

H.B. 232

OUTDOOR RECREATION IMPACTS FUND

Representative **Jeffrey D. Stenquist** proposes the following amendments:

1. *Page 1, Line 9:*

9 This bill creates and funds the Outdoor Recreation Impacts ~~{Restricted Account}~~ Fund .

2. *Page 1, Lines 12 through 15:*

12 ▶ creates the Outdoor Recreation Impacts ~~{Restricted Account (restricted account)}~~ Fund
(the fund) ;

13 ▶ provides ~~{that appropriations from the restricted account are nonlapsing}~~ the
distribution of the revenue in the fund and the uses of the revenue ; and

14 ▶ ~~{funds the restricted account with a portion of the sales and use tax revenue remitted~~
15 from sporting goods sellers} directs a portion of the state sale and use tax revenue remitted from
sporting goods sellers to the fund .

3. *Page 1, Lines 26 through 27:*

26 {~~63J-1-602.1, as last amended by Laws of Utah 2023, Chapters 26, 33, 34, 194, 212,~~
27 ~~330, 419, 434, 448, and 534~~}

4. *Page 17, Line 523 through Page 18, Line 525:*

524 July 1, 2024, the commission shall calculate the amount that is equal to ~~{40%}~~ 25% of the amount of
525 state sales and use tax revenue that is:

5. *Page 18, Lines 534 through 536:*

534 (c) The Division of Finance shall deposit the amount calculated in accordance with
535 Subsection (16)(a) into the Outdoor Recreation Impacts ~~{Restricted Account}~~ Fund created in
Section
536 79-7-207.

6. *Page 33, Line 1018 through Page 34, Line 1020:*

1018 (16) (a) Notwithstanding Subsection (3)(a), for each fiscal year beginning on or after
1019 July 1, 2024, the commission shall calculate the amount that is equal to ~~{40%}~~ 25% of the amount of
1020 state sales and use tax revenue that is:

7. Page 34, Lines 1029 through 1031:

1029 (c) The Division of Finance shall deposit the amount calculated in accordance with
1030 Subsection (16)(a) into the Outdoor Recreation Impacts {~~Restricted Account~~} ~~Fund~~ created in
Section
1031 79-7-207.

8. Page 34, Line 1032 through Page 38, Line 1163:

1032 {~~Section 3. Section 63J-1-602.1 is amended to read:~~

1033 ~~63J-1-602.1. List of nonlapsing appropriations from accounts and funds:~~

1034 ~~Appropriations made from the following accounts or funds are nonlapsing:~~

1035 ~~(1) The Native American Repatriation Restricted Account created in Section 9-9-407.~~

1036 ~~(2) Certain money payable for expenses of the Pete Suazo Utah Athletic Commission;~~
1037 ~~as provided under Title 9, Chapter 23, Pete Suazo Utah Athletic Commission Act.~~

1038 ~~(3) Funds collected for directing and administering the C-PACE district created in~~
1039 ~~Section 11-42a-106.~~

1040 ~~(4) Money received by the Utah Inland Port Authority, as provided in Section~~
1041 ~~11-58-105.~~

1042 ~~(5) The Commerce Electronic Payment Fee Restricted Account created in Section~~
1043 ~~13-1-17.~~

1044 ~~(6) The Division of Air Quality Oil, Gas, and Mining Restricted Account created in~~
1045 ~~Section 19-2a-106.~~

1046 ~~(7) The Division of Water Quality Oil, Gas, and Mining Restricted Account created in~~
1047 ~~Section 19-5-126.~~

1048 ~~(8) State funds for matching federal funds in the Children's Health Insurance Program~~
1049 ~~as provided in Section 26B-3-906.~~

1050 ~~(9) Funds collected from the program fund for local health department expenses~~
1051 ~~incurred in responding to a local health emergency under Section 26B-7-111.~~

1052 ~~(10) The Technology Development Restricted Account created in Section 31A-3-104.~~

1053 ~~(11) The Criminal Background Check Restricted Account created in Section~~
1054 ~~31A-3-105.~~

1055 ~~(12) The Captive Insurance Restricted Account created in Section 31A-3-304, except~~
1056 ~~to the extent that Section 31A-3-304 makes the money received under that section free revenue.~~

1057 ~~(13) The Title Licensee Enforcement Restricted Account created in Section~~
1058 ~~31A-23a-415.~~

1059 ~~(14) The Health Insurance Actuarial Review Restricted Account created in Section~~
1060 ~~31A-30-115.~~

1061 ~~(15) The State Mandated Insurer Payments Restricted Account created in Section~~
1062 ~~31A-30-118.~~

1063 ~~(16) The Insurance Fraud Investigation Restricted Account created in Section~~

- 1064 ~~31A-31-108:~~
- 1065 ~~—— (17) The Underage Drinking Prevention Media and Education Campaign Restricted~~
- 1066 ~~Account created in Section 32B-2-306.~~
- 1067 ~~—— (18) The Drinking While Pregnant Prevention Media and Education Campaign~~
- 1068 ~~Restricted Account created in Section 32B-2-308.~~
- 1069 ~~—— (19) The School Readiness Restricted Account created in Section 35A-15-203.~~
- 1070 ~~—— (20) Money received by the Utah State Office of Rehabilitation for the sale of certain~~
- 1071 ~~products or services, as provided in Section 35A-13-202.~~
- 1072 ~~—— (21) The Oil and Gas Administrative Penalties Account created in Section 40-6-11.~~
- 1073 ~~—— (22) The Oil and Gas Conservation Account created in Section 40-6-14.5.~~
- 1074 ~~—— (23) The Division of Oil, Gas, and Mining Restricted account created in Section~~
- 1075 ~~40-6-23.~~
- 1076 ~~—— (24) The Electronic Payment Fee Restricted Account created by Section 41-1a-121 to~~
- 1077 ~~the Motor Vehicle Division.~~
- 1078 ~~—— (25) The License Plate Restricted Account created by Section 41-1a-122.~~
- 1079 ~~—— (26) The Motor Vehicle Enforcement Division Temporary Permit Restricted Account~~
- 1080 ~~created by Section 41-3-110 to the State Tax Commission.~~
- 1081 ~~—— (27) The State Disaster Recovery Restricted Account to the Division of Emergency~~
- 1082 ~~Management, as provided in Section 53-2a-603.~~
- 1083 ~~—— (28) The Response, Recovery, and Post-disaster Mitigation Restricted Account created~~
- 1084 ~~in Section 53-2a-1302.~~
- 1085 ~~—— (29) The Department of Public Safety Restricted Account to the Department of Public~~
- 1086 ~~Safety, as provided in Section 53-3-106.~~
- 1087 ~~—— (30) The Utah Highway Patrol Aero Bureau Restricted Account created in Section~~
- 1088 ~~53-8-303.~~
- 1089 ~~—— (31) The DNA Specimen Restricted Account created in Section 53-10-407.~~
- 1090 ~~—— (32) The Technical Colleges Capital Projects Fund created in Section 53B-2a-118.~~
- 1091 ~~—— (33) The Higher Education Capital Projects Fund created in Section 53B-22-202.~~
- 1092 ~~—— (34) A certain portion of money collected for administrative costs under the School~~
- 1093 ~~Institutional Trust Lands Management Act, as provided under Section 53C-3-202.~~
- 1094 ~~—— (35) The Public Utility Regulatory Restricted Account created in Section 54-5-1.5,~~
- 1095 ~~subject to Subsection 54-5-1.5(4)(d).~~
- 1096 ~~—— (36) Funds collected from a surcharge fee to provide certain licensees with access to an~~
- 1097 ~~electronic reference library, as provided in Section 58-3a-105.~~
- 1098 ~~—— (37) Certain fines collected by the Division of Professional Licensing for violation of~~
- 1099 ~~unlawful or unprofessional conduct that are used for education and enforcement purposes, as~~
- 1100 ~~provided in Section 58-17b-505.~~
- 1101 ~~—— (38) Funds collected from a surcharge fee to provide certain licensees with access to an~~
- 1102 ~~electronic reference library, as provided in Section 58-22-104.~~
- 1103 ~~—— (39) Funds collected from a surcharge fee to provide certain licensees with access to an~~

1104 ~~electronic reference library, as provided in Section 58-55-106.~~
1105 ~~—— (40) Funds collected from a surcharge fee to provide certain licensees with access to an~~
1106 ~~electronic reference library, as provided in Section 58-56-3.5.~~
1107 ~~—— (41) Certain fines collected by the Division of Professional Licensing for use in~~
1108 ~~education and enforcement of the Security Personnel Licensing Act, as provided in Section~~
1109 ~~58-63-103.~~
1110 ~~—— (42) The Relative Value Study Restricted Account created in Section 59-9-105.~~
1111 ~~—— (43) The Cigarette Tax Restricted Account created in Section 59-14-204.~~
1112 ~~—— (44) Funds paid to the Division of Real Estate for the cost of a criminal background~~
1113 ~~check for a mortgage loan license, as provided in Section 61-2c-202.~~
1114 ~~—— (45) Funds paid to the Division of Real Estate for the cost of a criminal background~~
1115 ~~check for principal broker, associate broker, and sales agent licenses, as provided in Section~~
1116 ~~61-2f-204.~~
1117 ~~—— (46) Certain funds donated to the Department of Health and Human Services, as~~
1118 ~~provided in Section 26B-1-202.~~
1119 ~~—— (47) Certain funds donated to the Division of Child and Family Services, as provided~~
1120 ~~in Section 80-2-404.~~
1121 ~~—— (48) Funds collected by the Office of Administrative Rules for publishing, as provided~~
1122 ~~in Section 63G-3-402.~~
1123 ~~—— (49) The Immigration Act Restricted Account created in Section 63G-12-103.~~
1124 ~~—— (50) Money received by the military installation development authority, as provided in~~
1125 ~~Section 63H-1-504.~~
1126 ~~—— (51) The Computer Aided Dispatch Restricted Account created in Section 63H-7a-303.~~
1127 ~~—— (52) The Unified Statewide 911 Emergency Service Account created in Section~~
1128 ~~63H-7a-304.~~
1129 ~~—— (53) The Utah Statewide Radio System Restricted Account created in Section~~
1130 ~~63H-7a-403.~~
1131 ~~—— (54) The Utah Capital Investment Restricted Account created in Section 63N-6-204.~~
1132 ~~—— (55) The Motion Picture Incentive Account created in Section 63N-8-103.~~
1133 ~~—— (56) Funds collected by the housing of state probationary inmates or state parole~~
1134 ~~inmates, as provided in Subsection 64-13c-104(2).~~
1135 ~~—— (57) Certain forestry and fire control funds utilized by the Division of Forestry, Fire,~~
1136 ~~and State Lands, as provided in Section 65A-8-103.~~
1137 ~~—— (58) The Amusement Ride Safety Restricted Account, as provided in Section~~
1138 ~~72-16-204.~~
1139 ~~—— (59) Certain funds received by the Office of the State Engineer for well drilling fines or~~
1140 ~~bonds, as provided in Section 73-3-25.~~
1141 ~~—— (60) The Water Resources Conservation and Development Fund, as provided in~~
1142 ~~Section 73-23-2.~~
1143 ~~—— (61) Award money under the State Asset Forfeiture Grant Program, as provided under }~~

~~1144 Section 77-11b-403:~~

1145 ~~—— (62) Funds donated or paid to a juvenile court by private sources, as provided in~~

1146 ~~Subsection 78A-6-203(1)(c):~~

1147 ~~—— (63) Fees for certificate of admission created under Section 78A-9-102:~~

1148 ~~—— (64) Funds collected for adoption document access as provided in Sections 78B-6-141,~~

1149 ~~78B-6-144, and 78B-6-144.5:~~

1150 ~~—— (65) Funds collected for indigent defense as provided in Title 78B, Chapter 22, Part 4,~~

1151 ~~Utah Indigent Defense Commission:~~

1152 ~~—— (66) The Utah Geological Survey Oil, Gas, and Mining Restricted Account created in~~

1153 ~~Section 79-3-403:~~

1154 ~~—— (67) Revenue for golf user fees at the Wasatch Mountain State Park, Palisades State~~

1155 ~~Park, and Green River State Park, as provided under Section 79-4-403:~~

1156 ~~—— (68) Certain funds received by the Division of State Parks from the sale or disposal of~~

1157 ~~buffalo, as provided under Section 79-4-1001:~~

1158 ~~—— (69) The Outdoor Recreation Impacts Restricted Account created in Section 79-7-207.~~

1159 Section ~~{-4}~~ 3 . Section 79-7-207 is enacted to read:

1160 79-7-207. Outdoor Recreation Impacts ~~{-Restricted Account}~~ Fund .

1161 (1) There is created ~~{-within the General Fund a restricted account}~~ an expendable special

revenue fund known as the

1162 "Outdoor Recreation Impacts ~~{-Restricted Account}~~ Fund ."

1163 (2) The ~~{-account}~~ fund shall consist of:

9. Page 38, Line 1165 through Page 39, Line 1175:

1165 (b) ~~{-any other funds received as donations for the account or appropriations from other~~

1166 sources} gifts, grants, donations, or other conveyances of money made by private sources or
appropriations ; and

1167 (c) interest earned on the ~~{-account}~~ fund .

1168 ~~{(3) In accordance with Section 63J-1-602.1, appropriations from the account are~~
1169 nontlapsing.}

1170 ~~{(4)(a) The account}~~ (3)(a) The fund shall earn interest.

1171 (b) Interest earned on the money in the ~~{-account}~~ fund shall be deposited into the
~~{-account}~~ fund .

(4) The division shall distribute revenue from the fund as follows:

(a) Beaver County, 2.78%;

(b) Carbon County, 2.86%;

(c) Daggett County, 2.78%;

(d) Duchesne County, 3.08%;

(e) Emery County, 6.44%;

(f) Garfield County, 12.16%;

- (g) Grand County, 9.69%;
- (h) Juab County, 3.04%;
- (i) Kane County, 17.62%;
- (j) Millard County, 2.80%;
- (k) Morgan County, 3.19%;
- (l) Piute County, 2.87%;
- (m) Rich County, 3.83%;
- (n) San Juan County, 4.65%;
- (o) Sanpete County, 3.19%;
- (p) Sevier County, 5.38%;
- (q) Wasatch County, 6.80%; and
- (r) Wayne County, 6.87%.

1172 (5) The ~~{Legislature may appropriate money from the restricted account}~~ county may use
a distribution ;

1173 (a) for avalanche forecasting ~~{in the state}~~ ; or

1174 (b) ~~{to a county of the fourth, fifth, or sixth class or a county with a population density~~
~~1175 of fewer than 15 people per square mile}~~ to mitigate the impacts of outdoor recreation.