

Jason B. Kyle proposes the following substitute bill:

Outdoor Recreation Modifications

2026 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Jason B. Kyle

Senate Sponsor:

LONG TITLE

General Description:

This bill modifies provisions related to outdoor recreation.

Highlighted Provisions:

This bill:

- changes the name of the Outdoor Adventure Infrastructure Restricted Account;
- expands the permissible uses of funds in the Outdoor Adventure Infrastructure Restricted Account to include the Every Kid Outdoors Initiative, outdoor recreation grants administered by the office, and administrative costs;
- creates the Every Kid Outdoor Initiative administered by the Division of Outdoor Recreation (division);
- authorizes the division to use money in the Outdoor Recreation Infrastructure Account to pay for the division's administrative costs of administering outdoor recreation grants;
- expands the types of entities eligible for a UCORE grant; and
- makes technical and conforming changes.

Money Appropriated in this Bill:

None

Other Special Clauses:

This bill provides a special effective date.

Utah Code Sections Affected:

AMENDS:

- 51-9-901**, as last amended by Laws of Utah 2024, Chapter 41
- 51-9-902**, as last amended by Laws of Utah 2025, Chapter 285
- 59-12-103**, as last amended by Laws of Utah 2025, Chapter 285
- 79-7-503**, as last amended by Laws of Utah 2024, Chapter 41
- 79-8-102**, as last amended by Laws of Utah 2022, Chapters 68, 274

29 79-8-106, as last amended by Laws of Utah 2023, Chapter 183

30 79-8-303, as last amended by Laws of Utah 2022, Chapter 68

31 ENACTS:

32 79-7-801, Utah Code Annotated 1953

33 79-7-802, Utah Code Annotated 1953



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

36 Section 1. Section 51-9-901 is amended to read:

37 **Part 9. Outdoor Adventure Restricted Account**

38 **51-9-901 . Definitions.**

39 As used in this part:

40 (1) "Account" means the Outdoor Adventure [~~Infrastructure~~]Restricted Account created in
41 Section 51-9-902.

42 (2) "Facility" means a site, location, building, structure, or other improvement to property.

43 (3)(a) "Outdoor recreation infrastructure" means a public facility or public land used by
44 the public to access outdoor recreational opportunities.

45 (b) "Outdoor recreation infrastructure" includes:

46 (i) a facility used for water sports, snow sports, backpacking, canoeing, canyoning,
47 caving, camping, climbing, hiking, hill walking, hunting, kayaking, rafting,
48 biking, operating a snowmobile or all-terrain vehicle, or any similar motorized or
49 nonmotorized activity;

50 (ii) a state park, golf course, sports field, playground, toboggan run, sledding hill,
51 trail, paved pedestrian or paved nonmotorized transportation facility, park, pool,
52 waterway, road, bridge, or similar facility;

53 (iii) an unpaved trail, trail head infrastructure, signage, or crossing infrastructure for
54 recreation, regardless of whether the recreation is motorized or nonmotorized
55 recreation;

56 (iv) a campground or day-use recreation site;

57 (v) water recreation infrastructure, including a pier, dock, or boat ramp; and

58 (vi) outdoor recreation facilities that are accessible to visitors with disabilities.

59 Section 2. Section 51-9-902 is amended to read:

60 **51-9-902 . Outdoor Adventure Restricted Account.**

61 (1) There is created within the General Fund a restricted account known as the "Outdoor
62 Adventure [~~Infrastructure~~]Restricted Account."

- 63 (2) The account shall consist of:
- 64 (a) money deposited into the account under Subsection 59-12-103(4)(h); and
- 65 (b) interest and earnings on money in the account.
- 66 (3) Subject to appropriation from the Legislature, money from the account shall be used for:
- 67 (a) new construction of outdoor recreation infrastructure;
- 68 (b) upgrades of outdoor recreation infrastructure;
- 69 (c) the replacement of or structural improvements to outdoor recreation infrastructure;
- 70 (d) the acquisition of land, a right-of-way, or easement used in relationship to outdoor
- 71 recreation infrastructure;
- 72 (e) providing access from state highways, as defined in Section 72-1-102, to outdoor
- 73 recreation infrastructure;
- 74 (f) the costs associated with bringing new construction or upgrades of outdoor
- 75 recreation infrastructure into environmental compliance;
- 76 (g) strategic planning related to the development of outdoor recreation infrastructure;
- 77 (h) facilitating avalanche safety forecasting to protect the public in relation to outdoor
- 78 recreation infrastructure;~~[-or]~~
- 79 (i) clean up or security relating to outdoor recreation infrastructure~~[-]~~ ;
- 80 (j) the Every Kid Outdoors Initiative created in Section 79-7-802;
- 81 (k) grant programs established under Title 79, Chapter 8, Outdoor Recreation Grants; or
- 82 (l) administrative costs, not to exceed 2% of the amount appropriated in accordance with
- 83 Subsection (4)(d).
- 84 (4) For each fiscal year, beginning with fiscal year 2025-2026, the Division of Finance
- 85 shall, subject to appropriation by the Legislature, distribute money from the Outdoor
- 86 Adventure ~~[Infrastructure]~~Restricted Account as follows:
- 87 (a) at least 15% to the Department of Natural Resources - Division of State Parks -
- 88 Capital, to be expended using the department's existing prioritization process for
- 89 capital projects in state parks described in Subsection (3);
- 90 ~~[(b) at least 22% to the Department of Natural Resources - Division of Outdoor~~
- 91 ~~Recreation - Capital, to be expended for competitive Recreation Restoration~~
- 92 ~~Infrastructure grants or Outdoor Recreational Infrastructure grants for outdoor~~
- 93 ~~recreation capital projects and related maintenance expenses, where maintenance~~
- 94 ~~expenses do not exceed 15% of the appropriation;]~~
- 95 (b) at least 4%, divided according to legislative appropriation, to:
- 96 (i) the Outdoor Recreation Infrastructure Account created in Section 79-8-106 to be

97 used to fund the Utah Children's Outdoor Recreation and Education Grants
 98 Program created in Section 79-8-302; and

99 (ii) the Division of Outdoor Recreation to be used for the Every Kid Outdoors
 100 Initiative created in Section 79-7-802;

101 (c) subject to Subsection (5), at least 18% to the Outdoor Recreation Infrastructure
 102 Account created in Section 79-8-106 to be used to fund:

103 (i) the Recreation Restoration Infrastructure Grant Program created in Section
 104 79-8-202; or

105 (ii) the Outdoor Recreational Infrastructure Grant Program created in Section
 106 79-8-401;

107 [(e)] (d) at least 53% to the Department of Natural Resources - Division of Outdoor
 108 Recreation - Capital, to be expended for larger outdoor recreation infrastructure
 109 projects described in Subsection (3) as recommended to the Legislature by the
 110 Outdoor Adventure Commission; and

111 [(d)] (e) at least 10% to the Utah Fairpark Area Investment and Restoration District
 112 created in Section 11-70-201 for the development and operation of the district.

113 (5) The Division of Outdoor Recreation shall use money appropriated under Subsection
 114 (4)(c) to provide grants for outdoor recreation capital projects and related maintenance
 115 expenses, provided the maintenance expenses do not exceed 15% of the grant.

116 [(5)] (6) If the Legislature appropriates money to the Department of Transportation from the
 117 account, the Transportation Commission, created in Section 72-1-301, shall prioritize
 118 projects and determine funding levels in accordance with Subsection 72-1-303(1)(a)
 119 based on recommendations of the Department of Transportation.

120 Section 3. Section **59-12-103** is amended to read:

121 **59-12-103 . Sales and use tax base -- Rates -- Effective dates -- Use of sales and**
 122 **use tax revenue.**

123 (1) A tax is imposed on the purchaser as provided in this part on the purchase price or sales
 124 price for amounts paid or charged for the following transactions:

125 (a) retail sales of tangible personal property made within the state;

126 (b) amounts paid for:

127 (i) telecommunications service, other than mobile telecommunications service, that
 128 originates and terminates within the boundaries of this state;

129 (ii) mobile telecommunications service that originates and terminates within the
 130 boundaries of one state only to the extent permitted by the Mobile

- 131 Telecommunications Sourcing Act, 4 U.S.C. Sec. 116 et seq.; or
- 132 (iii) an ancillary service associated with a:
- 133 (A) telecommunications service described in Subsection (1)(b)(i); or
- 134 (B) mobile telecommunications service described in Subsection (1)(b)(ii);
- 135 (c) sales of the following for commercial use:
- 136 (i) gas;
- 137 (ii) electricity;
- 138 (iii) heat;
- 139 (iv) coal;
- 140 (v) fuel oil; or
- 141 (vi) other fuels;
- 142 (d) sales of the following for residential use:
- 143 (i) gas;
- 144 (ii) electricity;
- 145 (iii) heat;
- 146 (iv) coal;
- 147 (v) fuel oil; or
- 148 (vi) other fuels;
- 149 (e) sales of prepared food;
- 150 (f) except as provided in Section 59-12-104, amounts paid or charged as admission or
- 151 user fees for theaters, movies, operas, museums, planetariums, shows of any type or
- 152 nature, exhibitions, concerts, carnivals, amusement parks, amusement rides, circuses,
- 153 menageries, fairs, races, contests, sporting events, dances, boxing matches, wrestling
- 154 matches, closed circuit television broadcasts, billiard parlors, pool parlors, bowling
- 155 lanes, golf, miniature golf, golf driving ranges, batting cages, skating rinks, ski lifts,
- 156 ski runs, ski trails, snowmobile trails, tennis courts, swimming pools, water slides,
- 157 river runs, jeep tours, boat tours, scenic cruises, horseback rides, sports activities, or
- 158 any other amusement, entertainment, recreation, exhibition, cultural, or athletic
- 159 activity;
- 160 (g) amounts paid or charged for services for repairs or renovations of tangible personal
- 161 property, unless Section 59-12-104 provides for an exemption from sales and use tax
- 162 for:
- 163 (i) the tangible personal property; and
- 164 (ii) parts used in the repairs or renovations of the tangible personal property described

- 165 in Subsection (1)(g)(i), regardless of whether:
- 166 (A) any parts are actually used in the repairs or renovations of that tangible
- 167 personal property; or
- 168 (B) the particular parts used in the repairs or renovations of that tangible personal
- 169 property are exempt from a tax under this chapter;
- 170 (h) except as provided in Subsection 59-12-104(7), amounts paid or charged for assisted
- 171 cleaning or washing of tangible personal property;
- 172 (i) amounts paid or charged for short-term rentals of tourist home, hotel, motel, or trailer
- 173 court accommodations and services;
- 174 (j) amounts paid or charged for laundry or dry cleaning services;
- 175 (k) amounts paid or charged for leases or rentals of tangible personal property if within
- 176 this state the tangible personal property is:
- 177 (i) stored;
- 178 (ii) used; or
- 179 (iii) otherwise consumed;
- 180 (l) amounts paid or charged for tangible personal property if within this state the tangible
- 181 personal property is:
- 182 (i) stored;
- 183 (ii) used; or
- 184 (iii) consumed;
- 185 (m) amounts paid or charged for a sale:
- 186 (i)(A) of a product transferred electronically; or
- 187 (B) of a repair or renovation of a product transferred electronically; and
- 188 (ii) regardless of whether the sale provides:
- 189 (A) a right of permanent use of the product; or
- 190 (B) a right to use the product that is less than a permanent use, including a right:
- 191 (I) for a definite or specified length of time; and
- 192 (II) that terminates upon the occurrence of a condition; and
- 193 (n) sales of leased tangible personal property from the lessor to the lessee made in the
- 194 state.
- 195 (2)(a) Except as provided in Subsections (2)(b) through (f), a state tax and a local tax are
- 196 imposed on a transaction described in Subsection (1) equal to the sum of:
- 197 (i) a state tax imposed on the transaction at a tax rate equal to the sum of:
- 198 (A) 4.70%;

- 199 (B) the rate specified in Subsection (6)(a); and
- 200 (C) the tax rate the state imposes in accordance with Part 20, Supplemental State
- 201 Sales and Use Tax Act, if the location of the transaction as determined under
- 202 Sections 59-12-211 through 59-12-215 is in a city, town, or the unincorporated
- 203 area of a county in which the state imposes the tax under Part 20, Supplemental
- 204 State Sales and Use Tax Act; and
- 205 (ii) a local tax equal to the sum of the tax rates a county, city, or town imposes on the
- 206 transaction under this chapter other than this part.
- 207 (b) Except as provided in Subsection (2)(f) or (g) and subject to Subsection (2)(l), a state
- 208 tax and a local tax are imposed on a transaction described in Subsection (1)(d) equal
- 209 to the sum of:
- 210 (i) a state tax imposed on the transaction at a tax rate of 2%; and
- 211 (ii) a local tax equal to the sum of the tax rates a county, city, or town imposes on the
- 212 transaction under this chapter other than this part.
- 213 (c) Except as provided in Subsection (2)(f) or (g), a state tax and a local tax are imposed
- 214 on amounts paid or charged for food and food ingredients equal to the sum of:
- 215 (i) a state tax imposed on the amounts paid or charged for food and food ingredients
- 216 at a tax rate of 1.75%; and
- 217 (ii) a local tax equal to the sum of the tax rates a county, city, or town imposes on the
- 218 amounts paid or charged for food and food ingredients under this chapter other
- 219 than this part.
- 220 (d) Except as provided in Subsection (2)(f) or (g), a state tax is imposed on amounts paid
- 221 or charged for fuel to a common carrier that is a railroad for use in a locomotive
- 222 engine at a rate equal to the sum of the rates described in Subsections (2)(a)(i)(A) and
- 223 (2)(a)(i)(B).
- 224 (e)(i)(A) The rates described in Subsections (2)(a)(i)(A) and (2)(a)(i)(B) do not
- 225 apply to car sharing, a car sharing program, a shared vehicle driver, or a shared
- 226 vehicle owner, for a car sharing or shared vehicle transaction if a shared
- 227 vehicle owner certifies to the commission, on a form prescribed by the
- 228 commission, that the shared vehicle is an individual-owned shared vehicle.
- 229 (B) A shared vehicle owner's certification described in Subsection (2)(e)(i)(A) is
- 230 required once during the time that the shared vehicle owner owns the shared
- 231 vehicle.
- 232 (C) The commission shall verify that a shared vehicle is an individual-owned

- 233 shared vehicle by verifying that the applicable Utah taxes imposed under this
234 chapter were paid on the purchase of the shared vehicle.
- 235 (D) The exception under Subsection (2)(e)(i)(A) applies to a certified
236 individual-owned shared vehicle shared through a car-sharing program even if
237 non-certified shared vehicles are also available to be shared through the same
238 car-sharing program.
- 239 (ii) A tax imposed under Subsection (2)(a)(i)(C) or (2)(a)(ii) applies to car sharing.
- 240 (iii)(A) A car-sharing program may rely in good faith on a shared vehicle owner's
241 representation that the shared vehicle is an individual-owned shared vehicle
242 certified with the commission as described in Subsection (2)(e)(i).
- 243 (B) If a car-sharing program relies in good faith on a shared vehicle owner's
244 representation that the shared vehicle is an individual-owned shared vehicle
245 certified with the commission as described in Subsection (2)(e)(i), the
246 car-sharing program is not liable for any tax, penalty, fee, or other sanction
247 imposed on the shared vehicle owner.
- 248 (iv) If all shared vehicles shared through a car-sharing program are certified as
249 described in Subsection (2)(e)(i)(A) for a tax period, the car-sharing program has
250 no obligation to collect and remit the tax under Subsections (2)(a)(i)(A) and
251 (2)(a)(i)(B) for that tax period.
- 252 (v) A car-sharing program is not required to list or otherwise identify an
253 individual-owned shared vehicle on a return or an attachment to a return.
- 254 (vi) A car-sharing program shall:
- 255 (A) retain tax information for each car-sharing program transaction; and
256 (B) provide the information described in Subsection (2)(e)(vi)(A) to the
257 commission at the commission's request.
- 258 (f)(i) For a bundled transaction that is attributable to food and food ingredients and
259 tangible personal property other than food and food ingredients, a state tax and a
260 local tax is imposed on the entire bundled transaction equal to the sum of:
- 261 (A) the tax rates described in Subsection (2)(a)(i); and
262 (B) a local tax imposed on the entire bundled transaction at the sum of the tax
263 rates described in Subsection (2)(a)(ii).
- 264 (ii) If an optional computer software maintenance contract is a bundled transaction
265 that consists of taxable and nontaxable products that are not separately itemized
266 on an invoice or similar billing document, the purchase of the optional computer

- 267 software maintenance contract is 40% taxable under this chapter and 60%
268 nontaxable under this chapter.
- 269 (iii) Subject to Subsection (2)(f)(iv), for a bundled transaction other than a bundled
270 transaction described in Subsection (2)(f)(i) or (ii):
- 271 (A) if the sales price of the bundled transaction is attributable to tangible personal
272 property, a product, or a service that is subject to taxation under this chapter
273 and tangible personal property, a product, or service that is not subject to
274 taxation under this chapter, the entire bundled transaction is subject to taxation
275 under this chapter unless:
- 276 (I) the seller is able to identify by reasonable and verifiable standards the
277 tangible personal property, product, or service that is not subject to taxation
278 under this chapter from the books and records the seller keeps in the seller's
279 regular course of business; or
- 280 (II) state or federal law provides otherwise; or
- 281 (B) if the sales price of a bundled transaction is attributable to two or more items
282 of tangible personal property, products, or services that are subject to taxation
283 under this chapter at different rates, the entire bundled transaction is subject to
284 taxation under this chapter at the higher tax rate unless:
- 285 (I) the seller is able to identify by reasonable and verifiable standards the
286 tangible personal property, product, or service that is subject to taxation
287 under this chapter at the lower tax rate from the books and records the seller
288 keeps in the seller's regular course of business; or
- 289 (II) state or federal law provides otherwise.
- 290 (iv) For purposes of Subsection (2)(f)(iii), books and records that a seller keeps in the
291 seller's regular course of business includes books and records the seller keeps in
292 the regular course of business for nontax purposes.
- 293 (g)(i) Except as otherwise provided in this chapter and subject to Subsections
294 (2)(g)(ii) and (iii), if a transaction consists of the sale, lease, or rental of tangible
295 personal property, a product, or a service that is subject to taxation under this
296 chapter, and the sale, lease, or rental of tangible personal property, other property,
297 a product, or a service that is not subject to taxation under this chapter, the entire
298 transaction is subject to taxation under this chapter unless the seller, at the time of
299 the transaction:
- 300 (A) separately states the portion of the transaction that is not subject to taxation

- 301 under this chapter on an invoice, bill of sale, or similar document provided to
302 the purchaser; or
- 303 (B) is able to identify by reasonable and verifiable standards, from the books and
304 records the seller keeps in the seller's regular course of business, the portion of
305 the transaction that is not subject to taxation under this chapter.
- 306 (ii) A purchaser and a seller may correct the taxability of a transaction if:
- 307 (A) after the transaction occurs, the purchaser and the seller discover that the
308 portion of the transaction that is not subject to taxation under this chapter was
309 not separately stated on an invoice, bill of sale, or similar document provided
310 to the purchaser because of an error or ignorance of the law; and
- 311 (B) the seller is able to identify by reasonable and verifiable standards, from the
312 books and records the seller keeps in the seller's regular course of business, the
313 portion of the transaction that is not subject to taxation under this chapter.
- 314 (iii) For purposes of Subsections (2)(g)(i) and (ii), books and records that a seller
315 keeps in the seller's regular course of business includes books and records the
316 seller keeps in the regular course of business for nontax purposes.
- 317 (h)(i) If the sales price of a transaction is attributable to two or more items of tangible
318 personal property, products, or services that are subject to taxation under this
319 chapter at different rates, the entire purchase is subject to taxation under this
320 chapter at the higher tax rate unless the seller, at the time of the transaction:
- 321 (A) separately states the items subject to taxation under this chapter at each of the
322 different rates on an invoice, bill of sale, or similar document provided to the
323 purchaser; or
- 324 (B) is able to identify by reasonable and verifiable standards the tangible personal
325 property, product, or service that is subject to taxation under this chapter at the
326 lower tax rate from the books and records the seller keeps in the seller's regular
327 course of business.
- 328 (ii) For purposes of Subsection (2)(h)(i), books and records that a seller keeps in the
329 seller's regular course of business includes books and records the seller keeps in
330 the regular course of business for nontax purposes.
- 331 (i) Subject to Subsections (2)(j) and (k), a tax rate repeal or tax rate change for a tax rate
332 imposed under the following shall take effect on the first day of a calendar quarter:
- 333 (i) Subsection (2)(a)(i)(A);
- 334 (ii) Subsection (2)(a)(i)(B);

- 335 (iii) Subsection (2)(b)(i);
- 336 (iv) Subsection (2)(c)(i); or
- 337 (v) Subsection (2)(f)(i)(A).
- 338 (j)(i) A tax rate increase takes effect on the first day of the first billing period that
- 339 begins on or after the effective date of the tax rate increase if the billing period for
- 340 the transaction begins before the effective date of a tax rate increase imposed
- 341 under:
- 342 (A) Subsection (2)(a)(i)(A);
- 343 (B) Subsection (2)(a)(i)(B);
- 344 (C) Subsection (2)(b)(i);
- 345 (D) Subsection (2)(c)(i); or
- 346 (E) Subsection (2)(f)(i)(A).
- 347 (ii) The repeal of a tax or a tax rate decrease applies to a billing period if the billing
- 348 statement for the billing period is rendered on or after the effective date of the
- 349 repeal of the tax or the tax rate decrease imposed under:
- 350 (A) Subsection (2)(a)(i)(A);
- 351 (B) Subsection (2)(a)(i)(B);
- 352 (C) Subsection (2)(b)(i);
- 353 (D) Subsection (2)(c)(i); or
- 354 (E) Subsection (2)(f)(i)(A).
- 355 (k)(i) For a tax rate described in Subsection (2)(k)(ii), if a tax due on a catalogue sale
- 356 is computed on the basis of sales and use tax rates published in the catalogue, a
- 357 tax rate repeal or change in a tax rate takes effect:
- 358 (A) on the first day of a calendar quarter; and
- 359 (B) beginning 60 days after the effective date of the tax rate repeal or tax rate
- 360 change.
- 361 (ii) Subsection (2)(k)(i) applies to the tax rates described in the following:
- 362 (A) Subsection (2)(a)(i)(A);
- 363 (B) Subsection (2)(a)(i)(B);
- 364 (C) Subsection (2)(b)(i);
- 365 (D) Subsection (2)(c)(i); or
- 366 (E) Subsection (2)(f)(i)(A).
- 367 (iii) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act,
- 368 the commission may by rule define the term "catalogue sale."

- 369 (1)(i) For a location described in Subsection (2)(1)(ii), the commission shall determine
370 the taxable status of a sale of gas, electricity, heat, coal, fuel oil, or other fuel
371 based on the predominant use of the gas, electricity, heat, coal, fuel oil, or other
372 fuel at the location.
- 373 (ii) Subsection (2)(1)(i) applies to a location where gas, electricity, heat, coal, fuel oil,
374 or other fuel is furnished through a single meter for two or more of the following
375 uses:
- 376 (A) a commercial use;
 - 377 (B) an industrial use; or
 - 378 (C) a residential use.
- 379 (3)(a) The commission shall deposit the following state taxes into the General Fund:
- 380 (i) the tax imposed by Subsection (2)(a)(i)(A);
 - 381 (ii) the tax imposed by Subsection (2)(b)(i);
 - 382 (iii) the tax imposed by Subsection (2)(c)(i);
 - 383 (iv) the tax imposed by Subsection (2)(d); and
 - 384 (v) the tax imposed by Subsection (2)(f)(i)(A).
- 385 (b) The commission shall distribute the following local taxes to a county, city, or town
386 as provided in this chapter:
- 387 (i) the tax imposed by Subsection (2)(a)(ii);
 - 388 (ii) the tax imposed by Subsection (2)(b)(ii);
 - 389 (iii) the tax imposed by Subsection (2)(c)(ii); and
 - 390 (iv) the tax imposed by Subsection (2)(f)(i)(B).
- 391 (4)(a) Notwithstanding Subsection (3)(a), for each fiscal year the commission shall make
392 the deposits described in Subsections (4)(b) through (4)(h) from the revenue from the
393 taxes imposed by:
- 394 (i) Subsection (2)(a)(i)(A);
 - 395 (ii) Subsection (2)(b)(i);
 - 396 (iii) Subsection (2)(c)(i); and
 - 397 (iv) Subsection (2)(f)(i)(A).
- 398 (b) The commission shall deposit 15% of the difference between 1.4543% of the
399 revenue described in Subsection (4)(a) and the deposits made under Subsection (5)(b),
400 into the Water Rights Restricted Account created in Section 73-2-1.6.
- 401 (c) The commission shall deposit 85% of the difference between 1.4543% of the revenue
402 described in Subsection (4)(a) and the deposits made under Subsection (5)(b), into

- 403 the Water Resources Conservation and Development Fund created in Section
404 73-10-24 for use by the Division of Water Resources for:
- 405 (i) preconstruction costs:
- 406 (A) as defined in Subsection 73-26-103(6) for projects authorized by Title 73,
407 Chapter 26, Bear River Development Act; and
- 408 (B) as defined in Subsection 73-28-103(8) for the Lake Powell Pipeline project
409 authorized by Title 73, Chapter 28, Lake Powell Pipeline Development Act;
- 410 (ii) the cost of employing a civil engineer to oversee any project authorized by Title
411 73, Chapter 26, Bear River Development Act;
- 412 (iii) the cost of employing a civil engineer to oversee the Lake Powell Pipeline
413 project authorized by Title 73, Chapter 28, Lake Powell Pipeline Development
414 Act; and
- 415 (iv) other uses authorized under Sections 73-10-24, 73-10-25.1, and 73-10-30, and
416 Subsection (5)(b)(iv)(B) after funding the uses specified in Subsections (4)(c)(i)
417 through (iii).
- 418 (d) The commission shall deposit 1.4543% of the revenue described in Subsection (4)(a)
419 into the Water Infrastructure Restricted Account created in Section 73-10g-103.
- 420 (e)(i) Subject to Subsection (4)(e)(ii), the commission shall deposit 26.24% of the
421 revenue described in Subsection (4)(a) into the Transportation Investment Fund of
422 2005 created in Section 72-2-124.
- 423 (ii) The commission shall annually reduce the deposit described in Subsection
424 (4)(e)(i) by the sum of:
- 425 (A) \$1,813,400;
- 426 (B) the earmark described in Subsection (5)(c); and
- 427 (C) an amount equal to 35% of the revenue generated in the current fiscal year by
428 the portion of the tax imposed on motor and special fuel that is sold, used, or
429 received in the state that exceeds 29.4 cents per gallon.
- 430 (iii) The amount described in Subsection (4)(e)(ii)(C) shall be annually deposited into
431 the Transit Transportation Investment Fund created in Section 72-2-124.
- 432 (f) The commission shall deposit .44% of the revenue described in Subsection (4)(a) into
433 the Cottonwood Canyons Transportation Investment Fund created in Section
434 72-2-124.
- 435 (g) The commission shall deposit 1% of the revenue described in Subsection (4)(a) into
436 the Commuter Rail Subaccount created in Section 72-2-124.

- 437 (h) The commission shall deposit 1% of the revenue described in Subsection (4)(a) into
438 the Outdoor Adventure [~~Infrastructure~~]Restricted Account created in Section
439 51-9-902 as follows:
- 440 (i) into the Outdoor Adventure [~~Infrastructure~~]Restricted Account created in Section
441 51-9-902, an amount equal to the amount that was deposited into the Outdoor
442 Adventure [~~Infrastructure~~]Restricted Account in fiscal year 2025; and
- 443 (ii) for any amount exceeding the amount described in Subsection (4)(h)(i), 50% into
444 the Outdoor Adventure [~~Infrastructure~~]Restricted Account and 50% to the Utah
445 Fairpark Area Investment and Restoration District created in Section 11-70-201.
- 446 (5)(a) Notwithstanding Subsection (3)(a), each fiscal year the commission shall make
447 the deposits described in this Subsection (5).
- 448 (b)(i)(A) The commission shall deposit \$500,000 to the Department of Natural
449 Resources to be used for watershed rehabilitation or restoration.
- 450 (B) At the end of each fiscal year, 100% of any unexpended amount described in
451 Subsection (5)(b)(i)(A) shall lapse into the Water Resources Conservation and
452 Development Fund created in Section 73-10-24.
- 453 (ii) The commission shall deposit \$150,000 to the Division of Water Resources for
454 cloud-seeding projects authorized by Title 73, Chapter 15, Modification of
455 Weather.
- 456 (iii) The commission shall deposit \$525,000 into the Division of Conservation
457 created in Section 4-46-401 to implement water related programs.
- 458 (iv) The commission shall deposit \$7,175,000 into the Water Resources Conservation
459 and Development Fund created in Section 73-10-24 for use by the Division of
460 Water Resources:
- 461 (A) for the uses allowed of the Water Resources Conservation and Development
462 Fund under Section 73-10-24;
- 463 (B) to conduct hydrologic and geotechnical investigations by the Division of
464 Water Resources in a cooperative effort with other state, federal, or local
465 entities, for the purpose of quantifying surface and ground water resources and
466 describing the hydrologic systems of an area in sufficient detail so as to enable
467 local and state resource managers to plan for and accommodate growth in
468 water use without jeopardizing the resource;
- 469 (C) to fund state required dam safety improvements; and
- 470 (D) to protect the state's interest in interstate water compact allocations, including

- 471 the hiring of technical and legal staff.
- 472 (v) The commission shall deposit \$3,587,500 into the Utah Wastewater Loan
473 Program Subaccount created in Section 73-10c-5 for use by the Water Quality
474 Board to fund wastewater projects.
- 475 (vi) The commission shall deposit \$3,587,500 into the Drinking Water Loan Program
476 Subaccount created in Section 73-10c-5 for use by the Division of Drinking Water
477 to:
- 478 (A) provide for the installation and repair of collection, treatment, storage, and
479 distribution facilities for any public water system, as defined in Section
480 19-4-102;
- 481 (B) develop underground sources of water, including springs and wells; and
482 (C) develop surface water sources.
- 483 (vii) The commission shall deposit \$2,450,000 to the Division of Wildlife Resources
484 to:
- 485 (A) implement the measures described in Subsections 23A-3-214(3)(a) through
486 (d) to protect sensitive plant and animal species; or
- 487 (B) award grants, up to the amount authorized by the Legislature in an
488 appropriations act, to political subdivisions of the state to implement the
489 measures described in Subsections 23A-3-214(3)(a) through (d) to protect
490 sensitive plant and animal species.
- 491 (viii) Funds transferred to the Division of Wildlife Resources under Subsection
492 (5)(b)(vii)(A) may not be used to assist the United States Fish and Wildlife
493 Service or any other person to list or attempt to have listed a species as threatened
494 or endangered under the Endangered Species Act of 1973, 16 U.S.C. Sec. 1531, et
495 seq.
- 496 (ix) At the end of each fiscal year, any unexpended amounts described in Subsections
497 (5)(b)(vii)(A) and (B) shall lapse:
- 498 (A) 50% into the Water Resources Conservation and Development Fund created
499 in Section 73-10-24;
- 500 (B) 25% into the Utah Wastewater Loan Program Subaccount created in Section
501 73-10c-5; and
- 502 (C) 25% into the Drinking Water Loan Program Subaccount created in Section
503 73-10c-5.
- 504 (x) The commission shall allocate \$175,000 to the Division of Water Rights to cover

- 505 the costs incurred in hiring legal and technical staff for the adjudication of water
506 rights.
- 507 (xi) At the end of each fiscal year, any unexpended amounts described in Subsection
508 (5)(b)(x) shall lapse:
- 509 (A) 50% into the Water Resources Conservation and Development Fund created
510 in Section 73-10-24;
- 511 (B) 25% into the Utah Wastewater Loan Program Subaccount created in Section
512 73-10c-5; and
- 513 (C) 25% into the Drinking Water Loan Program Subaccount created in Section
514 73-10c-5.
- 515 (c) The commission shall deposit \$45,000,000 into the Active Transportation Investment
516 Fund created in Section 72-2-124.
- 517 (d) The commission shall deposit \$533,750 into the Qualified Emergency Food
518 Agencies Fund created by and expended in accordance with Section 35A-8-1009.
- 519 (e) The commission shall deposit \$200,000 into the General Fund as a dedicated credit
520 for the sole use of the Search and Rescue Financial Assistance Program created by
521 and to be expended in accordance with Title 53, Chapter 2a, Part 11, Search and
522 Rescue Act.
- 523 (6)(a) The rate specified in this Subsection (6) is 0.15%.
- 524 (b) Notwithstanding Subsection (3)(a), the commission shall, for a fiscal year beginning
525 on or after July 1, 2019, annually transfer the amount of revenue collected from the
526 rate described in Subsection (6)(a) on the transactions that are subject to the sales and
527 use tax under Subsection (2)(a)(i)(B) into the Medicaid ACA Fund created in Section
528 26B-1-315.
- 529 (7)(a) Notwithstanding Subsection (3)(a) and except as provided in Subsections (11),
530 (12), and (13), and as described in Section 63N-3-610, beginning the first day of a
531 calendar quarter one year after the sales and use tax boundary for a housing and
532 transit reinvestment zone is established under Title 63N, Chapter 3, Part 6, Housing
533 and Transit Reinvestment Zone Act, the commission, at least annually, shall transfer
534 an amount equal to 15% of the sales and use tax increment from the sales and use tax
535 imposed by Subsection (2)(a)(i)(A) at a 4.7% rate, on transactions occurring within
536 an established sales and use tax boundary, as defined in Section 63N-3-602, into the
537 Transit Transportation Investment Fund created in Section 72-2-124.
- 538 (b) Beginning no sooner than January 1, 2026, notwithstanding Subsection (3)(a), and

539 except as provided in Subsections (11), (12), and (13), and as described in Section
540 63N-3-610.1, beginning the first day of a calendar quarter after the year set in the
541 proposal and after the sales and use tax boundary for a convention center
542 reinvestment zone is established in a capital city under Title 63N, Chapter 3, Part 6,
543 Housing and Transit Reinvestment Zone Act, the commission, at least annually, shall
544 transfer an amount equal to 50% of the sales and use tax increment as defined in
545 Section 63N-3-602 from the sales and use tax imposed by Subsection (2)(a)(i)(A) at a
546 4.7% rate, on transactions occurring within an established sales and use tax boundary,
547 as defined in Section 63N-3-602, to a convention center public infrastructure district
548 created in accordance with Section 17D-4-202.1 and specified in the convention
549 center reinvestment zone proposal submitted pursuant to Title 63N, Chapter 3, Part 6,
550 Housing and Transit Reinvestment Zone Act.

551 (8) Notwithstanding Subsection (3)(a) and except as provided in Subsections (11), (12), and
552 (13), beginning October 1, 2024 the commission shall transfer to the Utah Fairpark Area
553 Investment and Restoration District, created in Section 11-70-201, the revenue from the
554 sales and use tax imposed by Subsection (2)(a)(i)(A), on transactions occurring within
555 the district sales tax area, as defined in Section 11-70-101.

556 (9)(a) As used in this Subsection (9):

557 (i) "Additional land" means point of the mountain state land described in Subsection
558 11-59-102(6)(b) that the point of the mountain authority acquires after the point of
559 the mountain authority provides the commission a map under Subsection (9)(c).

560 (ii) "Point of the mountain authority" means the Point of the Mountain State Land
561 Authority, created in Section 11-59-201.

562 (iii) "Point of the mountain state land" means the same as that term is defined in
563 Section 11-59-102.

564 (b) Notwithstanding Subsection (3)(a) and except as provided in Subsections (11), (12),
565 and (13), the commission shall distribute to the point of the mountain authority 50%
566 of the revenue from the sales and use tax imposed by Subsection (2)(a)(i)(A), on
567 transactions occurring on the point of the mountain state land.

568 (c) The distribution under Subsection (9)(b) shall begin the next calendar quarter that
569 begins at least 90 days after the point of the mountain authority provides the
570 commission a map that:

571 (i) accurately describes the point of the mountain state land; and

572 (ii) the point of the mountain authority certifies as accurate.

- 573 (d) A distribution under Subsection (9)(b) with respect to additional land shall begin the
574 next calendar quarter that begins at least 90 days after the point of the mountain
575 authority provides the commission a map of point of the mountain state land that:
576 (i) accurately describes the point of the mountain state land, including the additional
577 land; and
578 (ii) the point of the mountain authority certifies as accurate.
- 579 (e)(i) Upon the payment in full of bonds secured by the sales and use tax revenue
580 distributed to the point of the mountain authority under Subsection (9)(b), the
581 point of the mountain authority shall immediately notify the commission in
582 writing that the bonds are paid in full.
- 583 (ii) The commission shall discontinue distributions of sales and use tax revenue under
584 Subsection (9)(b) at the beginning of the calendar quarter that begins at least 90
585 days after the date that the commission receives the written notice under
586 Subsection (9)(e)(i).
- 587 (10) Notwithstanding Subsection (3)(a), the amount of state sales tax revenues described in
588 Section 63N-2-503.5 is deposited into the Convention Incentive Fund created in Section
589 63N-2-503.5.
- 590 (11)(a) As used in this Subsection (11):
- 591 (i) "Applicable percentage" means:
- 592 (A) for a housing and transit reinvestment zone created under Title 63N, Chapter
593 3, Part 6, Housing and Transit Reinvestment Zone Act, 15% of the revenue
594 from the sales and use tax imposed by Subsection (2)(a)(i)(A) at a 4.7% rate
595 for sales occurring within the qualified development zone described in
596 Subsection (11)(a)(ii)(A);
- 597 (B) for the Utah Fairpark Area Investment and Restoration District created in
598 Section 11-70-201, the revenue from the sales and use tax imposed by
599 Subsection (2)(a)(i)(A) at a 4.7% rate for sales occurring within the qualified
600 development zone described in Subsection (11)(a)(ii)(B); and
- 601 (C) for the Point of the Mountain State Land Authority created in Section
602 11-59-201, 50% of the revenue from sales and use tax imposed by Subsection
603 (2)(a)(i)(A) at a 4.7% rate for sales occurring within the qualified development
604 zone described in Subsection (11)(a)(ii)(C).
- 605 (ii) "Qualified development zone" means:
- 606 (A) the sales and use tax boundary of a housing and transit reinvestment zone

607 created under Title 63N, Chapter 3, Part 6, Housing and Transit Reinvestment
608 Act;

609 (B) the district sales tax boundary as defined in Section 11-70-101 for the Utah
610 Fairpark Area Investment and Restoration District, created in Section
611 11-70-201; or

612 (C) the sales and use tax boundary of point of the mountain state land, as defined
613 in Section 11-59-102, under the Point of the Mountain State Land Authority
614 created in Section 11-59-201.

615 (iii) "Schedule J sale" means a sale reported on State Tax Commission Form
616 TC-62M, Schedule J or a substantially similar form as designated by the
617 commission.

618 (b) Revenue generated from the applicable percentage by a Schedule J sale within a
619 qualified development zone shall be deposited into the General Fund.

620 (12)(a) As used in Subsections (12) and (13):

621 (i) "Applicable percentage" means, for a convention center reinvestment zone created
622 in a capital city under Title 63N, Chapter 3, Part 6, Housing and Transit
623 Reinvestment Zone Act, an amount equal to 50% of the sales and use tax
624 increment, as that term is defined in Section 63N-3-602, from the sales and use tax
625 imposed by Subsection (2)(a)(i)(A) at a 4.7% rate for sales occurring within the
626 qualified development zone described in Subsection (12)(a)(ii).

627 (ii) "Qualified development zone" means the sales and use tax boundary of a
628 convention center reinvestment zone created in a capital city under Title 63N,
629 Chapter 3, Part 6, Housing and Transit Reinvestment Zone Act.

630 (iii) "Qualifying construction materials" means construction materials that are:

631 (A) delivered to a delivery outlet within a qualified development zone; and

632 (B) intended to be permanently attached to real property within the qualified
633 development zone.

634 (b) For a sale of qualifying construction materials, the commission shall distribute the
635 product calculated in Subsection (12)(c) to a qualified development zone if the seller
636 of the construction materials:

637 (i) establishes a delivery outlet with the commission within the qualified development
638 zone;

639 (ii) reports the sales of the construction materials to the delivery outlet described in
640 Subsection (12)(b)(i); and

641 (iii) does not report the sales of the construction materials on a simplified electronic
642 return.

643 (c) For the purposes of Subsection (12)(b), the product is equal to:

644 (i) the sales price or purchase price of the qualifying construction materials; and

645 (ii) the applicable percentage.

646 (13)(a) As used in this Subsection (13), "Schedule J sale" means a sale reported on State
647 Tax Commission Form TC-62M, Schedule J, or a substantially similar form as
648 designated by the commission.

649 (b) Revenue generated from the applicable percentage by a Schedule J sale within a
650 qualified development zone shall be distributed into the General Fund.

651 Section 4. Section **79-7-503** is amended to read:

652 **79-7-503 . Funding of initiative.**

653 (1) The initiative is funded from the following sources:

654 (a) appropriations made to the initiative by the Legislature, including any appropriation
655 from the Outdoor Adventure [~~Infrastructure~~]Restricted Account created in Section
656 51-9-902; and

657 (b) contributions, including in-kind assistance, from public and private sources,
658 including a federal agency, state agency, local government, or private entity.

659 (2) The division may reimburse itself with initiative funds for costs related to administering
660 the initiative.

661 Section 5. Section **79-7-801** is enacted to read:

662 **Part 8. Every Kid Outdoors Initiative**

663 **79-7-801 . Definitions.**

664 (1) "Children" means an individual who is three years old or older and 18 years old or
665 younger.

666 (2) "Initiative" means the Every Kid Outdoors Initiative created in Section 79-7-802.

667 Section 6. Section **79-7-802** is enacted to read:

668 **79-7-802 . Every Kid Outdoors Initiative.**

669 (1) There is created the Every Kid Outdoors Initiative administered by the division.

670 (2) The division shall establish the initiative to:

671 (a) promote the health and social benefits of outdoor recreation to the state's children;

672 (b) encourage children to develop the skills and confidence to be physically active for
673 life;

674 (c) provide outdoor recreational opportunities to underserved communities, as defined in

- 675 Section 79-8-102, in the state; and
- 676 (d) encourage hands-on outdoor or nature-based learning and play to prepare children
- 677 for achievement in science, technology, engineering, and math.
- 678 (3) As part of the initiative, the division may:
- 679 (a) implement outdoor recreation and education efforts for children, including field trips,
- 680 events, and educational campaigns;
- 681 (b) contract with public or private entities to provide services consistent with the
- 682 initiative's objectives;
- 683 (c) purchase or lease equipment or supplies necessary to facilitate the initiative; and
- 684 (d) collaborate with and provide technical assistance, training, and educational resources
- 685 to educators, schools, and community organizations to further the initiative's
- 686 objectives.

687 Section 7. Section **79-8-102** is amended to read:

688 **79-8-102 . Definitions.**

689 As used in this chapter:

- 690 (1) "Accessible to the general public" in relation to the awarding of an infrastructure grant,
- 691 means:
- 692 (a) the public may use the infrastructure in accordance with federal and state regulations;
- 693 and
- 694 (b) no community or group retains exclusive rights to access the infrastructure.
- 695 (2) "Advisory committee" means the Utah Outdoor Recreation Infrastructure Advisory
- 696 Committee created in Section 79-7-206.
- 697 (3) "Children," in relation to the awarding of a UCORE grant, means individuals who are [
698 ~~six~~] three years old or older and 18 years old or younger.
- 699 (4) "Director" means the director of the Division of Outdoor Recreation.
- 700 (5) "Division" means the Division of Outdoor Recreation.
- 701 (6) "Executive director" means the executive director of the Department of Natural
- 702 Resources.
- 703 (7) "Infrastructure grant" means an outdoor recreational infrastructure grant described in
- 704 Section 79-8-401.
- 705 (8)(a) "Recreational infrastructure project" means an undertaking to build or improve an
- 706 approved facility or installation needed for the public to access and enjoy the state's
- 707 outdoors.
- 708 (b) "Recreational infrastructure project" may include the:

- 709 (i) establishment, construction, or renovation of a trail, trail infrastructure, or a trail
710 facility;
- 711 (ii) construction of a project for a water-related outdoor recreational activity;
- 712 (iii) development of a project for a wildlife watching opportunity, including bird
713 watching;
- 714 (iv) development of a project that provides a winter recreation amenity;
- 715 (v) construction or improvement of a community park that has an amenity for
716 outdoor recreation; and
- 717 (vi) construction or improvement of a naturalistic and accessible playground.
- 718 (9) "UCORE grant" means a children's outdoor recreation and education grant described in
719 Section 79-8-302.
- 720 (10)(a) "Underserved community" means a group of people, including a municipality,
721 county, or American Indian tribe, that is economically disadvantaged.
- 722 (b) "Underserved community" includes an economically disadvantaged community
723 where in relation to awarding a UCORE grant, the children of the community,
724 including children with disabilities, have limited access to outdoor recreation or
725 education programs.
- 726 Section 8. Section **79-8-106** is amended to read:
- 727 **79-8-106 . Outdoor Recreation Infrastructure Account -- Uses -- Costs.**
- 728 (1) There is created an expendable special revenue fund known as the "Outdoor Recreation
729 Infrastructure Account," which the division shall use to fund:
- 730 (a) the Outdoor Recreational Infrastructure Grant Program created in Section 79-8-401;
731 (b) the Recreation Restoration Infrastructure Grant Program created in Section 79-8-202;
732 and
- 733 (c) the Utah Children's Outdoor Recreation and Education Grant Program created in
734 Section 79-8-302.
- 735 (2) The account consists of:
- 736 (a) distributions to the account under Section 59-28-103;
- 737 (b) interest earned on the account;
- 738 (c) appropriations made by the Legislature;
- 739 (d) money from a cooperative agreement entered into with the United States Department
740 of Agriculture or the United States Department of the Interior; and
- 741 (e) private donations, grants, gifts, bequests, or money made available from any other
742 source to implement this part.

743 (3)(a) The division shall, with the advice of the advisory committee, administer the
744 account.

745 (b) The division may use money in the account to pay for the division's administrative
746 costs of administering grants authorized under this chapter.

747 [~~(4) The cost of administering the account shall be paid from money in the account.~~]

748 [(5)] (4) Interest accrued from investment of money in the account shall remain in the
749 account.

750 Section 9. Section **79-8-303** is amended to read:

751 **79-8-303 . Rulemaking and requirements for awarding a UCORE grant.**

752 (1) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the
753 division, after consulting with the advisory committee, shall make rules establishing the
754 eligibility and reporting criteria for an entity to receive a UCORE grant, including:

- 755 (a) the form and process of submitting an application to the division for a UCORE grant;
- 756 (b) which entities are eligible to apply for a UCORE grant;
- 757 (c) specific categories of children's programs that are eligible for a UCORE grant;
- 758 (d) the method and formula for determining grant amounts; and
- 759 (e) the reporting requirements of grant recipients.

760 (2) In determining the award of a UCORE grant, the division may prioritize a children's
761 program that will serve an underserved community in the state.

762 (3) A UCORE grant may only be awarded by the executive director after consultation with
763 the director and the advisory committee.

764 [~~(4) The following entities may not receive a UCORE grant under this part:~~]

765 [~~(a) a federal government entity;~~]

766 [~~(b) a state agency, except for public schools and institutions of higher education; and]~~

767 [~~(e) a for-profit entity.~~]

768 (4) The division may not award a UCORE grant to a for-profit entity.

769 (5) In awarding UCORE grants, consideration shall be given to entities that implement
770 programs that:

- 771 (a) contribute to healthy and active lifestyles through outdoor recreation; and
- 772 (b) include one or more of the following attributes in their programs or initiatives:
 - 773 (i) serve children with the greatest needs in rural, suburban, and urban areas of the
 - 774 state;
 - 775 (ii) provide students with opportunities to directly experience nature;
 - 776 (iii) maximize the number of children who can participate;

- 777 (iv) commit matching and in-kind resources;
- 778 (v) create partnerships with public and private entities;
- 779 (vi) include ongoing program evaluation and assessment;
- 780 (vii) use veterans in program implementation;
- 781 (viii) include outdoor or nature-based programming that incorporates concept
- 782 learning in science, technology, engineering, or math; or
- 783 (ix) use educated volunteers in program implementation.

784 Section 10. **Effective Date.**

785 This bill takes effect on July 1, 2026.