from the Uninsured Motorist Identification Restricted Account to the Peace Officer Standards and Training Division for certain law enforcement training;

▶ 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;



- 26 ▶ increases the amount of revenue bonds the Utah Board of Higher Education may
- 27 issue to finance the West Valley Health and Community Center;
- 28 ▶ changes the Transient Room Tax Fund to a fiduciary fund;
- 29 ▶ repeals:
- 30 • the Invasive Species Mitigation Account; and
- 31 • the Prison Project Fund; and
- 32 ▶ makes technical and conforming changes.

33 **Money Appropriated in this Bill:**

34 None

35 **Other Special Clauses:**

36 This bill provides a special effective date.

37 This bill provides a coordination clause.

38 **Utah Code Sections Affected:**

39 AMENDS:

40 **4-17-115**, as last amended by Laws of Utah 2018, Chapter 355

41 **26B-1-318**, as last amended by Laws of Utah 2023, Chapter 335 and renumbered and
42 amended by Laws of Utah 2023, Chapter 305

43 **26B-1-335**, as enacted by Laws of Utah 2023, Chapter 325

44 **26B-3-910**, as enacted by Laws of Utah 2023, Chapter 332

45 **39A-2-102**, as renumbered and amended by Laws of Utah 2022, Chapter 373

46 **41-12a-806**, as last amended by Laws of Utah 2020, Fifth Special Session, Chapter 20

47 **53F-9-201 (Superseded 01/01/25)**, as last amended by Laws of Utah 2022, Chapter
48 456

49 **53F-9-201 (Effective 01/01/25)**, as last amended by Laws of Utah 2023, Chapter 293

50 **63B-32-101**, as enacted by Laws of Utah 2022, Chapter 315

51 **63J-1-206**, as last amended by Laws of Utah 2022, Chapters 40, 425

52 **63J-1-207**, as renumbered and amended by Laws of Utah 2009, Chapter 183

53 **63N-3-403**, as renumbered and amended by Laws of Utah 2015, Chapter 283

54 REPEALS:

55 **4-17-114**, as last amended by Laws of Utah 2018, Chapter 355

56 **63A-5b-1107**, as last amended by Laws of Utah 2023, Chapter 534

57 **63B-25-101**, as last amended by Laws of Utah 2020, Chapter 152

58 **Utah Code Sections Affected By Coordination Clause:**

59 **26B-1-318**, as last amended by Laws of Utah 2023, Chapter 335 and renumbered and
60 amended by Laws of Utah 2023, Chapter 305



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

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

64 **4-17-115. Cooperative agreements and grants to rehabilitate areas infested with**
65 **or threatened by invasive species.**

66 The department may:

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

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

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

72 [~~(2) expend money from the Invasive Species Mitigation Account created in Section~~
73 ~~4-17-114; and]~~

74 [~~(3)~~] (2) in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking
75 Act, make rules to~~[:]~~ award grants and administer this section.

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

77 [~~(b) give grants from the Invasive Species Mitigation Account.]~~

78 *The following section is affected by a coordination clause at the end of this bill.*

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

80 **26B-1-318. Brain Injury Account.**

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

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

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

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

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

88 ~~[(4) Fund]~~

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

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

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

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

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

99 ~~[(5)]~~ (4) Not less than 50% of the ~~[fund]~~ account shall be used each fiscal year to
100 directly assist individuals who meet the qualifications described in Subsection ~~[(6)]~~ (5).

101 ~~[(6)]~~ (5) An individual who receives services either paid for from the ~~[fund]~~ account, or
102 through an organization under contract with the ~~[fund]~~ account, shall:

103 (a) be a resident of Utah;

104 (b) have been diagnosed by a qualified professional as having a brain injury which
105 results in impairment of cognitive or physical function; and

106 (c) have a need that can be met within the requirements of this section.

107 ~~[(7)]~~ (6) The ~~[fund]~~ account may not duplicate any services or support mechanisms
108 being provided to an individual by any other government or private agency.

109 ~~[(8)]~~ (7) All actual and necessary operating expenses for the Brain Injury Advisory
110 Committee created in Section 26B-1-417 and staff shall be paid by the ~~[fund]~~ account.

111 ~~[(9)]~~ (8) The ~~[fund]~~ account may not be used for medical treatment, long-term care, or
112 acute care.

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

114 **26B-1-335. Division of Services for People with Disabilities Restricted Account.**

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

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

119 Account."

120 (3) The account consists of:

121 (a) carry forward funds from the division's budget; and

122 (b) unexpended balances lapsed to the account from the division's budget.

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

125 ~~[(4)]~~ (5) Subject to appropriation, the Department of Health and Human Services may
126 expend funds from the account to serve individuals eligible for division services statewide.

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

128 **26B-3-910. Alternative eligibility -- Report -- Alternative Eligibility Account.**

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

130 (a) the child:

131 (i) has been living in the state for at least 180 days before the day on which the child
132 applies for the program; and

133 (ii) meets the requirements described in Subsections **26B-3-903**(1)(a) through (e); and

134 (b) the child's parent has unsubsidized employment.

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

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

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

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

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

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

149 (5) Each year the department enrolls a child in the program under this section, the

150 department shall submit a report to the Health and Human Services Interim Committee before
151 November 30 detailing:

- 152 (a) the number of individuals served under the program;
- 153 (b) average duration of coverage for individuals served under the program;
- 154 (c) the cost of the program; and
- 155 (d) any benefits of the program, including data showing:
 - 156 (i) percentage of enrolled individuals who had well-child visits with a primary care
157 practitioner at recommended ages;
 - 158 (ii) percentage of enrolled individuals who received a comprehensive or periodic oral
159 evaluation;
 - 160 (iii) percentage of enrolled individuals who received recommended immunizations at
161 recommended ages;
 - 162 (iv) rate of emergency department visits per 1,000 member months;
 - 163 (v) rate of medication adherence to treat chronic conditions; and
 - 164 (vi) a comparison of utilization patterns before and after enrollment.

165 (6) (a) There is created [~~an expendable special revenue fund~~] a restricted account
166 within the General Fund known as the "Alternative Eligibility [~~Expendable Revenue Fund~~]
167 Account."

168 (b) The Alternative Eligibility [~~Expendable Revenue Fund~~] Account shall consist of:

- 169 (i) appropriations by the Legislature;
- 170 (ii) any other funds received as donations for the [~~fund~~] account; and
- 171 (iii) interest earned on the account.

172 (c) If the balance of the Alternative Eligibility [~~Expendable Revenue Fund~~] Account
173 exceeds \$4,500,000, state funds shall be transferred from the Alternative Eligibility
174 [~~Expendable Revenue Fund~~] Account to the General Fund in an amount equal to the amount
175 needed to reduce the balance of the Alternative Eligibility [~~Expendable Revenue Fund~~]
176 Account to \$4,500,000.

177 (d) [~~Money~~] The Legislature may appropriate money in the Alternative Eligibility
178 [~~Expendable Revenue Fund shall be used~~] Account to provide benefits to a child enrolled in the
179 program under this section.

180 Section 5. Section **39A-2-102** is amended to read:

181 **39A-2-102. Responsibilities of State Armory Board.**

182 (1) The board shall supervise and control all facilities, ranges, training lands, and all
183 real property held or acquired for the military purposes of the state.

184 (2) The board may:

185 (a) provide suitable facilities, ranges, and training lands for the different organizations
186 of the National Guard;

187 (b) lease real property throughout the state wherever necessary for the use of
188 organizations of the National Guard and for the storage of state and government property at a
189 rental that the board considers reasonable;

190 (c) erect facilities and ranges at places within the state that it considers necessary upon
191 lands to which it has acquired the legal title;

192 (d) expend military funds to acquire legal title to lands and to construct facilities and
193 ranges;

194 (e) sell and lease property that the board holds under Subsection (1) for purposes
195 consistent with the mission of the Utah National Guard; and

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

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

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

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

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

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

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

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

211 ~~[(5) The proceeds from the sales and leases of real property authorized by this section~~

212 ~~shall be appropriated to the State Armory Board to be applied toward the acquisition and sale~~
213 ~~of real property, and the construction of new armories.]~~

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

216 (5) (a) There is created an expendable special revenue fund known as the "State
217 Armory Fund."

218 (b) The State Armory Fund shall consist of:

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

220 (ii) appropriations by the Legislature; and

221 (iii) interest earned on the fund.

222 (c) Subject to the Legislative Management Committee's review and recommendation,
223 the State Armory Board may expend money in the State Armory Fund to pay for the acquisition
224 and sale of real property and the construction of new armories.

225 Section 6. Section **41-12a-806** is amended to read:

226 **41-12a-806. Restricted account -- Creation -- Funding -- Interest -- Purposes.**

227 (1) There is created within the Transportation Fund a restricted account known as the
228 "Uninsured Motorist Identification Restricted Account."

229 (2) The account consists of money generated from the following revenue sources:

230 (a) money received by the state under Section [41-1a-1218](#), the uninsured motorist
231 identification fee;

232 (b) money received by the state under Section [41-1a-1220](#), the registration
233 reinstatement fee; and

234 (c) appropriations made to the account by the Legislature.

235 (3) (a) The account shall earn interest.

236 (b) All interest earned on account money shall be deposited into the account.

237 (4) The Legislature shall appropriate money from the account to:

238 (a) the department to fund the contract with the designated agent;

239 (b) the department to offset the costs to state and local law enforcement agencies of
240 using the information for the purposes authorized under this part;

241 (c) the Tax Commission to offset the costs to the Motor Vehicle Division for revoking
242 and reinstating vehicle registrations under Subsection [41-1a-110\(2\)\(a\)\(ii\)](#); and

243 (d) the department to reimburse a person for the costs of towing and storing the
244 person's vehicle if:

245 (i) the person's vehicle was impounded in accordance with Subsection 41-1a-1101(2);

246 (ii) the impounded vehicle had owner's or operator's security in effect for the vehicle at
247 the time of the impoundment;

248 (iii) the database indicated that owner's or operator's security was not in effect for the
249 impounded vehicle; and

250 (iv) the department determines that the person's vehicle was wrongfully impounded.

251 (5) The Legislature may appropriate not more than [~~\$1,500,000~~] \$2,000,000 annually
252 from the account to the Peace Officer Standards and Training Division, created under Section
253 53-6-103, for use in law enforcement training, including training on the use of the Uninsured
254 Motorist Identification Database Program created under Title 41, Chapter 12a, Part 8,
255 Uninsured Motorist Identification Database Program.

256 (6) (a) By following the procedures in Title 63G, Chapter 4, Administrative Procedures
257 Act, the department shall hold a hearing to determine whether a person's vehicle was
258 wrongfully impounded under Subsection 41-1a-1101(2).

259 (b) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the
260 division shall make rules establishing procedures for a person to apply for a reimbursement
261 under Subsection (4)(d).

262 (c) A person is not eligible for a reimbursement under Subsection (4)(d) unless the
263 person applies for the reimbursement within six months from the date that the motor vehicle
264 was impounded.

265 Section 7. Section **53F-9-201 (Superseded 01/01/25)** is amended to read:

266 **53F-9-201 (Superseded 01/01/25). Uniform School Fund -- Contents -- Trust**
267 **Distribution Account.**

268 (1) As used in this section:

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

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

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

272 (A) one;

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

274 the prior school year; and

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

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

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

283 (d) "SITFO director" means the director of the School and Institutional Trust Fund
284 Office appointed under Section [53D-1-401](#).

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

287 (i) the annual distribution calculation; or

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

289 (2) The Uniform School Fund, a special revenue fund, established by Utah
290 Constitution,

291 Article X, Section 5, consists of:

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

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

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

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

298 (i) appropriations for the Minimum School Program, enrollment growth, and inflation
299 under Section [53F-9-201.1](#); and

300 (ii) revenues received by donation.

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

303 (b) The Trust Distribution Account consists of:

304 (i) in accordance with Subsection (4), quarterly deposits of the State School Fund

305 investment earnings distribution amount from the prior fiscal year;

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

307 (iii) any unused appropriation for the administration of the School LAND Trust

308 Program, as described in Subsection 53F-2-404(1)(c).

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

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

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

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

320 (i) the State Treasurer;

321 (ii) the Legislative Fiscal Analyst;

322 (iii) the Division of Finance;

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

325 (v) the School and Institutional Trust Lands Administration created in Section
326 53C-1-201;

327 (vi) the state board; and

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

329 (6) The School and Institutional Trust Fund Board of Trustees created in Section
330 53D-1-301 shall:

331 (a) annually review the distribution amount; and

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

334 (7) Upon appropriation by the Legislature, the SITFO director shall place in the Trust
335 Distribution Account funds for the School LAND Trust Program as described in Subsections

336 53F-2-404(1)(a) and (c).

337 Section 8. Section 53F-9-201 (Effective 01/01/25) is amended to read:

338 53F-9-201 (Effective 01/01/25). Uniform School Fund -- Contents -- Trust

339 **Distribution Account.**

340 (1) As used in this section:

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

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

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

344 (A) one;

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

346 the prior school year; and

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

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

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

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

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

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

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

354 the United States Department of Labor.

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

356 Office appointed under Section 53D-1-401.

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

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

359 (i) the annual distribution calculation; or

360 (ii) 5% of the average market value of the State School Fund.

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

362 Constitution,

363 Article X, Section 5, consists of:

364 (a) distributions derived from the investment of money in the permanent State School

365 Fund established by Utah Constitution, Article X, Section 5;

366 (b) money transferred to the fund [~~pursuant to~~] under Title 67, Chapter 4a, Revised

367 Uniform Unclaimed Property Act; ~~and~~
368 (c) money transferred to the fund under Section [63J-1-207](#); and
369 ~~(c)~~ (d) all other constitutional or legislative allocations to the fund, including:
370 (i) appropriations for the Minimum School Program, enrollment growth, and inflation
371 under Section [53F-9-201.1](#); and
372 (ii) revenues received by donation.
373 (3) (a) There is created within the Uniform School Fund a restricted account known as
374 the Trust Distribution Account.
375 (b) The Trust Distribution Account consists of:
376 (i) in accordance with Subsection (4), quarterly deposits of the State School Fund
377 investment earnings distribution amount from the prior fiscal year;
378 (ii) all interest earned on the Trust Distribution Account in the prior fiscal year; and
379 (iii) any unused appropriation for the administration of the School LAND Trust
380 Program, as described in Subsection [53F-2-404\(1\)\(c\)](#).
381 (4) If, at the end of a fiscal year, the Trust Distribution Account has a balance
382 remaining after subtracting the appropriation amount described in Subsection [53F-2-404\(1\)\(a\)](#)
383 for the next fiscal year, the SITFO director shall, during the next fiscal year, apply the amount
384 of the remaining balance from the prior fiscal year toward the current fiscal year's distribution
385 amount by reducing a quarterly deposit to the Trust Distribution Account by the amount of the
386 remaining balance from the prior fiscal year.
387 (5) On or before October 1 of each year, the SITFO director shall:
388 (a) in accordance with this section, determine the distribution amount for the following
389 fiscal year; and
390 (b) report the amount described in Subsection (5)(a) as the funding amount, described
391 in Subsection [53F-2-404\(1\)\(c\)](#), for the School LAND Trust Program, to:
392 (i) the State Treasurer;
393 (ii) the Legislative Fiscal Analyst;
394 (iii) the Division of Finance;
395 (iv) the director of the Land Trusts Protection and Advocacy Office, appointed under
396 Section [53D-2-203](#);
397 (v) the School and Institutional Trust Lands Administration created in Section

398 53C-1-201;

399 (vi) the state board; and

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

401 (6) The School and Institutional Trust Fund Board of Trustees created in Section

402 53D-1-301 shall:

403 (a) annually review the distribution amount; and

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

406 (7) Upon appropriation by the Legislature, the SITFO director shall place in the Trust
407 Distribution Account funds for the School LAND Trust Program as described in Subsections
408 53F-2-404(1)(a) and (c).

409 Section 9. Section 63B-32-101 is amended to read:

410 **63B-32-101. Revenue bond authorizations -- Utah Board of Higher Education.**

411 (1) The Legislature intends that:

412 (a) the Utah Board of Higher Education, on behalf of the University of Utah, may
413 issue, sell, and deliver revenue bonds or other evidences of indebtedness of the University of
414 Utah to borrow money on the credit, revenues, and reserves of the university, other than
415 appropriations of the Legislature, to finance the cost of constructing the fourth wing of Kahlert
416 Village;

417 (b) the University of Utah use student housing rental fees and other auxiliary revenues
418 as the primary revenue sources for repayment of any obligation created under authority of this
419 Subsection (1);

420 (c) the amount of revenue bonds or evidences of indebtedness authorized by this
421 Subsection (1) may not exceed \$47,600,000 for acquisition and construction proceeds, together
422 with other amounts necessary to pay costs of issuance, pay capitalized interest, and fund any
423 debt service reserve requirements;

424 (d) the university may plan, design, and construct the fourth wing of Kahlert Village
425 subject to the requirements of Title 63A, Chapter 5b, Administration of State Facilities; and

426 (e) the university may not request state funds for operation and maintenance costs or
427 capital improvements.

428 (2) The Legislature intends that:

429 (a) the Utah Board of Higher Education, on behalf of the University of Utah, may
430 issue, sell, and deliver revenue bonds or other evidences of indebtedness of the University of
431 Utah to borrow money on the credit, revenues, and reserves of the university, other than
432 appropriations of the Legislature, to finance the cost of constructing the West Valley Health
433 and Community Center;

434 (b) the University of Utah use clinical revenues and other non-state revenues of the
435 University of Utah Health Sciences as the primary revenue sources for repayment of any
436 obligation created under authority of this Subsection (2);

437 (c) the amount of revenue bonds or evidences of indebtedness authorized by this
438 Subsection (2) may not exceed [~~\$400,000,000~~] \$800,000,000 for acquisition and construction
439 proceeds, together with other amounts necessary to pay costs of issuance, pay capitalized
440 interest, and fund any debt service reserve requirements;

441 (d) the university may plan, design, and construct the West Valley Health and
442 Community Center subject to the requirements of Title 63A, Chapter 5b, Administration of
443 State Facilities; and

444 (e) the university may not request state funds for operation and maintenance costs or
445 capital improvements.

446 (3) The Legislature intends that:

447 (a) the Utah Board of Higher Education, on behalf of Utah State University, may issue,
448 sell, and deliver revenue bonds or other evidences of indebtedness of Utah State University to
449 borrow money on the credit, revenues, and reserves of the university, other than appropriations
450 of the Legislature, to finance the cost of constructing improvements to Maverik Stadium;

451 (b) Utah State University use existing student fees as the primary revenue sources for
452 repayment of any obligation created under authority of this Subsection (3);

453 (c) the amount of revenue bonds or evidences of indebtedness authorized by this
454 Subsection (3) may not exceed \$7,000,000 for acquisition and construction proceeds, together
455 with other amounts necessary to pay costs of issuance, pay capitalized interest, and fund any
456 debt service reserve requirements;

457 (d) the university may plan, design, and construct improvements to Maverik Stadium
458 subject to the requirements of Title 63A, Chapter 5b, Administration of State Facilities; and

459 (e) the university may not request state funds for operation and maintenance costs or

460 capital improvements.

461 (4) The Legislature intends that:

462 (a) the Utah Board of Higher Education, on behalf of Dixie State University, may
463 issue, sell, and deliver revenue bonds or other evidences of indebtedness of Dixie State
464 University to borrow money on the credit, revenues, and reserves of the university, other than
465 appropriations of the Legislature, to finance the cost of constructing Campus View Suites
466 Phase Three;

467 (b) Dixie State University use student housing rental fees and other auxiliary revenues
468 as the primary revenue sources for repayment of any obligation created under authority of this
469 Subsection (4);

470 (c) the amount of revenue bonds or evidences of indebtedness authorized by this
471 Subsection (4) may not exceed \$62,500,000 for acquisition and construction proceeds, together
472 with other amounts necessary to pay costs of issuance, pay capitalized interest, and fund any
473 debt service reserve requirements;

474 (d) the university may plan, design, and construct Campus View Suites Phase Three
475 subject to the requirements of Title 63A, Chapter 5b, Administration of State Facilities; and

476 (e) the university may not request additional state funds for operation and maintenance
477 costs or capital improvements.

478 (5) The Legislature intends that:

479 (a) the Utah Board of Higher Education, on behalf of Utah Valley University, may
480 issue, sell, and deliver revenue bonds or other evidences of indebtedness of Utah Valley
481 University to borrow money on the credit, revenues, and reserves of the university, other than
482 appropriations of the Legislature, to finance the cost of constructing a parking garage;

483 (b) Utah Valley University use parking fees and other auxiliary revenues as the primary
484 revenue sources for repayment of any obligation created under authority of this Subsection (5);

485 (c) the amount of revenue bonds or evidences of indebtedness authorized by this
486 Subsection (5) may not exceed \$12,000,000 for acquisition and construction proceeds, together
487 with other amounts necessary to pay costs of issuance, pay capitalized interest, and fund any
488 debt service reserve requirements;

489 (d) the university may plan, design, and construct a parking garage subject to the
490 requirements of Title 63A, Chapter 5b, Administration of State Facilities; and

491 (e) the university may not request additional state funds for operation and maintenance
492 costs or capital improvements.

493 (6) The Legislature intends that:

494 (a) the Utah Board of Higher Education, on behalf of the University of Utah, may
495 issue, sell, and deliver revenue bonds or other evidences of indebtedness of the University of
496 Utah to borrow money on the credit, revenues, and reserves of the university, other than
497 appropriations of the Legislature, to finance the university's share of the cost of constructing
498 the Applied Sciences Building;

499 (b) the University of Utah use donations and university funds as the primary revenue
500 sources for repayment of any obligation created under authority of this Subsection (6); and

501 (c) the amount of revenue bonds or evidences of indebtedness authorized by this
502 Subsection (6) may not exceed \$25,000,000 for acquisition and construction proceeds, together
503 with other amounts necessary to pay costs of issuance, pay capitalized interest, and fund any
504 debt service reserve requirements.

505 (7) The Legislature intends that:

506 (a) the Utah Board of Higher Education, on behalf of the University of Utah, may
507 issue, sell, and deliver revenue bonds or other evidences of indebtedness of the university of
508 Utah to borrow money on the credit, revenues, and reserves of the university, other than
509 appropriations of the Legislature, to finance the University's share of the cost of constructing a
510 Mental Health Facility;

511 (b) the University of Utah use donations as the primary revenue sources for repayment
512 of any obligation created under authority of this Subsection (7); and

513 (c) the amount of revenue bonds or evidences of indebtedness authorized by this
514 Subsection (7) may not exceed \$65,000,000 for acquisition and construction proceeds, together
515 with other amounts necessary to pay costs of issuance, pay capitalized interest, and fund any
516 debt service reserve requirements.

517 (8) The Legislature intends that:

518 (a) the Utah Board of Higher Education, on behalf of Southern Utah University, may
519 issue, sell, and deliver revenue bonds or other evidences of indebtedness of Southern Utah
520 University to borrow money on the credit, revenues, and reserves of the university, other than
521 appropriations of the Legislature, to finance the cost of purchasing The Cottages at

522 Shakespeare Lane apartment complex and adjoining home;

523 (b) Southern Utah University use donations, student housing rental fees, and other
524 auxiliary revenues as the primary revenue sources for repayment of any obligation created
525 under authority of this Subsection (8);

526 (c) the amount of revenue bonds or evidences of indebtedness authorized by this
527 Subsection (8) may not exceed \$12,000,000 for acquisition proceeds, together with other
528 amounts necessary to pay costs of issuance, pay capitalized interest, and fund any debt service
529 reserve requirements; and

530 (d) the university may not request state funds for operation and maintenance costs or
531 capital improvements.

532 (9) The Legislature intends that:

533 (a) the Utah Board of Higher Education, on behalf of the University of Utah, may
534 issue, sell, and deliver revenue bonds or other evidences of indebtedness of the University of
535 Utah to borrow money on the credit, revenues, and reserves of the university, other than
536 appropriations of the Legislature, to finance the cost of constructing an indoor football practice
537 facility;

538 (b) the University of Utah use donations and nonstate university funds as the primary
539 revenue sources for repayment of any obligation created under authority of this Subsection (9);

540 (c) the amount of revenue bonds or evidences of indebtedness authorized by this
541 Subsection (9) may not exceed \$62,000,000 for acquisition and construction proceeds, together
542 with other amounts necessary to pay costs of issuance, pay capitalized interest, and fund any
543 debt service reserve requirements;

544 (d) the university may plan, design, and construct the indoor football practice facility,
545 subject to the requirements of Title 63A, Chapter 5b, Administration of State Facilities; and

546 (e) the university may not request state funds for operation and maintenance costs or
547 capital improvements.

548 Section 10. Section **63J-1-206** is amended to read:

549 **63J-1-206. Appropriations governed by chapter -- Restrictions on expenditures --**
550 **Transfer of funds -- Exclusion.**

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

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

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

557 (b) This section does not apply to:

558 (i) the Legislature and its committees; and

559 (ii) the Investigation Account of the Water Resources Construction Fund, which is
560 governed by Section 73-10-8.

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

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

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

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

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

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

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

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

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

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

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

583 (f) (i) The procedures for transferring money between programs within a line item as

584 provided by Subsection (2)(e) do not apply to money appropriated to the State Board of
585 Education for the Minimum School Program or capital outlay programs created in Title 53F,
586 Chapter 3, State Funding -- Capital Outlay Programs.

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

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

590 (a) the state superintendent may transfer money appropriated for the Minimum School
591 Program between line items in accordance with Section [53F-2-205](#); and

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

597 Section 11. Section **63J-1-207** is amended to read:

598 **63J-1-207. Uniform School Fund -- Appropriations.**

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

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

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

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

608 (c) the governor has approved the transfer.

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

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

614 Section 12. Section **63N-3-403** is amended to read:

615 **63N-3-403. Transient Room Tax Fund -- Source of revenues -- Interest --**
616 **Expenditure or pledge of revenues.**

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

619 (2) (a) The fund shall be funded by the portion of the sales and use tax described in
620 Subsection 59-12-301(2).

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

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

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

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

627 (ii) for a purpose listed in Section 17-31-2, except that any requirements in Section
628 17-31-2 for the expenditure of money do not apply; or

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

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

633 **Section 13. Repealer.**

634 This bill repeals:

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

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

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

639 **Section 14. Effective date.**

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

641 (2) The actions affecting Section 53F-9-201 (Effective 01/01/25) take effect on January
642 1, 2025.

643 **Section 15. Coordinating S.B. 241 with H.B. 73.**

644 If this S.B. 241, Funds Amendments, and H.B. 73, Rehabilitation Services

645 Amendments, both pass and become law, the Legislature intends that, on July 1, 2024, the

646 amendments to Section [26B-1-318](#) in H.B.73 supersede the amendments to Section [26B-1-318](#)
647 in S.B. 241.