

Calvin Roberts proposes the following substitute bill:

Development Planning and Coordination Amendments

2026 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Calvin Roberts

Senate Sponsor:

LONG TITLE

General Description:

This bill addresses economic development planning and programs within the Governor's Office of Economic Development.

Highlighted Provisions:

This bill:

- defines terms and modifies definitions;
- renames the Governor's Office of Economic Opportunity to the Governor's Office of Economic Development;
- modifies the duties of the executive director of the Governor's Office of Economic Development (executive director);
- establishes the Economic Development Council (council);
- describes the membership of the council;
- describes the duties of the council;
- establishes reporting requirements for the council;
- requires reports to the Economic Development and Workforce Services Interim Committee;
- includes a coordination clause; and
- makes technical and conforming changes.

Money Appropriated in this Bill:

None

Other Special Clauses:

This bill provides a special effective date.

This bill provides a coordination clause.

Utah Code Sections Affected:

AMENDS:

29 **9-9-104.6 (Effective 05/06/26)**, as last amended by Laws of Utah 2025, Chapter 277
30 **9-9-112 (Effective 05/06/26) (Repealed 12/31/26)**, as last amended by Laws of Utah
31 2025, Chapter 57
32 **10-21-203 (Effective 05/06/26)**, as renumbered and amended by Laws of Utah 2025,
33 First Special Session, Chapter 15
34 **11-17-1.5 (Effective 05/06/26)**, as last amended by Laws of Utah 2010, Chapter 378
35 **11-17-18 (Effective 05/06/26)**, as last amended by Laws of Utah 2021, Chapter 282
36 **11-41-102 (Effective 05/06/26)**, as last amended by Laws of Utah 2025, First Special
37 Session, Chapter 16
38 **11-58-901 (Effective 05/06/26)**, as last amended by Laws of Utah 2023, Chapter 435
39 **11-59-304 (Effective 05/06/26) (Repealed 01/01/29)**, as last amended by Laws of Utah
40 2023, Chapter 263
41 **11-59-501 (Effective 05/06/26) (Repealed 01/01/29)**, as last amended by Laws of Utah
42 2023, Chapters 263, 435
43 **11-65-302 (Effective 05/06/26)**, as last amended by Laws of Utah 2023, Chapter 204
44 **11-65-701 (Effective 05/06/26)**, as enacted by Laws of Utah 2022, Chapter 59
45 **11-70-801 (Effective 05/06/26)**, as enacted by Laws of Utah 2024, Chapter 419
46 **17-78-707 (Effective 05/06/26)**, as renumbered and amended by Laws of Utah 2025,
47 First Special Session, Chapter 14
48 **17C-1-603 (Effective 05/06/26)**, as last amended by Laws of Utah 2025, Chapter 480
49 **17C-1-606 (Effective 05/06/26)**, as last amended by Laws of Utah 2025, Chapter 480
50 **17C-1-1001 (Effective 05/06/26)**, as last amended by Laws of Utah 2025, Chapter 459
51 **17D-1-507 (Effective 05/06/26)**, as last amended by Laws of Utah 2021, Chapter 282
52 **35A-1-104.5 (Effective 05/06/26)**, as last amended by Laws of Utah 2021, Chapter 282
53 **35A-1-201 (Effective 05/06/26)**, as last amended by Laws of Utah 2021, Chapters 282,
54 345 and 382
55 **35A-1-206 (Effective 05/06/26)**, as last amended by Laws of Utah 2025, Chapter 57
56 **35A-4-312 (Effective 05/06/26)**, as last amended by Laws of Utah 2024, Chapter 96
57 **35A-6-105 (Effective 05/06/26)**, as last amended by Laws of Utah 2025, Chapter 271
58 **35A-8-2103 (Effective 05/06/26)**, as last amended by Laws of Utah 2024, Chapter 529
59 **35A-8-2202 (Effective 05/06/26)**, as last amended by Laws of Utah 2022, Chapter 118
60 **46-4-503 (Effective 05/06/26)**, as last amended by Laws of Utah 2021, Chapter 344
61 **49-11-406 (Effective 05/06/26)**, as last amended by Laws of Utah 2024, Chapter 425
62 **49-12-203 (Effective 05/06/26)**, as last amended by Laws of Utah 2025, Chapter 64

63 **49-13-203 (Effective 05/06/26)**, as last amended by Laws of Utah 2025, Chapter 64
64 **49-22-205 (Effective 05/06/26)**, as last amended by Laws of Utah 2025, Chapter 64
65 **53E-1-201 (Effective 05/06/26) (Partially Repealed 07/01/27)**, as last amended by Laws
66 of Utah 2025, First Special Session, Chapter 9
67 **53E-4-308 (Effective 05/06/26)**, as last amended by Laws of Utah 2025, First Special
68 Session, Chapter 9
69 **53H-1-402 (Effective 05/06/26) (Partially Repealed 07/01/27)**, as renumbered and
70 amended by Laws of Utah 2025, First Special Session, Chapter 8
71 **53H-3-305 (Effective 05/06/26)**, as renumbered and amended by Laws of Utah 2025,
72 First Special Session, Chapter 8
73 **53H-4-306.1 (Effective 05/06/26) (Repealed 07/01/28)**, as renumbered and amended by
74 Laws of Utah 2025, First Special Session, Chapter 8
75 **53H-4-306.3 (Effective 05/06/26) (Repealed 07/01/28)**, as renumbered and amended by
76 Laws of Utah 2025, First Special Session, Chapter 8
77 **53H-11-415 (Effective 05/06/26)**, as renumbered and amended by Laws of Utah 2025,
78 First Special Session, Chapter 8
79 **53H-13-301 (Effective 05/06/26)**, as renumbered and amended by Laws of Utah 2025,
80 First Special Session, Chapter 8
81 **53H-13-302 (Effective 05/06/26)**, as renumbered and amended by Laws of Utah 2025,
82 First Special Session, Chapter 8
83 **53H-13-307 (Effective 05/06/26)**, as renumbered and amended by Laws of Utah 2025,
84 First Special Session, Chapter 8
85 **53H-13-309 (Effective 05/06/26)**, as renumbered and amended by Laws of Utah 2025,
86 First Special Session, Chapter 8
87 **53H-13-403 (Effective 05/06/26)**, as renumbered and amended by Laws of Utah 2025,
88 First Special Session, Chapter 8
89 **53H-16-303 (Effective 05/06/26)**, as renumbered and amended by Laws of Utah 2025,
90 First Special Session, Chapter 8
91 **54-4-41 (Effective 05/06/26)**, as last amended by Laws of Utah 2021, Chapters 280, 282
92 **59-1-403 (Effective 05/06/26) (Partially Repealed 07/01/29)**, as last amended by Laws of
93 Utah 2025, Chapters 182, 323, 400, and 498
94 **59-7-159 (Effective 05/06/26) (Partially Repealed 12/31/26)**, as last amended by Laws of
95 Utah 2025, Chapter 292
96 **59-7-614.2 (Effective 05/06/26)**, as last amended by Laws of Utah 2025, Chapter 292

97 **59-7-614.5 (Effective 05/06/26)**, as last amended by Laws of Utah 2025, Chapter 292
98 **59-7-614.10 (Effective 05/06/26) (Repealed 12/31/26)**, as last amended by Laws of Utah
99 2025, Chapters 182, 292
100 **59-7-621 (Effective 05/06/26)**, as last amended by Laws of Utah 2022, Chapter 195
101 **59-10-137 (Effective 05/06/26) (Partially Repealed 12/31/26)**, as last amended by Laws
102 of Utah 2025, Chapter 292
103 **59-10-1025 (Effective 05/06/26)**, as last amended by Laws of Utah 2025, Chapter 292
104 **59-10-1037 (Effective 05/06/26) (Repealed 12/31/26)**, as last amended by Laws of Utah
105 2025, Chapters 182, 292
106 **59-10-1038 (Effective 05/06/26)**, as last amended by Laws of Utah 2022, Chapter 195
107 **59-10-1107 (Effective 05/06/26)**, as last amended by Laws of Utah 2025, Chapter 292
108 **59-10-1108 (Effective 05/06/26)**, as last amended by Laws of Utah 2025, Chapter 292
109 **63A-5b-403 (Effective 05/06/26)**, as last amended by Laws of Utah 2025, First Special
110 Session, Chapter 9
111 **63B-5-201 (Effective 05/06/26)**, as last amended by Laws of Utah 2025, First Special
112 Session, Chapter 9
113 **63B-18-401 (Effective 05/06/26)**, as last amended by Laws of Utah 2021, Chapter 282
114 **63B-24-201 (Effective 05/06/26)**, as last amended by Laws of Utah 2021, Chapter 282
115 **63B-30-101 (Effective 05/06/26)**, as enacted by Laws of Utah 2020, Third Special
116 Session, Chapter 2
117 **63C-4a-202 (Effective 05/06/26) (Repealed 07/01/28)**, as last amended by Laws of Utah
118 2014, Chapter 387
119 **63C-27-201 (Effective 05/06/26) (Repealed 07/01/32)**, as enacted by Laws of Utah 2022,
120 Chapter 153
121 **63G-2-305 (Effective 05/06/26)**, as last amended by Laws of Utah 2025, First Special
122 Session, Chapter 17
123 **63G-4-102 (Effective 05/06/26)**, as last amended by Laws of Utah 2025, Chapters 14,
124 260 and 340
125 **63G-21-102 (Effective 05/06/26) (Repealed 07/01/28)**, as last amended by Laws of Utah
126 2021, Chapters 282, 344
127 **63G-21-201 (Effective 05/06/26) (Repealed 07/01/28)**, as last amended by Laws of Utah
128 2023, Chapter 34
129 **63H-1-801 (Effective 05/06/26)**, as last amended by Laws of Utah 2021, Chapter 282
130 **63J-1-602.2 (Effective 05/06/26) (Partially Repealed 07/01/29)**, as last amended by Laws

131 of Utah 2025, First Special Session, Chapter 17
132 **63L-2-301 (Effective 05/06/26)**, as last amended by Laws of Utah 2022, Chapter 362
133 **63L-11-402 (Effective 05/06/26) (Repealed 07/01/27)**, as last amended by Laws of Utah
134 2025, Chapter 140
135 **63M-5-306 (Effective 05/06/26)**, as last amended by Laws of Utah 2021, Chapter 282
136 **63M-11-201 (Effective 05/06/26) (Repealed 07/01/26)**, as last amended by Laws of Utah
137 2021, Chapters 196, 282
138 **63N-1a-102 (Effective 05/06/26)**, as last amended by Laws of Utah 2025, Chapter 512
139 **63N-1a-103 (Effective 05/06/26)**, as last amended by Laws of Utah 2024, Chapter 159
140 **63N-1a-301 (Effective 05/06/26)**, as last amended by Laws of Utah 2025, Chapter 512
141 **63N-1a-303 (Effective 05/06/26)**, as last amended by Laws of Utah 2025, Chapter 512
142 **63N-1a-401 (Effective 05/06/26)**, as last amended by Laws of Utah 2025, Chapter 512
143 **63N-1a-402 (Effective 05/06/26)**, as last amended by Laws of Utah 2024, Chapter 159
144 **63N-2-104.2 (Effective 05/06/26)**, as last amended by Laws of Utah 2024, Chapters 159,
145 316
146 **63N-2-504 (Effective 05/06/26)**, as last amended by Laws of Utah 2024, Chapter 159
147 **63N-2-512 (Effective 05/06/26) (Superseded 07/01/26)**, as last amended by Laws of
148 Utah 2025, First Special Session, Chapter 17
149 **63N-2-512 (Effective 07/01/26) (Repealed 07/01/28)**, as last amended by Laws of Utah
150 2025, Chapter 285
151 **63N-2-808 (Effective 05/06/26)**, as last amended by Laws of Utah 2024, Chapter 159
152 **63N-3-112 (Effective 05/06/26)**, as last amended by Laws of Utah 2024, Chapter 159
153 **63N-3-603 (Effective 05/06/26)**, as last amended by Laws of Utah 2025, First Special
154 Session, Chapter 15
155 **63N-3-603.1 (Effective 05/06/26)**, as enacted by Laws of Utah 2025, Chapter 29
156 **63N-3-604 (Effective 05/06/26)**, as last amended by Laws of Utah 2025, Chapter 29
157 **63N-3-604.1 (Effective 05/06/26)**, as enacted by Laws of Utah 2025, Chapter 29
158 **63N-3-605 (Effective 05/06/26)**, as last amended by Laws of Utah 2025, Chapter 29
159 **63N-3-606 (Effective 05/06/26)**, as last amended by Laws of Utah 2025, Chapter 29
160 **63N-3-610.1 (Effective 05/06/26)**, as enacted by Laws of Utah 2025, Chapter 29
161 **63N-3-611 (Effective 05/06/26)**, as last amended by Laws of Utah 2025, Chapter 29
162 **63N-3-1101 (Effective 05/06/26) (Repealed 07/01/28)**, as last amended by Laws of Utah
163 2024, Chapter 159
164 **63N-3-1102 (Effective 05/06/26) (Repealed 07/01/28)**, as last amended by Laws of Utah

165 2024, Chapter 159
166 **63N-3-1602 (Effective 05/06/26)**, as last amended by Laws of Utah 2025, First Special
167 Session, Chapter 15
168 **63N-3-1603 (Effective 05/06/26)**, as enacted by Laws of Utah 2024, Chapter 537
169 **63N-3-1604 (Effective 05/06/26)**, as enacted by Laws of Utah 2024, Chapter 537
170 **63N-3-1702 (Effective 05/06/26)**, as enacted by Laws of Utah 2025, Chapter 495
171 **63N-4-103 (Effective 05/06/26)**, as last amended by Laws of Utah 2024, Chapter 159
172 **63N-4-104 (Effective 05/06/26)**, as last amended by Laws of Utah 2024, Chapter 159
173 **63N-7-102 (Effective 05/06/26) (Partially Repealed 07/01/30)**, as last amended by Laws
174 of Utah 2024, Chapter 159
175 **63N-16-102 (Effective 05/06/26)**, as last amended by Laws of Utah 2024, Chapter 400
176 **63N-16-301 (Effective 05/06/26)**, as last amended by Laws of Utah 2024, Chapter 159
177 **63N-18-201 (Effective 05/06/26)**, as renumbered and amended by Laws of Utah 2023,
178 Chapter 499
179 **63N-20-101 (Effective 05/06/26)**, as last amended by Laws of Utah 2023, Chapters 252,
180 328 and renumbered and amended by Laws of Utah 2023, Chapter 380
181 **67-1-2 (Effective 05/06/26)**, as last amended by Laws of Utah 2023, Chapter 250
182 **67-3-1 (Effective 05/06/26)**, as last amended by Laws of Utah 2025, First Special
183 Session, Chapter 17
184 **67-22-2 (Effective 05/06/26)**, as last amended by Laws of Utah 2025, Chapter 232
185 **71A-9-303 (Effective 05/06/26)**, as enacted by Laws of Utah 2025, Chapter 71
186 **72-1-209 (Effective 05/06/26)**, as last amended by Laws of Utah 2021, Chapter 282
187 **72-2-503 (Effective 05/06/26)**, as enacted by Laws of Utah 2025, Chapter 502
188 **72-4-302 (Effective 05/06/26) (Repealed 01/02/30)**, as last amended by Laws of Utah
189 2021, Chapters 184, 280 and 282
190 **72-7-504 (Effective 05/06/26)**, as last amended by Laws of Utah 2021, Chapter 282
191 **79-6-902 (Effective 05/06/26)**, as last amended by Laws of Utah 2025, First Special
192 Session, Chapter 17
193 **79-7-203 (Effective 05/06/26)**, as last amended by Laws of Utah 2025, Chapter 270
194 ENACTS:
195 **63N-1a-501 (Effective 05/06/26)**, Utah Code Annotated 1953
196 **63N-1a-502 (Effective 05/06/26)**, Utah Code Annotated 1953
197 **63N-1a-503 (Effective 05/06/26)**, Utah Code Annotated 1953
198

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

200 Section 1. Section **9-9-104.6** is amended to read:

201 **9-9-104.6 (Effective 05/06/26). Participation of state agencies in meetings with**
202 **tribal leaders -- Contact information.**

203 (1) For at least three of the joint meetings described in Subsection 9-9-104.5(2)(a), the
204 division shall coordinate with representatives of tribal governments and the entities
205 listed in Subsection (2) to provide for the broadest participation possible in the joint
206 meetings.

207 (2) The following may participate in all meetings described in Subsection (1):

208 (a) the chairs of the Native American Legislative Liaison Committee created in Section
209 36-22-1;

210 (b) the governor or the governor's designee;

211 (c) the American Indian-Alaska Native Public Education Liaison appointed in
212 accordance with Section 53F-5-604; and

213 (d) a representative appointed by the chief administrative officer of the following:

214 (i) the Department of Health and Human Services;

215 (ii) the Department of Natural Resources;

216 (iii) the Department of Workforce Services;

217 (iv) the Governor's Office of Economic [~~Opportunity~~] Development;

218 (v) the State Board of Education; and

219 (vi) the Utah Board of Higher Education.

220 (3)(a) The chief administrative officer of the agencies listed in Subsection (3)(b) shall:

221 (i) designate the name of a contact person for that agency that can assist in
222 coordinating the efforts of state and tribal governments in meeting the needs of the
223 Native Americans residing in the state; and

224 (ii) notify the division:

225 (A) who is the designated contact person described in Subsection (3)(a)(i); and

226 (B) of any change in who is the designated contact person described in Subsection
227 (3)(a)(i).

228 (b) This Subsection (3) applies to:

229 (i) the Department of Agriculture and Food;

230 (ii) the Department of Cultural and Community Engagement;

231 (iii) the Department of Corrections;

232 (iv) the Department of Environmental Quality;

- 233 (v) the Department of Public Safety;
- 234 (vi) the Department of Transportation;
- 235 (vii) the Office of the Attorney General;
- 236 (viii) the State Tax Commission; and
- 237 (ix) any individual or agency described in Subsections (2)(c) through (d).
- 238 (c) At the request of the division, a contact person listed in Subsection (3)(a)(i) may
- 239 participate in a meeting described in Subsection (1).
- 240 (4)(a) A participant under this section who is not a legislator may not receive
- 241 compensation or benefits for the participant's service, but may receive per diem and
- 242 travel expenses as allowed in:
- 243 (i) Section 63A-3-106;
- 244 (ii) Section 63A-3-107; and
- 245 (iii) rules made by the Division of Finance according to Sections 63A-3-106 and
- 246 63A-3-107.
- 247 (b) Compensation and expenses of a participant who is a legislator are governed by
- 248 Section 36-2-2 and Legislative Joint Rules, Title 5, Legislative Compensation and
- 249 Expenses.
- 250 Section 2. Section **9-9-112** is amended to read:
- 251 **9-9-112 (Effective 05/06/26) (Repealed 12/31/26). Bears Ears Visitor Center**
- 252 **Advisory Committee.**
- 253 (1) Utah extends an invitation to the Navajo Nation, the Ute Mountain Ute Tribe, the Hopi
- 254 Nation, the Zuni Tribe, and the Ute Indian Tribe of the Uintah Ouray to form an
- 255 advisory committee for the purpose of exploring the feasibility, location, functions, and
- 256 other important matters surrounding the creation of a visitor center at Bears Ears.
- 257 (2) As used in this section:
- 258 (a) "Advisory committee" means the Bears Ears Visitor Center Advisory Committee
- 259 created by this section.
- 260 (b) "Bears Ears" means the Bears Ears National Monument.
- 261 (3)(a) Subject to Subsection (3)(b), there is created the Bears Ears Visitor Center
- 262 Advisory Committee consisting of the following voting members:
- 263 (i) a representative of the Navajo Nation, appointed by the Navajo Nation;
- 264 (ii) a representative of the Ute Mountain Ute Tribe, appointed by the Ute Mountain
- 265 Ute Tribe;
- 266 (iii) a representative of the Hopi Nation, appointed by the Hopi Nation;

- 267 (iv) a representative of the Zuni Tribe, appointed by the Zuni Tribe; and
268 (v) a representative of the Ute Indian Tribe of the Uintah Ouray, appointed by the Ute
269 Indian Tribe of the Uintah Ouray.
- 270 (b) The advisory committee is formed when all of the tribes described in Subsection (1)
271 have communicated to the other tribes and to the Division of Indian Affairs that the
272 tribe has appointed a member to the advisory committee.
- 273 (c)(i) The president of the Senate and the speaker of the House of Representatives
274 may each appoint to the advisory committee one nonvoting individual.
- 275 (ii) If an individual appointed under Subsection (3)(c)(i) is a member of the
276 Legislature, the member serves as a member of the public and not in the member's
277 legislative capacity.
- 278 (4) The advisory committee may select from the advisory committee members the chair or
279 other officers of the advisory committee.
- 280 (5)(a) If a vacancy occurs in the membership of the advisory committee appointed under
281 Subsection (3), the member shall be replaced in the same manner in which the
282 original appointment was made.
- 283 (b) A member appointed under Subsection (3) serves until the member's successor is
284 appointed and qualified.
- 285 (6)(a) A majority of the voting members of the advisory committee constitutes a quorum.
286 (b) The action of a majority of a quorum constitutes an action of the advisory committee.
- 287 (7) An advisory committee member may not receive compensation or benefits for the
288 member's service on the advisory committee, but may receive per diem and
289 reimbursement for travel expenses incurred as an advisory committee member at the
290 rates established by the Division of Finance under:
- 291 (a) Sections 63A-3-106 and 63A-3-107; and
292 (b) rules made by the Division of Finance pursuant to Sections 63A-3-106 and
293 63A-3-107.
- 294 (8) The advisory committee may invite the United States Forest Service, the Bureau of
295 Land Management, the Division of State Parks, the Division of Outdoor Recreation, and
296 the Utah Office of Tourism within the Governor's Office of Economic [Opportunity]
297 Development, to serve as technical advisors to the advisory committee.
- 298 (9) The Division of Indian Affairs shall staff the advisory committee.
- 299 (10) The advisory committee shall study and make recommendations concerning:
300 (a) the need for a visitor center associated with Bears Ears;

- 301 (b) the feasibility of a visitor center associated with Bears Ears, including investigating:
 302 (i) potential locations for the visitor center;
 303 (ii) purposes for the visitor center; and
 304 (iii) sources of funding to build and maintain the visitor center;
 305 (c) whether a visitor center will increase visitorship to Bears Ears; and
 306 (d) whether a visitor center at Bears Ears could function as a repository of traditional
 307 knowledge and practices.

308 (11) The advisory committee may contract with one or more consultants to conduct work
 309 related to the issues raised in Subsection (10) if the Legislature appropriates money
 310 expressly for the purpose of the advisory committee contracting with a consultant.

311 (12) The advisory committee shall hold at least one public hearing to obtain public
 312 comment on the creation of a Bears Ears visitor center.

313 (13) The advisory committee shall report the advisory committee's recommendations to one
 314 or more of the following:

- 315 (a) the Economic Development and Workforce Services Interim Committee;
 316 (b) the House Economic Development and Workforce Services Committee; or
 317 (c) the Senate Economic Development and Workforce Services Committee.

318 Section 3. Section **10-21-203** is amended to read:

319 **10-21-203 (Effective 05/06/26). Station area plan requirements -- Contents --**
 320 **Review and certification by applicable metropolitan planning organization.**

321 (1)(a) Subject to the requirements of this section, a municipality that has a fixed
 322 guideway public transit station located within the municipality's boundaries shall, for
 323 the station area:

- 324 (i) develop and adopt a station area plan; and
 325 (ii) adopt any appropriate land use regulations to implement the station area plan.

326 (b) The requirements of Subsection (1)(a) shall be considered satisfied if:

327 (i)(A) the municipality has already adopted plans or ordinances, approved land use
 328 applications, approved agreements or financing, or investments have been
 329 made, before June 1, 2022, that substantially promote each of the objectives in
 330 Subsection (6)(a) within the station area, and can demonstrate that such plans,
 331 ordinances, approved land use applications, approved agreements or financing,
 332 or investments are still relevant to making meaningful progress towards
 333 achieving such objectives; and

334 (B) the municipality adopts a resolution finding that the objectives of Subsection

- 335 (6)(a) have been substantially promoted; or
- 336 (ii)(A) the municipality has determined that conditions exist that make satisfying a
- 337 portion or all of the requirements of Subsection (1)(a) for a station area
- 338 impracticable, including conditions that relate to existing development,
- 339 entitlements, land ownership, land uses that make opportunities for new
- 340 development and long-term redevelopment infeasible, environmental
- 341 limitations, market readiness, development impediment conditions, or other
- 342 similar conditions; and
- 343 (B) the municipality adopts a resolution describing the conditions that exist to
- 344 make satisfying the requirements of Subsection (1)(a) impracticable.
- 345 (c) To the extent that previous actions by a municipality do not satisfy the requirements
- 346 of Subsection (1)(a) for a station area, the municipality shall take the actions
- 347 necessary to satisfy those requirements.
- 348 (2)(a) A municipality that has a new fixed guideway public transit station located within
- 349 the municipality's boundaries shall satisfy the requirements of Subsection (1)(a) for
- 350 the station area surrounding the new fixed guideway public transit station before the
- 351 new fixed guideway public transit station begins transit services.
- 352 (b) Except as provided in Subsections (2)(c) and (d), a municipality that has an existing
- 353 fixed guideway public transit station located within the municipality's boundaries
- 354 shall satisfy the requirements of Subsection (1)(a) for the station area surrounding the
- 355 existing fixed guideway public transit station on or before December 31, 2025.
- 356 (c) If a municipality has more than four existing fixed guideway public transit stations
- 357 located within the municipality's boundaries, the municipality shall:
- 358 (i) on or before December 31, 2025, satisfy the requirements of Subsection (1)(a) for
- 359 four or more station areas located within the municipality; and
- 360 (ii) on or before December 31 of each year thereafter, satisfy the requirements of
- 361 Subsection (1)(a) for no less than two station areas located within the municipality
- 362 until the municipality has satisfied the requirements of Subsection (1)(a) for each
- 363 station area located within the municipality.
- 364 (d)(i) Subject to Subsection (2)(d)(ii):
- 365 (A) if a municipality receives a complete qualifying land use petition on or before
- 366 July 1, 2022, the municipality shall satisfy the requirements of Subsection
- 367 (1)(a) for the station area in which the development is proposed on or before
- 368 July 1, 2023; and

369 (B) if a municipality receives a complete qualifying land use petition after July 1,
370 2022, the municipality shall satisfy the requirements of Subsection (1)(a) for
371 the station area in which the development is proposed within a 12-month
372 period beginning on the first day of the month immediately following the
373 month in which the qualifying land use petition is submitted to the
374 municipality, and shall notify the applicable metropolitan planning
375 organization of the receipt of the qualified land use petition within 45 days of
376 the date of receipt.

377 (ii)(A) A municipality is not required to satisfy the requirements of Subsection
378 (1)(a) for more than two station areas under Subsection (2)(d)(i) within any
379 12-month period.

380 (B) If a municipality receives more than two complete qualifying land use
381 petitions on or before July 1, 2022, the municipality shall select two station
382 areas for which the municipality will satisfy the requirements of Subsection
383 (1)(a) in accordance with Subsection (2)(d)(i)(A).

384 (iii) A municipality shall process on a first priority basis a land use application,
385 including an application for a building permit, if:

386 (A) the land use application is for a residential use within a station area for which
387 the municipality has not satisfied the requirements of Subsection (1)(a); and

388 (B) the municipality would be required to change a zoning designation for the
389 land use application to be approved.

390 (e) Notwithstanding Subsections (2)(a) through (d), the time period for satisfying the
391 requirements of Subsection (1)(a) for a station area may be extended once for a
392 period of 12 months if:

393 (i) the municipality demonstrates to the applicable metropolitan planning
394 organization that conditions exist that make satisfying the requirements of
395 Subsection (1)(a) within the required time period infeasible, despite the
396 municipality's good faith efforts; and

397 (ii) the applicable metropolitan planning organization certifies to the municipality in
398 writing that the municipality satisfied the demonstration in Subsection (2)(e)(i).

399 (3)(a) Except as provided in Subsection (3)(b), if a station area is included within the
400 boundaries of more than one municipality, each municipality with jurisdiction over
401 the station area shall satisfy the requirements of Subsection (1)(a) for the portion of
402 the station area over which the municipality has jurisdiction.

- 403 (b) Two or more municipalities with jurisdiction over a station area may coordinate to
404 develop a shared station area plan for the entire station area.
- 405 (4) A municipality that has more than one fixed guideway public transit station located
406 within the municipality may, through an integrated process, develop station area plans
407 for multiple station areas if the station areas are within close proximity of each other.
- 408 (5)(a) A municipality that is required to develop and adopt a station area plan under this
409 section may request technical assistance from the applicable metropolitan planning
410 organization.
- 411 (b) An applicable metropolitan planning organization that receives funds from the
412 Governor's Office of Economic [Opportunity] Development under Section 63N-3-113
413 shall, when utilizing the funds, give priority consideration to requests for technical
414 assistance for station area plans required under Subsection (2)(d).
- 415 (6)(a) A station area plan shall promote the following objectives within the station area:
416 (i) increasing the availability and affordability of housing, including moderate
417 income housing;
418 (ii) promoting sustainable environmental conditions;
419 (iii) enhancing access to opportunities; and
420 (iv) increasing transportation choices and connections.
- 421 (b)(i) To promote the objective described in Subsection (6)(a)(i), a municipality may
422 consider implementing the following actions:
423 (A) aligning the station area plan with the moderate income housing element of
424 the municipality's general plan;
425 (B) providing for densities necessary to facilitate the development of moderate
426 income housing;
427 (C) providing for affordable costs of living in connection with housing,
428 transportation, and parking; or
429 (D) any other similar action that promotes the objective described in Subsection
430 (6)(a)(i).
- 431 (ii) To promote the objective described in Subsection (6)(a)(ii), a municipality may
432 consider implementing the following actions:
433 (A) conserving water resources through efficient land use;
434 (B) improving air quality by reducing fuel consumption and motor vehicle trips;
435 (C) establishing parks, open spaces, and recreational opportunities; or
436 (D) any other similar action that promotes the objective described in Subsection

- 437 (6)(a)(ii).
- 438 (iii) To promote the objective described in Subsection (6)(a)(iii), a municipality may
439 consider the following actions:
- 440 (A) maintaining and improving the connections between housing, transit,
441 employment, education, recreation, and commerce;
- 442 (B) encouraging mixed-use development;
- 443 (C) enabling employment and educational opportunities within the station area;
- 444 (D) encouraging and promoting enhanced broadband connectivity; or
- 445 (E) any other similar action that promotes the objective described in Subsection
446 (6)(a)(iii).
- 447 (iv) To promote the objective described in Subsection (6)(a)(iv), a municipality may
448 consider the following:
- 449 (A) supporting investment in infrastructure for all modes of transportation;
- 450 (B) increasing utilization of public transit;
- 451 (C) encouraging safe streets through the designation of pedestrian walkways and
452 bicycle lanes;
- 453 (D) encouraging manageable and reliable traffic conditions;
- 454 (E) aligning the station area plan with the regional transportation plan of the
455 applicable metropolitan planning organization; or
- 456 (F) any other similar action that promotes the objective described in Subsection
457 (6)(a)(iv).
- 458 (7) A station area plan shall include the following components:
- 459 (a) a station area vision that:
- 460 (i) is consistent with Subsection (6); and
- 461 (ii) describes the following:
- 462 (A) opportunities for the development of land within the station area under
463 existing conditions;
- 464 (B) constraints on the development of land within the station area under existing
465 conditions;
- 466 (C) the municipality's objectives for the transportation system within the station
467 area and the future transportation system that meets those objectives;
- 468 (D) the municipality's objectives for land uses within the station area and the
469 future land uses that meet those objectives;
- 470 (E) the municipality's objectives for public and open spaces within the station area

- 471 and the future public and open spaces that meet those objectives; and
472 (F) the municipality's objectives for the development of land within the station
473 area and the future development standards that meet those objectives;
- 474 (b) a map that depicts:
- 475 (i) the station area;
 - 476 (ii) the area within the station area to which the station area plan applies, provided
477 that the station area plan may apply to areas outside the station area, and the
478 station area plan is not required to apply to the entire station area; and
 - 479 (iii) the area where each action is needed to implement the station area plan;
- 480 (c) an implementation plan that identifies and describes each action needed within the
481 next five years to implement the station area plan, and the party responsible for
482 taking each action, including any actions to:
- 483 (i) modify land use regulations;
 - 484 (ii) make infrastructure improvements;
 - 485 (iii) modify deeds or other relevant legal documents;
 - 486 (iv) secure funding or develop funding strategies;
 - 487 (v) establish design standards for development within the station area; or
 - 488 (vi) provide environmental remediation;
- 489 (d) a statement that explains how the station area plan promotes the objectives described
490 in Subsection (6)(a); and
- 491 (e) as an alternative or supplement to the requirements of Subsection (6) or this
492 Subsection (7), and for purposes of Subsection (1)(b)(ii), a statement that describes
493 any conditions that would make the following impracticable:
- 494 (i) promoting the objectives described in Subsection (6)(a); or
 - 495 (ii) satisfying the requirements of this Subsection (7).
- 496 (8) A municipality shall develop a station area plan with the involvement of all relevant
497 stakeholders that have an interest in the station area through public outreach and
498 community engagement, including:
- 499 (a) other impacted communities;
 - 500 (b) the applicable public transit district;
 - 501 (c) the applicable metropolitan planning organization;
 - 502 (d) the Department of Transportation;
 - 503 (e) owners of property within the station area; and
 - 504 (f) the municipality's residents and business owners.

- 505 (9)(a) A municipality that is required to develop and adopt a station area plan for a
506 station area under this section shall submit to the applicable metropolitan planning
507 organization and the applicable public transit district documentation evidencing that
508 the municipality has satisfied the requirement of Subsection (1)(a)(i) for the station
509 area, including:
- 510 (i) a station area plan; or
 - 511 (ii) a resolution adopted under Subsection (1)(b)(i) or (ii).
- 512 (b) The applicable metropolitan planning organization, in consultation with the
513 applicable public transit district, shall:
- 514 (i) review the documentation submitted under Subsection (9)(a) to determine the
515 municipality's compliance with this section; and
 - 516 (ii) provide written certification to the municipality if the applicable metropolitan
517 planning organization determines that the municipality has satisfied the
518 requirement of Subsection (1)(a)(i) for the station area.
- 519 (c) The municipality shall include the certification described in Subsection (9)(b)(ii) in
520 the municipality's report to the Department of Workforce Services under Section
521 10-21-202.
- 522 (10)(a) Following certification by a metropolitan planning organization of a
523 municipality's station area plan under Subsection (9)(b)(ii), the municipality shall
524 provide a report to the applicable metropolitan planning organization on or before
525 December 31 of the fifth year after the year in which the station area plan was
526 certified, and every five years thereafter for a period not to exceed 15 years.
- 527 (b) The report described in Subsection (10)(a) shall:
- 528 (i) contain the status of advancing the station area plan objectives, including, if
529 applicable, actions described in the implementation plan required in Subsection
530 (7)(c); and
 - 531 (ii) identify potential actions over the next five years that would advance the station
532 area plan objectives.
- 533 (c) If a municipality has multiple certified station area plans, the municipality may
534 consolidate the reports required in Subsection (10)(a) for the purpose of submitting
535 reports to the metropolitan planning organization.
- 536 Section 4. Section **11-17-1.5** is amended to read:
- 537 **11-17-1.5 (Effective 05/06/26). Purpose of chapter.**
- 538 (1)(a) The purposes of this chapter are to stimulate the economic growth of the state, to

- 539 promote employment and achieve greater industrial development in the state, to
 540 maintain or enlarge domestic or foreign markets for Utah industrial products, to
 541 authorize municipalities and counties in the state to facilitate capital formation,
 542 finance, acquire, own, lease, or sell projects for the purpose of reducing, abating, or
 543 preventing pollution and to protect and promote the health, welfare, and safety of the
 544 citizens of the state and to improve local health and the general welfare by inducing
 545 corporations, persons, or entities engaged in health care services, including hospitals,
 546 nursing homes, extended care facilities, facilities for the care of persons with a
 547 physical or mental disability, and administrative and support facilities, to locate,
 548 relocate, modernize, or expand in this state and to assist in the formation of
 549 investment capital with respect thereto.
- 550 (b) The Legislature declares that the acquisition or financing, or both, of projects under [
 551 ~~the Utah Industrial Facilities and Development Act~~] this chapter and the issuance of
 552 bonds under [it] this chapter constitutes a proper public purpose.
- 553 (2)(a) It is declared that the policy of the state is to encourage the development of free
 554 enterprise and entrepreneurship for the purpose of the expansion of employment
 555 opportunities and economic development.
- 556 (b) It is declared that there exists in the state an inadequate amount of locally managed,
 557 pooled venture capital in the private sector available to invest in early stage
 558 businesses having high growth potential and that can provide jobs for Utah citizens.
- 559 (c) It is found that venture capital is required for healthy economic development of
 560 sectors of the economy having high growth and employment potential.
- 561 (d) It is further found that the public economic development purposes of the state, [~~and~~
 562 ~~its~~] counties, and municipalities can be fostered by the sale of industrial revenue
 563 bonds for the purpose of providing funding for locally managed, pooled new venture
 564 and economic development funds in accordance with the provisions of this chapter.
- 565 (e) It is declared that in order to assure adequate investment of private capital for these
 566 uses, cooperation between private enterprise and state and local government is
 567 necessary and in the public interest and that the facilitation of capital accumulation is
 568 the appropriate activity of [~~the counties and municipalities of this state and also of~~] :
- 569 (i) a county;
 570 (ii) a municipality; and
 571 (iii) the Governor's Office of Economic [Opportunity] Development.
- 572 (f) It is found that venture capital funds historically, because of the more intensive

573 nature of their relationship with companies in which [they] the funds invest, tend to
 574 concentrate [~~their~~] investments within a relatively close geographical area to their
 575 headquarters location.

576 (g)(i) It is found and declared that investors in economic development or new venture
 577 investment funds require for the overall security of their investments reasonable
 578 diversification of investment portfolios and that, in the course of this
 579 diversification, investments are often syndicated or jointly made among several
 580 financial institutions or funds.

581 (ii) It is expressly found and declared that an economic development or new venture
 582 investment fund shall, from time to time for [~~its~~] optimal profitability and
 583 efficiency, [~~(~~] which are important for the security and profit of bond purchasers
 584 providing funds therefor[~~)~~] , cooperate with others who may be located outside of [
 585 ~~Utah~~] the state or the county or municipality where the fund is headquartered in the
 586 making of investments; and [~~that the fund shall~~] be free in the interests of
 587 reciprocal relationships with other financial institutions and diversification of risks
 588 to invest from time to time in enterprises that are located outside of [~~Utah~~] the state
 589 or the counties or municipalities.

590 (iii) It is specifically found that [~~such~~] activity by a locally managed fund, funded in
 591 whole or in part with the proceeds of bonds sold under this chapter, is within the
 592 public purposes of the state and any county or municipality offering the bonds,
 593 provided that the fund locates within [~~Utah~~] the state or the county or municipality [
 594 ~~its~~] the fund's headquarters where [~~its~~] the fund's actual investment decisions and
 595 management functions occur and limits the aggregate amount of [~~its~~] the fund's
 596 investments in companies located outside of [~~Utah~~] the state to an amount that in
 597 the aggregate does not exceed the aggregate amount of investments made by
 598 institutions and funds located outside of [~~Utah~~] the state in Utah companies, that
 599 the locally managed fund has sponsored or in which [~~it~~] the locally managed fund
 600 has invested and that [~~it~~] the locally managed fund has brought to the attention of
 601 investors outside of [~~Utah~~] the state.

602 Section 5. Section **11-17-18** is amended to read:

603 **11-17-18 (Effective 05/06/26). Powers of Governor's Office of Economic**
 604 **Development.**

605 (1) For purposes of this chapter and for the purposes of the Utah Interlocal
 606 Cooperation Act, the Governor's Office of Economic [~~Opportunity~~] Development,

607 created in Section 63N-1a-301, has all the powers set out in this chapter of, and is
 608 subject to the same limitations as, a municipality as though the office were defined as a
 609 municipality for purposes of this chapter, but it shall have such powers with respect to
 610 economic development or new venture investment fund projects only. [H]

611 (2) The Governor's Office of Economic Development is not authorized to exercise such
 612 powers in any manner which will create general obligations of the state or any agency,
 613 department, division, or political subdivision [thereof] of the state.

614 Section 6. Section **11-41-102** is amended to read:

615 **11-41-102 (Effective 05/06/26). Definitions.**

616 As used in this chapter:

- 617 (1) "Agreement" means an oral or written agreement between a public entity and a person.
 618 (2) "Business entity" means a sole proprietorship, partnership, limited partnership, limited
 619 liability company, corporation, or other entity or association used to carry on a business
 620 for profit.
 621 (3) "Determination of violation" means a determination by the Governor's Office of
 622 Economic [~~Opportunity~~] Development of substantial likelihood that a retail facility
 623 incentive payment has been made in violation of Section 11-41-103, in accordance with
 624 Section 11-41-104.
 625 (4) "Environmental mitigation" means an action or activity intended to remedy known
 626 negative impacts to the environment.
 627 (5) "Executive director" means the executive director of the Governor's Office of Economic [~~Opportunity~~]
 628 Development.
 629 (6) "General plan" means the same as that term is defined in Section 23A-6-101.
 630 (7) "Legislative body" means the same as that term is defined in:
 631 (a) Section 10-20-102; or
 632 (b) Section 17-79-102.
 633 (8) "Mixed-use development" means development with mixed land uses, including housing.
 634 (9) "Moderate income housing" means housing occupied or reserved for occupancy by
 635 households with a gross household income equal to or less than 80% of the median gross
 636 income for households of the same size in the county in which the housing is located.
 637 (10) "Moderate income housing plan" means the moderate income housing plan element of
 638 a general plan.
 639 (11) "Office" means the Governor's Office of Economic [~~Opportunity~~] Development created
 640 in Section 63N-1a-301.

- 641 (12) "Political subdivision" means any county, city, town, school district, special district,
642 special service district, community reinvestment agency, or entity created by an
643 interlocal agreement adopted under Chapter 13, Interlocal Cooperation Act.
- 644 (13) "Public entity" means:
- 645 (a) a political subdivision;
 - 646 (b) a department, commission, board, council, agency, institution, officer, corporation,
647 fund, division, office, committee, authority, laboratory, library, unit, bureau, panel, or
648 other administrative unit of the executive branch of the state;
 - 649 (c) an institution of higher education as defined in Section 53H-1-101;
 - 650 (d) the Military Installation Development Authority created in Section 63H-1-201;
 - 651 (e) the Utah Inland Port Authority created in Section 11-58-201; or
 - 652 (f) the Point of the Mountain State Land Authority created in Section 11-59-201.
- 653 (14) "Public funds" means any money received by a public entity that is derived from:
- 654 (a) a sales and use tax authorized under Title 59, Chapter 12, Sales and Use Tax Act; or
 - 655 (b) a property tax levy.
- 656 (15) "Public infrastructure" means:
- 657 (a) a public facility, as defined in Section 11-36a-102;
 - 658 (b) a system improvement, as defined in Section 11-36a-102; or
 - 659 (c) infrastructure developed with public funds included as part of an infrastructure
660 master plan related to a general plan.
- 661 (16) "Retail facility" means any facility operated by a business entity for the primary
662 purpose of making retail transactions.
- 663 (17) "Retail facility incentive payment" means a payment of public funds:
- 664 (a) to a person by a public entity;
 - 665 (b) for the development, construction, renovation, or operation of a retail facility within
666 an area of the state; and
 - 667 (c) in the form of:
 - 668 (i) a payment;
 - 669 (ii) a rebate;
 - 670 (iii) a refund;
 - 671 (iv) a subsidy; or
 - 672 (v) any other similar incentive, award, or offset.
- 673 (18) "Retail transaction" means any transaction subject to a sales and use tax under Title 59,
674 Chapter 12, Sales and Use Tax Act.

- 675 (19)(a) "Small business" means a business entity that:
- 676 (i) has fewer than 30 full-time equivalent employees; and
- 677 (ii) maintains the business entity's principal office in the state.
- 678 (b) "Small business" does not include:
- 679 (i) a franchisee, as defined in 16 C.F.R. Sec. 436.1;
- 680 (ii) a dealer, as defined in Section 41-1a-102; or
- 681 (iii) a subsidiary or affiliate of another business entity that is not a small business.

682 Section 7. Section **11-58-901** is amended to read:

683 **11-58-901 (Effective 05/06/26). Dissolution of port authority -- Restrictions --**
 684 **Notice of dissolution -- Disposition of port authority property -- Port authority records --**
 685 **Dissolution expenses.**

- 686 (1) The authority may not be dissolved unless the authority has no outstanding bonded
 687 indebtedness, other unpaid loans, indebtedness, or advances, and no legally binding
 688 contractual obligations with persons or entities other than the state.
- 689 (2) Upon the dissolution of the authority:
- 690 (a) the Governor's Office of Economic [~~Opportunity~~] Development shall publish a notice
 691 of dissolution:
- 692 (i) for the county in which the dissolved authority is located, as a class A notice under
 693 Section 63G-30-102, for at least seven days; and
- 694 (ii) as required in Section 45-1-101; and
- 695 (b) all title to property owned by the authority vests in the state.
- 696 (3) The books, documents, records, papers, and seal of each dissolved authority shall be
 697 deposited for safekeeping and reference with the state auditor.
- 698 (4) The authority shall pay all expenses of the deactivation and dissolution.

699 Section 8. Section **11-59-304** is amended to read:

700 **11-59-304 (Effective 05/06/26) (Repealed 01/01/29). Staff and other support**
 701 **services -- Cooperation from state and local government entities -- Services from state**
 702 **agencies.**

- 703 (1) As used in this section, "office" means the Governor's Office of Economic [~~Opportunity~~]
 704 Development, created in Section 63N-1a-301.
- 705 (2) If and as requested by the board:
- 706 (a) the facilities division shall:
- 707 (i) provide staff support to the board; and
- 708 (ii) make available to the board existing division resources and expertise to assist the

709 board in the development, marketing, and disposition of the point of the mountain
710 state land; and

711 (b) the office shall cooperate with and provide assistance to the board in the board's:
712 (i) formulation of a development plan for the point of the mountain state land; and
713 (ii) management and implementation of a development plan, including the marketing
714 of property and recruitment of businesses and others to locate on the point of the
715 mountain state land.

716 (3) A department, division, or other agency of the state and a political subdivision of the
717 state shall cooperate with the authority and the board to the fullest extent possible to
718 provide whatever support, information, or other assistance the board requests that is
719 reasonably necessary to help the authority fulfill [its] the authority's duties and
720 responsibilities under this chapter.

721 (4)(a) The authority may request and, upon request, shall receive services that include:

- 722 (i) fuel dispensing and motor pool services provided by the Division of Fleet
723 Operations;
724 (ii) surplus property services provided by the Division of Purchasing and General
725 Service;
726 (iii) information technology services provided by the Division of Technology
727 Services;
728 (iv) archive services provided by the Division of Archives and Records Service;
729 (v) financial services provided by the Division of Finance;
730 (vi) human resource management services provided by the Division of Human
731 Resource Management;
732 (vii) legal services provided by the Office of the Attorney General; and
733 (viii) banking services provided by the Office of the State Treasurer.

734 (b) Nothing in Subsection (4)(a) may be construed to relieve the authority of the
735 obligation to pay the applicable fee for the service provided.

736 Section 9. Section **11-59-501** is amended to read:

737 **11-59-501 (Effective 05/06/26) (Repealed 01/01/29). Dissolution of authority --**
738 **Restrictions -- Publishing notice of dissolution -- Authority records -- Dissolution**
739 **expenses.**

740 (1) The authority may not be dissolved unless:

- 741 (a) the authority board first receives approval from the Legislative Management
742 Committee of the Legislature to dissolve the authority; and

- 743 (b) the authority has no outstanding bonded indebtedness, other unpaid loans,
 744 indebtedness, or advances, and no legally binding contractual obligations with
 745 persons or entities other than the state.
- 746 (2) To dissolve the authority, the board shall:
- 747 (a) obtain the approval of the Legislative Management Committee of the Legislature; and
 748 (b) adopt a resolution dissolving the authority, to become effective as provided in the
 749 resolution.
- 750 (3) Upon the dissolution of the authority:
- 751 (a) the Governor's Office of Economic [~~Opportunity~~] Development shall publish a notice
 752 of dissolution:
- 753 (i) for the county in which the dissolved authority is located, as a class A notice under
 754 Section 63G-30-102, for at least seven days; and
 755 (ii) as required in Section 45-1-101; and
- 756 (b) all title to property owned by the authority vests in the facilities division for the
 757 benefit of the state.
- 758 (4) The board shall deposit all books, documents, records, papers, and seal of the dissolved
 759 authority with the state auditor for safekeeping and reference.
- 760 (5) The authority shall pay all expenses of the deactivation and dissolution.
- 761 Section 10. Section **11-65-302** is amended to read:
- 762 **11-65-302 (Effective 05/06/26). Number of board members -- Appointment --**
 763 **Vacancies.**
- 764 (1) The lake authority's board shall consist of 15 members, as provided in Subsection (2).
- 765 (2)(a) The governor shall appoint two board members, at least one of whom shall be
 766 from the Governor's Office of Economic [~~Opportunity~~] Development created in
 767 Section 63N-1a-301.
- 768 (b) The president of the Senate shall appoint as one board member an individual who
 769 holds office as a member of the Senate and whose Senate district includes an area
 770 within Utah County.
- 771 (c) The speaker of the House of Representatives shall appoint as one board member an
 772 individual who holds office as a member of the House of Representatives and whose
 773 House of Representatives district includes an area within Utah County.
- 774 (d) The legislative body of Utah County shall appoint a member of the legislative body
 775 of Utah County as a board member.
- 776 (e)(i) The Utah County Council of Governments shall appoint eight board members,

- 777 at least one of whom shall be an individual selected from among individuals
778 designated by chambers of commerce in Utah County, each of which may
779 recommend an individual for appointment to the board.
- 780 (ii) Except for a member appointed as designated by a chamber of commerce in Utah
781 County, all members appointed by the Utah County Council of Governments shall
782 be elected officials from municipalities whose boundaries are no more than one
783 half mile from the lake authority boundary.
- 784 (iii) The initial members appointed by the Utah County Council of Governments
785 shall include:
- 786 (A) an individual designated by the legislative body of the city of Lehi;
787 (B) an individual designated by the legislative body of the city of Lindon;
788 (C) an individual designated by the legislative body of the city of Spanish Fork;
789 (D) an individual who is an elected officer of the city of Provo, designated by the
790 mayor of the city of Provo;
791 (E) an individual who is an elected officer of the city of Orem, designated by the
792 legislative body of the city of Orem;
793 (F) an individual who is an elected officer of the city of Vineyard, designated by
794 the legislative body of the city of Vineyard; and
795 (G) an individual who is an elected officer of the city of Saratoga Springs,
796 designated by the legislative body of the city of Saratoga Springs.
- 797 (f) The executive director of the Department of Natural Resources shall appoint one
798 board member.
- 799 (g) The executive director of the Department of Environmental Quality shall appoint one
800 board member.
- 801 (3) Appointments required under Subsection (2) shall be made no later than June 1, 2022.
- 802 (4)(a) A vacancy in the board shall be filled in the same manner under this section as the
803 appointment of the member whose vacancy is being filled.
- 804 (b) An individual appointed to fill a vacancy shall serve the remaining unexpired term of
805 the member whose vacancy the individual is filling.
- 806 (5) A member of the board appointed by the governor, president of the Senate, or speaker
807 of the House of Representatives serves at the pleasure of and may be removed and
808 replaced at any time, with or without cause, by the governor, president of the Senate, or
809 speaker of the House of Representatives, respectively.
- 810 (6) The lake authority may appoint nonvoting members of the board and set terms for those

811 nonvoting members.

812 (7) Upon a vote of a majority of all board members, the board may appoint a board chair
813 and any other officer of the board.

814 (8) The board:

815 (a) may appoint one or more advisory committees that may include individuals from
816 impacted public entities, community organizations, environmental organizations,
817 business organizations, or other organizations or associations; and

818 (b) shall appoint an advisory committee to advise on:

819 (i) water rights, water projects, and water facilities associated with Utah Lake; and

820 (ii) recreation and avian and other wildlife activities on Utah Lake.

821 Section 11. Section **11-65-701** is amended to read:

822 **11-65-701 (Effective 05/06/26). Dissolution of lake authority -- Restrictions --**
823 **Notice of dissolution -- Disposition of lake authority property -- Lake authority records --**
824 **Dissolution expenses.**

825 (1) The lake authority may not be dissolved unless the lake authority has no outstanding
826 bonded indebtedness, other unpaid loans, indebtedness, or advances, and no legally
827 binding contractual obligations with persons or entities other than the state.

828 (2) Upon the dissolution of the lake authority:

829 (a) the Governor's Office of Economic [~~Opportunity~~] Development shall publish a notice
830 of dissolution as required in Section 45-1-101; and

831 (b) all title to property owned by the lake authority vests in the state.

832 (3) The books, documents, records, papers, and seal of the dissolved lake authority shall be
833 deposited for safekeeping and reference with the state auditor.

834 (4) The lake authority shall pay all expenses of the deactivation and dissolution.

835 Section 12. Section **11-70-801** is amended to read:

836 **11-70-801 (Effective 05/06/26). Dissolution of fairpark district -- Restrictions --**
837 **Notice of dissolution -- Disposition of fairpark district property -- Fairpark district**
838 **records -- Dissolution expenses.**

839 (1) The fairpark district may not be dissolved unless the fairpark district has no outstanding
840 bonded indebtedness, other unpaid loans, indebtedness, or advances, and no legally
841 binding contractual obligations with persons or entities other than the state.

842 (2) Upon the dissolution of the fairpark district:

843 (a) the Governor's Office of Economic [~~Opportunity~~] Development shall publish a notice
844 of dissolution:

- 845 (i) for the county in which the dissolved fairpark district is located, as a class A
 846 notice under Section 63G-30-102, for at least seven days; and
 847 (ii) as required in Section 45-1-101; and
 848 (b) all title to property owned by the fairpark district vests in the state.
 849 (3) The books, documents, records, papers, and seal of each dissolved fairpark district shall
 850 be deposited for safekeeping and reference with the state auditor.
 851 (4) The fairpark district shall pay all expenses of the deactivation and dissolution.

852 Section 13. Section **17-78-707** is amended to read:

853 **17-78-707 (Effective 05/06/26). Payment to Stay Another Day and Bounce Back**
 854 **Fund and Hotel Impact Mitigation Fund.**

855 A county in which a qualified hotel, as defined in Section 63N-2-502, is located shall:

- 856 (1) make an annual payment to the Division of Finance:
 857 (a) for deposit into the Stay Another Day and Bounce Back Fund, established in Section
 858 63N-2-511;
 859 (b) for any year in which the Governor's Office of Economic [~~Opportunity~~] Development
 860 provides a convention incentive, as defined in Section 63N-2-502; and
 861 (c) in the amount of 5% of the state portion, as defined in Section 63N-2-502; and
 862 (2) make payments to the Division of Finance:
 863 (a) for deposit into the Hotel Impact Mitigation Fund, created in Section 63N-2-512;
 864 (b) for each year described in Subsection 63N-2-512(5) during which the balance of the
 865 Hotel Impact Mitigation Fund, defined in Section 63N-2-512, is less than \$2,100,000
 866 before any payment for that year under Subsection 63N-2-512(5); and
 867 (c) in the amount of the difference between \$2,100,000 and the balance of the Hotel
 868 Impact Mitigation Fund, defined in Section 63N-2-512, before any payment for that
 869 year under Subsection 63N-2-512(5).

870 Section 14. Section **17C-1-603** is amended to read:

871 **17C-1-603 (Effective 05/06/26). Reporting requirements -- Governor's Office of**
 872 **Economic Development to maintain a database.**

- 873 (1) As used in this section:
 874 (a) "Database" means the collection of electronic data described in Subsection (2)(a).
 875 (b) "Office" means the Governor's Office of Economic [~~Opportunity~~] Development
 876 created in Section 63N-1a-301.
 877 (c) "Office website" means a public website maintained by the office.
 878 (2) The office shall:

- 879 (a) create and maintain electronic data to track information for each agency located
880 within the state; and
- 881 (b) make the database publicly accessible from the office website.
- 882 (3)(a) The office may:
- 883 (i) contract with a third party to create and maintain the database; and
884 (ii) charge a fee for a county, city, or agency to provide information to the database.
- 885 (b) The office shall make rules, in accordance with Title 63G, Chapter 3, Utah
886 Administrative Rulemaking Act, to establish a fee schedule for the fee described in
887 Subsection (3)(a)(ii).
- 888 (4) On or before June 30 of each year, an agency shall, for each active project area for
889 which the project area funds collection period has not expired, submit to the office for
890 inclusion in the database the following information:
- 891 (a) an assessment of the change in marginal value, including:
- 892 (i) the base year;
893 (ii) the estimated current assessed value;
894 (iii) the percentage change in marginal value; and
895 (iv) a narrative description of the relative growth in assessed value;
- 896 (b) the amount of project area funds the agency received and the amount of project area
897 funds the agency spent for each year of the project area funds collection period,
898 broken down by the applicable budget or funds analysis category described in
899 Subsection (4)(d), including:
- 900 (i) a comparison of the actual project area funds received and spent for each year to
901 the amount of project area funds forecasted for each year when the project area
902 was created, if available;
- 903 (ii)(A) the agency's historical receipts and expenditures of project area funds,
904 including the tax year for which the agency first received project area funds
905 from the project area; or
906 (B) if the agency has not yet received project area funds from the project area, the
907 year in which the agency expects each project area funds collection period to
908 begin;
- 909 (iii) a list of each taxing entity that levies or imposes a tax within the project area and
910 a description of the benefits that each taxing entity receives from the project area;
911 and
- 912 (iv) the amount paid to other taxing entities under Section 17C-1-410, if applicable;

- 913 (c) a description of current and anticipated project area development, including:
- 914 (i) a narrative of any significant project area development, including infrastructure
- 915 development, site development, participation agreements, or vertical construction;
- 916 and
- 917 (ii) other details of development within the project area, including:
- 918 (A) the total developed acreage;
- 919 (B) the total undeveloped acreage;
- 920 (C) the percentage of residential development; and
- 921 (D) the total number of housing units authorized, if applicable;
- 922 (d) the project area budget, if applicable, or other project area funds analyses, with
- 923 receipts and expenditures categorized by the type of receipt and expenditure related
- 924 to the development performed or to be performed under the project area plan,
- 925 including:
- 926 (i) each project area funds collection period, including:
- 927 (A) the start and end date of the project area funds collection period; and
- 928 (B) the number of years remaining in each project area funds collection period;
- 929 (ii) the amount of project area funds the agency is authorized to receive from the
- 930 project area cumulatively and from each taxing entity, including:
- 931 (A) the total dollar amount; and
- 932 (B) the percentage of the total amount of project area funds generated within the
- 933 project area;
- 934 (iii) the remaining amount of project area funds the agency is authorized to receive
- 935 from the project area cumulatively and from each taxing entity; and
- 936 (iv) the amount of project area funds the agency is authorized to use to pay for the
- 937 agency's administrative costs, as described in Subsection 17C-1-409(1), including:
- 938 (A) the total dollar amount; and
- 939 (B) the percentage of the total amount of all project area funds;
- 940 (e) the estimated amount of project area funds that the agency is authorized to receive
- 941 from the project area for the current calendar year;
- 942 (f) the estimated amount of project area funds to be paid to the agency for the next
- 943 calendar year;
- 944 (g) a map of the project area;
- 945 (h) a description of how the goals, policies, and purposes of the project area plan have
- 946 been furthered during the preceding year; and

- 947 (i) any other relevant information the agency elects to provide.
- 948 (5) An agency with no active project area shall, no later than June 30 of each year until the
949 agency is dissolved under Section 17C-1-701.5, submit a report to the office stating that
950 the agency has no active project area.
- 951 (6) Any information an agency submits in accordance with this section:
- 952 (a) is for informational purposes only; and
- 953 (b) does not alter the amount of project area funds that an agency is authorized to receive
954 from a project area.
- 955 (7) The provisions of this section apply regardless of when the agency or project area is
956 created.
- 957 (8) On or before September 1 of each year, the office shall prepare and submit an annual
958 written report to the Political Subdivisions Interim Committee that identifies the
959 agencies that complied and the agencies that failed to comply with the reporting
960 requirements of this section during the preceding reporting period.
- 961 (9)(a) If, by September 30 of the year the information is due, the office does not receive
962 the information that an agency is required to submit under Subsection (4), the office
963 shall:
- 964 (i) refer the noncompliant agency to the state auditor for review; and
- 965 (ii) post a notice on the office website identifying the noncompliant agency and
966 describing the agency's noncompliance.
- 967 (b) If the office does not receive a report an agency is required to submit under
968 Subsection (5), the office shall refer the noncompliant agency to the state auditor for
969 review.
- 970 (c) If, for two consecutive years, the office does not receive information an agency is
971 required to submit under Subsection (4):
- 972 (i) the office shall, no later than July 31 of the second consecutive year, notify the
973 auditor and treasurer of the county in which the noncompliant agency is located of
974 the agency's noncompliance; and
- 975 (ii) upon receiving the notice described in Subsection (9)(c)(i), the county treasurer
976 shall withhold from the agency 20% of the amount of tax increment the agency is
977 otherwise entitled to receive.
- 978 (d) If, after having funds withheld under Subsection (9)(c)(ii), an agency complies with
979 Subsection (4):
- 980 (i) the office shall notify the county auditor and treasurer that the agency has

981 complied with the requirement of Subsection (4); and

982 (ii) the county treasurer shall disburse the withheld funds to the agency.

983 Section 15. Section **17C-1-606** is amended to read:

984 **17C-1-606 (Effective 05/06/26). County auditor report on project areas.**

985 (1)(a) On or before March 31 of each year, the auditor of each county in which an
986 agency is located shall prepare a report on the project areas within each agency.

987 (b) The county auditor shall send a copy of each report under Subsection (1)(a) to the
988 agency that is the subject of the report, the State Tax Commission, the State Board of
989 Education, and each taxing entity from which the agency receives tax increment.

990 (c) On or before March 31 of each year, the county auditor shall submit a copy of each
991 report under Subsection (1)(a) to the Governor's Office of Economic [Opportunity]
992 Development for inclusion in the database described in Section 17C-1-603.

993 (2) Each report under Subsection (1)(a) shall report:

994 (a) the total assessed property value within each project area for the previous tax year;

995 (b) the base taxable value of each project area for the previous tax year;

996 (c) the tax increment available to be paid to the agency for the previous tax year;

997 (d) the tax increment requested by the agency for the previous tax year; and

998 (e) the tax increment paid to the agency for the previous tax year.

999 (3) Within 30 days after a request by an agency, the State Tax Commission, the State Board
1000 of Education, or any taxing entity from which the agency receives tax increment, the
1001 county auditor or the county assessor shall provide access to:

1002 (a) the county auditor's method and calculations used to make adjustments under Section
1003 17C-1-408;

1004 (b) the unequalized assessed valuation of an existing or proposed project area, or any
1005 parcel or parcels within an existing or proposed project area, if the equalized assessed
1006 valuation has not yet been determined for that year;

1007 (c) the most recent equalized assessed valuation of an existing or proposed project area
1008 or any parcel or parcels within an existing or proposed project area; and

1009 (d) the tax rate of each taxing entity adopted as of November 1 for the previous tax year.

1010 (4) Each report described in Subsection (1)(a) shall include:

1011 (a) sufficient detail regarding the calculations performed by a county auditor so that an
1012 agency or other interested party could repeat and verify the calculations; and

1013 (b) a detailed explanation of any adjustments made to the base taxable value of each
1014 project area.

1015 Section 16. Section **17C-1-1001** is amended to read:

1016 **17C-1-1001 (Effective 05/06/26). Definitions.**

1017 As used in this part:

- 1018 (1)(a) "Agency-wide project development" means activity within the agency's
1019 boundaries that, as determined by the board, encourages, promotes, or provides
1020 development or redevelopment for the purpose of achieving the results described in
1021 an implementation plan, including affordable housing.
- 1022 (b) "Agency-wide project development" does not include project area development
1023 under a project area plan.
- 1024 (2) "Certified tax rate" means the same as that term is defined in Section 59-2-924.
- 1025 (3) "Cooperative development project" means project area development with impacts that
1026 extend beyond an agency's geographic boundaries to the benefit of two or more
1027 communities.
- 1028 (4) "Economic development project" means project area development for the purpose of:
1029 (a) creating, developing, attracting, and retaining business;
1030 (b) creating or preserving jobs;
1031 (c) stimulating business and economic activity; or
1032 (d) providing a local incentive as required by the Governor's Office of Economic [
1033 Opportunity] Development under Title 63N, Economic Opportunity Act.
- 1034 (5) "Eligible taxing entity" means a taxing entity that:
1035 (a) is a municipality, a county, or a school district; and
1036 (b) contains an agency partially or completely within the taxing entity's geographic
1037 boundaries.
- 1038 (6) "Final tax rate" means:
1039 (a) the certified rate; or
1040 (b) if the agency adopts a rate that is different than the certified rate, the rate the agency
1041 adopts in accordance with the provisions of Title 59, Chapter 2, Part 9, Levies.
- 1042 (7) "Implementation plan" means a plan adopted in accordance with Section 17C-1-1004
1043 that:
1044 (a) describes how the agency uses property tax revenue; and
1045 (b) guides and controls agency-wide project development.
- 1046 (8) "Project area incremental revenue" means the amount of revenue generated by the
1047 incremental value that a taxing entity receives after a project area funds collection period
1048 ends.

1049 (9) "Property tax revenue" means the amount of revenue generated by an agency from the
1050 property within the agency using the current taxable value of the property and the
1051 agency's final tax rate.

1052 Section 17. Section **17D-1-507** is amended to read:

1053 **17D-1-507 (Effective 05/06/26). Guaranteed bonds.**

1054 (1) Before a special service district may issue guaranteed bonds:

1055 (a) the special service district shall:

1056 (i) obtain a report:

1057 (A) prepared by:

1058 (I) a qualified, registered architect or engineer; or

1059 (II) a person qualified by experience appropriate to the project proposed to be
1060 funded by the proceeds from the guaranteed bonds; and

1061 (B) setting forth:

1062 (I) a description of the project proposed to be funded by the proceeds from the
1063 guaranteed bonds;

1064 (II) the estimated or, if available, the actual cost of the project;

1065 (III) the principal amount and date and amount of each stated maturity of:

1066 (Aa) the guaranteed bonds to be issued; and

1067 (Bb) any outstanding guaranteed bonds of the special service district;

1068 (IV) the interest rate or rates of any outstanding guaranteed bonds of the
1069 special service district;

1070 (V) the amount of the annual debt service for each year during the life of all
1071 outstanding guaranteed bonds issued by the special service district;

1072 (VI) the estimated amount of the annual debt service for each year during the
1073 life of all guaranteed bonds that the special service district intends to issue
1074 to finance all or any part of the project; and

1075 (VII) the date or estimated date that the project will be complete; and

1076 (ii) submit to the Governor's Office of Economic [~~Opportunity~~] Development:

1077 (A) the report described in Subsection (1)(a)(i);

1078 (B) a copy of each proposed guarantee of the guaranteed bonds, certified by the
1079 special service district;

1080 (C) a legal opinion indicating that each guarantee, when executed, will be the
1081 legal and binding obligation of the taxpayer executing the guarantee in
1082 accordance with the terms of the guarantee; and

1083 (D) evidence satisfactory to the Governor's Office of Economic [Opportunity]
 1084 Development from each taxpayer executing a guarantee of the guaranteed
 1085 bonds as to the financial ability of the taxpayer to perform under the guarantee;
 1086 (b) the Governor's Office of Economic [Opportunity] Development shall, if [it] the office
 1087 approves the issuance of the guaranteed bonds, deliver to the special service district
 1088 governing body a written statement of [its] the office's approval; and
 1089 (c) the special service district governing body shall file the written approval statement
 1090 under Subsection (1)(b) with the recorder of the county in which the special service
 1091 district is located.

1092 (2) The issuance of guaranteed bonds is conditioned upon the approval of special service
 1093 district voters at an election held for that purpose as provided in Title 11, Chapter 14,
 1094 Local Government Bonding Act.

1095 (3) Guaranteed bonds that have been issued and remain outstanding shall be included in the
 1096 determination of the debt limit under Subsection 17D-1-502(4) if the bonds by their
 1097 terms no longer enjoy the benefit of the guarantee.

1098 (4) On July 1 of each year, the governing body shall file with the department of community
 1099 affairs a report certifying:

1100 (a) the total amount of bonds issued by the special service district and other debt then
 1101 outstanding and subject to the debt limit of Subsection 17D-1-502(4);

1102 (b) the total amount of guaranteed bonds then outstanding and not subject to the debt
 1103 limit of Subsection 17D-1-502(4); and

1104 (c) the total amount of guaranteed bonds that, during the preceding 12 months,
 1105 discontinued to enjoy the benefit of the guarantee.

1106 Section 18. Section **35A-1-104.5** is amended to read:

1107 **35A-1-104.5 (Effective 05/06/26). Other department duties -- Strategic plan for**
 1108 **health system reform -- Reporting suspected misuse of a social security number.**

1109 (1) The department shall work with the Department of Health and Human Services, the
 1110 Insurance Department, the Governor's Office of Economic [Opportunity] Development,
 1111 and the Legislature to develop the health system reform.

1112 (2) In the process of determining an individual's eligibility for a public benefit or service
 1113 under this title or under federal law, if the department determines that a valid social
 1114 security number is being used by an unauthorized individual, the department shall:

1115 (a) inform the individual who the department determines to be the likely actual owner of
 1116 the social security number or, if the likely actual owner is a minor, the minor's parent

- 1117 or guardian, of the suspected misuse; and
- 1118 (b) subject to federal law, provide information of the suspected misuse to an appropriate
1119 law enforcement agency responsible for investigating identity fraud.
- 1120 (3) If the department learns or determines that providing information under Subsection
1121 (2)(b) is prohibited by federal law, the department shall notify the Legislative
1122 Management Committee.
- 1123 Section 19. Section **35A-1-201** is amended to read:
- 1124 **35A-1-201 (Effective 05/06/26). Executive director -- Appointment -- Removal --**
1125 **Compensation -- Qualifications -- Responsibilities -- Deputy directors.**
- 1126 (1)(a) The chief administrative officer of the department is the executive director, who is
1127 appointed by the governor with the advice and consent of the Senate.
- 1128 (b) The executive director serves at the pleasure of the governor.
- 1129 (c) The executive director shall receive a salary established by the governor within the
1130 salary range fixed by the Legislature in Title 67, Chapter 22, State Officer
1131 Compensation.
- 1132 (d) The executive director shall be experienced in administration, management, and
1133 coordination of complex organizations.
- 1134 (2) The executive director shall:
- 1135 (a) administer and supervise the department in compliance with Title 63A, Chapter 17,
1136 Utah State Personnel Management Act;
- 1137 (b) supervise and coordinate between the economic service areas and directors created
1138 under Chapter 2, Economic Service Areas;
- 1139 (c) coordinate policies and program activities conducted through the divisions and
1140 economic service areas of the department;
- 1141 (d) approve the proposed budget of each division, the Workforce Appeals Board, and
1142 each economic service area within the department;
- 1143 (e) approve all applications for federal grants or assistance in support of any department
1144 program;
- 1145 (f) coordinate with the executive directors of the Governor's Office of Economic [
1146 ~~Opportunity~~] Development and the Governor's Office of Planning and Budget to
1147 review data and metrics to be reported to the Legislature as described in Subsection
1148 35A-1-109(2)(b); and
- 1149 (g) fulfill such other duties as assigned by the Legislature or as assigned by the governor
1150 that are not inconsistent with this title.

1151 (3) The executive director may appoint deputy or assistant directors to assist the executive
1152 director in carrying out the department's responsibilities.

1153 (4) The executive director shall at least annually provide for the sharing of information
1154 between the advisory councils established under this title.

1155 Section 20. Section **35A-1-206** is amended to read:

1156 **35A-1-206 (Effective 05/06/26). State Workforce Development Board --**
1157 **Appointment -- Membership -- Terms of members -- Compensation.**

1158 (1) There is created within the department the State Workforce Development Board in
1159 accordance with the provisions of the Workforce Innovation and Opportunity Act, 29
1160 U.S.C. Sec. 3101 et seq.

1161 (2) The board shall consist of the following members:

1162 (a) the governor or the governor's designee;

1163 (b) the executive director or the executive director's designee;

1164 (c) the executive director of the Department of Health and Human Services or the
1165 executive director's designee;

1166 (d) the director of the Utah State Office of Rehabilitation or the director's designee;

1167 (e) the state superintendent of public instruction or the superintendent's designee;

1168 (f) the commissioner of higher education or the commissioner's designee;

1169 (g) the executive director of the Governor's Office of Economic [Opportunity]
1170 Development or the executive director's designee;

1171 (h) the executive director of the Department of Veterans and Military Affairs or the
1172 executive director's designee; and

1173 (i) the following members appointed by the governor:

1174 (i) 20 representatives of business in the state, selected among the following:

1175 (A) owners of businesses, chief executive or operating officers of businesses, or
1176 other business executives or employers with policymaking or hiring authority;

1177 (B) representatives of businesses, including small businesses, that provide
1178 employment opportunities that include high-quality, work-relevant training and
1179 development in in-demand industry sectors or occupations in the state; and

1180 (C) representatives of businesses appointed from among individuals nominated by
1181 state business organizations or business trade associations;

1182 (ii) six representatives of the workforce within the state, which:

1183 (A) shall include at least two representatives of labor organizations who have been
1184 nominated by state labor federations;

- 1185 (B) shall include at least one representative from a registered apprentice program;
1186 (C) may include one or more representatives from a community-based
1187 organization that has demonstrated experience and expertise in addressing the
1188 employment, training, or educational needs of individuals with barriers to
1189 employment; and
1190 (D) may include one or more representatives from an organization that has
1191 demonstrated experience and expertise in addressing the employment, training,
1192 or education needs of eligible youth, including organizations that serve out of
1193 school youth; and
1194 (iii) two elected officials that represent a city or a county.
- 1195 (3)(a) The governor shall appoint one of the appointed business representatives as chair
1196 of the board.
1197 (b) The chair shall serve at the pleasure of the governor.
- 1198 (4)(a) The governor shall ensure that members appointed to the board represent diverse
1199 geographic areas of the state, including urban, suburban, and rural areas.
1200 (b) A member appointed by the governor shall serve a term of four years and may be
1201 reappointed to one additional term.
1202 (c) A member shall continue to serve until the member's successor has been appointed
1203 and qualified.
1204 (d) Except as provided in Subsection (4)(e), as terms of board members expire, the
1205 governor shall appoint each new member or reappointed member to a four-year term.
1206 (e) Notwithstanding the requirements of Subsection (4)(d), the governor shall, at the
1207 time of appointment or reappointment, adjust the length of terms to ensure that the
1208 terms of board members are staggered so that approximately one half of the board is
1209 appointed every two years.
1210 (f) When a vacancy occurs in the membership for any reason, the replacement shall be
1211 appointed for the unexpired term.
1212 (g) The executive director shall terminate the term of any governor-appointed member
1213 of the board if the member leaves the position that qualified the member for the
1214 appointment.
- 1215 (5) A majority of members constitutes a quorum for the transaction of business.
- 1216 (6) A member of the board may not receive compensation or benefits for the member's
1217 service, but may receive per diem and travel expenses as allowed in:
1218 (a) Section 63A-3-106;

- 1219 (b) Section 63A-3-107; and
- 1220 (c) rules made by the Division of Finance according to Sections 63A-3-106 and
- 1221 63A-3-107.
- 1222 (7) The department shall provide staff and administrative support to the board at the
- 1223 direction of the executive director.
- 1224 (8) The board has the duties, responsibilities, and powers described in 29 U.S.C. Sec. 3111,
- 1225 including:
- 1226 (a) identifying opportunities to align initiatives in education, training, workforce
- 1227 development, and economic development;
- 1228 (b) developing and implementing the state workforce services plan described in Section
- 1229 35A-1-207;
- 1230 (c) utilizing strategic partners to ensure the needs of industry are met, including the
- 1231 development of expanded strategies for partnerships for in-demand occupations and
- 1232 understanding and adapting to economic changes;
- 1233 (d) developing strategies for staff training;
- 1234 (e) developing and improving employment centers; and
- 1235 (f) performing other responsibilities within the scope of workforce services as requested
- 1236 by:
- 1237 (i) the Legislature;
- 1238 (ii) the governor; or
- 1239 (iii) the executive director.
- 1240 Section 21. Section **35A-4-312** is amended to read:
- 1241 **35A-4-312 (Effective 05/06/26). Records.**
- 1242 (1)(a) An employing unit shall keep true and accurate work records containing
- 1243 information the department may prescribe by rule.
- 1244 (b) A record shall be open to inspection and subject to being copied by the division or [its]
- 1245 the division's authorized representatives at a reasonable time and as often as
- 1246 necessary.
- 1247 (c) An employing unit shall make a record available in the state for three years after the
- 1248 calendar year in which the services are rendered.
- 1249 (2) The division may require from an employing unit a sworn or unsworn report with
- 1250 respect to a person employed by the employing unit that the division considers necessary
- 1251 for the effective administration of this chapter.
- 1252 (3) Except as provided in this section or in Sections 35A-4-103 and 35A-4-106, information

- 1253 obtained under this chapter or obtained from an individual may not be published or open
1254 to public inspection in a manner revealing the employing unit's or individual's identity.
- 1255 (4)(a) The information obtained by the division under this section may not be used in
1256 court or admitted into evidence in an action or proceeding, except:
- 1257 (i) in an action or proceeding arising out of this chapter;
 - 1258 (ii) if the Labor Commission enters into a written agreement with the division under
1259 Subsection (6)(b), in an action or proceeding by the Labor Commission to enforce:
 - 1260 (A) Title 34, Chapter 23, Employment of Minors;
 - 1261 (B) Title 34, Chapter 28, Payment of Wages;
 - 1262 (C) Title 34, Chapter 40, Utah Minimum Wage Act; or
 - 1263 (D) Title 34A, Utah Labor Code;
 - 1264 (iii) under the terms of a court order obtained under Subsection 63G-2-202(7) and
1265 Section 63G-2-207; or
 - 1266 (iv) under the terms of a written agreement between the Office of State Debt
1267 Collection and the division as provided in Subsection (5).
- 1268 (b) The information obtained by the division under this section shall be disclosed to:
- 1269 (i) a party to an unemployment insurance hearing before an administrative law judge
1270 of the department or a review by the Workforce Appeals Board to the extent
1271 necessary for the proper presentation of the party's case; or
 - 1272 (ii) an employer, upon request in writing for information concerning a claim for a
1273 benefit with respect to a former employee of the employer.
- 1274 (5) The information obtained by the division under this section may be disclosed to:
- 1275 (a) an employee of the department in the performance of the employee's duties in
1276 administering this chapter or other programs of the department;
 - 1277 (b) an employee of the Labor Commission for the purpose of carrying out the programs
1278 administered by the Labor Commission;
 - 1279 (c) an employee of the Department of Commerce for the purpose of carrying out the
1280 programs administered by the Department of Commerce;
 - 1281 (d) an employee of the governor's office or another state governmental agency
1282 administratively responsible for statewide economic development, to the extent
1283 necessary for economic development policy analysis and formulation;
 - 1284 (e) an employee of another governmental agency that is specifically identified and
1285 authorized by federal or state law to receive the information for the purposes stated in
1286 the law authorizing the employee of the agency to receive the information;

- 1287 (f) an employee of a governmental agency or workers' compensation insurer to the
1288 extent the information will aid in:
- 1289 (i) the detection or avoidance of duplicate, inconsistent, or fraudulent claims against:
1290 (A) a workers' compensation program; or
1291 (B) public assistance funds; or
- 1292 (ii) the recovery of overpayments of workers' compensation or public assistance
1293 funds;
- 1294 (g) an employee of a law enforcement agency to the extent the disclosure is necessary to
1295 avoid a significant risk to public safety or in aid of a felony criminal investigation;
- 1296 (h) an employee of the State Tax Commission or the Internal Revenue Service for the
1297 purposes of:
- 1298 (i) audit verification or simplification;
1299 (ii) state or federal tax compliance;
1300 (iii) verification of a code or classification of the:
- 1301 (A) 1987 Standard Industrial Classification Manual of the federal Executive
1302 Office of the President, Office of Management and Budget; or
1303 (B) 2002 North American Industry Classification System of the federal Executive
1304 Office of the President, Office of Management and Budget; and
- 1305 (iv) statistics;
- 1306 (i) an employee or contractor of the department or an educational institution, or other
1307 governmental entity engaged in workforce investment and development activities
1308 under the Workforce Innovation and Opportunity Act, 29 U.S.C. Sec. 3101 et seq.,
1309 for the purpose of:
- 1310 (i) coordinating services with the department;
1311 (ii) evaluating the effectiveness of those activities; and
1312 (iii) measuring performance;
- 1313 (j) an employee of the Governor's Office of Economic ~~Opportunity~~ Development, for
1314 the purpose of periodically publishing in the Directory of Business and Industry, the
1315 name, address, telephone number, number of employees by range, code or
1316 classification of an employer, and type of ownership of Utah employers;
- 1317 (k) the public for any purpose following a written waiver by all interested parties of their
1318 rights to nondisclosure;
- 1319 (l) an individual whose wage data is submitted to the department by an employer, if no
1320 information other than the individual's wage data and the identity of the employer

- 1321 who submitted the information is provided to the individual;
- 1322 (m) an employee of the Insurance Department for the purpose of administering Title
1323 31A, Chapter 40, Professional Employer Organization Licensing Act;
- 1324 (n) an employee of the Office of State Debt Collection for the purpose of collecting state
1325 accounts receivable as provided in Section 63A-3-502; or
- 1326 (o) a creditor, under a court order, to collect on a judgment as provided in Section
1327 35A-4-314.
- 1328 (6) Disclosure of private information under Subsection (4)(a)(ii) or Subsection (5), with the
1329 exception of Subsections (5)(a), (g), and (o), may be made if:
- 1330 (a) the division determines that the disclosure will not have a negative effect on:
- 1331 (i) the willingness of employers to report wage and employment information; or
1332 (ii) the willingness of individuals to file claims for unemployment benefits; and
- 1333 (b) the agency enters into a written agreement with the division in accordance with rules
1334 made by the department.
- 1335 (7)(a) The employees of a division of the department other than the Workforce Research
1336 and Analysis Division and the Unemployment Insurance Division or an agency
1337 receiving private information from the division under this chapter are subject to the
1338 same requirements of privacy and confidentiality and to the same penalties for
1339 misuse or improper disclosure of the information as employees of the division.
- 1340 (b) Use of private information obtained from the department by a person or for a
1341 purpose other than one authorized in Subsection (4) or (5) violates Section 76-8-1304.
1342 Section 22. Section **35A-6-105** is amended to read:
- 1343 **35A-6-105 (Effective 05/06/26). Commissioner of apprenticeship programs.**
- 1344 (1) There is created the position of [~~Commissioner of Apprenticeship Programs~~]
1345 commissioner of apprenticeship programs within the department.
- 1346 (2) The commissioner shall be appointed by the executive director and chosen from one or
1347 more recommendations provided by a majority vote of the State Workforce
1348 Development Board.
- 1349 (3) The commissioner may be terminated without cause by the executive director.
- 1350 (4) The commissioner shall:
- 1351 (a) promote and educate the public, including high school guidance counselors and
1352 potential participants in apprenticeship programs, about apprenticeship programs,
1353 youth apprenticeship, and pre-apprenticeship programs offered in the state, including
1354 apprenticeship, youth apprenticeship, and pre-apprenticeship programs offered by

- 1355 private sector businesses, trade groups, labor unions, partnerships with educational
 1356 institutions, and other associations in the state;
- 1357 (b) coordinate with the department and other stakeholders, including union and
 1358 nonunion apprenticeship programs, the Office of Apprenticeship, the State Board of
 1359 Education, the Utah [~~system of higher education~~] System of Higher Education, the
 1360 Department of Commerce, the Division of Professional Licensing, and the
 1361 Governor's Office of Economic [~~Opportunity~~] Development to improve and promote
 1362 apprenticeship opportunities in the state; and
- 1363 (c) provide an annual written report to:
- 1364 (i) the department for inclusion in the department's annual written report described in
 1365 Section 35A-1-109;
- 1366 (ii) the Economic and Community Development Appropriations Subcommittee; and
 1367 (iii) the Higher Education Appropriations Subcommittee.
- 1368 (5) The annual written report described in Subsection (4)(c) shall provide information
 1369 concerning:
- 1370 (a) the number of available apprenticeship, youth apprenticeship, and pre-apprenticeship
 1371 programs in the state;
- 1372 (b) the number of apprentice participants in each program;
- 1373 (c) the completion rate of each program;
- 1374 (d) the cost of state funding for each program; and
- 1375 (e) recommendations for improving apprenticeship, youth apprenticeship, and
 1376 pre-apprenticeship programs.
- 1377 Section 23. Section **35A-8-2103** is amended to read:
- 1378 **35A-8-2103 (Effective 05/06/26). Private Activity Bond Review Board.**
- 1379 (1) There is created within the department the Private Activity Bond Review Board,
 1380 composed of the following 11 members:
- 1381 (a)(i) the executive director of the department or the executive director's designee;
 1382 (ii) the executive director of the Governor's Office of Economic [~~Opportunity~~]
 1383 Development or the executive director's designee;
- 1384 (iii) the state treasurer or the state treasurer's designee;
- 1385 (iv) the chair of the Utah Board of Higher Education or the chair's designee; and
 1386 (v) the chair of the Utah Housing Corporation or the chair's designee; and
- 1387 (b) six local government members who are:
- 1388 (i) three elected or appointed county officials, nominated by the Utah Association of

- 1389 Counties and appointed or reappointed by the governor with the advice and
1390 consent of the Senate and in accordance with Title 63G, Chapter 24, Part 2,
1391 Vacancies; and
- 1392 (ii) three elected or appointed municipal officials, nominated by the Utah League of
1393 Cities and Towns and appointed or reappointed by the governor with the advice
1394 and consent of the Senate and in accordance with Title 63G, Chapter 24, Part 2,
1395 Vacancies.
- 1396 (2)(a) Except as required by Subsection (2)(b), the terms of office for the local
1397 government members of the board of review shall be four-year terms.
- 1398 (b) Notwithstanding the requirements of Subsection (2)(a), the governor shall, at the
1399 time of appointment or reappointment, adjust the length of terms to ensure that the
1400 terms of board of review members are staggered so that approximately half of the
1401 board of review is appointed every two years.
- 1402 (c) Members may be reappointed only once.
- 1403 (3)(a) If a local government member ceases to be an elected or appointed official of the
1404 city or county the member is appointed to represent, that membership on the board of
1405 review terminates immediately and there shall be a vacancy in the membership.
- 1406 (b) When a vacancy occurs in the local government membership for any reason:
- 1407 (i) the Utah Association of Counties or the Utah League of Cities and Towns shall,
1408 within 30 days after the date of the vacancy, nominate an official described in
1409 Subsection (1)(b)(i) or (ii), as applicable, to fill the vacancy; and
- 1410 (ii) the governor shall, with the advice and consent of the Senate in accordance with
1411 Title 63G, Chapter 24, Part 2, Vacancies, appoint the nominee for the unexpired
1412 term.
- 1413 (4)(a) The chair of the board of review is the executive director of the department or the
1414 executive director's designee.
- 1415 (b) The chair is nonvoting except in the case of a tie vote.
- 1416 (5) Six members of the board of review constitute a quorum.
- 1417 (6) Formal action by the board of review requires a majority vote of a quorum.
- 1418 (7) A member may not receive compensation or benefits for the member's service, but may
1419 receive per diem and travel expenses in accordance with:
- 1420 (a) Section 63A-3-106;
- 1421 (b) Section 63A-3-107; and
- 1422 (c) rules made by the Division of Finance under Sections 63A-3-106 and 63A-3-107.

1423 (8) The chair of the board of review serves as the state official designated under state law to
 1424 make certifications required to be made under Section 146 of the code including the
 1425 certification required by Section 149(e)(2)(F) of the code.

1426 (9) A member appointed to fill a position described in Subsection (1)(b) shall comply with
 1427 the conflict of interest provisions described in Title 63G, Chapter 24, Part 3, Conflicts of
 1428 Interest.

1429 Section 24. Section **35A-8-2202** is amended to read:

1430 **35A-8-2202 (Effective 05/06/26). Commission on Housing Affordability.**

1431 (1) There is created within the department the Commission on Housing Affordability.

1432 (2) The commission shall consist of 21 members as follows:

1433 (a) one senator appointed by the president of the Senate;

1434 (b) two representatives appointed by the speaker of the House of Representatives;

1435 (c) the executive director of the department or the executive director's designee;

1436 (d) the director of the division;

1437 (e) the executive director of the Governor's Office of Economic [~~Opportunity~~]

1438 Development or the executive director's designee;

1439 (f) the president of the Utah Transit Authority or the president's designee;

1440 (g) the chair of the board of trustees of the Utah Housing Corporation or the chair's
 1441 designee;

1442 (h) the state homelessness coordinator appointed under Section 63J-4-202 or the state
 1443 homelessness coordinator's designee; and

1444 (i) 12 members appointed by the governor as follows:

1445 (i) one individual representing the land development community with experience and
 1446 expertise in affordable, subsidized multi-family development, recommended by
 1447 the Utah Homebuilders Association;

1448 (ii) one individual representing the real estate industry, recommended by the Utah
 1449 Association of Realtors;

1450 (iii) one individual representing the banking industry, recommended by the Utah
 1451 Bankers Association;

1452 (iv) one individual representing public housing authorities, recommended by the
 1453 director of the division;

1454 (v) two individuals representing municipal government, recommended by the Utah
 1455 League of Cities and Towns;

1456 (vi) one individual representing redevelopment agencies and community

- 1457 reinvestment agencies, recommended by the Utah Redevelopment Association;
1458 (vii) two individuals representing county government, recommended by the Utah
1459 Association of Counties, where:
1460 (A) one of the individuals is from a county of the first class; and
1461 (B) one of the individuals is from a county of the third, fourth, fifth, or sixth class;
1462 (viii) one individual representing a nonprofit organization that addresses issues
1463 related to housing affordability;
1464 (ix) one individual with expertise on housing affordability issues in rural
1465 communities; and
1466 (x) one individual representing the Salt Lake Chamber, recommended by the Salt
1467 Lake Chamber.
- 1468 (3)(a) When a vacancy occurs in a position appointed by the governor under Subsection
1469 (2)(i), the governor shall appoint a person to fill the vacancy.
1470 (b) Members appointed under Subsection (2)(i) may be removed by the governor for
1471 cause.
1472 (c) A member appointed under Subsection (2)(i) shall be removed from the commission
1473 and replaced by an appointee of the governor if the member is absent for three
1474 consecutive meetings of the commission without being excused by a cochair of the
1475 commission.
1476 (d) A member serves until the member's successor is appointed.
- 1477 (4)(a) The commission shall select two members to serve as cochairs, one of whom shall
1478 be a legislator.
1479 (b) Subject to the other provisions of this Subsection (4), the cochairs are responsible for
1480 the call and conduct of meetings.
1481 (c) The cochairs shall call and hold meetings of the commission at least four times each
1482 year.
1483 (d) One or more additional meetings may be called upon request by a majority of the
1484 commission's members.
- 1485 (5)(a) A majority of the members of the commission constitutes a quorum.
1486 (b) The action of a majority of a quorum constitutes the action of the commission.
- 1487 (6)(a) A member of the commission described in Subsections (2)(c) through (i) may not
1488 receive compensation or benefits for the member's service, but may receive per diem
1489 and travel expenses in accordance with:
1490 (i) Section 63A-3-106;

- 1491 (ii) Section 63A-3-107; and
 1492 (iii) rules made by the Division of Finance pursuant to Sections 63A-3-106 and
 1493 63A-3-107.
- 1494 (b) Compensation and expenses of a member who is a legislator are governed by Section
 1495 36-2-2 and Legislative Joint Rules, Title 5, Legislative Compensation and Expenses.
- 1496 (7) The division shall provide staff support to the commission.
 1497 Section 25. Section **46-4-503** is amended to read:
 1498 **46-4-503 (Effective 05/06/26). Government products and services provided**
 1499 **electronically.**
- 1500 (1) Notwithstanding Section 46-4-501, a state governmental agency that administers one or
 1501 more of the following transactions shall allow those transactions to be conducted
 1502 electronically:
- 1503 (a) an application for or renewal of a professional or occupational license issued under
 1504 Title 58, Occupations and Professions;
 1505 (b) the renewal of a drivers license;
 1506 (c) an application for a hunting or fishing license;
 1507 (d) the filing of:
 1508 (i) a return under Title 59, Chapter 10, Individual Income Tax Act, or Title 59,
 1509 Chapter 12, Sales and Use Tax Act;
 1510 (ii) a court document, as defined by the Judicial Council; or
 1511 (iii) a document under Title 70A, Uniform Commercial Code;
 1512 (e) a registration for:
 1513 (i) a product; or
 1514 (ii) a brand;
 1515 (f) a renewal of a registration of a motor vehicle;
 1516 (g) a registration under:
 1517 (i) Title 16, Corporations;
 1518 (ii) Title 42, Names; or
 1519 (iii) Title 48, Unincorporated Business Entity Act; or
 1520 (h) submission of an application for benefits:
 1521 (i) under Title 35A, Chapter 3, Employment Support Act;
 1522 (ii) under Title 35A, Chapter 4, Employment Security Act; or
 1523 (iii) related to accident and health insurance.
- 1524 (2) The state system of public education, in coordination with the Utah Education and

- 1525 Telehealth Network, shall make reasonable progress toward making the following
1526 services available electronically:
- 1527 (a) secure access by parents and students to student grades and progress reports;
1528 (b) email communications with:
1529 (i) teachers;
1530 (ii) parent-teacher associations; and
1531 (iii) school administrators;
1532 (c) access to school calendars and schedules; and
1533 (d) teaching resources that may include:
1534 (i) teaching plans;
1535 (ii) curriculum guides; and
1536 (iii) media resources.
- 1537 (3) A state governmental agency shall:
1538 (a) in carrying out the requirements of this section, take reasonable steps to ensure the
1539 security and privacy of records that are private or controlled as defined by Title 63G,
1540 Chapter 2, Government Records Access and Management Act;
1541 (b) in addition to those transactions listed in Subsections (1) and (2), determine any
1542 additional services that may be made available to the public through electronic
1543 means; and
1544 (c) as part of the agency's information technology plan required by Section 63A-16-203,
1545 report on the progress of compliance with Subsections (1) through this (3).
- 1546 (4) Notwithstanding the other provisions of this part, a state governmental agency is not
1547 required by this part to conduct a transaction electronically if:
1548 (a) conducting the transaction electronically is not required by federal law; and
1549 (b) conducting the transaction electronically is:
1550 (i) impractical;
1551 (ii) unreasonable; or
1552 (iii) not permitted by laws pertaining to privacy or security.
- 1553 (5)(a) For purposes of this Subsection (5), "one-stop shop" means the consolidation of
1554 access to diverse services and agencies at one location including virtual colocation.
1555 (b)(i) State agencies that provide services or offer direct assistance to the business
1556 community shall participate in the establishment, maintenance, and enhancement
1557 of an integrated Utah business web portal known as Business.utah.gov.
1558 (ii) The purpose of the business web portal is to provide [~~"one-stop~~] [~~shop~~] one-stop

1559 shop assistance to businesses.

1560 (c) State agencies shall partner with other governmental and nonprofit agencies whose
1561 primary mission is to provide services or offer direct assistance to the business
1562 community in Utah in fulfilling the requirements of this section.

1563 (d) The following state entities shall comply with the provisions of this Subsection (5):

1564 (i) Governor's Office of Economic [~~Opportunity~~] Development created in Section
1565 63N-1a-301, which shall serve as the managing partner for the website;

1566 (ii) Department of Workforce Services;

1567 (iii) Department of Commerce;

1568 (iv) State Tax Commission;

1569 (v) Department of Government Operations - Division of Purchasing and General
1570 Services, including other state agencies operating under a grant of authority from
1571 the division to procure goods and services in excess of \$5,000;

1572 (vi) Department of Agriculture;

1573 (vii) Department of Natural Resources; and

1574 (viii) other state agencies that provide services or offer direct assistance to the
1575 business sector.

1576 (e) The business services available on the business web portal may include:

1577 (i) business life cycle information;

1578 (ii) business searches;

1579 (iii) employment needs and opportunities;

1580 (iv) motor vehicle registration;

1581 (v) permit applications and renewal;

1582 (vi) tax information;

1583 (vii) government procurement bid notifications;

1584 (viii) general business information;

1585 (ix) business directories; and

1586 (x) business news.

1587 Section 26. Section **49-11-406** is amended to read:

1588 **49-11-406 (Effective 05/06/26). Governor's appointed executives and senior staff**

1589 **-- Appointed legislative employees -- Transfer of value of accrued defined benefit --**

1590 **Procedures.**

1591 (1) As used in this section:

1592 (a) "Defined benefit balance" means the total amount of the contributions made on

- 1593 behalf of a member to a defined benefit system plus refund interest.
- 1594 (b) "Senior staff" means an at-will employee who reports directly to an elected official,
1595 executive director, or director and includes a deputy director and other similar, at-will
1596 employee positions designated by the governor, the speaker of the House of
1597 Representatives, or the president of the Senate and filed with the Division of Human
1598 Resource Management and the Utah State Retirement Office.
- 1599 (2) In accordance with this section and subject to requirements under federal law and rules
1600 made by the board, a member who has service credit from a system may elect to be
1601 exempt from coverage under a defined benefit system and to have the member's defined
1602 benefit balance transferred from the defined benefit system or plan to a defined
1603 contribution plan in the member's own name if the member is:
- 1604 (a) the state auditor;
1605 (b) the state treasurer;
1606 (c) an appointed executive under Subsection 67-22-2(1)(a);
1607 (d) an employee in the [~~Governor's Office~~] Office of the Governor;
1608 (e) senior staff in the Governor's Office of Planning and Budget;
1609 (f) senior staff in the Governor's Office of Economic [~~Opportunity~~] Development;
1610 (g) senior staff in the State Commission on Criminal and Juvenile Justice;
1611 (h) senior staff in the Public Lands Policy Coordinating Office, created in Section
1612 63L-11-201;
1613 (i) a legislative employee appointed under Subsection 36-12-7(3); or
1614 (j) a legislative employee appointed by the speaker of the House of Representatives, the
1615 House of Representatives minority leader, the president of the Senate, or the Senate
1616 minority leader.
- 1617 (3) An election made under Subsection (2):
1618 (a) is final, and no right exists to make any further election;
1619 (b) is considered a request to be exempt from coverage under a defined benefits system;
1620 and
1621 (c) shall be made on forms provided by the office.
- 1622 (4) The board shall adopt rules to implement and administer this section.
1623 Section 27. Section **49-12-203** is amended to read:
1624 **49-12-203 (Effective 05/06/26). Exclusions from membership in system.**
- 1625 (1) The following employees are not eligible for service credit in this system:
1626 (a) subject to the requirements of Subsection (2), an employee whose employment status

- 1627 is temporary in nature due to the nature or the type of work to be performed;
- 1628 (b) except as provided under Subsection (3)(a), an employee of an institution of higher
1629 education who participates in a retirement system with a public or private retirement
1630 system, organization, or company designated by the Utah Board of Higher Education,
1631 or the technical college board of trustees for an employee of each technical college,
1632 during any period in which required contributions based on compensation have been
1633 paid on behalf of the employee by the employer;
- 1634 (c) an employee serving as an exchange employee from outside the state for an employer
1635 who has not elected to make all of the employer's exchange employees eligible for
1636 service credit in this system;
- 1637 (d) an executive department head of the state, a member of the State Tax Commission,
1638 the Public Service Commission, and a member of a full-time or part-time board or
1639 commission who files a formal request for exemption;
- 1640 (e) an employee of the Department of Workforce Services who is covered under another
1641 retirement system allowed under Title 35A, Chapter 4, Employment Security Act;
- 1642 (f) an employee who is employed on or after July 1, 2009, with an employer that has
1643 elected, prior to July 1, 2009, to be excluded from participation in this system under
1644 Subsection 49-12-202(2)(c);
- 1645 (g) an employee who is employed on or after July 1, 2014, with an employer that has
1646 elected, prior to July 1, 2014, to be excluded from participation in this system under
1647 Subsection 49-12-202(2)(d);
- 1648 (h) an employee who is employed with a withdrawing entity that has elected under
1649 Section 49-11-623, prior to January 1, 2017, to exclude:
- 1650 (i) new employees from participation in this system under Subsection 49-11-623(3)(a);
1651 or
1652 (ii) all employees from participation in this system under Subsection 49-11-623(3)(b);
- 1653 (i) an employee described in Subsection (1)(i)(i) or (ii) who is employed with a
1654 withdrawing entity that has elected under Section 49-11-624, before January 1, 2018,
1655 to exclude:
- 1656 (i) new employees from participation in this system under Subsection 49-11-624(3)(a);
1657 or
1658 (ii) all employees from participation in this system under Subsection 49-11-624(3)(b);
- 1659 (j) an employee who is employed with a withdrawing entity that has elected under
1660 Section 49-11-625, before July 1, 2022, to exclude all employees from participation

- 1661 in this system; or
- 1662 (k) an employee who is employed with a withdrawing entity that elects under Section
1663 49-11-626 to exclude:
- 1664 (i) new employees from participation in this system under Subsection 49-11-626(3)(a);
1665 or
- 1666 (ii) all employees from participation in this system under Subsection 49-11-626(3)(b).
- 1667 (2) If an employee whose status is temporary in nature due to the nature of type of work to
1668 be performed:
- 1669 (a) is employed for a term that exceeds six months and the employee otherwise qualifies
1670 for service credit in this system, the participating employer shall report and certify to
1671 the office that the employee is a regular full-time employee effective the beginning of
1672 the seventh month of employment; or
- 1673 (b) was previously terminated prior to being eligible for service credit in this system and
1674 is reemployed within three months of termination by the same participating
1675 employer, the participating employer shall report and certify that the member is a
1676 regular full-time employee when the total of the periods of employment equals six
1677 months and the employee otherwise qualifies for service credits in this system.
- 1678 (3)(a) Upon cessation of the participating employer contributions, an employee under
1679 Subsection (1)(b) is eligible for service credit in this system.
- 1680 (b) Notwithstanding the provisions of Subsection (1)(f), any eligibility for service credit
1681 earned by an employee under this chapter before July 1, 2009, is not affected under
1682 Subsection (1)(f).
- 1683 (c) Notwithstanding the provisions of Subsection (1)(g), any eligibility for service credit
1684 earned by an employee under this chapter before July 1, 2014, is not affected under
1685 Subsection (1)(g).
- 1686 (4) Upon filing a written request for exemption with the office, the following employees
1687 shall be exempt from coverage under this system:
- 1688 (a) a full-time student or the spouse of a full-time student and individuals employed in a
1689 trainee relationship;
- 1690 (b) an elected official;
- 1691 (c) an executive department head of the state, a member of the State Tax Commission, a
1692 member of the Public Service Commission, and a member of a full-time or part-time
1693 board or commission;
- 1694 (d) an employee of the Governor's Office of Planning and Budget;

- 1695 (e) an employee of the Governor's Office of Economic ~~[Opportunity]~~ Development;
- 1696 (f) an employee of the Commission on Criminal and Juvenile Justice;
- 1697 (g) an employee of the ~~[Governor's Office]~~ Office of the Governor;
- 1698 (h) an employee of the Public Lands Policy Coordinating Office, created in Section
- 1699 63L-11-201;
- 1700 (i) an employee of the ~~[State Auditor's Office]~~ state auditor's office;
- 1701 (j) an employee of the ~~[State Treasurer's Office]~~ state treasurer's office;
- 1702 (k) any other member who is permitted to make an election under Section 49-11-406;
- 1703 (l) a person appointed as a city manager or chief city administrator or another person
- 1704 employed by a municipality, county, or other political subdivision, who is an at-will
- 1705 employee;
- 1706 (m) an employee of an interlocal cooperative agency created under Title 11, Chapter 13,
- 1707 Interlocal Cooperation Act, who is engaged in a specialized trade customarily
- 1708 provided through membership in a labor organization that provides retirement
- 1709 benefits to the organization's members;
- 1710 (n) an employee serving as an exchange employee from outside the state for an
- 1711 employer who has elected to make all of the employer's exchange employees eligible
- 1712 for service credit in this system; and
- 1713 (o) the adjutant general of the Utah National Guard appointed under Section 39A-1-201
- 1714 and each individual listed in Subsection 39A-1-203(1).
- 1715 (5)(a) Each participating employer shall prepare and maintain a list designating those
- 1716 positions eligible for exemption under Subsection (4).
- 1717 (b) An employee may not be exempted unless the employee is employed in an exempted
- 1718 position designated by the participating employer.
- 1719 (6)(a) In accordance with this section, Section 49-13-203, and Section 49-22-205, a
- 1720 municipality, county, or political subdivision may not exempt a total of more than 50
- 1721 positions or a number equal to 10% of the eligible employees of the municipality,
- 1722 county, or political subdivision, whichever is less.
- 1723 (b) A municipality, county, or political subdivision may exempt at least one regular
- 1724 full-time employee.
- 1725 (7) Each participating employer shall:
- 1726 (a) maintain a list of employee exemptions; and
- 1727 (b) update the employee exemptions in the event of any change.
- 1728 (8) The office may make rules to implement this section.

- 1729 (9) An employee's exclusion, exemption, participation, or election described in this section:
1730 (a) shall be made in accordance with this section; and
1731 (b) is subject to requirements under federal law and rules made by the board.
- 1732 Section 28. Section **49-13-203** is amended to read:
1733 **49-13-203 (Effective 05/06/26). Exclusions from membership in system.**
- 1734 (1) The following employees are not eligible for service credit in this system:
1735 (a) subject to the requirements of Subsection (2), an employee whose employment status
1736 is temporary in nature due to the nature or the type of work to be performed;
1737 (b) except as provided under Subsection (3)(a), an employee of an institution of higher
1738 education who participates in a retirement system with a public or private retirement
1739 system, organization, or company designated by the Utah Board of Higher Education,
1740 or the technical college board of trustees for an employee of each technical college,
1741 during any period in which required contributions based on compensation have been
1742 paid on behalf of the employee by the employer;
1743 (c) an employee serving as an exchange employee from outside the state for an employer
1744 who has not elected to make all of the employer's exchange employees eligible for
1745 service credit in this system;
1746 (d) an executive department head of the state or a legislative director, senior executive
1747 employed by the governor's office, a member of the State Tax Commission, a
1748 member of the Public Service Commission, and a member of a full-time or part-time
1749 board or commission who files a formal request for exemption;
1750 (e) an employee of the Department of Workforce Services who is covered under another
1751 retirement system allowed under Title 35A, Chapter 4, Employment Security Act;
1752 (f) an employee who is employed with an employer that has elected to be excluded from
1753 participation in this system under Subsection 49-13-202(5), effective on or after the
1754 date of the employer's election under Subsection 49-13-202(5);
1755 (g) an employee who is employed with a withdrawing entity that has elected under
1756 Section 49-11-623, prior to January 1, 2017, to exclude:
1757 (i) new employees from participation in this system under Subsection 49-11-623(3)(a);
1758 or
1759 (ii) all employees from participation in this system under Subsection 49-11-623(3)(b);
1760 (h) an employee described in Subsection (1)(h)(i) or (ii) who is employed with a
1761 withdrawing entity that has elected under Section 49-11-624, before January 1, 2018,
1762 to exclude:

- 1763 (i) new employees from participation in this system under Subsection 49-11-624(3)(a);
 1764 or
 1765 (ii) all employees from participation in this system under Subsection 49-11-624(3)(b);
 1766 (i) an employee who is employed with a withdrawing entity that has elected under
 1767 Section 49-11-625, before July 1, 2022, to exclude all employees from participation
 1768 in this system; or
 1769 (j) an employee who is employed with a withdrawing entity that elects under Section
 1770 49-11-626 to exclude:
 1771 (i) new employees from participation in this system under Subsection 49-11-626(3)(a);
 1772 or
 1773 (ii) all employees from participation in this system under Subsection 49-11-626(3)(b).
 1774 (2) If an employee whose status is temporary in nature due to the nature of type of work to
 1775 be performed:
 1776 (a) is employed for a term that exceeds six months and the employee otherwise qualifies
 1777 for service credit in this system, the participating employer shall report and certify to
 1778 the office that the employee is a regular full-time employee effective the beginning of
 1779 the seventh month of employment; or
 1780 (b) was previously terminated prior to being eligible for service credit in this system and
 1781 is reemployed within three months of termination by the same participating
 1782 employer, the participating employer shall report and certify that the member is a
 1783 regular full-time employee when the total of the periods of employment equals six
 1784 months and the employee otherwise qualifies for service credits in this system.
 1785 (3)(a) Upon cessation of the participating employer contributions, an employee under
 1786 Subsection (1)(b) is eligible for service credit in this system.
 1787 (b) Notwithstanding the provisions of Subsection (1)(f), any eligibility for service credit
 1788 earned by an employee under this chapter before the date of the election under
 1789 Subsection 49-13-202(5) is not affected under Subsection (1)(f).
 1790 (4) Upon filing a written request for exemption with the office, the following employees
 1791 shall be exempt from coverage under this system:
 1792 (a) a full-time student or the spouse of a full-time student and individuals employed in a
 1793 trainee relationship;
 1794 (b) an elected official;
 1795 (c) an executive department head of the state, a member of the State Tax Commission, a
 1796 member of the Public Service Commission, and a member of a full-time or part-time

- 1797 board or commission;
- 1798 (d) an employee of the Governor's Office of Planning and Budget;
- 1799 (e) an employee of the Governor's Office of Economic [~~Opportunity~~] Development;
- 1800 (f) an employee of the Commission on Criminal and Juvenile Justice;
- 1801 (g) an employee of the Governor's Office;
- 1802 (h) an employee of the State Auditor's Office;
- 1803 (i) an employee of the State Treasurer's Office;
- 1804 (j) any other member who is permitted to make an election under Section 49-11-406;
- 1805 (k) a person appointed as a city manager or chief city administrator or another person
- 1806 employed by a municipality, county, or other political subdivision, who is an at-will
- 1807 employee;
- 1808 (l) an employee of an interlocal cooperative agency created under Title 11, Chapter 13,
- 1809 Interlocal Cooperation Act, who is engaged in a specialized trade customarily
- 1810 provided through membership in a labor organization that provides retirement
- 1811 benefits to its members;
- 1812 (m) an employee serving as an exchange employee from outside the state for an
- 1813 employer who has elected to make all of the employer's exchange employees eligible
- 1814 for service credit in this system; and
- 1815 (n) the adjutant general of the Utah National Guard appointed under Section 39A-1-201
- 1816 and each individual listed in Subsection 39A-1-203(1).
- 1817 (5)(a) Each participating employer shall prepare and maintain a list designating those
- 1818 positions eligible for exemption under Subsection (4).
- 1819 (b) An employee may not be exempted unless the employee is employed in a position
- 1820 designated by the participating employer.
- 1821 (6)(a) In accordance with this section, Section 49-12-203, and Section 49-22-205, a
- 1822 municipality, county, or political subdivision may not exempt a total of more than 50
- 1823 positions or a number equal to 10% of the eligible employees of the municipality,
- 1824 county, or political subdivision, whichever is less.
- 1825 (b) A municipality, county, or political subdivision may exempt at least one regular
- 1826 full-time employee.
- 1827 (7) Each participating employer shall:
- 1828 (a) maintain a list of employee exemptions; and
- 1829 (b) update the employee exemptions in the event of any change.
- 1830 (8) The office may make rules to implement this section.

- 1831 (9) An employee's exclusion, exemption, participation, or election described in this section:
 1832 (a) shall be made in accordance with this section; and
 1833 (b) is subject to requirements under federal law and rules made by the board.
- 1834 Section 29. Section **49-22-205** is amended to read:
 1835 **49-22-205 (Effective 05/06/26). Exemptions from participation in system.**
- 1836 (1) Upon filing a written request for exemption with the office, the following employees are
 1837 exempt from participation in the system as provided in this section:
 1838 (a) an executive department head of the state;
 1839 (b) a member of the State Tax Commission;
 1840 (c) a member of the Public Service Commission;
 1841 (d) a member of a full-time or part-time board or commission;
 1842 (e) an employee of the Governor's Office of Planning and Budget;
 1843 (f) an employee of the Governor's Office of Economic [Opportunity] Development;
 1844 (g) an employee of the Commission on Criminal and Juvenile Justice;
 1845 (h) an employee of the Governor's Office;
 1846 (i) an employee of the State Auditor's Office;
 1847 (j) an employee of the State Treasurer's Office;
 1848 (k) any other member who is permitted to make an election under Section 49-11-406;
 1849 (l) a person appointed as a city manager or appointed as a city administrator or another
 1850 at-will employee of a municipality, county, or other political subdivision;
 1851 (m) an employee of an interlocal cooperative agency created under Title 11, Chapter 13,
 1852 Interlocal Cooperation Act, who is engaged in a specialized trade customarily
 1853 provided through membership in a labor organization that provides retirement
 1854 benefits to its members;
 1855 (n) an employee serving as an exchange employee from outside the state for an
 1856 employer who has elected to make all of the employer's exchange employees eligible
 1857 for service credit in this system; and
 1858 (o) the adjutant general of the Utah National Guard appointed under Section 39A-1-201
 1859 and each individual listed in Subsection 39A-1-203(1).
- 1860 (2)(a) A participating employer shall prepare and maintain a list designating those
 1861 positions eligible for exemption under Subsection (1).
 1862 (b) An employee may not be exempted unless the employee is employed in a position
 1863 designated by the participating employer under Subsection (1).
- 1864 (3)(a) In accordance with this section, Section 49-12-203, and Section 49-13-203, a

- 1865 municipality, county, or political subdivision may not exempt a total of more than 50
1866 positions or a number equal to 10% of the eligible employees of the municipality,
1867 county, or political subdivision, whichever is less.
- 1868 (b) A municipality, county, or political subdivision may exempt at least one regular
1869 full-time employee.
- 1870 (4) Each participating employer shall:
- 1871 (a) maintain a list of employee exemptions; and
1872 (b) update an employee exemption in the event of any change.
- 1873 (5) Beginning on the effective date of the exemption for an employee who elects to be
1874 exempt in accordance with Subsection (1):
- 1875 (a) for a member of the Tier II defined contribution plan:
- 1876 (i) the participating employer shall contribute the nonelective contribution and the
1877 amortization rate described in Section 49-22-401, except that the nonelective
1878 contribution is exempt from the vesting requirements of Subsection
1879 49-22-401(3)(a);
- 1880 (ii) the member may make voluntary deferrals as provided in Section 49-22-401; and
1881 (iii) the member is not eligible for additional service credit in the plan for the period
1882 of exempt employment; and
- 1883 (b) for a member of the Tier II hybrid retirement system:
- 1884 (i) the participating employer shall contribute the nonelective contribution and the
1885 amortization rate described in Section 49-22-401, except that the contribution is
1886 exempt from the vesting requirements of Subsection 49-22-401(3)(a);
- 1887 (ii) the member may make voluntary deferrals as provided in Section 49-22-401; and
1888 (iii) the member is not eligible for additional service credit in the system for the
1889 period of exempt employment.
- 1890 (6) If an employee who is a member of the Tier II hybrid retirement system subsequently
1891 revokes the election of exemption made under Subsection (1), the provisions described
1892 in Subsection (5)(b) shall no longer be applicable and the coverage for the employee
1893 shall be effective prospectively as provided in Part 3, Tier II Hybrid Retirement System.
- 1894 (7)(a) All employer contributions made on behalf of an employee shall be invested in
1895 accordance with Subsection 49-22-303(3)(a) or 49-22-401(4)(a) until the one-year
1896 election period under Subsection 49-22-201(2)(c) is expired if the employee:
- 1897 (i) elects to be exempt in accordance with Subsection (1); and
1898 (ii) continues employment with the participating employer through the one-year

- 1899 election period under Subsection 49-22-201(2)(c).
- 1900 (b) An employee is entitled to receive a distribution of the employer contributions made
- 1901 on behalf of the employee and all associated investment gains and losses if the
- 1902 employee:
- 1903 (i) elects to be exempt in accordance with Subsection (1); and
- 1904 (ii) terminates employment prior to the one-year election period under Subsection
- 1905 49-22-201(2)(c).
- 1906 (8)(a) The office shall make rules to implement this section.
- 1907 (b) The rules made under this Subsection (8) shall include provisions to allow the
- 1908 exemption provided under Subsection (1) to apply to all contributions made
- 1909 beginning on or after July 1, 2011, on behalf of an exempted employee who began
- 1910 the employment before May 8, 2012.
- 1911 (9) An employee's exemption, participation, or election described in this section:
- 1912 (a) shall be made in accordance with this section; and
- 1913 (b) is subject to requirements under federal law and rules made by the board.
- 1914 Section 30. Section **53E-1-201** is amended to read:
- 1915 **53E-1-201 (Effective 05/06/26) (Partially Repealed 07/01/27). Reports to and**
- 1916 **action required of the Education Interim Committee.**
- 1917 (1) In accordance with applicable provisions and Section 68-3-14, the following recurring
- 1918 reports are due to the Education Interim Committee:
- 1919 (a) the report described in Section 9-22-109 by the STEM Action Center Board,
- 1920 including the information described in Section 9-22-113 on the status of the computer
- 1921 science initiative and Section 9-22-114 on the Computing Partnerships Grants
- 1922 Program;
- 1923 (b) the prioritized list of data research described in Section 53H-15-303 and the report
- 1924 on research and activities described in Section 53H-15-305 by the Utah Data
- 1925 Research Center;
- 1926 (c) the report described in Section 53H-1-203 by the Utah Board of Higher Education on
- 1927 career and technical education issues and addressing workforce needs;
- 1928 (d) the annual report of the Utah Board of Higher Education described in Section
- 1929 53H-1-203;
- 1930 (e) the reports described in Section 53H-7-603 by the Utah Board of Higher Education
- 1931 regarding activities related to campus safety;
- 1932 (f) the State Superintendent's Annual Report by the state board described in Section

- 1933 53E-1-203;
- 1934 (g) the annual report described in Section 53E-2-202 by the state board on the strategic
- 1935 plan to improve student outcomes;
- 1936 (h) the report described in Section 53E-3-501 by the state board on students in an LEA
- 1937 who receive academic credit through the packet method;
- 1938 (i) the report described in Section 53E-8-204 by the state board on the Utah Schools for
- 1939 the Deaf and the Blind;
- 1940 (j) the report described in Section 53E-10-703 by the Utah Leading through Effective,
- 1941 Actionable, and Dynamic Education director on research and other activities;
- 1942 (k) the report described in Section 53F-2-522 regarding mental health screening
- 1943 programs;
- 1944 (l) the report described in Section 53F-4-203 by the state board and the independent
- 1945 evaluator on an evaluation of early interactive reading software;
- 1946 (m) the report described in Section 53F-6-412 by the program manager of the Utah Fits
- 1947 All Scholarship Program;
- 1948 (n) the report described in Section 63N-20-107 by the Governor's Office of Economic [
- 1949 Opportunity] Development on UPSTART;
- 1950 (o) the report described in Section 53F-5-215 by the state board related to a grant for an
- 1951 elementary teacher preparation assessment;
- 1952 (p) upon request, the report described in Section 53F-5-219 by the state board on the
- 1953 Local Innovations Civics Education Pilot Program;
- 1954 (q) the report described in Section 53F-5-405 by the state board regarding an evaluation
- 1955 of a partnership that receives a grant to improve educational outcomes for students
- 1956 who are low-income;
- 1957 (r) the report described in Section 53H-1-604 regarding the Higher Education and
- 1958 Corrections Council;
- 1959 (s) the report described in Section 53G-7-221 by the state board regarding innovation
- 1960 plans; and
- 1961 (t) the reports described in Section 53F-6-412 regarding the Utah Fits All Scholarship
- 1962 Program.
- 1963 (2) In accordance with applicable provisions and Section 68-3-14, the following occasional
- 1964 reports are due to the Education Interim Committee:
- 1965 (a) in 2027, 2030, 2033, and 2035, the reports described in Sections 53H-1-502,
- 1966 53H-1-503, and 53H-1-504;

- 1967 (b) in 2025, the report described in Section 53H-6-203 by a degree-granting institution
 1968 regarding policies on abusive coaching practices;
- 1969 (c) if required, the report described in Section 53E-4-309 by the state board explaining
 1970 the reasons for changing the grade level specification for the administration of
 1971 specific assessments;
- 1972 (d) if required, the report described in Section 53E-5-210 by the state board of an
 1973 adjustment to the minimum level that demonstrates proficiency for each statewide
 1974 assessment;
- 1975 (e) the report described in Section 53E-10-702 by Utah Leading through Effective,
 1976 Actionable, and Dynamic Education;
- 1977 (f) if required, the report described in Section 53F-2-513 by the state board evaluating
 1978 the effects of salary bonuses on the recruitment and retention of effective teachers in
 1979 high-poverty schools;
- 1980 (g) upon request, the report described in Section 53F-10-303 by the state board
 1981 regarding the Rural School Sports Facilities Grant Program;
- 1982 (h) upon request, a report described in Section 53G-7-222 by an LEA regarding
 1983 expenditure of a percentage of state restricted funds to support an innovative
 1984 education program;
- 1985 (i) the reports described in Section 53G-11-304 by the state board regarding proposed
 1986 rules and results related to educator exit surveys; and
- 1987 (j) the report described in Section 26B-5-113 by the Office of Substance Use and Mental
 1988 Health, the state board, and the Department of Health and Human Services regarding
 1989 recommendations related to Medicaid reimbursement for school-based health
 1990 services.
- 1991 (3) In accordance with applicable provisions and Section 68-3-14, every five years the
 1992 Education Interim Committee shall review the programs described in the following
 1993 sections of code:
- 1994 (a) beginning July 1, 2027, [~~Title 53E, Chapter 10, Part 3~~] Chapter 10, Part 3, Concurrent
 1995 Enrollment;
- 1996 (b) beginning July 1, 2027, Section 53F-2-408, Enhancement for Accelerated Students
 1997 Program;
- 1998 (c) beginning July 1, 2027, Section 53F-2-409, Concurrent enrollment funding;
- 1999 (d) beginning July 1, 2027, Section 53F-2-415, Student health and counseling support --
 2000 Qualifying personnel -- Distribution formula -- Rulemaking;

- 2001 (e) beginning July 1, 2028, Section 53F-2-416, Appropriation and distribution for the
 2002 Teacher and Student Success Program;
- 2003 (f) beginning July 1, 2028, Section 53F-2-510, Digital Teaching and Learning Grant
 2004 Program;
- 2005 (g) beginning July 1, 2028, Section 53F-9-306, Teacher and Student Success Account;
- 2006 (h) beginning July 1, 2028, Title 53G, Chapter 7, Part 13, Teacher and Student Success
 2007 Program; and
- 2008 (i) beginning July 1, 2029, Section 53F-2-502, Dual language immersion.
- 2009 Section 31. Section **53E-4-308** is amended to read:
- 2010 **53E-4-308 (Effective 05/06/26). Unique student identifier -- Coordination of**
 2011 **higher education and public education information technology systems -- Coordination of**
 2012 **preschool and public education information technology systems.**
- 2013 (1) As used in this section, "unique student identifier" means an alphanumeric code
 2014 assigned to each public education student for identification purposes, which:
- 2015 (a) is not assigned to any former or current student; and
- 2016 (b) does not incorporate personal information, including a birth date or social security
 2017 number.
- 2018 (2) The state board, through the state superintendent, shall assign each public education
 2019 student a unique student identifier, which shall be used to track individual student
 2020 performance on achievement tests administered under this part.
- 2021 (3) The state board and the Utah Board of Higher Education, in collaboration with the Utah
 2022 Data Research Center created in Section 53H-15-202, shall:
- 2023 (a) coordinate public education and higher education information technology systems to
 2024 allow individual student academic achievement to be tracked through both education
 2025 systems in accordance with this section and Section 53H-1-207; and
- 2026 (b) coordinate access to the unique student identifier of a public education student who
 2027 later attends an institution within the state system of higher education.
- 2028 (4)(a) The state board and the Department of Workforce Services shall coordinate
 2029 assignment of a unique student identifier to each student enrolled in a program
 2030 described in Title 35A, Chapter 15, Preschool Programs.
- 2031 (b) A unique student identifier assigned to a student under Subsection (4)(a) shall remain
 2032 the student's unique student identifier used by the state board when the student enrolls
 2033 in a public school in kindergarten or a later grade.
- 2034 (c) The Governor's Office of Economic [Opportunity] Development, the state board, the

2035 Department of Workforce Services, and a contractor as defined in Section
 2036 63N-20-101, shall coordinate access to the unique student identifier of a preschool
 2037 student who later attends an LEA.

2038 Section 32. Section **53H-1-402** is amended to read:

2039 **53H-1-402 (Effective 05/06/26) (Partially Repealed 07/01/27). Reports to and**
 2040 **actions of the Higher Education Appropriations Subcommittee.**

- 2041 (1) In accordance with applicable provisions and Section 68-3-14, the following recurring
 2042 reports are due to the Higher Education Appropriations Subcommittee:
- 2043 (a) the reports described in Sections 53H-1-502, 53H-1-503, and 53H-1-504;
 - 2044 (b) the reports described in Section 53H-1-203 by the board on:
 - 2045 (i) system wide responses to changing demographics and workforce; and
 - 2046 (ii) the board's activities and performance against the board's goals and metrics;
 - 2047 (c) the report described in Section 53H-5-205;
 - 2048 (d) the report described in Section 53H-8-202 by the board on recommended
 2049 appropriations for higher education institutions and the board, including the report
 2050 described in Section 53H-11-406 by the board on the effects of offering nonresident
 2051 partial tuition scholarships;
 - 2052 (e) the report described in Section 53H-8-306 by the Department of Workforce Services
 2053 and the Governor's Office of Economic [Opportunity] Development on targeted jobs;
 - 2054 (f) the reports described in Section 53H-8-303 by the board on performance;
 - 2055 (g) the report described in Section 53H-11-402 by the board on the Opportunity
 2056 Scholarship Program;
 - 2057 (h) the report described in Section 53H-13-309 regarding the talent advisory councils;
 - 2058 (i) the report described in Section 53H-11-414 by the board on the Utah Promise
 2059 Program;
 - 2060 (j) the report described in Section 53H-6-202 by the board on an institution
 2061 compensating a student athlete for the use of the student athlete's name, image, or
 2062 likeness;
 - 2063 (k) the report described in Section 53H-1-604 regarding the Higher Education and
 2064 Corrections Council; and
 - 2065 (l) the report described in Section 53E-10-308 by the State Board of Education and
 2066 board on student participation in the concurrent enrollment program.
- 2067 (2) In accordance with applicable provisions and Section 68-3-14, the [~~following occasional~~
 2068 report] the board's report regarding each institution's strategic reinvestment plan

- 2069 ~~described in Section 53H-8-210 is due, on occasion, to the Higher Education~~
 2070 ~~Appropriations Subcommittee[; the board's report regarding each institution's strategic~~
 2071 ~~reinvestment plan described in Section 53H-8-210].~~
- 2072 (3) In accordance with applicable provisions, the Higher Education Appropriations
 2073 Subcommittee shall complete the following:
- 2074 (a) an appropriation recommendation described in Section 53H-1-504 regarding
 2075 compliance with Subsections 53H-1-504(5) and (14); and
 2076 (b) as required by Section 53H-8-304, the review of performance funding described in
 2077 Section 53H-8-304.
- 2078 (4) In consultation with the board, the Higher Education Appropriations Subcommittee
 2079 shall study a re-design of:
- 2080 (a) the performance funding model described in Chapter 8, Part 3, Performance Funding,
 2081 to better ensure:
- 2082 (i) institutional alignment with the statewide system of higher education and the
 2083 institution's mission within the statewide system; and
 2084 (ii) investment in meeting localized and statewide workforce demands and securing
 2085 post-graduation employment outcomes; and
- 2086 (b) enrollment-based funding, including, for technical colleges, funding distribution
 2087 models that:
- 2088 (i) include equivalent funding value for secondary and adult students; and
 2089 (ii) reflect the full responsibility of the technical college's statutorily-required
 2090 services.
- 2091 Section 33. Section **53H-3-305** is amended to read:
- 2092 **53H-3-305 (Effective 05/06/26). Technical college presidents.**
- 2093 (1) The board shall appoint a president for each technical college in accordance with
 2094 Section 53H-3-302.
- 2095 (2) A technical college president is the chief executive officer of the technical college.
- 2096 (3) A technical college president:
- 2097 (a) does not need to have a doctorate degree; and
 2098 (b) shall have extensive experience in career and technical education.
- 2099 (4) In addition to the duties described in Section 53H-3-303, a technical college president
 2100 shall:
- 2101 (a) after consulting with the board, other institutions of higher education, school
 2102 districts, and charter schools within the technical college's region, prepare a

- 2103 comprehensive strategic plan for delivering technical education within the region;
- 2104 (b) consult with business, industry, the Department of Workforce Services, the
- 2105 Governor's Office of Economic [~~Opportunity~~] Development, and the Governor's
- 2106 Office of Planning and Budget on an ongoing basis to determine what workers and
- 2107 skills are needed for employment in Utah businesses and industries;
- 2108 (c) coordinate with local school boards, school districts, and charter schools to meet the
- 2109 technical education needs of secondary students; and
- 2110 (d) develop policies and procedures for the admission, classification, instruction, and
- 2111 examination of students in accordance with the policies and accreditation guidelines
- 2112 of the board and the State Board of Education.

2113 Section 34. Section **53H-4-306.1** is amended to read:

2114 **53H-4-306.1 (Effective 05/06/26) (Repealed 07/01/28). Electrification of**

2115 **Transportation Infrastructure Research Center -- Definitions.**

2116 As used in Sections 53H-4-306.1 through 53H-4-306.6:

- 2117 (1) "Department of Environmental Quality" means the Department of Environmental
- 2118 Quality created in Section 19-1-104.
- 2119 (2) "Department of Transportation" means the Department of Transportation created in
- 2120 Section 72-1-201.
- 2121 (3) "Governor's Office of Economic [~~Opportunity~~] Development" means the Governor's
- 2122 Office of Economic [~~Opportunity~~] Development created in Section 63N-1a-301.
- 2123 (4) "Industry advisory board" means the industry advisory board created in accordance with
- 2124 Section 53H-4-306.4.
- 2125 (5) "Initiative" means the strategic planning and development initiative to guide the
- 2126 transition to an electrified and intelligent transportation system in this state.
- 2127 (6) "Large public transit district" means the same as that term is defined in Section
- 2128 17B-2a-802.
- 2129 (7) "Office of Energy Development" means the Office of Energy Development created in
- 2130 Section 79-6-401.
- 2131 (8) "Project director" means the project director of the research center appointed under
- 2132 Subsection 53H-4-306.2(2)(b).
- 2133 (9) "Research center" means the ASPIRE Engineering Research Center at Utah State
- 2134 University.
- 2135 (10) "Steering committee" means the Electrification of Transportation Infrastructure
- 2136 Steering Committee created in Section 53H-4-306.3.

2137 Section 35. Section **53H-4-306.3** is amended to read:

2138 **53H-4-306.3 (Effective 05/06/26) (Repealed 07/01/28). Electrification of**

2139 **Transportation Infrastructure Research Center -- Steering committee.**

2140 (1) There is created the Electrification of Transportation Infrastructure Steering Committee.

2141 (2) The Electrification of Transportation Infrastructure Steering Committee consists of the
2142 following members:

2143 (a) the executive director of the Department of Transportation, or the executive director's
2144 designee;

2145 (b) the executive director of the Department of Environmental Quality, or the executive
2146 director's designee;

2147 (c) the director of the Office of Energy Development, or the director's designee;

2148 (d) the executive director of a large public transit district, or the executive director's
2149 designee;

2150 (e) the executive director of the Governor's Office of Economic [Opportunity]

2151 Development, or the executive director's designee;

2152 (f) one representative of a major electrical power provider in the state, appointed by the
2153 governor; and

2154 (g) the chair of the industry advisory board created in Section 53H-4-306.4.

2155 (3) The steering committee member representing the Department of Transportation shall
2156 serve as the chair of the steering committee.

2157 (4) The steering committee shall:

2158 (a) provide direction to the project director on the nature and priorities of the strategic
2159 planning and development initiative;

2160 (b) assist the project director in the development of a strategic action plan and
2161 implementation related to the electrification of transportation infrastructure;

2162 (c) approve annual reports on the strategic planning and development initiative as
2163 required in Section 53H-4-306.6;

2164 (d) consider and approve the budget proposed by the project director for the expenditure
2165 of funds for the initiative; and

2166 (e) review expenditures authorized by the project director made before October 1, 2023.

2167 (5) The steering committee shall convene no later than October 1, 2023.

2168 Section 36. Section **53H-11-415** is amended to read:

2169 **53H-11-415 (Effective 05/06/26). Talent Development Award Program.**

2170 (1) As used in this section:

- 2171 (a) "Award" means a monetary grant awarded in accordance with this section.
- 2172 (b) "Full-time" means the number of credit hours the board determines is full-time
2173 enrollment for a student for purposes of the program.
- 2174 (c) [~~"GOEO"~~] "GOED" means the Governor's Office of Economic [~~Opportunity~~]
2175 Development created in Section 63N-1a-301.
- 2176 (d) "Program" means the Talent Development Award Program created in this section.
- 2177 (e) "Qualifying degree" means an associate's or a bachelor's degree that qualifies an
2178 individual to work in a qualifying job, as determined by [~~GOEO~~] GOED under this
2179 section.
- 2180 (f) "Qualifying job" means a job:
2181 (i) described in this section for which an individual may receive an award for the
2182 current two-year period; or
2183 (ii)(A) that was identified in accordance with this section at the time a recipient
2184 received an award; and
2185 (B) for which the recipient is pursuing a qualifying degree, for which the recipient
2186 completed a qualifying degree, or in which the recipient is working.
- 2187 (g) "Recipient" means an individual who receives an award.
- 2188 (2) There is created the Talent Development Award Program to recruit and train individuals
2189 to work in certain jobs that have a high demand for new employees and offer high wages.
- 2190 (3) Subject to available funds, an institution shall award an individual who:
2191 (a) is pursuing or declares an intent to pursue a qualifying degree;
2192 (b) declares an intent to work in a qualifying job described in this section in Utah
2193 following graduation;
2194 (c) applies to the institution to receive an award; and
2195 (d) meets other criteria determined by the board in the rules described in this section.
- 2196 (4)(a) An institution may award a recipient in an amount up to the cost of resident
2197 tuition, fees, and books for the number of credit hours in which the recipient is
2198 enrolled each semester.
- 2199 (b) An institution may award a recipient for up to the expected amount of time for the
2200 recipient to complete the qualifying degree, as determined by the institution.
- 2201 (c) An institution may cancel an award in accordance with the rules described in this
2202 section.
- 2203 (5) An institution may use money from a partnership with an industry or business for
2204 funding or repaying an award.

- 2205 (6) The board may use up to 5% of money appropriated for the program for administration.
- 2206 (7) Every other year, [~~GOED~~] GOED shall identify:
- 2207 (a) five qualifying jobs that:
- 2208 (i) have the highest demand for new employees; and
- 2209 (ii) offer high wages; and
- 2210 (b) the qualifying degrees for each qualifying job.
- 2211 (8) [~~GOED~~] GOED shall:
- 2212 (a) ensure that each qualifying job:
- 2213 (i) ranks in the top 40% of jobs based on an employment index that considers the
- 2214 job's growth rate and total openings;
- 2215 (ii) ranks in the top 40% of jobs for wages; and
- 2216 (iii) requires an associate's degree or a bachelor's degree; and
- 2217 (b) report the five qualifying jobs and qualifying degrees to the board.
- 2218 (9) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the
- 2219 board shall make rules to:
- 2220 (a) establish an application process for an individual to apply for an award;
- 2221 (b) subject to this section, establish qualifying criteria for an individual to receive an
- 2222 award, including enrollment status;
- 2223 (c) establish a process to evaluate applications that prioritizes awards to students who
- 2224 demonstrate financial need;
- 2225 (d) establish how state funding available for awards is divided among institutions;
- 2226 (e) establish how to determine an amount of money for an award;
- 2227 (f) establish the circumstances under which an institution may cancel an award; and
- 2228 (g) require an institution to provide specified information to the board relevant to
- 2229 administering the program.
- 2230 (10) In administering the program, the board shall use a packaging approach that ensures
- 2231 that institutions combine loans, grants, employment, and family and individual
- 2232 contributions toward financing the cost of attendance.
- 2233 Section 37. Section **53H-13-301** is amended to read:
- 2234 **53H-13-301 (Effective 05/06/26). General provisions -- Definitions.**
- 2235 As used in this part:
- 2236 (1) "Apprenticeship program" means a program that:
- 2237 (a) combines paid on-the-job learning with formal classroom instruction to prepare
- 2238 students for careers; and

- 2239 (b) includes:
- 2240 (i) structured on-the-job learning for students under the supervision of a skilled
- 2241 employee;
- 2242 (ii) classroom instruction for students related to the on-the-job learning;
- 2243 (iii) ongoing student assessments using established competency and skills standards;
- 2244 and
- 2245 (iv) the student receiving an industry-recognized credential or degree upon
- 2246 completion of the program.
- 2247 (2) "Career and technical education region" means an economic service area created in
- 2248 Section 35A-2-101.
- 2249 (3) [~~GOEO~~] "GOED" means the Governor's Office of Economic [~~Opportunity~~]
- 2250 Development created in Section 63N-1a-301.
- 2251 (4) "High quality professional learning" means the professional learning standards for
- 2252 teachers and principals described in Section 53G-11-303.
- 2253 (5) "Institution of higher education" means the University of Utah, Utah State University,
- 2254 Southern Utah University, Weber State University, Snow College, Utah Tech
- 2255 University, Utah Valley University, or Salt Lake Community College.
- 2256 (6) "Local education agency" means a school district, a charter school, or the Utah Schools
- 2257 for the Deaf and the Blind.
- 2258 (7) "Master plan" means the computer science education master plan described in Section
- 2259 53H-13-305.
- 2260 (8) "Participating employer" means an employer that:
- 2261 (a) partners with an educational institution on a curriculum for an apprenticeship
- 2262 program or work-based learning program; and
- 2263 (b) provides an apprenticeship or work-based learning program for students.
- 2264 (9) "State board" means the State Board of Education.
- 2265 (10) "Talent board" means the Talent, Education, and Industry Alignment Board created in
- 2266 Section 53H-13-302.
- 2267 (11) "Talent program" means the Talent Ready Utah Program created in Section
- 2268 53H-13-303.
- 2269 (12) "Targeted industry" means an industry or group of industries targeted by [~~GOEO~~]
- 2270 GOED for economic development in the state.
- 2271 (13) "Technical college" means:
- 2272 (a) the same as that term is defined in Section 53H-1-101; and

- 2273 (b) a degree-granting institution acting in the degree-granting institution's technical
 2274 education role described in Section 53H-3-608.
- 2275 (14)(a) "Work-based learning program" means a program that combines structured and
 2276 supervised learning activities with authentic work experiences and that is
 2277 implemented through industry and education partnerships.
- 2278 (b) "Work-based learning program" includes the following objectives:
- 2279 (i) providing students an applied workplace experience using knowledge and skills
 2280 attained in a program of study that includes an internship, externship, or work
 2281 experience;
- 2282 (ii) providing an educational institution with objective input from a participating
 2283 employer regarding the education requirements of the current workforce; and
- 2284 (iii) providing funding for programs that are associated with high-wage, in-demand,
 2285 or emerging occupations.
- 2286 (15) "Workforce programs" means education or industry programs that facilitate training
 2287 the state's workforce to meet industry demand.
- 2288 Section 38. Section **53H-13-302** is amended to read:
- 2289 **53H-13-302 (Effective 05/06/26). Talent, Education, and Industry Alignment**
 2290 **Board -- Creation -- Membership -- Expenses -- Duties.**
- 2291 (1) There is created the Talent, Education, and Industry Alignment Board composed of the
 2292 following members:
- 2293 (a) the state superintendent of public instruction or the superintendent's designee;
- 2294 (b) the commissioner or the commissioner's designee;
- 2295 (c) the chair of the State Board of Education or the chair's designee;
- 2296 (d) the executive director of the Department of Workforce Services or the executive
 2297 director's designee;
- 2298 (e) the executive director of the Governor's Office of Economic [~~Opportunity~~]
 2299 Development or the executive director's designee;
- 2300 (f) the director of the Division of Professional Licensing or the director's designee;
- 2301 (g) the governor's education advisor or the advisor's designee;
- 2302 (h) one member of the Senate, appointed by the president of the Senate;
- 2303 (i) one member of the House of Representatives, appointed by the speaker of the House
 2304 of Representatives;
- 2305 (j) the president of the Salt Lake Chamber or the president's designee;
- 2306 (k) six representatives of private industry chosen to represent targeted industries,

- 2307 appointed by [GOEØ] GOED;
- 2308 (l) the lieutenant governor or the lieutenant governor's designee; and
- 2309 (m) any additional individuals appointed by [GOEØ] GOED who represent:
- 2310 (i) one or more individual educational institutions; or
- 2311 (ii) education or industry professionals.
- 2312 (2) The talent board shall select a chair and vice chair from among the members of the
- 2313 talent board.
- 2314 (3) The talent board shall meet at least quarterly.
- 2315 (4) Attendance of a majority of the members of the talent board constitutes a quorum for
- 2316 the transaction of official talent board business.
- 2317 (5) Formal action by the talent board requires the majority vote of a quorum.
- 2318 (6) A member of the talent board:
- 2319 (a) may not receive compensation or benefits for the member's service; and
- 2320 (b) who is not a legislator may receive per diem and travel expenses in accordance with:
- 2321 (i) Section 63A-3-106;
- 2322 (ii) Section 63A-3-107; and
- 2323 (iii) rules made by the Division of Finance pursuant to Sections 63A-3-106 and
- 2324 63A-3-107.
- 2325 (7) The talent board shall:
- 2326 (a)(i) review and develop metrics to measure the progress, performance,
- 2327 effectiveness, and scope of any state operation, activity, program, or service that
- 2328 primarily involves employment training or placement; and
- 2329 (ii) ensure that the metrics described in Subsection (7)(a) are consistent and
- 2330 comparable for each state operation, activity, program, or service that primarily
- 2331 involves employment training or placement;
- 2332 (b) make recommendations to the board and [GOEØ] GOED regarding how to better
- 2333 align training and education in the state with industry demand;
- 2334 (c) make recommendations to the board and [GOEØ] GOED regarding how to better
- 2335 align technical education with current and future workforce needs;
- 2336 (d) coordinate with the talent program to meet the responsibilities described in Section
- 2337 53H-13-303;
- 2338 (e) develop a computer science education master plan in accordance with Section
- 2339 53H-13-305;
- 2340 (f) coordinate with the talent program to meet the responsibilities described in Section

2341 53H-13-310; and

2342 (g) administer the Utah Works Program in accordance with Section 53H-13-307.

2343 (8) Nothing in this section prohibits an individual who, on June 30, 2022, is a member of a
2344 subcommittee within the Governor's Office of Economic ~~[Opportunity]~~ Development
2345 known as the Talent, Education, and Industry Alignment Subcommittee from serving as
2346 a member of the talent board.

2347 Section 39. Section **53H-13-307** is amended to read:

2348 **53H-13-307 (Effective 05/06/26). Utah Works Program.**

2349 (1) There is created the Utah Works Program.

2350 (2) The Utah Works Program, under the direction of the talent board, shall partner with the
2351 following entities to develop short-term pre-employment training and short-term early
2352 employment training for student and workforce participants that meet the needs of
2353 businesses that are creating jobs and economic growth in the state:

2354 (a) the Department of Workforce Services;

2355 (b) the Governor's Office of Economic ~~[Opportunity]~~ Development; and

2356 (c) businesses that have significant hiring demands for primarily newly created jobs in
2357 the state.

2358 (3) In addition to the duties described in Subsection (2), the Utah Works Program may:

2359 (a) coordinate with the Department of Workforce Services, education agencies, and
2360 employers to create effective recruitment initiatives to attract student and workforce
2361 participants and business participants to the program;

2362 (b) coordinate with the board to develop educational and training resources to provide
2363 student participants in the program qualifications to be hired by business participants
2364 in the program; and

2365 (c) coordinate with the state board and local education agencies when appropriate to
2366 develop educational and training resources to provide student participants in the
2367 program qualifications to be hired by business participants in the program.

2368 (4) The board, in consultation with the talent board, may, in accordance with Title 63G,
2369 Chapter 3, Utah Administrative Rulemaking Act, make rules regarding the development
2370 and administration of the Utah Works Program.

2371 (5) The Utah Works Program shall annually report the following metrics to the board:

2372 (a) the number of participants in the program;

2373 (b) how program participants learned about or were referred to the program;

2374 (c) the number of participants who have completed training offered by the program; and

2375 (d) the number of participants who have been hired by a business participating in the
2376 program.

2377 Section 40. Section **53H-13-309** is amended to read:

2378 **53H-13-309 (Effective 05/06/26). Talent advisory councils.**

2379 (1) As used in this section:

2380 (a) "Advisory council" means an advisory council the talent board creates under
2381 Subsection (10).

2382 (b) "Talent initiative" means an initiative the board creates under Subsection (2).

2383 (2)(a) Subject to legislative appropriations and in accordance with the proposal process
2384 and other provisions of this section, the board shall develop and oversee one or more
2385 talent initiatives that include providing funding for expanded programs at an
2386 institution of higher education related to the talent initiative.

2387 (b) The board shall ensure that a talent initiative the board creates:

2388 (i) uses a name for the talent initiative that reflects the area the initiative is targeting;

2389 (ii) contains an outline of the disciplines, industries, degrees, certifications,
2390 credentials, and types of skills the talent initiative will target; and

2391 (iii) uses a corresponding advisory council created in Subsection (10).

2392 (3) In creating a talent initiative, the board shall facilitate collaborations between an
2393 institution of higher education and participating employers that:

2394 (a) create expanded, multidisciplinary programs or stackable credential programs offered
2395 at a technical college, undergraduate, or graduate level of study; and

2396 (b) prepare students to be workforce participants in jobs requiring skills related to a
2397 talent initiative.

2398 (4)(a) An institution of higher education seeking to partner with one or more
2399 participating employers to create a program related to a talent initiative shall submit a
2400 proposal to the talent board through a process the talent board creates.

2401 (b) An institution of higher education shall submit a proposal that contains:

2402 (i) a description of the proposed program, including:

2403 (A) implementation timelines for the program;

2404 (B) a demonstration of how the program will be responsive to the talent needs
2405 related to the talent initiative;

2406 (C) an outline of relevant industry involvement that includes at least one
2407 participating employer that partners with the institution of higher education; and

2408 (D) an explanation of how the program addresses an unmet regional workforce

- 2409 need related to a talent initiative;
- 2410 (ii) an estimate of:
- 2411 (A) projected student enrollment and completion rates for a program;
- 2412 (B) the academic credit or credentials that a program will provide; and
- 2413 (C) occupations for which a graduate will qualify;
- 2414 (iii) evidence that each participating employer is committed to participating and
- 2415 contributing to the program by providing any combination of:
- 2416 (A) instruction;
- 2417 (B) curriculum review;
- 2418 (C) feedback regarding effectiveness of program graduates as employees;
- 2419 (D) work-based learning opportunities; or
- 2420 (E) mentoring;
- 2421 (iv) a description of any resources a participating employer will provide within the
- 2422 program; and
- 2423 (v) the amount of funding requested for the program, including:
- 2424 (A) the justification for the funding; and
- 2425 (B) the cost per student served as estimated under Subsection (4)(b)(ii).
- 2426 (5) In reviewing a proposal, the talent board shall provide a proposal to the relevant
- 2427 advisory council described in Subsections (10) and (11).
- 2428 (6) The relevant advisory council shall:
- 2429 (a) review and prioritize each proposal the advisory council receives; and
- 2430 (b) recommend to the talent board whether the proposal should be funded and the
- 2431 funding amount based on:
- 2432 (i) the quality and completeness of the elements of the proposal described in
- 2433 Subsection (4)(b);
- 2434 (ii) to what extent the proposed program:
- 2435 (A) would expand the capacity to meet state or regional workforce needs related
- 2436 to the talent initiative;
- 2437 (B) would integrate industry-relevant competencies with disciplinary expertise;
- 2438 (C) would incorporate internships or significant project experiences, including
- 2439 team-based experiences;
- 2440 (D) identifies how industry professionals would participate in elements described
- 2441 in Subsection (4)(b)(iii); and
- 2442 (E) would be cost effective; and

- 2443 (iii) other relevant criteria as the relevant advisory council and the talent board
2444 determines.
- 2445 (7) The board shall review the recommendations of an advisory council and may provide
2446 funding for a program related to a talent initiative using the criteria described in
2447 Subsection (6)(b).
- 2448 (8) In a form that the board approves, each institution of higher education that receives
2449 funding shall annually provide written information to the board regarding the activities,
2450 successes, and challenges related to administering the program related to the talent
2451 initiative, including:
- 2452 (a) specific entities that received funding under this section;
 - 2453 (b) the amount of funding provided to each entity;
 - 2454 (c) the number of participating students in each program;
 - 2455 (d) the number of graduates of the program;
 - 2456 (e) the number of graduates of the program employed in jobs requiring skills related to
2457 the talent initiative; and
 - 2458 (f) progress and achievements relevant to the implementation timeline submitted under
2459 Subsection (4)(b)(i)(A).
- 2460 (9) On or before October 1 of each year, the board shall provide an annual written report
2461 containing the information described in Subsection (8) to the:
- 2462 (a) Education Interim Committee; and
 - 2463 (b) Higher Education Appropriations Subcommittee.
- 2464 (10) The talent board shall create a talent advisory council for each talent initiative created
2465 under Subsection (2) to make recommendations to the board regarding the
2466 administration of a talent initiative including:
- 2467 (a) a deep technology initiative;
 - 2468 (b) a life sciences workforce initiative;
 - 2469 (c) engineering and computer technology; and
 - 2470 (d) health professions initiatives including a nursing initiative.
- 2471 (11) An advisory council shall consist of the following members:
- 2472 (a) a minimum of four members who have extensive experience in the talent initiative's
2473 subject matter from the private sector whom the chair of the talent board appoints and
2474 the board approves;
 - 2475 (b) a representative of the board described in Section 53H-1-203 whom the chair of the
2476 board appoints;

- 2477 (c) a representative of the Governor's Office of Economic ~~[Opportunity]~~ Development
 2478 whom the executive director of the Governor's Office of Economic ~~[Opportunity]~~
 2479 Development appoints;
- 2480 (d) a representative from Talent Ready Utah; and
- 2481 (e) any other specialized industry experts whom a majority of the advisory council may
 2482 invite to participate as needed as nonvoting members.
- 2483 (12) Talent Ready Utah shall provide staff support for an advisory council.
- 2484 (13)(a) Two advisory council members appointed under Subsection (11)(a) shall serve
 2485 an initial term of two years.
- 2486 (b) Except as described in Subsection (13)(a), all other advisory council members shall
 2487 serve an initial term of four years.
- 2488 (c) Successor advisory council members upon appointment or reappointment shall each
 2489 serve a term of four years.
- 2490 (d) When a vacancy occurs in the membership for any reason, the initial appointing
 2491 authority shall appoint a replacement for the unexpired term.
- 2492 (e) An advisory council member may not serve more than two consecutive terms.
- 2493 (14) A vote of a majority of the advisory council members constitutes an action of the
 2494 advisory council.
- 2495 (15) The duties of the advisory council include reviewing, prioritizing, and making
 2496 recommendations to the board regarding proposals for funding under the talent initiative
 2497 created in accordance with Subsection (2) for which the council was created.
- 2498 (16) An advisory council member may not receive compensation or benefits for the
 2499 member's service, but may receive per diem and travel expenses in accordance with:
- 2500 (a) Sections 63A-3-106 and 63A-3-107; and
- 2501 (b) rules made by the Division of Finance pursuant to Sections 63A-3-106 and
 2502 63A-3-107.
- 2503 (17) The board may discontinue a talent initiative and the related talent advisory council by
 2504 majority vote.
- 2505 Section 41. Section **53H-13-403** is amended to read:
- 2506 **53H-13-403 (Effective 05/06/26). Talent portal requirements -- Administration --**
 2507 **Labor market data integration.**
- 2508 (1) The talent portal shall:
- 2509 (a) focus on industries and occupations identified as high-demand in collaboration with
 2510 Talent Ready Utah, the Governor's Office of Economic ~~[Opportunity]~~ Development,

- 2511 and the Department of Workforce Services and in coordination with state labor
2512 market data;
- 2513 (b) provide an intuitive, user-friendly interface for job seekers and employers;
2514 (c) include robust search, filtering, and geolocation options;
2515 (d) offer mobile-optimized access;
2516 (e) allow users to create profiles and upload resumes;
2517 (f) integrate with relevant training, credentialing, and educational resources;
2518 (g) connect prospective talent to industry requirements for posted high-demand jobs;
2519 (h) highlight internships, apprenticeships, and career pathway opportunities;
2520 (i) provide data analytics to employers on job listing performance;
2521 (j) implement security measures to protect user data and verify employer listings; and
2522 (k) be accessible to users with disabilities in compliance with the Americans with
2523 Disabilities Act.
- 2524 (2) In accordance with Subsection (3), the talent portal administrator shall:
- 2525 (a) partner with:
- 2526 (i) Talent Ready Utah;
2527 (ii) the Governor's Office of Economic ~~[Opportunity]~~ Development;
2528 (iii) the Department of Workforce Services;
2529 (iv) industry associations; and
2530 (v) employers to enhance talent portal offerings;
- 2531 (b) partner with the State Tax Commission to reconcile that employers registering to
2532 utilize the talent portal are businesses registered to do business in the state of Utah
2533 and are in good standing;
- 2534 (c) conduct targeted outreach to promote the talent portal to:
- 2535 (i) institutions of higher education within the Utah System of Higher Education;
2536 (ii) students; and
2537 (iii) Utah employers;
- 2538 (d) regularly collect and analyze user feedback to improve the talent portal; and
2539 (e) provide annual reports on talent portal performance metrics, including:
- 2540 (i) usage statistics;
2541 (ii) placement rates; and
2542 (iii) user demographics.
- 2543 (3) The talent portal administrator shall:
- 2544 (a) utilize current labor market data to inform job listings, industry focus, and emerging

- 2545 opportunities;
- 2546 (b) update high-demand job categories at least annually based on projected growth,
2547 wage data, and workforce needs; and
- 2548 (c) provide labor market insights to users, including salary ranges, career growth trends,
2549 and skill requirements.
- 2550 (4) The talent portal administrator shall ensure that the talent portal has the ability to
2551 dynamically adjust to reflect changes in labor market trends and high-demand
2552 occupations.

2553 Section 42. Section **53H-16-303** is amended to read:

2554 **53H-16-303 (Effective 05/06/26). Institute board duties and powers.**

- 2555 (1) The institute board shall:
- 2556 (a) manage and conduct the business and affairs of the institute and determine all
2557 questions of institute and Utah innovation fund policy;
- 2558 (b) provide strategic oversight for all institute initiatives;
- 2559 (c) support and guide workforce development, innovation, and policy integration across
2560 institutions and industry;
- 2561 (d) consistent with this chapter, oversee the Utah innovation fund and investment
2562 committee;
- 2563 (e) coordinate efforts and collaborations across innovation districts;
- 2564 (f) create opportunities for students through projects and partnerships;
- 2565 (g) set compensation and incentives for the executive director;
- 2566 (h) advance the purposes of the Utah innovation fund as described in Section
2567 53H-16-402; and
- 2568 (i) consider investment proposals and determine whether a proposal furthers the
2569 objectives of the fund.
- 2570 (2) The institute board may establish independent committees for the purpose of assisting
2571 the institute board in an advisory role.
- 2572 (3) In coordination with the Governor's Office of Economic ~~[Opportunity]~~ Development
2573 created in Section 63N-1a-301, the institute board shall convene and facilitate
2574 discussions with industry, education, and policy makers to promote regulatory
2575 innovation.

2576 Section 43. Section **54-4-41** is amended to read:

2577 **54-4-41 (Effective 05/06/26). Recovery of investment in utility-owned vehicle**
2578 **charging infrastructure.**

- 2579 (1) As used in this section, "charging infrastructure program" means the program described
2580 in Subsection (2).
- 2581 (2) The commission shall authorize a large-scale electric utility program that:
- 2582 (a) allows for funding from large-scale electric utility customers for a maximum of
2583 \$50,000,000 for all costs and expenses associated with:
- 2584 (i) the deployment of utility-owned vehicle charging infrastructure; and
2585 (ii) utility vehicle charging service provided by the large-scale electric utility;
- 2586 (b) creates a new customer class, with a utility vehicle charging service rate structure
2587 that:
- 2588 (i) is determined by the commission to be in the public interest;
2589 (ii) is a transitional rate structure expected to allow the large-scale electric utility to
2590 recover, through charges to utility vehicle charging service customers, the
2591 large-scale electric utility's full cost of service for utility-owned vehicle charging
2592 infrastructure and utility vehicle charging service over a reasonable time frame
2593 determined by the commission; and
2594 (iii) may allow different rates for large-scale electric utility customers to reflect
2595 contributions to investment; and
- 2596 (c) includes a transportation plan that promotes:
- 2597 (i) the deployment of utility-owned vehicle charging infrastructure in the public
2598 interest; and
2599 (ii) the availability of utility vehicle charging service.
- 2600 (3) Before submitting a proposed charging infrastructure program to the commission for
2601 commission approval under Subsection (2), a large-scale electric utility shall seek and
2602 consider input from:
- 2603 (a) the Division of Public Utilities, established in Section 54-4a-1;
2604 (b) the Office of Consumer Services, created in Section 54-10a-201;
2605 (c) the Division of Air Quality, created in Section 19-1-105;
2606 (d) the Department of Transportation, created in Section 72-1-201;
2607 (e) the Governor's Office of Economic ~~Opportunity~~ Development, created in Section
2608 63N-1a-301;
2609 (f) the Office of Energy Development, created in Section 79-6-401;
2610 (g) the board of the Utah Inland Port Authority, created in Section 11-58-201;
2611 (h) representatives of the Point of the Mountain State Land Development Authority,
2612 created in Section 11-59-201;

- 2613 (i) third-party electric vehicle battery charging service operators; and
2614 (j) any other person who files a request for notice with the commission.
- 2615 (4) The commission shall find a charging infrastructure program to be in the public interest
2616 if the commission finds that the charging infrastructure program:
- 2617 (a) increases the availability of electric vehicle battery charging service in the state;
2618 (b) enables the significant deployment of infrastructure that supports electric vehicle
2619 battery charging service and utility-owned vehicle charging infrastructure in a
2620 manner reasonably expected to increase electric vehicle adoption;
2621 (c) includes an evaluation of investments in the areas of the authority jurisdictional land,
2622 as defined in Section 11-58-102, and the point of the mountain state land, as defined
2623 in Section 11-59-102;
2624 (d) enables competition, innovation, and customer choice in electric vehicle battery
2625 charging services, while promoting low-cost services for electric vehicle battery
2626 charging customers; and
2627 (e) provides for ongoing coordination with the Department of Transportation, created in
2628 Section 72-1-201.
- 2629 (5) The commission may, consistent with Subsection (2), approve an amendment to the
2630 charging infrastructure program if the large-scale electric utility demonstrates that the
2631 amendment:
- 2632 (a) is prudent;
2633 (b) will provide net benefits to customers; and
2634 (c) is otherwise consistent with the requirements of Subsection (2).
- 2635 (6) The commission shall authorize recovery of a large-scale electric utility's investment in
2636 utility-owned vehicle charging infrastructure through a balancing account or other
2637 ratemaking treatment that reflects:
- 2638 (a) charging infrastructure program costs associated with prudent investment, including
2639 the large-scale electric utility's pre-tax average weighted cost of capital approved by
2640 the commission in the large-scale electric utility's most recent general rate
2641 proceeding, and associated revenue and prudently incurred expenses; and
2642 (b) a carrying charge.
- 2643 (7) A large-scale electric utility's investment in utility-owned vehicle charging
2644 infrastructure is prudently made if the large-scale electric utility demonstrates in a
2645 formal adjudicative proceeding before the commission that the investment can
2646 reasonably be anticipated to:

2647 (a) result in one or more projects that are in the public interest of the large-scale electric
 2648 utility's customers to reduce transportation sector emissions over a reasonable time
 2649 period as determined by the commission;

2650 (b) provide the large-scale electric utility's customers significant benefits that may
 2651 include revenue from utility vehicle charging service that offsets the large-scale
 2652 electric utility's costs and expenses; and

2653 (c) facilitate any other measure that the commission determines:

2654 (i) promotes deployment of utility-owned vehicle charging infrastructure and utility
 2655 vehicle charging service; or

2656 (ii) creates significant benefits in the long term for customers of the large-scale
 2657 electric utility.

2658 (8) A large-scale electric utility that establishes and implements a charging infrastructure
 2659 program shall annually, on or before June 1, submit a written report to the Public
 2660 Utilities, Energy, and Technology Interim Committee [~~of the Legislature~~] about the
 2661 charging infrastructure program's activities during the previous calendar year, including
 2662 information on:

2663 (a) the charging infrastructure program's status, operation, funding, and benefits;

2664 (b) the disposition of charging infrastructure program funds; and

2665 (c) the charging infrastructure program's impact on rates.

2666 Section 44. Section **59-1-403** is amended to read:

2667 **59-1-403 (Effective 05/06/26) (Partially Repealed 07/01/29). Confidentiality --**

2668 **Exceptions -- Penalty -- Application to property tax.**

2669 (1) As used in this section:

2670 (a) "Distributed tax, fee, or charge" means a tax, fee, or charge:

2671 (i) the commission administers under:

2672 (A) this title, other than a tax under Chapter 12, Part 2, Local Sales and Use Tax
 2673 Act;

2674 (B) Title 10, Chapter 1, Part 3, Municipal Energy Sales and Use Tax Act;

2675 (C) Title 10, Chapter 1, Part 4, Municipal Telecommunications License Tax Act;

2676 (D) Section 19-6-805;

2677 (E) Section 63H-1-205; or

2678 (F) Title 69, Chapter 2, Part 4, Prepaid Wireless Telecommunications Service
 2679 Charges; and

2680 (ii) with respect to which the commission distributes the revenue collected from the

- 2681 tax, fee, or charge to a qualifying jurisdiction.
- 2682 (b) [~~"GOEO"~~] "GOED" means the Governor's Office of Economic [~~Opportunity~~]
- 2683 Development created in Section 63N-1a-301.
- 2684 (c) "Qualifying jurisdiction" means:
- 2685 (i) a county, city, or town;
- 2686 (ii) the military installation development authority created in Section 63H-1-201;
- 2687 (iii) the Utah Inland Port Authority created in Section 11-58-201; or
- 2688 (iv) the Utah Fairpark Area Investment and Restoration District created in Section
- 2689 11-70-201.
- 2690 (2)(a) Any of the following may not divulge or make known in any manner any
- 2691 information gained by that person from any return filed with the commission:
- 2692 (i) a tax commissioner;
- 2693 (ii) an agent, clerk, or other officer or employee of the commission; or
- 2694 (iii) a representative, agent, clerk, or other officer or employee of any county, city, or
- 2695 town.
- 2696 (b) An official charged with the custody of a return filed with the commission is not
- 2697 required to produce the return or evidence of anything contained in the return in any
- 2698 action or proceeding in any court, except:
- 2699 (i) in accordance with judicial order;
- 2700 (ii) on behalf of the commission in any action or proceeding under:
- 2701 (A) this title; or
- 2702 (B) other law under which persons are required to file returns with the
- 2703 commission;
- 2704 (iii) on behalf of the commission in any action or proceeding to which the
- 2705 commission is a party; or
- 2706 (iv) on behalf of any party to any action or proceeding under this title if the report or
- 2707 facts shown by the return are directly involved in the action or proceeding.
- 2708 (c) Notwithstanding Subsection (2)(b), a court may require the production of, and may
- 2709 admit in evidence, any portion of a return or of the facts shown by the return, as are
- 2710 specifically pertinent to the action or proceeding.
- 2711 (d) Notwithstanding any other provision of state law, a person described in Subsection
- 2712 (2)(a) may not divulge or make known in any manner any information gained by that
- 2713 person from any return filed with the commission to the extent that the disclosure is
- 2714 prohibited under federal law.

- 2715 (3) This section does not prohibit:
- 2716 (a) a person or that person's [~~duly~~]authorized representative from receiving a copy of
- 2717 any return or report filed in connection with that person's own tax;
- 2718 (b) the publication of statistics as long as the statistics are classified to prevent the
- 2719 identification of particular reports or returns; and
- 2720 (c) the inspection by the attorney general or other legal representative of the state of the
- 2721 report or return of any taxpayer:
- 2722 (i) who brings action to set aside or review a tax based on the report or return;
- 2723 (ii) against whom an action or proceeding is contemplated or has been instituted
- 2724 under this title; or
- 2725 (iii) against whom the state has an unsatisfied money judgment.
- 2726 (4)(a) Notwithstanding Subsection (2) and for purposes of administration, the
- 2727 commission may by rule, made in accordance with Title 63G, Chapter 3, Utah
- 2728 Administrative Rulemaking Act, provide for a reciprocal exchange of information
- 2729 with:
- 2730 (i) the United States Internal Revenue Service; or
- 2731 (ii) the revenue service of any other state.
- 2732 (b) Notwithstanding Subsection (2) and for all taxes except individual income tax and
- 2733 corporate franchise tax, the commission may by rule, made in accordance with Title
- 2734 63G, Chapter 3, Utah Administrative Rulemaking Act, share information gathered
- 2735 from returns and other written statements with the federal government, any other
- 2736 state, any of the political subdivisions of another state, or any political subdivision of
- 2737 this state, except as limited by Sections 59-12-209 and 59-12-210, if the political
- 2738 subdivision, other state, or the federal government grant substantially similar
- 2739 privileges to this state.
- 2740 (c) Notwithstanding Subsection (2) and for all taxes except individual income tax and
- 2741 corporate franchise tax, the commission may by rule, in accordance with Title 63G,
- 2742 Chapter 3, Utah Administrative Rulemaking Act, provide for the issuance of
- 2743 information concerning the identity and other information of taxpayers who have
- 2744 failed to file tax returns or to pay any tax due.
- 2745 (d) Notwithstanding Subsection (2), the commission shall provide to the director of the
- 2746 Division of Environmental Response and Remediation, as defined in Section
- 2747 19-6-402, as requested by the director of the Division of Environmental Response
- 2748 and Remediation, any records, returns, or other information filed with the

- 2749 commission under Chapter 13, Motor and Special Fuel Tax Act, or Section
2750 19-6-410.5 regarding the environmental assurance program participation fee.
- 2751 (e) Notwithstanding Subsection (2), at the request of any person the commission shall
2752 provide that person sales and purchase volume data reported to the commission on a
2753 report, return, or other information filed with the commission under:
- 2754 (i) Chapter 13, Part 2, Motor Fuel; or
2755 (ii) Chapter 13, Part 4, Aviation Fuel.
- 2756 (f) Notwithstanding Subsection (2), upon request from a tobacco product manufacturer,
2757 as defined in Section 59-22-202, the commission shall report to the manufacturer:
- 2758 (i) the quantity of cigarettes, as defined in Section 59-22-202, produced by the
2759 manufacturer and reported to the commission for the previous calendar year under
2760 Section 59-14-407; and
- 2761 (ii) the quantity of cigarettes, as defined in Section 59-22-202, produced by the
2762 manufacturer for which a tax refund was granted during the previous calendar
2763 year under Section 59-14-401 and reported to the commission under Subsection
2764 59-14-401(1)(a)(v).
- 2765 (g) Notwithstanding Subsection (2), the commission shall notify manufacturers,
2766 distributors, wholesalers, and retail dealers of a tobacco product manufacturer that is
2767 prohibited from selling cigarettes to consumers within the state under Subsection
2768 59-14-210(2).
- 2769 (h) Notwithstanding Subsection (2), the commission may:
- 2770 (i) provide to the Division of Consumer Protection within the Department of
2771 Commerce and the attorney general data:
2772 (A) reported to the commission under Section 59-14-212; or
2773 (B) related to a violation under Section 59-14-211; and
- 2774 (ii) upon request, provide to any person data reported to the commission under
2775 Subsections 59-14-212(1)(a) through (c) and Subsection 59-14-212(1)(g).
- 2776 (i) Notwithstanding Subsection (2), the commission shall, at the request of a committee
2777 of the Legislature, the Office of the Legislative Fiscal Analyst, or the Governor's
2778 Office of Planning and Budget, provide to the committee or office the total amount of
2779 revenue collected by the commission under Chapter 24, Radioactive Waste Facility
2780 Tax Act, for the time period specified by the committee or office.
- 2781 (j) Notwithstanding Subsection (2), the commission shall make the directory required by
2782 Section 59-14-603 available for public inspection.

- 2783 (k) Notwithstanding Subsection (2), the commission may share information with federal,
 2784 state, or local agencies as provided in Subsection 59-14-606(3).
- 2785 (l)(i) Notwithstanding Subsection (2), the commission shall provide the Office of
 2786 Recovery Services within the Department of Health and Human Services any
 2787 relevant information obtained from a return filed under Chapter 10, Individual
 2788 Income Tax Act, regarding a taxpayer who has become obligated to the Office of
 2789 Recovery Services.
- 2790 (ii) The information described in Subsection (4)(l)(i) may be provided by the Office
 2791 of Recovery Services to any other state's child support collection agency involved
 2792 in enforcing that support obligation.
- 2793 (m)(i) Notwithstanding Subsection (2), upon request from the state court
 2794 administrator, the commission shall provide to the state court administrator, the
 2795 name, address, telephone number, county of residence, and social security number
 2796 on resident returns filed under Chapter 10, Individual Income Tax Act.
- 2797 (ii) The state court administrator may use the information described in Subsection
 2798 (4)(m)(i) only as a source list for the master jury list described in Section
 2799 78B-1-106.
- 2800 (n)(i) As used in this Subsection (4)(n):
- 2801 (A) "GOED" means the Governor's Office of Economic Development created in
 2802 Section 63N-1a-301.
- 2803 (B) "Income tax information" means information gained by the commission that is
 2804 required to be attached to or included in a return filed with the commission
 2805 under Chapter 7, Corporate Franchise and Income Taxes, or Chapter 10,
 2806 Individual Income Tax Act.
- 2807 [~~(B)~~] (C) "Other tax information" means information gained by the commission
 2808 that is required to be attached to or included in a return filed with the
 2809 commission except for a return filed under Chapter 7, Corporate Franchise and
 2810 Income Taxes, or Chapter 10, Individual Income Tax Act.
- 2811 [~~(C)~~] (D) "Tax information" means income tax information or other tax
 2812 information.
- 2813 (ii)(A) Notwithstanding Subsection (2) and except as provided in Subsection
 2814 (4)(n)(ii)(B) or (C), the commission shall at the request of [~~GOED~~] GOED
 2815 provide to [~~GOED~~] GOED all income tax information.
- 2816 (B) For purposes of a request for income tax information made under Subsection

2817 (4)(n)(ii)(A), [GØEØ] GOED may not request and the commission may not
2818 provide to [GØEØ] GOED a person's address, name, social security number, or
2819 taxpayer identification number.

2820 (C) In providing income tax information to [GØEØ] GOED, the commission shall
2821 in all instances protect the privacy of a person as required by Subsection
2822 (4)(n)(ii)(B).

2823 (iii)(A) Notwithstanding Subsection (2) and except as provided in Subsection
2824 (4)(n)(iii)(B), the commission shall at the request of [GØEØ] GOED provide to [
2825 GØEØ] GOED other tax information.

2826 (B) Before providing other tax information to [GØEØ] GOED, the commission
2827 shall redact or remove any name, address, social security number, or taxpayer
2828 identification number.

2829 (iv) [GØEØ] GOED may provide tax information received from the commission in
2830 accordance with this Subsection (4)(n) only:

2831 (A) as a fiscal estimate, fiscal note information, or statistical information; and

2832 (B) if the tax information is classified to prevent the identification of a particular
2833 return.

2834 (v)(A) A person may not request tax information from [GØEØ] GOED under Title
2835 63G, Chapter 2, Government Records Access and Management Act, or this
2836 section, if [GØEØ] GOED received the tax information from the commission in
2837 accordance with this Subsection (4)(n).

2838 (B) [GØEØ] GOED may not provide to a person that requests tax information in
2839 accordance with Subsection (4)(n)(v)(A) any tax information other than the tax
2840 information [GØEØ] GOED provides in accordance with Subsection (4)(n)(iv).

2841 (o) Notwithstanding Subsection (2), the commission may provide to the governing board
2842 of the agreement or a taxing official of another state, the District of Columbia, the
2843 United States, or a territory of the United States:

2844 (i) the following relating to an agreement sales and use tax:

2845 (A) information contained in a return filed with the commission;

2846 (B) information contained in a report filed with the commission;

2847 (C) a schedule related to Subsection (4)(o)(i)(A) or (B); or

2848 (D) a document filed with the commission; or

2849 (ii) a report of an audit or investigation made with respect to an agreement sales and
2850 use tax.

- 2851 (p) Notwithstanding Subsection (2), the commission may provide information
2852 concerning a taxpayer's state income tax return or state income tax withholding
2853 information to the Driver License Division if the Driver License Division:
2854 (i) requests the information; and
2855 (ii) provides the commission with a signed release form from the taxpayer allowing
2856 the Driver License Division access to the information.
- 2857 (q) Notwithstanding Subsection (2), the commission shall provide to the Utah
2858 Communications Authority, or a division of the Utah Communications Authority, the
2859 information requested by the authority under Sections 63H-7a-302, 63H-7a-402, and
2860 63H-7a-502.
- 2861 (r) Notwithstanding Subsection (2), the commission shall provide to the Utah
2862 Educational Savings Plan information related to a resident or nonresident individual's
2863 contribution to a Utah Educational Savings Plan account as designated on the
2864 resident or nonresident's individual income tax return as provided under Section
2865 59-10-1313.
- 2866 (s) Notwithstanding Subsection (2), for the purpose of verifying eligibility under
2867 Sections 26B-3-106 and 26B-3-903, the commission shall provide an eligibility
2868 worker with the Department of Health and Human Services or [its] the department's
2869 designee with the adjusted gross income of an individual if:
2870 (i) an eligibility worker with the Department of Health and Human Services or [its]
2871 the department's designee requests the information from the commission; and
2872 (ii) the eligibility worker has complied with the identity verification and consent
2873 provisions of Sections 26B-3-106 and 26B-3-903.
- 2874 (t) Notwithstanding Subsection (2), the commission may provide to a county, as
2875 determined by the commission, information declared on an individual income tax
2876 return in accordance with Section 59-10-103.1 that relates to eligibility to claim a
2877 residential exemption authorized under Section 59-2-103.
- 2878 (u) Notwithstanding Subsection (2), the commission shall provide a report regarding any
2879 access line provider that is over 90 days delinquent in payment to the commission of
2880 amounts the access line provider owes under Title 69, Chapter 2, Part 4, Prepaid
2881 Wireless Telecommunications Service Charges, to [-]the board of the Utah
2882 Communications Authority created in Section 63H-7a-201.
- 2883 (v) Notwithstanding Subsection (2), the commission shall provide the Department of
2884 Environmental Quality a report on the amount of tax paid by a radioactive waste

- 2885 facility for the previous calendar year under Section 59-24-103.5.
- 2886 (w) Notwithstanding Subsection (2), the commission may, upon request, provide to the
2887 Department of Workforce Services any information received under Chapter 10, Part
2888 4, Withholding of Tax, that is relevant to the duties of the Department of Workforce
2889 Services.
- 2890 (x) Notwithstanding Subsection (2), the commission may provide the Public Service
2891 Commission or the Division of Public Utilities information related to a seller that
2892 collects and remits to the commission a charge described in Subsection 69-2-405(2),
2893 including the seller's identity and the number of charges described in Subsection
2894 69-2-405(2) that the seller collects.
- 2895 (y)(i) Notwithstanding Subsection (2), the commission shall provide to each
2896 qualifying jurisdiction the collection data necessary to verify the revenue collected
2897 by the commission for a distributed tax, fee, or charge collected within the
2898 qualifying jurisdiction.
- 2899 (ii) In addition to the information provided under Subsection (4)(y)(i), the
2900 commission shall provide a qualifying jurisdiction with copies of returns and other
2901 information relating to a distributed tax, fee, or charge collected within the
2902 qualifying jurisdiction.
- 2903 (iii)(A) To obtain the information described in Subsection (4)(y)(ii), the chief
2904 executive officer or the chief executive officer's designee of the qualifying
2905 jurisdiction shall submit a written request to the commission that states the
2906 specific information sought and how the qualifying jurisdiction intends to use
2907 the information.
- 2908 (B) The information described in Subsection (4)(y)(ii) is available only in official
2909 matters of the qualifying jurisdiction.
- 2910 (iv) Information that a qualifying jurisdiction receives in response to a request under
2911 this subsection is:
- 2912 (A) classified as a private record under Title 63G, Chapter 2, Government Records
2913 Access and Management Act; and
- 2914 (B) subject to the confidentiality requirements of this section.
- 2915 (z) Notwithstanding Subsection (2), the commission shall provide the Alcoholic
2916 Beverage Services Commission, upon request, with taxpayer status information
2917 related to state tax obligations necessary to comply with the requirements described
2918 in Section 32B-1-203.

- 2919 (aa) Notwithstanding Subsection (2), the commission shall inform the Department of
2920 Workforce Services, as soon as practicable, whether an individual claimed and is
2921 entitled to claim a federal earned income tax credit for the year requested by the
2922 Department of Workforce Services if:
- 2923 (i) the Department of Workforce Services requests this information; and
 - 2924 (ii) the commission has received the information release described in Section
2925 35A-9-604.
- 2926 (bb)(i) As used in this Subsection (4)(bb), "unclaimed property administrator" means
2927 the administrator or the administrator's agent, as those terms are defined in Section
2928 67-4a-102.
- 2929 (ii)(A) Notwithstanding Subsection (2), upon request from the unclaimed property
2930 administrator and to the extent allowed under federal law, the commission shall
2931 provide the unclaimed property administrator the name, address, telephone
2932 number, county of residence, and social security number or federal employer
2933 identification number on any return filed under Chapter 7, Corporate Franchise
2934 and Income Taxes, or Chapter 10, Individual Income Tax Act.
2935 (B) The unclaimed property administrator may use the information described in
2936 Subsection (4)(bb)(ii)(A) only for the purpose of returning unclaimed property
2937 to the property's owner in accordance with Title 67, Chapter 4a, Revised
2938 Uniform Unclaimed Property Act.
 - 2939 (iii) The unclaimed property administrator is subject to the confidentiality provisions
2940 of this section with respect to any information the unclaimed property
2941 administrator receives under this Subsection (4)(bb).
- 2942 (cc) Notwithstanding Subsection (2), the commission may, upon request, disclose a
2943 taxpayer's state individual income tax information to a program manager of the Utah
2944 Fits All Scholarship Program under Section 53F-6-402 if:
- 2945 (i) the taxpayer consents in writing to the disclosure;
 - 2946 (ii) the taxpayer's written consent includes the taxpayer's name, social security
2947 number, and any other information the commission requests that is necessary to
2948 verify the identity of the taxpayer; and
 - 2949 (iii) the program manager provides the taxpayer's written consent to the commission.
- 2950 (dd) Notwithstanding Subsection (2), the commission may provide to the Division of
2951 Finance within the Department of Government Operations any information necessary
2952 to facilitate a payment from the commission to a taxpayer, including:

- 2953 (i) the name of the taxpayer entitled to the payment or any other person legally
2954 authorized to receive the payment;
- 2955 (ii) the taxpayer identification number of the taxpayer entitled to the payment;
- 2956 (iii) the payment identification number and amount of the payment;
- 2957 (iv) the tax year to which the payment applies and date on which the payment is due;
- 2958 (v) a mailing address to which the payment may be directed; and
- 2959 (vi) information regarding an account at a depository institution to which the
2960 payment may be directed, including the name of the depository institution, the
2961 type of account, the account number, and the routing number for the account.
- 2962 (ee) Notwithstanding Subsection (2), the commission shall provide the total amount of
2963 revenue collected by the commission under Subsection 59-5-202(5):
- 2964 (i) at the request of a committee of the Legislature, the Office of the Legislative
2965 Fiscal Analyst, or the Governor's Office of Planning and Budget, to the committee
2966 or office for the time period specified by the committee or office; and
- 2967 (ii) to the Division of Finance for purposes of the Division of Finance administering
2968 Subsection 59-5-202(5).
- 2969 (ff) Notwithstanding Subsection (2), the commission may provide the Department of
2970 Agriculture and Food with information from a return filed in accordance with
2971 Chapter 31, Cannabinoid Licensing and Tax Act.
- 2972 (gg) Notwithstanding Subsection (2), the commission shall provide the Department of
2973 Workforce Services with the information described in Section 35A-3-105.
- 2974 (hh) Notwithstanding Subsection (2), the commission may provide aggregated
2975 information to the Utah Population Committee, created in Section 63C-20-103, if the
2976 Utah Population Committee requests the information in accordance with Section
2977 63C-20-105.
- 2978 (5)(a) Each report and return shall be preserved for at least three years.
- 2979 (b) After the three-year period provided in Subsection (5)(a) the commission may
2980 destroy a report or return.
- 2981 (6)(a) Any individual who violates this section is guilty of a class A misdemeanor.
- 2982 (b) If the individual described in Subsection (6)(a) is an officer or employee of the state,
2983 the individual shall be dismissed from office and be disqualified from holding public
2984 office in this state for a period of five years thereafter.
- 2985 (c) Notwithstanding Subsection (6)(a) or (b), [~~GOEØ~~] GOED, when requesting
2986 information in accordance with Subsection (4)(n)(iii), or an individual who requests

- 2987 information in accordance with Subsection (4)(n)(v):
- 2988 (i) is not guilty of a class A misdemeanor; and
- 2989 (ii) is not subject to:
- 2990 (A) dismissal from office in accordance with Subsection (6)(b); or
- 2991 (B) disqualification from holding public office in accordance with Subsection
- 2992 (6)(b).
- 2993 (d) Notwithstanding Subsection (6)(a) or (b), for a disclosure of information to the
- 2994 Office of the Legislative Auditor General in accordance with Title 36, Chapter 12,
- 2995 Legislative Organization, an individual described in Subsection (2):
- 2996 (i) is not guilty of a class A misdemeanor; and
- 2997 (ii) is not subject to:
- 2998 (A) dismissal from office in accordance with Subsection (6)(b); or
- 2999 (B) disqualification from holding public office in accordance with Subsection
- 3000 (6)(b).
- 3001 (7) Except as provided in Section 59-1-404, this part does not apply to the property tax.
- 3002 Section 45. Section **59-7-159** is amended to read:
- 3003 **59-7-159 (Effective 05/06/26) (Partially Repealed 12/31/26). Review of credits**
- 3004 **allowed under this chapter.**
- 3005 (1) As used in this section, "committee" means the Revenue and Taxation Interim
- 3006 Committee.
- 3007 (2)(a) The committee shall review each tax credit described in this chapter once every
- 3008 five years to determine whether to continue, modify, or repeal the tax credit.
- 3009 (b) In conducting the review required under Subsection (2)(a), the committee shall:
- 3010 (i) schedule time on a committee agenda to conduct the review as needed;
- 3011 (ii) invite state agencies, individuals, and organizations concerned with a tax credit
- 3012 under review to provide oral or written testimony;
- 3013 (iii)(A) invite the Governor's Office of Economic [~~Opportunity~~] Development to
- 3014 present a summary and analysis of the information for each tax credit [
- 3015 ~~regarding~~] for which the Governor's Office of Economic [~~Opportunity~~]
- 3016 Development is required to make a report under this chapter; and
- 3017 (B) invite the Office of the Legislative Fiscal Analyst to present a summary and
- 3018 analysis of the information for each tax credit regarding which the Office of the
- 3019 Legislative Fiscal Analyst is required to make a report under this chapter;
- 3020 (iv) evaluate:

- 3021 (A) the cost of the tax credit to the state;
- 3022 (B) the purpose and effectiveness of the tax credit; and
- 3023 (C) the extent to which the state benefits from the tax credit; and
- 3024 (v) undertake other review efforts as determined by the committee chairs or as
- 3025 otherwise required by law.

3026 Section 46. Section **59-7-614.2** is amended to read:

3027 **59-7-614.2 (Effective 05/06/26). Refundable economic development tax credit.**

- 3028 (1) As used in this section:
- 3029 (a) "Business entity" means a taxpayer that meets the definition of "business entity" as
- 3030 defined in Section 63N-2-103.
- 3031 (b) "Incremental job" means the same as that term is defined in Section 63N-1a-102.
- 3032 (c) "New state revenue" means the same as that term is defined in Section 63N-1a-102.
- 3033 (d) "Office" means the Governor's Office of Economic [Opportunity] Development.
- 3034 (2) Subject to the other provisions of this section, a business entity may claim a refundable
- 3035 tax credit for economic development.
- 3036 (3) The tax credit under this section is the amount listed as the tax credit amount on the tax
- 3037 credit certificate that the office issues to the business entity for the taxable year.
- 3038 (4)(a) In accordance with any rules prescribed by the commission under Subsection
- 3039 (4)(b), the commission shall make a refund to a business entity that claims a tax
- 3040 credit under this section if the amount of the tax credit exceeds the business entity's
- 3041 tax liability for a taxable year.
- 3042 (b) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the
- 3043 commission may make rules providing procedures for making a refund to a business
- 3044 entity as required by Subsection (4)(a).
- 3045 (5)(a) To assist the Revenue and Taxation Interim Committee with the review required
- 3046 by Section 59-7-159, the office shall provide the following information, if available
- 3047 to the office, to the Revenue and Taxation Interim Committee by electronic means:
- 3048 (i) the amount of tax credit that the office grants to each business entity for each
- 3049 calendar year;
- 3050 (ii) the criteria that the office uses in granting a tax credit;
- 3051 (iii) the new state revenue generated by the business entity for the calendar year;
- 3052 (iv) estimates for each of the next three calendar years of the following:
- 3053 (A) the amount of tax credits that the office will grant;
- 3054 (B) the amount of new state revenue that will be generated; and

- 3055 (C) the number of new incremental jobs within the state that will be generated;
- 3056 (v) the information contained in the office's latest report under Section 63N-2-106;
- 3057 and
- 3058 (vi) any other information that the Revenue and Taxation Interim Committee requests.
- 3059 (b) In providing the information described in Subsection (5)(a), the office shall redact
- 3060 information that identifies a recipient of a tax credit under this section.
- 3061 (c) If, notwithstanding the redactions made under Subsection (5)(b), reporting the
- 3062 information described in Subsection (5)(a) might disclose the identity of a recipient
- 3063 of a tax credit, the office may file a request with the Revenue and Taxation Interim
- 3064 Committee to provide the information described in Subsection (5)(a) in the aggregate
- 3065 for all business entities that receive the tax credit under this section.

3066 Section 47. Section **59-7-614.5** is amended to read:

3067 **59-7-614.5 (Effective 05/06/26). Refundable motion picture tax credit.**

- 3068 (1) As used in this section:
- 3069 (a) "Motion picture company" means a taxpayer that meets the definition of a motion
- 3070 picture company under Section 63N-8-102.
- 3071 (b) "Office" means the Governor's Office of Economic [Opportunity] Development
- 3072 created in Section 63N-1a-301.
- 3073 (c) "State-approved production" means the same as that term is defined in Section
- 3074 63N-8-102.
- 3075 (2) A motion picture company may claim a refundable tax credit for a state-approved
- 3076 production.
- 3077 (3) The tax credit under this section is the amount listed as the tax credit amount on the tax
- 3078 credit certificate that the office issues to a motion picture company under Section
- 3079 63N-8-103 for the taxable year.
- 3080 (4)(a) In accordance with any rules prescribed by the commission under Subsection
- 3081 (4)(b), the commission shall make a refund to a motion picture company that claims a
- 3082 tax credit under this section if the amount of the tax credit exceeds the motion picture
- 3083 company's tax liability for a taxable year.
- 3084 (b) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the
- 3085 commission may make rules providing procedures for making a refund to a motion
- 3086 picture company as required by Subsection (4)(a).
- 3087 (5)(a)(i) To assist the Revenue and Taxation Interim Committee with the review
- 3088 required by Section 59-7-159, the office shall provide the following information,

3089 if available to the office, to the Office of the Legislative Fiscal Analyst by
3090 electronic means:

- 3091 (A) the amount of tax credit that the office grants to each motion picture company
- 3092 for each calendar year;
- 3093 (B) estimates of the amount of tax credit that the office will grant for each of the
- 3094 next three calendar years;
- 3095 (C) the criteria that the office uses in granting the tax credit;
- 3096 (D) the dollars left in the state, as defined in Section 63N-8-102, by each motion
- 3097 picture company for each calendar year;
- 3098 (E) the information contained in the office's latest report under Section 63N-1a-306;
- 3099 and
- 3100 (F) any other information that the Office of the Legislative Fiscal Analyst requests.

3101 (ii) In providing the information described in Subsection (5)(a)(i), the office shall
3102 redact information that identifies a recipient of a tax credit under this section.

3103 (iii) If, notwithstanding the redactions made under Subsection (5)(a)(ii), reporting the
3104 information described in Subsection (5)(a)(i) might disclose the identity of a
3105 recipient of a tax credit, the office may file a request with the Revenue and
3106 Taxation Interim Committee to provide the information described in Subsection
3107 (5)(a)(i) in the aggregate for all motion picture companies that receive the tax
3108 credit under this section.

3109 (b) The Office of the Legislative Fiscal Analyst shall report to the Revenue and Taxation
3110 Interim Committee a summary and analysis of the information provided to the Office
3111 of the Legislative Fiscal Analyst by the office under Subsection (5)(a).

3112 Section 48. Section **59-7-614.10** is amended to read:

3113 **59-7-614.10 (Effective 05/06/26) (Repealed 12/31/26). Nonrefundable enterprise**
3114 **zone tax credit.**

3115 (1) As used in this section:

3116 (a) "Business entity" means a corporation that meets the definition of "business entity"
3117 as that term is defined in Section 63N-2-202.

3118 (b) "Office" means the Governor's Office of Economic [~~Opportunity~~] Development
3119 created in Section 63N-1a-301.

3120 (2) Subject to the provisions of this section, for a taxable year beginning before January 1,
3121 2025, a business entity may claim a nonrefundable enterprise zone tax credit as
3122 described in Section 63N-2-213.

- 3123 (3) The enterprise zone tax credit under this section is the amount listed as the tax credit
 3124 amount on the tax credit certificate that the office issues to the business entity for the
 3125 taxable year.
- 3126 (4) A business entity may carry forward a tax credit under this section for a period that does
 3127 not exceed the next three taxable years, if the amount of the tax credit exceeds the
 3128 business entity's tax liability under this chapter for that taxable year.
- 3129 (5)(a)(i) To assist the Revenue and Taxation Interim Committee with the review
 3130 required by Section 59-7-159, the office shall provide by electronic means the
 3131 following information for each calendar year to the Office of the Legislative
 3132 Fiscal Analyst:
- 3133 (A) the amount of tax credits provided in each development zone;
 - 3134 (B) the number of new full-time employee positions reported to obtain tax credits
 3135 in each development zone;
 - 3136 (C) the amount of tax credits awarded for rehabilitating a building in each
 3137 development zone;
 - 3138 (D) the amount of tax credits awarded for investing in a plant, equipment, or other
 3139 depreciable property in each development zone;
 - 3140 (E) the information related to the tax credit contained in the office's latest report
 3141 under Section 63N-1a-301; and
 - 3142 (F) any other information that the Office of the Legislative Fiscal Analyst requests.
- 3143 (ii) In providing the information described in Subsection (5)(a)(i), the office shall
 3144 redact information that identifies a recipient of a tax credit under this section.
- 3145 (iii) If, notwithstanding the redactions made under Subsection (5)(a)(ii), reporting the
 3146 information described in Subsection (5)(a)(i) might disclose the identity of a
 3147 recipient of a tax credit, the office may file a request with the Revenue and
 3148 Taxation Interim Committee to provide the information described in Subsection
 3149 (5)(a)(i) in the aggregate for all development zones that receive the tax credit
 3150 under this section.
- 3151 (b) The Office of the Legislative Fiscal Analyst shall report to the Revenue and Taxation
 3152 Interim Committee a summary and analysis of the information provided to the Office
 3153 of the Legislative Fiscal Analyst by the office under Subsection (5)(a).
- 3154 Section 49. Section **59-7-621** is amended to read:
- 3155 **59-7-621 (Effective 05/06/26). Nonrefundable rural job creation tax credit.**
- 3156 (1) As used in this section, "office" means the Governor's Office of Economic [Opportunity]

3157 Development created in Section 63N-1a-301.

3158 (2) Subject to the other provisions of this section, a taxpayer may claim a nonrefundable tax
3159 credit for rural job creation as provided in this section.

3160 (3) The tax credit under this section is the amount listed as the tax credit amount on a tax
3161 credit certificate that the office issues under Title 63N, Chapter 4, Part 3, Utah Rural
3162 Jobs Act, to the taxpayer for the taxable year.

3163 (4) If the amount of a tax credit under this section exceeds the taxpayer's tax liability under
3164 this chapter for the taxable year in which the taxpayer claims the tax credit, the taxpayer
3165 may carry forward the tax credit for:

3166 (a) the next seven taxable years, if the credit-eligible contribution as defined in Section
3167 63N-4-302 is made before November 1, 2022; or

3168 (b) the next four taxable years, if the credit-eligible contribution as defined in Section
3169 63N-4-302 is made on or after November 1, 2022.

3170 Section 50. Section **59-10-137** is amended to read:

3171 **59-10-137 (Effective 05/06/26) (Partially Repealed 12/31/26). Review of credits**
3172 **allowed under this chapter.**

3173 (1) As used in this section, "committee" means the Revenue and Taxation Interim
3174 Committee.

3175 (2)(a) The committee shall review each tax credit described in this chapter once every
3176 five years to determine whether to continue, modify, or repeal the tax credit.

3177 (b) In conducting the review required under Subsection (2)(a), the committee shall:

3178 (i) schedule time on a committee agenda to conduct the review as needed;

3179 (ii) invite state agencies, individuals, and organizations concerned with a tax credit
3180 under review to provide oral or written testimony;

3181 (iii)(A) invite the Governor's Office of Economic [~~Opportunity~~] Development to
3182 present a summary and analysis of the information for each tax credit regarding
3183 which the Governor's Office of Economic [~~Opportunity~~] Development is
3184 required to make a report under this chapter; and

3185 (B) invite the Office of the Legislative Fiscal Analyst to present a summary and
3186 analysis of the information for each tax credit regarding which the Office of the
3187 Legislative Fiscal Analyst is required to make a report under this chapter;

3188 (iv) evaluate:

3189 (A) the cost of the tax credit to the state;

3190 (B) the purpose and effectiveness of the tax credit; and

3191 (C) the extent to which the state benefits from the tax credit; and
 3192 (v) undertake other review efforts as determined by the committee chairs or as
 3193 otherwise required by law.

3194 Section 51. Section **59-10-1025** is amended to read:

3195 **59-10-1025 (Effective 05/06/26). Nonrefundable tax credit for investment in**
 3196 **certain life science establishments.**

3197 (1) As used in this section:

3198 (a) "Commercial domicile" means the principal place from which the trade or business
 3199 of a Utah small business corporation is directed or managed.

3200 (b) "Eligible claimant, estate, or trust" means the same as that term is defined in Section
 3201 63N-2-802.

3202 (c) "Life science establishment" means an establishment primarily engaged in the
 3203 development or manufacture of products in one or more of the following categories:

3204 (i) biotechnologies;

3205 (ii) medical devices;

3206 (iii) medical diagnostics; and

3207 (iv) pharmaceuticals.

3208 (d) "Office" means the Governor's Office of Economic [~~Opportunity~~] Development.

3209 (e) "Pass-through entity" means the same as that term is defined in Section 59-10-1402.

3210 (f) "Pass-through entity taxpayer" means the same as that term is defined in Section
 3211 59-10-1402.

3212 (g) "Qualifying ownership interest" means an ownership interest that is:

3213 (i)(A) common stock;

3214 (B) preferred stock; or

3215 (C) an ownership interest in a pass-through entity;

3216 (ii) originally issued to:

3217 (A) an eligible claimant, estate, or trust; or

3218 (B) a pass-through entity if the eligible claimant, estate, or trust that claims a tax
 3219 credit under this section was a pass-through entity taxpayer of the pass-through
 3220 entity on the day on which the qualifying ownership interest was issued and
 3221 remains a pass-through entity taxpayer of the pass-through entity until the last
 3222 day of the taxable year for which the eligible claimant, estate, or trust claims a
 3223 tax credit under this section; and

3224 (iii) issued:

- 3225 (A) by a Utah small business corporation;
- 3226 (B) on or after January 1, 2011; and
- 3227 (C) for money or other property, except for stock or securities.
- 3228 (h)(i) Except as provided in Subsection (1)(h)(ii), "Utah small business corporation"
- 3229 means the same as that term is defined in Section 59-10-1022.
- 3230 (ii) For purposes of this section, a corporation under Section 1244(c)(3)(A), Internal
- 3231 Revenue Code, is considered to include a pass-through entity.
- 3232 (2) Subject to the other provisions of this section, an eligible claimant, estate, or trust that
- 3233 holds a tax credit certificate issued to the eligible claimant, estate, or trust in accordance
- 3234 with Section 63N-2-808 for that taxable year may claim a nonrefundable tax credit in an
- 3235 amount up to 35% of the purchase price of a qualifying ownership interest in a Utah
- 3236 small business corporation by the claimant, estate, or trust if:
- 3237 (a) the qualifying ownership interest is issued by a Utah small business corporation that
- 3238 is a life science establishment;
- 3239 (b) the qualifying ownership interest in the Utah small business corporation is purchased
- 3240 for at least \$25,000;
- 3241 (c) the eligible claimant, estate, or trust owned less than 30% of the qualifying
- 3242 ownership interest of the Utah small business corporation at the time of the purchase
- 3243 of the qualifying ownership interest; and
- 3244 (d) on each day of the taxable year in which the purchase of the qualifying ownership
- 3245 interest was made, the Utah small business corporation described in Subsection (2)(a)
- 3246 has at least 50% of [its] the Utah small business corporation's employees in the state.
- 3247 (3) Subject to Subsection (4), the tax credit under Subsection (2):
- 3248 (a) may only be claimed by an eligible claimant, estate, or trust:
- 3249 (i) for a taxable year for which the eligible claimant, estate, or trust holds a tax credit
- 3250 certificate issued in accordance with Section 63N-2-808; and
- 3251 (ii) subject to obtaining a tax credit certificate for each taxable year as required by
- 3252 Subsection (3)(a)(i), for a period of three taxable years as follows:
- 3253 (A) the tax credit in the taxable year in which the purchase of the qualifying
- 3254 ownership interest was made may not exceed 10% of the purchase price of the
- 3255 qualifying ownership interest;
- 3256 (B) the tax credit in the taxable year after the taxable year described in Subsection
- 3257 (3)(a)(ii)(A) may not exceed 10% of the purchase price of the qualifying
- 3258 ownership interest; and

- 3259 (C) the tax credit in the taxable year two years after the taxable year described in
3260 Subsection (3)(a)(ii)(A) may not exceed 15% of the purchase price of the
3261 qualifying ownership interest; and
- 3262 (b) may not exceed the lesser of:
- 3263 (i) the amount listed on the tax credit certificate issued in accordance with Section
3264 63N-2-808; or
- 3265 (ii) \$350,000 in a taxable year.
- 3266 (4) An eligible claimant, estate, or trust may not claim a tax credit under this section for a
3267 taxable year if the eligible claimant, estate, or trust:
- 3268 (a) has sold any of the qualifying ownership interest during the taxable year; or
3269 (b) does not hold a tax credit certificate for that taxable year that is issued to the eligible
3270 claimant, estate, or trust by the office in accordance with Section 63N-2-808.
- 3271 (5) If a Utah small business corporation in which an eligible claimant, estate, or trust
3272 purchases a qualifying ownership interest fails, dissolves, or otherwise goes out of
3273 business, the eligible claimant, estate, or trust may not claim both the tax credit provided
3274 in this section and a capital loss on the qualifying ownership interest.
- 3275 (6) If an eligible claimant is a pass-through entity taxpayer that files a return under Chapter
3276 7, Corporate Franchise and Income Taxes, the eligible claimant may claim the tax credit
3277 under this section on the return filed under Chapter 7, Corporate Franchise and Income
3278 Taxes.
- 3279 (7) A claimant, estate, or trust may not carry forward or carry back a tax credit under this
3280 section.
- 3281 (8)(a)(i) To assist the Revenue and Taxation Interim Committee with the review
3282 required by Section 59-10-137, the office shall provide the following information,
3283 if available to the office, to the Office of the Legislative Fiscal Analyst by
3284 electronic means:
- 3285 (A) the amount of tax credit that the office grants to each eligible business entity
3286 for each taxable year;
- 3287 (B) the amount of eligible new state tax revenues generated by each eligible
3288 product or project;
- 3289 (C) estimates for each of the next three calendar years of the following:
- 3290 (I) the amount of tax credit that the office will grant;
- 3291 (II) the amount of eligible new state tax revenues that will be generated; and
3292 (III) the number of new incremental jobs within the state that will be generated;

- 3293 and
- 3294 (D) any other information that the Office of the Legislative Fiscal Analyst
- 3295 requests.
- 3296 (ii) In providing the information described in Subsection (8)(a)(i), the office shall
- 3297 redact information that identifies a recipient of a tax credit under this section.
- 3298 (iii) If, notwithstanding the redactions made under Subsection (8)(a)(ii), reporting the
- 3299 information described in Subsection (8)(a)(i) might disclose the identity of a
- 3300 recipient of a tax credit, the office may file a request with the Revenue and
- 3301 Taxation Interim Committee to provide the information described in Subsection
- 3302 (8)(a)(i) in the aggregate for all entities that receive the tax credit under this
- 3303 section.
- 3304 (b) The Office of the Legislative Fiscal Analyst shall report to the Revenue and Taxation
- 3305 Interim Committee a summary and analysis of the information provided to the Office
- 3306 of the Legislative Fiscal Analyst by the office under Subsection (8)(a).
- 3307 Section 52. Section **59-10-1037** is amended to read:
- 3308 **59-10-1037 (Effective 05/06/26) (Repealed 12/31/26). Nonrefundable enterprise**
- 3309 **zone tax credit.**
- 3310 (1) As used in this section:
- 3311 (a) "Business entity" means a claimant, estate, or trust that meets the definition of
- 3312 "business entity" as that term is defined in Section 63N-2-202.
- 3313 (b) "Office" means the Governor's Office of Economic [~~Opportunity~~] Development
- 3314 created in Section 63N-1a-301.
- 3315 (2) Subject to the provisions of this section, for a taxable year beginning before January 1,
- 3316 2025, a business entity may claim a nonrefundable enterprise zone tax credit as
- 3317 described in Section 63N-2-213.
- 3318 (3) The enterprise zone tax credit under this section is the amount listed as the tax credit
- 3319 amount on the tax credit certificate that the office issues to the business entity for the
- 3320 taxable year.
- 3321 (4) A business entity may carry forward a tax credit under this section for a period that does
- 3322 not exceed the next three taxable years, if the amount of the tax credit exceeds the
- 3323 business entity's tax liability under this chapter for that taxable year.
- 3324 (5)(a)(i) To assist the Revenue and Taxation Interim Committee with the review
- 3325 required by Section 59-10-137, the office shall provide by electronic means the
- 3326 following information, if available to the office, for each calendar year to the

- 3327 Office of the Legislative Fiscal Analyst:
- 3328 (A) the amount of tax credits provided in each development zone;
- 3329 (B) the number of new full-time employee positions reported to obtain tax credits
- 3330 in each development zone;
- 3331 (C) the amount of tax credits awarded for rehabilitating a building in each
- 3332 development zone;
- 3333 (D) the amount of tax credits awarded for investing in a plant, equipment, or other
- 3334 depreciable property in each development zone;
- 3335 (E) the information related to the tax credit contained in the office's latest report
- 3336 under Section 63N-1a-306; and
- 3337 (F) other information that the Office of the Legislative Fiscal Analyst requests.
- 3338 (ii) In providing the information described in Subsection (5)(a)(i), the office shall
- 3339 redact information that identifies a recipient of a tax credit under this section.
- 3340 (iii) If, notwithstanding the redactions made under Subsection (5)(a)(ii), reporting the
- 3341 information described in Subsection (5)(a)(i) might disclose the identity of a
- 3342 recipient of a tax credit, the office may file a request with the Revenue and
- 3343 Taxation Interim Committee to provide the information described in Subsection
- 3344 (5)(a)(i) in the aggregate for all development zones that receive the tax credit
- 3345 under this section.
- 3346 (b) The Office of the Legislative Fiscal Analyst shall report to the Revenue and Taxation
- 3347 Interim Committee a summary and analysis of the information provided to the Office
- 3348 of the Legislative Fiscal Analyst by the office under Subsection (5)(a).
- 3349 Section 53. Section **59-10-1038** is amended to read:
- 3350 **59-10-1038 (Effective 05/06/26). Nonrefundable rural job creation tax credit.**
- 3351 (1) As used in this section, "office" means the Governor's Office of Economic [Opportunity]
- 3352 Development created in Section 63N-1a-301.
- 3353 (2) Subject to the other provisions of this section, a taxpayer may claim a nonrefundable tax
- 3354 credit for rural job creation as provided in this section.
- 3355 (3) The tax credit under this section is the amount listed as the tax credit amount on a tax
- 3356 credit certificate that the office issues under Title 63N, Chapter 4, Part 3, Utah Rural
- 3357 Jobs Act, to the taxpayer for the taxable year.
- 3358 (4) If the amount of a tax credit under this section exceeds the taxpayer's tax liability under
- 3359 this chapter for the taxable year in which the taxpayer claims the tax credit, the taxpayer
- 3360 may carry forward the tax credit for:

- 3361 (a) the next seven taxable years, if the credit-eligible contribution as defined in Section
3362 63N-4-302 is made before November 1, 2022; or
- 3363 (b) the next four taxable years, if the credit-eligible contribution as defined in Section
3364 63N-4-302 is made on or after November 1, 2022.
- 3365 Section 54. Section **59-10-1107** is amended to read:
- 3366 **59-10-1107 (Effective 05/06/26). Refundable economic development tax credit.**
- 3367 (1) As used in this section:
- 3368 (a) "Business entity" means a claimant, estate, or trust that meets the definition of
3369 "business entity" as defined in Section 63N-2-103.
- 3370 (b) "Incremental job" means the same as that term is defined in Section 63N-1a-102.
- 3371 (c) "New state revenue" means the same as that term is defined in Section 63N-1a-102.
- 3372 (d) "Office" means the Governor's Office of Economic [~~Opportunity~~] Development
3373 created in Section 63N-1a-301.
- 3374 (2) Subject to the other provisions of this section, a business entity may claim a refundable
3375 tax credit for economic development.
- 3376 (3) The tax credit under this section is the amount listed as the tax credit amount on the tax
3377 credit certificate that the office issues to the business entity for the taxable year.
- 3378 (4)(a) In accordance with any rules prescribed by the commission under Subsection
3379 (4)(b), the commission shall make a refund to a business entity that claims a tax
3380 credit under this section if the amount of the tax credit exceeds the business entity's
3381 tax liability for a taxable year.
- 3382 (b) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the
3383 commission may make rules providing procedures for making a refund to a business
3384 entity as required by Subsection (4)(a).
- 3385 (5)(a) To assist the Revenue and Taxation Interim Committee with the review required
3386 by Section 59-10-137, the office shall provide the following information, if available
3387 to the office, to the Revenue and Taxation Interim Committee by electronic means:
- 3388 (i) the amount of tax credit the office grants to each taxpayer for each calendar year;
3389 (ii) the criteria the office uses in granting a tax credit;
- 3390 (iii) the new state revenue generated by each taxpayer for each calendar year;
3391 (iv) estimates for each of the next three calendar years of the following:
- 3392 (A) the amount of tax credits that the office will grant;
3393 (B) the amount of new state revenue that will be generated; and
3394 (C) the number of new incremental jobs within the state that will be generated;

- 3395 (v) the information contained in the office's latest report under Section 63N-2-106;
 3396 and
 3397 (vi) any other information that the Revenue and Taxation Interim Committee requests.
- 3398 (b) In providing the information described in Subsection (5)(a), the office shall redact
 3399 information that identifies a recipient of a tax credit under this section.
- 3400 (c) If, notwithstanding the redactions made under Subsection (5)(b), reporting the
 3401 information described in Subsection (5)(a) might disclose the identity of a recipient
 3402 of a tax credit, the office may file a request with the Revenue and Taxation Interim
 3403 Committee to provide the information described in Subsection (5)(a) in the aggregate
 3404 for all taxpayers that receive the tax credit under this section.

3405 Section 55. Section **59-10-1108** is amended to read:

3406 **59-10-1108 (Effective 05/06/26). Refundable motion picture tax credit.**

- 3407 (1) As used in this section:
- 3408 (a) "Motion picture company" means a claimant, estate, or trust that meets the definition
 3409 of a motion picture company under Section 63N-8-102.
- 3410 (b) "Office" means the Governor's Office of Economic [~~Opportunity~~] Development
 3411 created in Section 63N-1a-301.
- 3412 (c) "State-approved production" means the same as that term is defined in Section
 3413 63N-8-102.
- 3414 (2) A motion picture company may claim a refundable tax credit for a state-approved
 3415 production.
- 3416 (3) The tax credit under this section is the amount listed as the tax credit amount on the tax
 3417 credit certificate that the office issues to a motion picture company under Section
 3418 63N-8-103 for the taxable year.
- 3419 (4)(a) In accordance with any rules prescribed by the commission under Subsection
 3420 (4)(b), the commission shall make a refund to a motion picture company that claims a
 3421 tax credit under this section if the amount of the tax credit exceeds the motion picture
 3422 company's tax liability for the taxable year.
- 3423 (b) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the
 3424 commission may make rules providing procedures for making a refund to a motion
 3425 picture company as required by Subsection (4)(a).
- 3426 (5)(a)(i) To assist the Revenue and Taxation Interim Committee with the review
 3427 required by Section 59-10-137, the office shall provide the following information,
 3428 if available to the office, to the Office of the Legislative Fiscal Analyst by

- 3429 electronic means:
- 3430 (A) the amount of tax credit the office grants to each taxpayer for each calendar
3431 year;
- 3432 (B) estimates of the amount of tax credit that the office will grant for each of the
3433 next three calendar years;
- 3434 (C) the criteria the office uses in granting a tax credit;
- 3435 (D) the dollars left in the state, as defined in Section 63N-8-102, by each motion
3436 picture company for each calendar year;
- 3437 (E) the information contained in the office's latest report under Section 63N-8-105;
3438 and
- 3439 (F) any other information that the Office of the Legislative Fiscal Analyst requests.
- 3440 (ii) In providing the information described in Subsection (5)(a)(i), the office shall
3441 redact information that identifies a recipient of a tax credit under this section.
- 3442 (iii) If, notwithstanding the redactions made under Subsection (5)(a)(ii), reporting the
3443 information described in Subsection (5)(a)(i) might disclose the identity of a
3444 recipient of a tax credit, the office may file a request with the Revenue and
3445 Taxation Interim Committee to provide the information described in Subsection
3446 (5)(a)(i) in the aggregate for all taxpayers that receive the tax credit under this
3447 section.
- 3448 (b) The Office of the Legislative Fiscal Analyst shall report to the Revenue and Taxation
3449 Interim Committee a summary and analysis of the information provided to the Office
3450 of the Legislative Fiscal Analyst by the office under Subsection (5)(a).

3451 Section 56. Section **63A-5b-403** is amended to read:

3452 **63A-5b-403 (Effective 05/06/26). Institutions of higher education -- Capital**
3453 **development projects -- Dedicated and nondedicated projects -- Recommendations and**
3454 **prioritization.**

3455 (1) As used in this section:

- 3456 (a) "Dedicated project" has the same meaning as that term is defined in:
- 3457 (i) Section 53H-9-601, for a capital development project under Title 53H, Chapter 9,
3458 Part 6, Technical College Leasing and Capital Development; or
- 3459 (ii) Section 53H-9-501, for a capital development project under Title 53H, Chapter 9,
3460 Part 5, General Capital Developments.
- 3461 (b) "Nondedicated project" has the same meaning as that term is defined in:
- 3462 (i) Section 53H-9-601, for a capital development project under Title 53H, Chapter 9,

- 3463 Part 6, Technical College Leasing and Capital Development; or
- 3464 (ii) Section 53H-9-501, for a capital development project under Title 53H, Chapter 9,
- 3465 Part 5, General Capital Developments.
- 3466 (2)(a) The division shall submit recommendations to the Legislature in accordance with:
- 3467 (i) Section 53H-9-604, for a dedicated project under Title 53H, Chapter 9, Part 6,
- 3468 Technical College Leasing and Capital Development; or
- 3469 (ii) Section 53H-9-504, for a dedicated project under Title 53H, Chapter 9, Part 5,
- 3470 General Capital Developments.
- 3471 (b) A dedicated project is not subject to prioritization by the division.
- 3472 (3)(a) The division shall prioritize nondedicated projects in accordance with:
- 3473 (i) Section 63A-5b-402; and
- 3474 (ii)(A) Section 53H-9-604, for a nondedicated project under Title 53H, Chapter 9,
- 3475 Part 6, Technical College Leasing and Capital Development; or
- 3476 (B) Section 53H-9-504, for a nondedicated project under Title 53H, Chapter 9,
- 3477 Part 5, General Capital Developments.
- 3478 (b) In the division's scoring process for prioritizing nondedicated projects, the division
- 3479 shall give more weight to a request that is designated as a higher priority by the Utah
- 3480 Board of Higher Education than a request that is designated as a lower priority by the
- 3481 Utah Board of Higher Education only for determining the order of prioritization
- 3482 among requests submitted by the Utah Board of Higher Education.
- 3483 (4) The division shall require that an institution of higher education that submits a request
- 3484 for a capital development project address whether and how, as a result of the project, the
- 3485 institution of higher education will:
- 3486 (a) offer courses or other resources that will help meet demand for jobs, training, and
- 3487 employment in the current market and the projected market for the next five years;
- 3488 (b) respond to individual skilled and technical job demand over the next three, five, and
- 3489 10 years;
- 3490 (c) respond to industry demands for trained workers;
- 3491 (d) help meet commitments made by the Governor's Office of Economic [Opportunity]
- 3492 Development, including relating to training and incentives;
- 3493 (e) respond to changing needs in the economy; and
- 3494 (f) respond to demands for online or in-class instruction, based on demographics.
- 3495 (5) The division shall:
- 3496 (a)(i) assist institutions of higher education in providing the information required by

- 3497 Subsection (4); and
- 3498 (ii) verify the completion and accuracy of the information submitted by an institution
- 3499 of higher education under Subsection (4);
- 3500 (b) assist the Utah Board of Higher Education to fulfill the requirements of Section
- 3501 53H-9-603 in connection with the finding that the division is required to make under
- 3502 Subsection 53H-9-603(4)(b); and
- 3503 (c) assist the Utah Board of Higher Education in submitting a list of dedicated projects
- 3504 to the division for approval and nondedicated projects to the division for
- 3505 recommendation and prioritization pursuant to Section 53H-9-504.
- 3506 Section 57. Section **63B-5-201** is amended to read:
- 3507 **63B-5-201 (Effective 05/06/26). Legislative intent statements.**
- 3508 (1) If the United States Department of Defense has not provided matching funds to
- 3509 construct the National Guard Armory in Orem by December 31, 1997, the Division of
- 3510 Facilities Construction and Management shall transfer any funds received from issuance
- 3511 of a General Obligation Bond for benefit of the Orem Armory to the Provo Armory for
- 3512 capital improvements.
- 3513 (2) It is the intent of the Legislature that the University of Utah use institutional funds to
- 3514 plan, design, and construct:
- 3515 (a) the Health Science East parking structure under the supervision of the director of the
- 3516 Division of Facilities Construction and Management unless supervisory authority is
- 3517 delegated by the director;
- 3518 (b) the Health Science Office Building under the supervision of the director of the
- 3519 Division of Facilities Construction and Management unless supervisory authority is
- 3520 delegated by the director; and
- 3521 (c) the new Student Housing/Olympic Athletes Village under the supervision of the
- 3522 director of the Division of Facilities Construction and Management unless
- 3523 supervisory authority is delegated by the director.
- 3524 (3) It is the intent of the Legislature that Utah State University use institutional funds to
- 3525 plan, design, and construct a multipurpose facility under the supervision of the director
- 3526 of the Division of Facilities Construction and Management unless supervisory authority
- 3527 is delegated by the director.
- 3528 (4) It is the intent of the Legislature that the Utah Geologic Survey use agency internal
- 3529 funding to plan, design, and construct a sample library facility under the supervision of
- 3530 the director of the Division of Facilities Construction and Management unless

- 3531 supervisory authority is delegated by the director.
- 3532 (5)(a) If legislation introduced in the 1996 General Session to fund the Wasatch State
3533 Park Club House does not pass, the State Building Ownership Authority, under
3534 authority of Title 63B, Chapter 1, Part 3, State Building Ownership Authority Act,
3535 may issue or execute obligations, or enter into or arrange for a lease purchase
3536 agreement in which participation interests may be created, to provide up to
3537 \$1,500,000 for the remodel and expansion of the clubhouse at Wasatch Mountain
3538 State Park for the Division of State Parks, formerly known as the Division of Parks
3539 and Recreation, together with additional amounts necessary to:
- 3540 (i) pay costs of issuance;
 - 3541 (ii) pay capitalized interest; and
 - 3542 (iii) fund any debt service reserve requirements.
- 3543 (b) The State Building Ownership Authority shall work cooperatively with the Division
3544 of State Parks, formerly known as the Division of Parks and Recreation, to seek out
3545 the most cost effective and prudent lease purchase plan available.
- 3546 (6)(a) The State Building Ownership Authority, under authority of Title 63B, Chapter 1,
3547 Part 3, State Building Ownership Authority Act, may issue or execute obligations, or
3548 enter into or arrange for a lease purchase agreement in which participation interests
3549 may be created, to provide up to \$835,300 for the construction of a liquor store in the
3550 Snyderville area, together with additional amounts necessary to:
- 3551 (i) pay costs of issuance;
 - 3552 (ii) pay capitalized interest; and
 - 3553 (iii) fund any debt service reserve requirements.
- 3554 (b) The State Building Ownership Authority shall work cooperatively with the
3555 Department of Alcoholic Beverage Services to seek out the most cost effective and
3556 prudent lease purchase plan available.
- 3557 (7)(a) The State Building Ownership Authority, under authority of Title 63B, Chapter 1,
3558 Part 3, State Building Ownership Authority Act, may issue or execute obligations, or
3559 enter into or arrange for a lease purchase agreement in which participation interests
3560 may be created, to provide up to \$15,000,000 for the construction of the Huntsman
3561 Cancer Institute, together with additional amounts necessary to:
- 3562 (i) pay costs of issuance;
 - 3563 (ii) pay capitalized interest; and
 - 3564 (iii) fund any debt service reserve requirements.

- 3565 (b) The State Building Ownership Authority shall work cooperatively with the
3566 University of Utah to seek out the most cost effective and prudent lease purchase
3567 plan available.
- 3568 (c) It is the intent of the Legislature that the University of Utah lease land to the State
3569 Building Ownership Authority for the construction of the Huntsman Cancer Institute
3570 facility.
- 3571 (8)(a) The State Building Ownership Authority, under authority of Title 63B, Chapter 1,
3572 Part 3, State Building Ownership Authority Act, may issue or execute obligations, or
3573 enter into or arrange for a lease purchase agreement in which participation interests
3574 may be created, to provide up to \$857,600 for the construction of an addition to the
3575 Department of Health and Human Services facility in Vernal, Utah together with
3576 additional amounts necessary to:
- 3577 (i) pay costs of issuance;
 - 3578 (ii) pay capitalized interest; and
 - 3579 (iii) fund any debt service reserve requirements.
- 3580 (b) The State Building Ownership Authority shall work cooperatively with the
3581 Department of Health and Human Services to seek out the most cost effective and
3582 prudent lease purchase plan available.
- 3583 (9)(a) The State Building Ownership Authority, under authority of Title 63B, Chapter 1,
3584 Part 3, State Building Ownership Authority Act, may issue or execute obligations, or
3585 enter into or arrange for a lease purchase agreement in which participation interests
3586 may be created, to provide up to \$3,470,200 for the construction of the Student
3587 Services Center, at Utah State University Eastern, together with additional amounts
3588 necessary to:
- 3589 (i) pay costs of issuance;
 - 3590 (ii) pay capitalized interest; and
 - 3591 (iii) fund any debt service reserve requirements.
- 3592 (b) The State Building Ownership Authority shall work cooperatively with Utah State
3593 University Eastern to seek out the most cost effective and prudent lease purchase plan
3594 available.
- 3595 (10)(a) Notwithstanding anything to the contrary in Title 53H, Chapter 9, Part 3,
3596 Revenue Bonds, which prohibits the issuance of revenue bonds payable from
3597 legislative appropriations, the State Board of Regents, on behalf of Utah Tech
3598 University, may issue, sell, and deliver revenue bonds or other evidences of

3599 indebtedness of Utah Tech University to borrow money on the credit of the income
3600 and revenues, including legislative appropriations, of Utah Tech University, to
3601 finance the acquisition of the [~~Dixie~~] Avenna Center.

3602 (b)(i) The bonds or other evidences of indebtedness authorized by this section shall
3603 be issued in accordance with Title 53H, Chapter 9, Part 3, Revenue Bonds, under
3604 terms and conditions and in amounts that the board, by resolution, determines are
3605 reasonable and necessary and may not exceed \$6,000,000 together with additional
3606 amounts necessary to:

3607 (A) pay cost of issuance;

3608 (B) pay capitalized interest; and

3609 (C) fund any debt service reserve requirements.

3610 (ii) To the extent that future legislative appropriations will be required to provide for
3611 payment of debt service in full, the board shall ensure that the revenue bonds are
3612 issued containing a clause that provides for payment from future legislative
3613 appropriations that are legally available for that purpose.

3614 (11)(a) The State Building Ownership Authority, under authority of Title 63B, Chapter
3615 1, Part 3, State Building Ownership Authority Act, may issue or execute obligations,
3616 or enter into or arrange for a lease purchase agreement in which participation
3617 interests may be created, to provide up to \$10,479,000 for the construction of a
3618 facility for the Courts - Davis County Regional Expansion, together with additional
3619 amounts necessary to:

3620 (i) pay costs of issuance;

3621 (ii) pay capitalized interest; and

3622 (iii) fund any debt service reserve requirements.

3623 (b) The State Building Ownership Authority shall work cooperatively with the
3624 Administrative Office of the Courts to seek out the most cost effective and prudent
3625 lease purchase plan available.

3626 (12)(a) The State Building Ownership Authority, under authority of Title 63B, Chapter
3627 1, Part 3, State Building Ownership Authority Act, may issue or execute obligations,
3628 or enter into or arrange for a lease purchase agreement in which participation
3629 interests may be created, to provide up to \$4,200,000 for the purchase and remodel of
3630 the Washington County Courthouse, together with additional amounts necessary to:

3631 (i) pay costs of issuance;

3632 (ii) pay capitalized interest; and

- 3633 (iii) fund any debt service reserve requirements.
- 3634 (b) The State Building Ownership Authority shall work cooperatively with the
3635 Administrative Office of the Courts to seek out the most cost effective and prudent
3636 lease purchase plan available.
- 3637 (13)(a) The State Building Ownership Authority, under authority of Title 63B, Chapter
3638 1, Part 3, State Building Ownership Authority Act, may issue or execute obligations,
3639 or enter into or arrange for a lease purchase agreement in which participation
3640 interests may be created, to provide up to \$14,299,700 for the construction of a
3641 facility for the State Library and the Division of Services for the Blind and Visually
3642 Impaired, together with additional amounts necessary to:
- 3643 (i) pay costs of issuance;
- 3644 (ii) pay capitalized interest; and
- 3645 (iii) fund any debt service reserve requirements.
- 3646 (b) The State Building Ownership Authority shall work cooperatively with the State
3647 Board of Education and the Governor's Office of Economic [Opportunity]
3648 Development to seek out the most cost effective and prudent lease purchase plan
3649 available.
- 3650 Section 58. Section **63B-18-401** is amended to read:
- 3651 **63B-18-401 (Effective 05/06/26). Highway bonds -- Maximum amount -- Use of**
3652 **proceeds for highway projects.**
- 3653 (1)(a) The total amount of bonds issued under this section may not exceed
3654 \$2,077,000,000.
- 3655 (b) When the Department of Transportation certifies to the commission that the
3656 requirements of Subsection 72-2-124(7) have been met and certifies the amount of
3657 bond proceeds that it needs to provide funding for the projects described in
3658 Subsection (2) for the next fiscal year, the commission may issue and sell general
3659 obligation bonds in an amount equal to the certified amount plus costs of issuance.
- 3660 (2) Except as provided in Subsections (3) and (4), proceeds from the issuance of bonds
3661 shall be provided to the Department of Transportation to pay all or part of the costs of
3662 the following state highway construction or reconstruction projects:
- 3663 (a) Interstate 15 reconstruction in Utah County;
- 3664 (b) the Mountain View Corridor;
- 3665 (c) the Southern Parkway; and
- 3666 (d) state and federal highways prioritized by the Transportation Commission through:

- 3667 (i) the prioritization process for new transportation capacity projects adopted under
3668 Section 72-1-304; or
- 3669 (ii) the state highway construction program.
- 3670 (3)(a) Except as provided in Subsection (5), the bond proceeds issued under this section
3671 shall be provided to the Department of Transportation.
- 3672 (b) The Department of Transportation shall use bond proceeds and the funds provided to
3673 it under Section 72-2-124 to pay for the costs of right-of-way acquisition,
3674 construction, reconstruction, renovations, or improvements to the following
3675 highways:
- 3676 (i) \$35 million to add highway capacity on I-15 south of the Spanish Fork Main
3677 Street interchange to Payson;
- 3678 (ii) \$28 million for improvements to Riverdale Road in Ogden;
- 3679 (iii) \$1 million for intersection improvements on S.R. 36 at South Mountain Road;
- 3680 (iv) \$2 million for capacity enhancements on S.R. 248 between Sidwinder Drive and
3681 Richardson Flat Road;
- 3682 (v) \$12 million for Vineyard Connector from 800 North Geneva Road to Lake Shore
3683 Road;
- 3684 (vi) \$7 million for 2600 South interchange modifications in Woods Cross;
- 3685 (vii) \$9 million for reconfiguring the 1100 South interchange on I-15 in Box Elder
3686 County;
- 3687 (viii) \$18 million for the Provo west-side connector;
- 3688 (ix) \$8 million for interchange modifications on I-15 in the Layton area;
- 3689 (x) \$3,000,000 for an energy corridor study and environmental review for
3690 improvements in the Uintah Basin;
- 3691 (xi) \$2,000,000 for highway improvements to Harrison Boulevard in Ogden City;
- 3692 (xii) \$2,500,000 to be provided to Tooele City for roads around the Utah State
3693 University campus to create improved access to an institution of higher education;
- 3694 (xiii) \$3,000,000 to be provided to the Utah Office of Tourism within the Governor's
3695 Office of Economic [~~Opportunity~~] Development for transportation infrastructure
3696 improvements associated with annual tourism events that have:
- 3697 (A) a significant economic development impact within the state; and
- 3698 (B) significant needs for congestion mitigation;
- 3699 (xiv) \$4,500,000 to be provided to the Governor's Office of Economic [~~Opportunity~~]
3700 Development for transportation infrastructure acquisitions and improvements that

- 3701 have a significant economic development impact within the state;
- 3702 (xv) \$125,000,000 to pay all or part of the costs of state and federal highway
3703 construction or reconstruction projects prioritized by the Transportation
3704 Commission through the prioritization process for new transportation capacity
3705 projects adopted under Section 72-1-304;
- 3706 (xvi) \$10,000,000 for the Transportation Fund to pay all or part of the costs of state
3707 and federal highway construction or reconstruction projects as prioritized by the
3708 Transportation Commission;
- 3709 (xvii) \$13,000,000 for corridor preservation and land acquisition for a transit hub at
3710 the mouth of Big Cottonwood Canyon;
- 3711 (xviii) \$10,000,000 to be provided to the Governor's Office of Economic [Opportunity]
3712 Development for transportation infrastructure and right-of-way acquisitions in a
3713 project area created by the military installation development authority created in
3714 Section 63H-1-201;
- 3715 (xix) \$28,000,000 for right-of-way or land acquisition, design, engineering, and
3716 construction of infrastructure related to the Inland Port Authority created in
3717 Section 11-58-201;
- 3718 (xx) \$6,000,000 for right-of-way acquisition, design, engineering, and construction
3719 related to Shepard Lane in Davis County; and
- 3720 (xxi) \$4,000,000 for right-of-way acquisition, design, engineering, and construction
3721 costs related to 1600 North in Orem City.
- 3722 (4)(a) The Department of Transportation shall use bond proceeds and the funds under
3723 Section 72-2-121 to pay for, or to provide funds to, a municipality, county, or
3724 political subdivision to pay for the costs of right-of-way acquisition, construction,
3725 reconstruction, renovations, or improvements to the following highway or transit
3726 projects in Salt Lake County:
- 3727 (i) \$4,000,000 to Taylorsville City for bus rapid transit planning on 4700 South;
- 3728 (ii) \$4,200,000 to Taylorsville City for highway improvements on or surrounding
3729 6200 South and pedestrian crossings and system connections;
- 3730 (iii) \$2,250,000 to Herriman City for highway improvements to the Salt Lake
3731 Community College Road;
- 3732 (iv) \$5,300,000 to West Jordan City for highway improvements on 5600 West from
3733 6200 South to 8600 South;
- 3734 (v) \$4,000,000 to West Jordan City for highway improvements to 7800 South from

- 3735 1300 West to S.R. 111;
- 3736 (vi) \$7,300,000 to Sandy City for highway improvements on Monroe Street;
- 3737 (vii) \$3,000,000 to Draper City for highway improvements to 13490 South from 200
- 3738 West to 700 West;
- 3739 (viii) \$5,000,000 to Draper City for highway improvements to Suncrest Road;
- 3740 (ix) \$1,200,000 to Murray City for highway improvements to 5900 South from State
- 3741 Street to 900 East;
- 3742 (x) \$1,800,000 to Murray City for highway improvements to 1300 East;
- 3743 (xi) \$3,000,000 to South Salt Lake City for intersection improvements on West
- 3744 Temple, Main Street, and State Street;
- 3745 (xii) \$2,000,000 to Salt Lake County for highway improvements to 5400 South from
- 3746 5600 West to Mountain View Corridor;
- 3747 (xiii) \$3,000,000 to West Valley City for highway improvements to 6400 West from
- 3748 Parkway Boulevard to SR-201 Frontage Road;
- 3749 (xiv) \$4,300,000 to West Valley City for highway improvements to 2400 South from
- 3750 4800 West to 7200 West and pedestrian crossings;
- 3751 (xv) \$4,000,000 to Salt Lake City for highway improvements to 700 South from 2800
- 3752 West to 5600 West;
- 3753 (xvi) \$2,750,000 to Riverton City for highway improvements to 4570 West from
- 3754 12600 South to Riverton Boulevard;
- 3755 (xvii) \$1,950,000 to Cottonwood Heights for improvements to Union Park Avenue
- 3756 from I-215 exit south to Creek Road and Wasatch Boulevard and Big Cottonwood
- 3757 Canyon;
- 3758 (xviii) \$1,300,000 to Cottonwood Heights for highway improvements to Bengal
- 3759 Boulevard;
- 3760 (xix) \$1,500,000 to Midvale City for highway improvements to 7200 South from I-15
- 3761 to 1000 West;
- 3762 (xx) \$1,000,000 to Bluffdale City for an environmental impact study on Porter
- 3763 Rockwell Boulevard;
- 3764 (xxi) \$2,900,000 to the Utah Transit Authority for the following public transit studies:
- 3765 (A) a circulator study; and
- 3766 (B) a mountain transport study; and
- 3767 (xxii) \$1,000,000 to South Jordan City for highway improvements to 2700 West.
- 3768 (b)(i) Before providing funds to a municipality or county under this Subsection (4),

- 3769 the Department of Transportation shall obtain from the municipality or county:
- 3770 (A) a written certification signed by the county or city mayor or the mayor's
3771 designee certifying that the municipality or county will use the funds provided
3772 under this Subsection (4) solely for the projects described in Subsection (4)(a);
3773 and
- 3774 (B) other documents necessary to protect the state and the bondholders and to
3775 ensure that all legal requirements are met.
- 3776 (ii) Except as provided in Subsection (4)(c), by January 1 of each year, the
3777 municipality or county receiving funds described in this Subsection (4) shall
3778 submit to the Department of Transportation a statement of cash flow for the next
3779 fiscal year detailing the funds necessary to pay project costs for the projects
3780 described in Subsection (4)(a).
- 3781 (iii) After receiving the statement required under Subsection (4)(b)(ii) and after July
3782 1, the Department of Transportation shall provide funds to the municipality or
3783 county necessary to pay project costs for the next fiscal year based upon the
3784 statement of cash flow submitted by the municipality or county.
- 3785 (iv) Upon the financial close of each project described in Subsection (4)(a), the
3786 municipality or county receiving funds under this Subsection (4) shall submit a
3787 statement to the Department of Transportation detailing the expenditure of funds
3788 received for each project.
- 3789 (c) For calendar year 2012 only:
- 3790 (i) the municipality or county shall submit to the Department of Transportation a
3791 statement of cash flow as provided in Subsection (4)(b)(ii) as soon as possible; and
3792 (ii) the Department of Transportation shall provide funds to the municipality or
3793 county necessary to pay project costs based upon the statement of cash flow.
- 3794 (5) Twenty million dollars of the bond proceeds issued under this section and funds
3795 available under Section 72-2-124 shall be provided to the State Infrastructure Bank Fund
3796 created by Section 72-2-202 to make funds available for transportation infrastructure
3797 loans and transportation infrastructure assistance under Title 72, Chapter 2, Part 2, State
3798 Infrastructure Bank Fund.
- 3799 (6) The costs under Subsections (2), (3), and (4) may include the costs of studies necessary
3800 to make transportation infrastructure improvements, the cost of acquiring land, interests
3801 in land, easements and rights-of-way, improving sites, and making all improvements
3802 necessary, incidental, or convenient to the facilities, interest estimated to accrue on these

3803 bonds during the period to be covered by construction of the projects plus a period of six
3804 months after the end of the construction period, interest estimated to accrue on any bond
3805 anticipation notes issued under the authority of this title, and all related engineering,
3806 architectural, and legal fees.

3807 (7) The commission or the state treasurer may make any statement of intent relating to a
3808 reimbursement that is necessary or desirable to comply with federal tax law.

3809 (8) The Department of Transportation may enter into agreements related to the projects
3810 described in Subsections (2), (3), and (4) before the receipt of proceeds of bonds issued
3811 under this section.

3812 (9) The Department of Transportation may enter into a new or amend an existing interlocal
3813 agreement related to the projects described in Subsections (3) and (4) to establish any
3814 necessary covenants or requirements not otherwise provided for by law.

3815 Section 59. Section **63B-24-201** is amended to read:

3816 **63B-24-201 (Effective 05/06/26). Authorizations to design and construct capital**
3817 **facilities using institutional or agency funds.**

3818 (1) The Legislature intends that:

3819 (a) the University of Utah may, subject to the requirements of Title 63A, Chapter 5b,
3820 Administration of State Facilities, use up to \$8,200,000 in institutional funds to plan,
3821 design, and construct the William C. Browning Building Addition with up to 24,000
3822 square feet;

3823 (b) the university may not use state funds for any portion of this project; and

3824 (c) the university may use state funds for operation and maintenance costs or capital
3825 improvements.

3826 (2) The Legislature intends that:

3827 (a) Utah State University may, subject to the requirements of Title 63A, Chapter 5b,
3828 Administration of State Facilities, use up to \$10,000,000 in institutional funds to
3829 plan, design, and construct the Fine Arts Complex Addition/Renovation with up to
3830 17,000 square feet;

3831 (b) the university may not use state funds for any portion of this project; and

3832 (c) the university may use state funds for operation and maintenance costs or capital
3833 improvements.

3834 (3) The Legislature intends that:

3835 (a) Salt Lake Community College may, subject to the requirements of Title 63A,
3836 Chapter 5b, Administration of State Facilities, use up to \$3,900,000 in institutional

3837 funds to plan, design, and construct a Strength and Conditioning Center with up to
 3838 11,575 square feet;
 3839 (b) the college may not use state funds for any portion of this project; and
 3840 (c) the college may not request state funds for operation and maintenance costs or capital
 3841 improvements.

3842 (4) The Legislature intends that:

3843 (a) the Governor's Office of Economic [~~Opportunity~~] Development may, subject to the
 3844 requirements of Title 63A, Chapter 5b, Administration of State Facilities, use up to
 3845 \$1,800,000 in nonlapsing balances and donations to plan, design, and construct or
 3846 lease a Southern Utah Welcome Center with up to 5,000 square feet;
 3847 (b) the office may request additional state funds for the project, unless the office
 3848 receives donations and begins design or construction of the project; and
 3849 (c) the office may use state funds for operation and maintenance costs or capital
 3850 improvements.

3851 Section 60. Section **63B-30-101** is amended to read:

3852 **63B-30-101 (Effective 05/06/26). General obligation bonds for transportation**
 3853 **projects.**

3854 (1) As used in this section, "transportation projects" means Department of Transportation
 3855 projects described in Subsection 63B-27-101(2).

3856 (2)(a) When the Department of Transportation certifies to the commission that the
 3857 requirements of Subsection 72-2-124(7) have been met and certifies the amount of
 3858 bond proceeds that the commission needs to provide funding for the transportation
 3859 projects for the current or next fiscal year, the commission may issue and sell general
 3860 obligation bonds in an amount equal to the certified amount, plus additional amounts
 3861 necessary to pay costs of issuance, to pay capitalized interest, and to fund any
 3862 existing debt services reserve requirements, not to exceed 1% of the certified amount.

3863 (b) The commission may issue general obligation bonds authorized under this section if
 3864 the issuance of general obligation bonds would result in the total current outstanding
 3865 general obligation debt of the state exceeding 50% of the limitation described in the
 3866 Utah Constitution, Article XIV, Section 1.

3867 (3) The commission may issue general obligation bonds as provided in this section.

3868 (4) The total amount of bonds to be issued under this section may not exceed \$89,510,000
 3869 for acquisition and construction proceeds, plus additional amounts necessary to pay
 3870 costs of issuance, to pay capitalized interest, and to fund any existing debt service

- 3871 reserve requirements, with the total amount of the bonds not to exceed \$92,000,000.
- 3872 (5) The commission shall ensure that proceeds from the issuance of bonds under this
 3873 section are provided to the Department of Transportation for use by the Department of
 3874 Transportation to pay all or part of the cost of the transportation projects, including:
 3875 (a) interest estimated to accrue on the bonds authorized in this section until the
 3876 completion of construction of the transportation project, plus a period of 12 months
 3877 after the end of construction; and
 3878 (b) all related engineering, architectural, and legal fees.
- 3879 (6) The Department of Transportation shall transfer \$20,000,000 of bond proceeds under
 3880 this section to the Governor's Office of Economic ~~[Opportunity]~~ Development for a
 3881 transportation-related project in a project area created by the military installation
 3882 development authority, created in Section 63H-1-201.
- 3883 (7)(a) The Department of Transportation may enter into agreements related to the
 3884 transportation projects before the receipt of proceeds of bonds issued under this
 3885 section.
- 3886 (b) The state intends to use proceeds of tax-exempt bonds to reimburse itself for
 3887 expenditures for costs of the transportation projects.
- 3888 (8) This section supersedes any conflicting provisions of Utah law.
 3889 Section 61. Section **63C-4a-202** is amended to read:
 3890 **63C-4a-202 (Effective 05/06/26) (Repealed 07/01/28). Creation of Constitutional**
 3891 **Defense Council -- Membership -- Vacancies -- Meetings -- Staff -- Reports -- Per diem,**
 3892 **travel expenses, and funding.**
- 3893 (1) There is created the Constitutional Defense Council.
- 3894 (2)(a) The council shall consist of the following members:
 3895 (i) the governor or the lieutenant governor, who shall serve as chair of the council;
 3896 (ii) the president of the Senate or the president of the Senate's designee who shall
 3897 serve as vice chair of the council;
 3898 (iii) the speaker of the House of Representative's or the ~~[speaker of the House's]~~
 3899 speaker's designee who shall serve as vice chair of the council;
 3900 (iv) another member of the House of Representatives, appointed by the speaker of the
 3901 House of Representatives;
 3902 (v) the minority leader of the Senate or the minority leader of the Senate's designee;
 3903 (vi) the minority leader of the House of Representatives or the minority ~~[leader of the~~
 3904 House's] leader's designee;

- 3905 (vii) the attorney general or the attorney general's designee, who shall be one of the
3906 attorney general's appointees, not a current career service employee;
- 3907 (viii) the director of the School and Institutional Trust Lands Administration;
- 3908 (ix) four elected county commissioners, county council members, or county
3909 executives from different counties who are selected by the Utah Association of
3910 Counties, at least one of whom shall be from a county of the first or second class;
- 3911 (x) the executive director of the Department of Natural Resources, who may not vote;
- 3912 (xi) the commissioner of the Department of Agriculture and Food, who may not vote;
- 3913 (xii) the executive director of the Governor's Office of Economic [~~Opportunity~~]
3914 Development, as described in Section 63N-1a-302, who may not vote; and
- 3915 (xiii) two elected county commissioners, county council members, or county
3916 executives from different counties appointed by the Utah Association of Counties,
3917 who may not vote.
- 3918 (b) The council vice chairs shall conduct a council meeting in the absence of the chair.
- 3919 (c) If both the governor and the lieutenant governor are absent from a meeting of the
3920 council, the governor may designate a person to attend the meeting solely for the
3921 purpose of casting a vote on any matter on the governor's behalf.
- 3922 (3) When a vacancy occurs in the membership for any reason, the replacement shall be
3923 appointed for the unexpired term in the same manner as the original appointment.
- 3924 (4)(a)(i) Except as provided in Subsection (4)(a)(ii), the council shall meet at least
3925 monthly or more frequently as needed.
- 3926 (ii) The council need not meet monthly if the chair, after polling the members,
3927 determines that a majority of the members do not wish to meet.
- 3928 (b) The governor or any six members of the council may call a meeting of the council.
- 3929 (c) Before calling a meeting, the governor or council members shall solicit items for the
3930 agenda from other members of the council.
- 3931 (d)(i) The council shall require that any entity, other than the commission, that
3932 receives money from the Constitutional Defense Restricted Account provide
3933 financial reports and litigation reports to the council.
- 3934 (ii) Nothing in this Subsection (4)(d) prohibits the council from closing a meeting
3935 under Title 52, Chapter 4, Open and Public Meetings Act, or prohibits the council
3936 from complying with Title 63G, Chapter 2, Government Records Access and
3937 Management Act.
- 3938 (e) A majority of the voting membership on the council is required for a quorum to

3939 conduct council business. A majority vote of the quorum is required for any action
3940 taken by the council.

3941 (5)(a) The Office of the Attorney General shall advise the council.

3942 (b) The Public Lands Policy Coordinating Office shall provide staff assistance for
3943 meetings of the council.

3944 (6)(a) A member of the council who is not a legislator may not receive compensation or
3945 benefits for the member's service, but may receive per diem and travel expenses as
3946 allowed in:

3947 (i) Section 63A-3-106;

3948 (ii) Section 63A-3-107; and

3949 (iii) rules made by the Division of Finance according to Sections 63A-3-106 and
3950 63A-3-107.

3951 (b) Compensation and expenses of a member of the council who is a legislator are
3952 governed by Section 36-2-2 and Legislative Joint Rules, Title 5, Legislative
3953 Compensation and Expenses.

3954 (7) Money appropriated for or received by the council may be expended by the governor in
3955 consultation with the council.

3956 Section 62. Section **63C-27-201** is amended to read:

3957 **63C-27-201 (Effective 05/06/26) (Repealed 07/01/32). Cybersecurity Commission**
3958 **created.**

3959 (1) There is created the Cybersecurity Commission.

3960 (2) The commission shall be composed of 24 members:

3961 (a) one member the governor designates to serve as the governor's designee;

3962 (b) the commissioner of the Department of Public Safety;

3963 (c) the lieutenant governor, or an election officer, as that term is defined in Section
3964 20A-1-102, the lieutenant governor designates to serve as the lieutenant governor's
3965 designee;

3966 (d) the chief information officer of the Division of Technology Services;

3967 (e) the chief information security officer, as described in Section 63A-16-210;

3968 (f) the chairman of the Public Service Commission shall designate a representative with
3969 professional experience in information technology or cybersecurity;

3970 (g) the executive director of the Utah Department of Transportation shall designate a
3971 representative with professional experience in information technology or
3972 cybersecurity;

- 3973 (h) the director of the Division of Finance shall designate a representative with
 3974 professional experience in information technology or cybersecurity;
- 3975 (i) the executive director of the Department of Health and Human Services shall
 3976 designate a representative with professional experience in information technology or
 3977 cybersecurity;
- 3978 (j) the director of the Division of Indian Affairs shall designate a representative with
 3979 professional experience in information technology or cybersecurity;
- 3980 (k) the Utah League of Cities and Towns shall designate a representative with
 3981 professional experience in information technology or cybersecurity;
- 3982 (l) the Utah Association of Counties shall designate a representative with professional
 3983 experience in information technology or cybersecurity;
- 3984 (m) the attorney general, or the attorney general's designee;
- 3985 (n) the commissioner of financial institutions, or the commissioner's designee;
- 3986 (o) the executive director of the Department of Environmental Quality shall designate a
 3987 representative with professional experience in information technology or
 3988 cybersecurity;
- 3989 (p) the executive director of the Department of Natural Resources shall designate a
 3990 representative with professional experience in information technology or
 3991 cybersecurity;
- 3992 (q) the highest ranking information technology official, or the official's designee, from
 3993 each of:
- 3994 (i) the Judicial Council;
- 3995 (ii) the Utah Board of Higher Education;
- 3996 (iii) the State Board of Education; and
- 3997 (iv) the State Tax Commission;
- 3998 (r) the governor shall appoint:
- 3999 (i) one representative from the Utah National Guard; and
- 4000 (ii) one representative from the Governor's Office of Economic [Opportunity]
 4001 Development;
- 4002 (s) the president of the Senate shall appoint one member of the Senate; and
- 4003 (t) the speaker of the House of Representatives shall appoint one member of the House
 4004 of Representatives.
- 4005 (3)(a) The governor's designee shall serve as cochair of the commission.
- 4006 (b) The commissioner of the Department of Public Safety shall serve as cochair of the

- 4007 commission.
- 4008 (4)(a) The members described in Subsection (2) shall represent urban, rural, and
4009 suburban population areas.
- 4010 (b) No fewer than half of the members described in Subsection (2) shall have
4011 professional experience in cybersecurity or in information technology.
- 4012 (5) In addition to the membership described in Subsection (2), the commission shall seek
4013 information and advice from state and private entities with expertise in critical
4014 infrastructure.
- 4015 (6) As necessary to improve information and protect potential vulnerabilities, the
4016 commission shall seek information and advice from federal entities including:
- 4017 (a) the Cybersecurity and Infrastructure Security Agency;
4018 (b) the Federal Energy Regulatory Commission;
4019 (c) the Federal Bureau of Investigation; and
4020 (d) the United States Department of Transportation.
- 4021 (7)(a) Except as provided in Subsections (7)(b) and (c), a member is appointed for a
4022 term of four years.
- 4023 (b) A member shall serve until the member's successor is appointed and qualified.
- 4024 (c) Notwithstanding the requirements of Subsection (7)(a), the governor shall, at the
4025 time of appointment or reappointment, adjust the length of terms to ensure that the
4026 terms of commission members are staggered so that approximately half of the
4027 commission members appointed under Subsection (2)(r) are appointed every two
4028 years.
- 4029 (8)(a) If a vacancy occurs in the membership of the commission, the member shall be
4030 replaced in the same manner in which the original appointment was made.
- 4031 (b) An individual may be appointed to more than one term.
- 4032 (c) When a vacancy occurs in the membership for any reason, the replacement shall be
4033 appointed for the unexpired term.
- 4034 (9)(a) A majority of the members of the commission is a quorum.
- 4035 (b) The action of a majority of a quorum constitutes an action of the commission.
- 4036 (10) The commission shall meet at least two times a year.
- 4037 Section 63. Section **63G-2-305** is amended to read:
- 4038 **63G-2-305 (Effective 05/06/26). Protected records.**
- 4039 The following records are protected if properly classified by a governmental entity:
- 4040 (1) trade secrets as defined in Section 13-24-2 if the person submitting the trade secret has

- 4041 provided the governmental entity with the information specified in Section 63G-2-309;
- 4042 (2) commercial information or nonindividual financial information obtained from a person
- 4043 if:
- 4044 (a) disclosure of the information could reasonably be expected to result in unfair
- 4045 competitive injury to the person submitting the information or would impair the
- 4046 ability of the governmental entity to obtain necessary information in the future;
- 4047 (b) the person submitting the information has a greater interest in prohibiting access than
- 4048 the public in obtaining access; and
- 4049 (c) the person submitting the information has provided the governmental entity with the
- 4050 information specified in Section 63G-2-309;
- 4051 (3) commercial or financial information acquired or prepared by a governmental entity to
- 4052 the extent that disclosure would lead to financial speculations in currencies, securities, or
- 4053 commodities that will interfere with a planned transaction by the governmental entity or
- 4054 cause substantial financial injury to the governmental entity or state economy;
- 4055 (4) records, the disclosure of which could cause commercial injury to, or confer a
- 4056 competitive advantage upon a potential or actual competitor of, a commercial project
- 4057 entity as defined in Subsection 11-13-103(4);
- 4058 (5) test questions and answers to be used in future license, certification, registration,
- 4059 employment, or academic examinations;
- 4060 (6) records, the disclosure of which would impair governmental procurement proceedings
- 4061 or give an unfair advantage to any person proposing to enter into a contract or agreement
- 4062 with a governmental entity, except, subject to Subsections (1) and (2), that this
- 4063 Subsection (6) does not restrict the right of a person to have access to, after the contract
- 4064 or grant has been awarded and signed by all parties:
- 4065 (a) a bid, proposal, application, or other information submitted to or by a governmental
- 4066 entity in response to:
- 4067 (i) an invitation for bids;
- 4068 (ii) a request for proposals;
- 4069 (iii) a request for quotes;
- 4070 (iv) a grant; or
- 4071 (v) other similar document; or
- 4072 (b) an unsolicited proposal, as defined in Section 63G-6a-712;
- 4073 (7) information submitted to or by a governmental entity in response to a request for
- 4074 information, except, subject to Subsections (1) and (2), that this Subsection (7) does not

- 4075 restrict the right of a person to have access to the information, after:
- 4076 (a) a contract directly relating to the subject of the request for information has been
4077 awarded and signed by all parties; or
- 4078 (b)(i) a final determination is made not to enter into a contract that relates to the
4079 subject of the request for information; and
- 4080 (ii) at least two years have passed after the day on which the request for information
4081 is issued;
- 4082 (8) records that would identify real property or the appraisal or estimated value of real or
4083 personal property, including intellectual property, under consideration for public
4084 acquisition before any rights to the property are acquired unless:
- 4085 (a) public interest in obtaining access to the information is greater than or equal to the
4086 governmental entity's need to acquire the property on the best terms possible;
- 4087 (b) the information has already been disclosed to persons not employed by or under a
4088 duty of confidentiality to the entity;
- 4089 (c) in the case of records that would identify property, potential sellers of the described
4090 property have already learned of the governmental entity's plans to acquire the
4091 property;
- 4092 (d) in the case of records that would identify the appraisal or estimated value of
4093 property, the potential sellers have already learned of the governmental entity's
4094 estimated value of the property; or
- 4095 (e) the property under consideration for public acquisition is a single family residence
4096 and the governmental entity seeking to acquire the property has initiated negotiations
4097 to acquire the property as required under Section 78B-6-505;
- 4098 (9) records prepared in contemplation of sale, exchange, lease, rental, or other compensated
4099 transaction of real or personal property including intellectual property, which, if
4100 disclosed [~~prior to~~] before completion of the transaction, would reveal the appraisal or
4101 estimated value of the subject property, unless:
- 4102 (a) the public interest in access is greater than or equal to the interests in restricting
4103 access, including the governmental entity's interest in maximizing the financial
4104 benefit of the transaction; or
- 4105 (b) when prepared by or on behalf of a governmental entity, appraisals or estimates of
4106 the value of the subject property have already been disclosed to persons not
4107 employed by or under a duty of confidentiality to the entity;
- 4108 (10) records created or maintained for civil, criminal, or administrative enforcement

- 4109 purposes or audit purposes, or for discipline, licensing, certification, or registration
4110 purposes, if release of the records:
- 4111 (a) reasonably could be expected to interfere with investigations undertaken for
4112 enforcement, discipline, licensing, certification, or registration purposes;
 - 4113 (b) reasonably could be expected to interfere with audits, disciplinary, or enforcement
4114 proceedings;
 - 4115 (c) would create a danger of depriving a person of a right to a fair trial or impartial
4116 hearing;
 - 4117 (d) reasonably could be expected to disclose the identity of a source who is not generally
4118 known outside of government and, in the case of a record compiled in the course of
4119 an investigation, disclose information furnished by a source not generally known
4120 outside of government if disclosure would compromise the source; or
 - 4121 (e) reasonably could be expected to disclose investigative or audit techniques,
4122 procedures, policies, or orders not generally known outside of government if
4123 disclosure would interfere with enforcement or audit efforts;
- 4124 (11) records the disclosure of which would jeopardize the life or safety of an individual;
- 4125 (12) records the disclosure of which would jeopardize the security of governmental
4126 property, governmental programs, or governmental recordkeeping systems from
4127 damage, theft, or other appropriation or use contrary to law or public policy;
- 4128 (13) records that, if disclosed, would jeopardize the security or safety of a correctional
4129 facility, or records relating to incarceration, treatment, probation, or parole, that would
4130 interfere with the control and supervision of an offender's incarceration, treatment,
4131 probation, or parole;
- 4132 (14) records that, if disclosed, would reveal recommendations made to the Board of
4133 Pardons and Parole by an employee of or contractor for the Department of Corrections,
4134 the Board of Pardons and Parole, or the Department of Health and Human Services that
4135 are based on the employee's or contractor's supervision, diagnosis, or treatment of any
4136 person within the board's jurisdiction;
- 4137 (15) records and audit workpapers that identify audit, collection, and operational procedures
4138 and methods used by the State Tax Commission, if disclosure would interfere with
4139 audits or collections;
- 4140 (16) records of a governmental audit agency relating to an ongoing or planned audit until
4141 the final audit is released;
- 4142 (17) records that are subject to the attorney client privilege;

- 4143 (18) records prepared for or by an attorney, consultant, surety, indemnitor, insurer,
4144 employee, or agent of a governmental entity for, or in anticipation of, litigation or a
4145 judicial, quasi-judicial, or administrative proceeding;
- 4146 (19)(a)(i) personal files of a state legislator, including personal correspondence to or
4147 from a member of the Legislature; and
- 4148 (ii) notwithstanding Subsection (19)(a)(i), correspondence that gives notice of
4149 legislative action or policy may not be classified as protected under this section;
4150 and
- 4151 (b)(i) an internal communication that is part of the deliberative process in connection
4152 with the preparation of legislation between:
- 4153 (A) members of a legislative body;
4154 (B) a member of a legislative body and a member of the legislative body's staff; or
4155 (C) members of a legislative body's staff; and
- 4156 (ii) notwithstanding Subsection (19)(b)(i), a communication that gives notice of
4157 legislative action or policy may not be classified as protected under this section;
- 4158 (20)(a) records in the custody or control of the Office of Legislative Research and
4159 General Counsel, that, if disclosed, would reveal a particular legislator's
4160 contemplated legislation or contemplated course of action before the legislator has
4161 elected to support the legislation or course of action, or made the legislation or course
4162 of action public; and
- 4163 (b) notwithstanding Subsection (20)(a), the form to request legislation submitted to the
4164 Office of Legislative Research and General Counsel is a public document unless a
4165 legislator asks that the records requesting the legislation be maintained as protected
4166 records until such time as the legislator elects to make the legislation or course of
4167 action public;
- 4168 (21) a research request from a legislator to a legislative staff member and research findings
4169 prepared in response to the request;
- 4170 (22) drafts, unless otherwise classified as public;
- 4171 (23) records concerning a governmental entity's strategy about:
- 4172 (a) collective bargaining; or
4173 (b) imminent or pending litigation;
- 4174 (24) records of investigations of loss occurrences and analyses of loss occurrences that may
4175 be covered by the Risk Management Fund, the Employers' Reinsurance Fund, the
4176 Uninsured Employers' Fund, or similar divisions in other governmental entities;

- 4177 (25) records, other than personnel evaluations, that contain a personal recommendation
4178 concerning an individual if disclosure would constitute a clearly unwarranted invasion
4179 of personal privacy, or disclosure is not in the public interest;
- 4180 (26) records that reveal the location of historic, prehistoric, paleontological, or biological
4181 resources that if known would jeopardize the security of those resources or of valuable
4182 historic, scientific, educational, or cultural information;
- 4183 (27) records of independent state agencies if the disclosure of the records would conflict
4184 with the fiduciary obligations of the agency;
- 4185 (28) records of an institution of higher education defined in Section 53H-1-101 regarding
4186 tenure evaluations, appointments, applications for admissions, retention decisions, and
4187 promotions, which could be properly discussed in a meeting closed in accordance with
4188 Title 52, Chapter 4, Open and Public Meetings Act, provided that records of the final
4189 decisions about tenure, appointments, retention, promotions, or those students admitted,
4190 may not be classified as protected under this section;
- 4191 (29) records of the governor's office, including budget recommendations, legislative
4192 proposals, and policy statements, that if disclosed would reveal the governor's
4193 contemplated policies or contemplated courses of action before the governor has
4194 implemented or rejected those policies or courses of action or made them public;
- 4195 (30) records of the Office of the Legislative Fiscal Analyst relating to budget analysis,
4196 revenue estimates, and fiscal notes of proposed legislation before issuance of the final
4197 recommendations in these areas;
- 4198 (31) records provided by the United States or by a government entity outside the state that
4199 are given to the governmental entity with a requirement that they be managed as
4200 protected records if the providing entity certifies that the record would not be subject to
4201 public disclosure if retained by it;
- 4202 (32) transcripts, minutes, recordings, or reports of the closed portion of a meeting of a
4203 public body except as provided in Section 52-4-206;
- 4204 (33) records that would reveal the contents of settlement negotiations but not including final
4205 settlements or empirical data to the extent that they are not otherwise exempt from
4206 disclosure;
- 4207 (34) memoranda prepared by staff and used in the decision-making process by an
4208 administrative law judge, a member of the Board of Pardons and Parole, or a member of
4209 any other body charged by law with performing a quasi-judicial function;
- 4210 (35) records that would reveal negotiations regarding assistance or incentives offered by or

- 4211 requested from a governmental entity for the purpose of encouraging a person to expand
4212 or locate a business in Utah, but only if disclosure would result in actual economic harm
4213 to the person or place the governmental entity at a competitive disadvantage, but this
4214 section may not be used to restrict access to a record evidencing a final contract;
- 4215 (36) materials to which access must be limited for purposes of securing or maintaining the
4216 governmental entity's proprietary protection of intellectual property rights including
4217 patents, copyrights, and trade secrets;
- 4218 (37) the name of a donor or a prospective donor to a governmental entity, including an
4219 institution of higher education defined in Section 53H-1-101, and other information
4220 concerning the donation that could reasonably be expected to reveal the identity of the
4221 donor, provided that:
- 4222 (a) the donor requests anonymity in writing;
- 4223 (b) any terms, conditions, restrictions, or privileges relating to the donation may not be
4224 classified protected by the governmental entity under this Subsection (37); and
- 4225 (c) except for an institution of higher education defined in Section 53H-1-101, the
4226 governmental unit to which the donation is made is primarily engaged in educational,
4227 charitable, or artistic endeavors, and has no regulatory or legislative authority over
4228 the donor, a member of the donor's immediate family, or any entity owned or
4229 controlled by the donor or the donor's immediate family;
- 4230 (38) accident reports, except as provided in Sections 41-6a-404, 41-12a-202, and 73-18-13;
- 4231 (39) a notification of workers' compensation insurance coverage described in Section
4232 34A-2-205;
- 4233 (40) subject to Subsections (40)(g) and (h), the following records of an institution of higher
4234 education defined in Section 53H-1-101, which have been developed, discovered,
4235 disclosed to, or received by or on behalf of faculty, staff, employees, or students of the
4236 institution:
- 4237 (a) unpublished lecture notes;
- 4238 (b) unpublished notes, data, and information:
- 4239 (i) relating to research; and
- 4240 (ii) of:
- 4241 (A) the institution of higher education defined in Section 53H-1-101; or
- 4242 (B) a sponsor of sponsored research;
- 4243 (c) unpublished manuscripts;
- 4244 (d) creative works in process;

- 4245 (e) scholarly correspondence; ~~and~~
- 4246 (f) confidential information contained in research proposals;
- 4247 (g) this Subsection (40) may not be construed to prohibit disclosure of public
- 4248 information required pursuant to Subsection 53H-14-202(2)(a) or (b); and
- 4249 (h) this Subsection (40) may not be construed to affect the ownership of a record;
- 4250 (41)(a) records in the custody or control of the Office of the Legislative Auditor General
- 4251 that would reveal the name of a particular legislator who requests a legislative audit
- 4252 prior to the date that audit is completed and made public; and
- 4253 (b) notwithstanding Subsection (41)(a), a request for a legislative audit submitted to the
- 4254 Office of the Legislative Auditor General is a public document unless the legislator
- 4255 asks that the records in the custody or control of the Office of the Legislative Auditor
- 4256 General that would reveal the name of a particular legislator who requests a
- 4257 legislative audit be maintained as protected records until the audit is completed and
- 4258 made public;
- 4259 (42) records that provide detail as to the location of an explosive, including a map or other
- 4260 document that indicates the location of:
- 4261 (a) a production facility; or
- 4262 (b) a magazine;
- 4263 (43) information contained in the statewide database of the Division of Aging and Adult
- 4264 Services created by Section 26B-6-210;
- 4265 (44) information contained in the Licensing Information System described in Title 80,
- 4266 Chapter 2, Child Welfare Services;
- 4267 (45) information regarding National Guard operations or activities in support of the
- 4268 National Guard's federal mission;
- 4269 (46) records provided by any pawn or secondhand business to a law enforcement agency or
- 4270 to the central database in compliance with Title 13, Chapter 32a, Pawnshop, Secondhand
- 4271 Merchandise, and Catalytic Converter Transaction Information Act;
- 4272 (47) information regarding food security, risk, and vulnerability assessments performed by
- 4273 the Department of Agriculture and Food;
- 4274 (48) except to the extent that the record is exempt from this chapter ~~pursuant to~~ in
- 4275 accordance with Section 63G-2-106, records related to an emergency plan or program, a
- 4276 copy of which is provided to or prepared or maintained by the Division of Emergency
- 4277 Management, and the disclosure of which would jeopardize:
- 4278 (a) the safety of the general public; or

- 4279 (b) the security of:
- 4280 (i) governmental property;
- 4281 (ii) governmental programs; or
- 4282 (iii) the property of a private person who provides the Division of Emergency
- 4283 Management information;
- 4284 (49) records of the Department of Agriculture and Food that provides for the identification,
- 4285 tracing, or control of livestock diseases, including any program established under Title
- 4286 4, Chapter 24, Utah Livestock Brand and Anti-Theft Act, or Title 4, Chapter 31, Control
- 4287 of Animal Disease;
- 4288 (50) as provided in Section 26B-2-709:
- 4289 (a) information or records held by the Department of Health and Human Services related
- 4290 to a complaint regarding a provider, program, or facility which the department is
- 4291 unable to substantiate; and
- 4292 (b) information or records related to a complaint received by the Department of Health
- 4293 and Human Services from an anonymous complainant regarding a provider, program,
- 4294 or facility;
- 4295 (51) unless otherwise classified as public under Section 63G-2-301 and except as provided
- 4296 under Section 41-1a-116, an individual's home address, home telephone number, or
- 4297 personal mobile phone number, if:
- 4298 (a) the individual is required to provide the information in order to comply with a law,
- 4299 ordinance, rule, or order of a government entity; and
- 4300 (b) the subject of the record has a reasonable expectation that this information will be
- 4301 kept confidential due to:
- 4302 (i) the nature of the law, ordinance, rule, or order; and
- 4303 (ii) the individual complying with the law, ordinance, rule, or order;
- 4304 (52) the portion of the following documents that contains a candidate's residential or
- 4305 mailing address, if the candidate provides to the filing officer another address or phone
- 4306 number where the candidate may be contacted:
- 4307 (a) a declaration of candidacy, a nomination petition, or a certificate of nomination,
- 4308 described in Section 20A-9-201, 20A-9-202, 20A-9-203, 20A-9-404, 20A-9-405,
- 4309 20A-9-408, 20A-9-408.5, 20A-9-502, or 20A-9-601;
- 4310 (b) an affidavit of impecuniosity, described in Section 20A-9-201; or
- 4311 (c) a notice of intent to gather signatures for candidacy, described in Section 20A-9-408;
- 4312 (53) the name, home address, work addresses, and telephone numbers of an individual that

- 4313 is engaged in, or that provides goods or services for, medical or scientific research that is:
- 4314 (a) conducted within the state system of higher education, as described in Section
- 4315 53H-1-102; and
- 4316 (b) conducted using animals;
- 4317 (54) in accordance with Section 78A-12-203, any record of the Judicial Performance
- 4318 Evaluation Commission concerning an individual commissioner's vote, in relation to
- 4319 whether a judge meets or exceeds minimum performance standards under Subsection
- 4320 78A-12-203(4), and information disclosed under Subsection 78A-12-203(5)(e);
- 4321 (55) information collected and a report prepared by the Judicial Performance Evaluation
- 4322 Commission concerning a judge, unless Section 20A-7-702 or Title 78A, Chapter 12,
- 4323 Judicial Performance Evaluation Commission Act, requires disclosure of, or makes
- 4324 public, the information or report;
- 4325 (56) records provided or received by the Public Lands Policy Coordinating Office in
- 4326 furtherance of any contract or other agreement made in accordance with Section
- 4327 63L-11-202;
- 4328 (57) information requested by and provided to the 911 Division under Section 63H-7a-302;
- 4329 (58) in accordance with Section 73-10-33:
- 4330 (a) a management plan for a water conveyance facility in the possession of the Division
- 4331 of Water Resources or the Board of Water Resources; or
- 4332 (b) an outline of an emergency response plan in possession of the state or a county or
- 4333 municipality;
- 4334 (59) the following records in the custody or control of the Office of Inspector General of
- 4335 Medicaid Services, created in Section 63A-13-201:
- 4336 (a) records that would disclose information relating to allegations of personal
- 4337 misconduct, gross mismanagement, or illegal activity of a person if the information
- 4338 or allegation cannot be corroborated by the Office of Inspector General of Medicaid
- 4339 Services through other documents or evidence, and the records relating to the
- 4340 allegation are not relied upon by the Office of Inspector General of Medicaid
- 4341 Services in preparing a final investigation report or final audit report;
- 4342 (b) records and audit workpapers to the extent they would disclose the identity of a
- 4343 person who, during the course of an investigation or audit, communicated the
- 4344 existence of any Medicaid fraud, waste, or abuse, or a violation or suspected
- 4345 violation of a law, rule, or regulation adopted under the laws of this state, a political
- 4346 subdivision of the state, or any recognized entity of the United States, if the

- 4347 information was disclosed on the condition that the identity of the person be
4348 protected;
- 4349 (c) before the time that an investigation or audit is completed and the final investigation
4350 or final audit report is released, records or drafts circulated to a person who is not an
4351 employee or head of a governmental entity for the person's response or information;
- 4352 (d) records that would disclose an outline or part of any investigation, audit survey plan,
4353 or audit program; or
- 4354 (e) requests for an investigation or audit, if disclosure would risk circumvention of an
4355 investigation or audit;
- 4356 (60) records that reveal methods used by the Office of Inspector General of Medicaid
4357 Services, the fraud unit, or the Department of Health and Human Services, to discover
4358 Medicaid fraud, waste, or abuse;
- 4359 (61) information provided to the Department of Health and Human Services or the Division
4360 of Professional Licensing under Subsections 58-67-304(3) and (4) and Subsections
4361 58-68-304(3) and (4);
- 4362 (62) a record described in Section 63G-12-210;
- 4363 (63) captured plate data that is obtained through an automatic license plate reader system
4364 used by a governmental entity as authorized in Section 41-6a-2003;
- 4365 (64) an audio or video recording created by a body-worn camera, as that term is defined in
4366 Section 77-7a-103, that records sound or images inside a hospital or health care facility
4367 as those terms are defined in Section 78B-3-403, inside a clinic of a health care provider,
4368 as that term is defined in Section 78B-3-403, or inside a human service program as that
4369 term is defined in Section 26B-2-101, except for recordings that:
- 4370 (a) depict the commission of an alleged crime;
- 4371 (b) record any encounter between a law enforcement officer and a person that results in
4372 death or bodily injury, or includes an instance when an officer fires a weapon;
- 4373 (c) record any encounter that is the subject of a complaint or a legal proceeding against a
4374 law enforcement officer or law enforcement agency;
- 4375 (d) contain an officer involved critical incident as defined in Subsection 76-2-408(1)(f);
4376 or
- 4377 (e) have been requested for reclassification as a public record by a subject or authorized
4378 agent of a subject featured in the recording;
- 4379 (65) a record pertaining to the search process for a president of an institution of higher
4380 education described in Section 53H-3-302;

- 4381 (66) an audio recording that is:
- 4382 (a) produced by an audio recording device that is used in conjunction with a device or
- 4383 piece of equipment designed or intended for resuscitating an individual or for treating
- 4384 an individual with a life-threatening condition;
- 4385 (b) produced during an emergency event when an individual employed to provide law
- 4386 enforcement, fire protection, paramedic, emergency medical, or other first responder
- 4387 service:
- 4388 (i) is responding to an individual needing resuscitation or with a life-threatening
- 4389 condition; and
- 4390 (ii) uses a device or piece of equipment designed or intended for resuscitating an
- 4391 individual or for treating an individual with a life-threatening condition; and
- 4392 (c) intended and used for purposes of training emergency responders how to improve
- 4393 their response to an emergency situation;
- 4394 (67) records submitted by or prepared in relation to an applicant seeking a recommendation
- 4395 by the Research and General Counsel Subcommittee, the Budget Subcommittee, or the
- 4396 Legislative Audit Subcommittee, established under Section 36-12-8, for an employment
- 4397 position with the Legislature;
- 4398 (68) work papers as defined in Section 31A-2-204;
- 4399 (69) a record made available to Adult Protective Services or a law enforcement agency
- 4400 under Section 61-1-206;
- 4401 (70) a record submitted to the Insurance Department in accordance with Section
- 4402 31A-37-201;
- 4403 (71) a record described in Section 31A-37-503;
- 4404 (72) any record created by the Division of Professional Licensing as a result of Subsection
- 4405 58-37f-304(5) or 58-37f-702(2)(a)(ii);
- 4406 (73) a record described in Section 72-16-306 that relates to the reporting of an injury
- 4407 involving an amusement ride;
- 4408 (74) except as provided in Subsection 63G-2-305.5(1), the signature of an individual on a
- 4409 political petition, or on a request to withdraw a signature from a political petition,
- 4410 including a petition or request described in the following titles:
- 4411 (a) Title 10, Utah Municipal Code;
- 4412 (b) Title 17, Counties;
- 4413 (c) Title 17B, Limited Purpose Local Government Entities - Special Districts;
- 4414 (d) Title 17D, Limited Purpose Local Government Entities - Other Entities; and

- 4415 (e) Title 20A, Election Code;
- 4416 (75) except as provided in Subsection 63G-2-305.5(2), the signature of an individual in a
4417 voter registration record;
- 4418 (76) except as provided in Subsection 63G-2-305.5(3), any signature, other than a signature
4419 described in Subsection (74) or (75), in the custody of the lieutenant governor or a local
4420 political subdivision collected or held under, or in relation to, Title 20A, Election Code;
- 4421 (77) a Form I-918 Supplement B certification as described in Title 77, Chapter 38, Part 5,
4422 Victims Guidelines for Prosecutors Act;
- 4423 (78) a record submitted to the Insurance Department under Section 31A-48-103;
- 4424 (79) personal information, as defined in Section 63G-26-102, to the extent disclosure is
4425 prohibited under Section 63G-26-103;
- 4426 (80) an image taken of an individual during the process of booking the individual into jail,
4427 unless:
- 4428 (a) the individual is convicted of a criminal offense based upon the conduct for which
4429 the individual was incarcerated at the time the image was taken;
- 4430 (b) a law enforcement agency releases or disseminates the image:
- 4431 (i) after determining that the individual is a fugitive or an imminent threat to an
4432 individual or to public safety and releasing or disseminating the image will assist
4433 in apprehending the individual or reducing or eliminating the threat; or
- 4434 (ii) to a potential witness or other individual with direct knowledge of events relevant
4435 to a criminal investigation or criminal proceeding for the purpose of identifying or
4436 locating an individual in connection with the criminal investigation or criminal
4437 proceeding;
- 4438 (c) a judge orders the release or dissemination of the image based on a finding that the
4439 release or dissemination is in furtherance of a legitimate law enforcement interest; or
- 4440 (d) the image is displayed to a person who is permitted to view the image under Section
4441 17-72-802;
- 4442 (81) a record:
- 4443 (a) concerning an interstate claim to the use of waters in the Colorado River system;
- 4444 (b) relating to a judicial proceeding, administrative proceeding, or negotiation with a
4445 representative from another state or the federal government as provided in Section
4446 63M-14-205; and
- 4447 (c) the disclosure of which would:
- 4448 (i) reveal a legal strategy relating to the state's claim to the use of the water in the

- 4449 Colorado River system;
- 4450 (ii) harm the ability of the Colorado River Authority of Utah or river commissioner to
- 4451 negotiate the best terms and conditions regarding the use of water in the Colorado
- 4452 River system; or
- 4453 (iii) give an advantage to another state or to the federal government in negotiations
- 4454 regarding the use of water in the Colorado River system;
- 4455 (82) any part of an application described in Section 63N-16-201 that the Governor's Office
- 4456 of Economic [Opportunity] Development determines is nonpublic, confidential
- 4457 information that if disclosed would result in actual economic harm to the applicant, but
- 4458 this Subsection (82) may not be used to restrict access to a record evidencing a final
- 4459 contract or approval decision;
- 4460 (83) the following records of a drinking water or wastewater facility:
- 4461 (a) an engineering or architectural drawing of the drinking water or wastewater facility;
- 4462 and
- 4463 (b) except as provided in Section 63G-2-106, a record detailing tools or processes the
- 4464 drinking water or wastewater facility uses to secure, or prohibit access to, the records
- 4465 described in Subsection (83)(a);
- 4466 (84) a statement that an employee of a governmental entity provides to the governmental
- 4467 entity as part of the governmental entity's personnel or administrative investigation into
- 4468 potential misconduct involving the employee if the governmental entity:
- 4469 (a) requires the statement under threat of employment disciplinary action, including
- 4470 possible termination of employment, for the employee's refusal to provide the
- 4471 statement; and
- 4472 (b) provides the employee assurance that the statement cannot be used against the
- 4473 employee in any criminal proceeding;
- 4474 (85) any part of an application for a Utah Fits All Scholarship account described in Section
- 4475 53F-6-402 or other information identifying a scholarship student as defined in Section
- 4476 53F-6-401;
- 4477 (86) a record:
- 4478 (a) concerning a claim to the use of waters in the Great Salt Lake;
- 4479 (b) relating to a judicial proceeding, administrative proceeding, or negotiation with a
- 4480 person concerning the claim, including a representative from another state or the
- 4481 federal government; and
- 4482 (c) the disclosure of which would:

- 4483 (i) reveal a legal strategy relating to the state's claim to the use of the water in the
 4484 Great Salt Lake;
- 4485 (ii) harm the ability of the Great Salt Lake commissioner to negotiate the best terms
 4486 and conditions regarding the use of water in the Great Salt Lake; or
- 4487 (iii) give an advantage to another person including another state or to the federal
 4488 government in negotiations regarding the use of water in the Great Salt Lake;
- 4489 (87) a consumer complaint described in Section 13-2-11, unless the consumer complaint is
 4490 reclassified as public as described in Subsection 13-2-11(4);
- 4491 (88) a record of the Utah water agent, appointed under Section 73-10g-702:
- 4492 (a) concerning a claim to the use of waters;
- 4493 (b) relating to a judicial proceeding, administrative proceeding, or negotiation with a
 4494 representative from another state, a tribe, the federal government, or other
 4495 government entity as provided in Title 73, Chapter 10g, Part 7, Utah Water Agent;
 4496 and
- 4497 (c) the disclosure of which would:
- 4498 (i) reveal a legal strategy relating to the state's claim to the use of the water;
- 4499 (ii) harm the ability of the Utah water agent to negotiate the best terms and conditions
 4500 regarding the use of water; or
- 4501 (iii) give an advantage to another state, a tribe, the federal government, or other
 4502 government entity in negotiations regarding the use of water; and
- 4503 (89) a record created or maintained for an investigation of the Prosecutor Conduct
 4504 Commission, created in Section 63M-7-1102, that contains any personal identifying
 4505 information of a prosecuting attorney, including:
- 4506 (a) a complaint, or a document that is submitted or created for a complaint, received by
 4507 the Prosecutor Conduct Commission; or
- 4508 (b) a finding by the Prosecutor Conduct Commission.
- 4509 Section 64. Section **63G-4-102** is amended to read:
- 4510 **63G-4-102 (Effective 05/06/26). Scope and applicability of chapter.**
- 4511 (1) Except as set forth in Subsection (2), and except as otherwise provided by a statute
 4512 superseding provisions of this chapter by explicit reference to this chapter, the
 4513 provisions of this chapter apply to every agency of the state and govern:
- 4514 (a) state agency action that determines the legal rights, duties, privileges, immunities, or
 4515 other legal interests of an identifiable person, including agency action to grant, deny,
 4516 revoke, suspend, modify, annul, withdraw, or amend an authority, right, or license;

- 4517 and
- 4518 (b) judicial review of the action.
- 4519 (2) This chapter does not govern:
- 4520 (a) the procedure for making agency rules, or judicial review of the procedure or rules;
- 4521 (b) the issuance of a notice of a deficiency in the payment of a tax, the decision to waive
- 4522 a penalty or interest on taxes, the imposition of and penalty or interest on taxes, or the
- 4523 issuance of a tax assessment, except that this chapter governs an agency action
- 4524 commenced by a taxpayer or by another person authorized by law to contest the
- 4525 validity or correctness of the action;
- 4526 (c) state agency action relating to extradition, to the granting of a pardon or parole, a
- 4527 commutation or termination of a sentence, or to the rescission, termination, or
- 4528 revocation of parole or probation, to the discipline of, resolution of a grievance of,
- 4529 supervision of, confinement of, or the treatment of an inmate or resident of a
- 4530 correctional facility, the Utah State Hospital, the Utah State Developmental Center,
- 4531 or a person in the custody or jurisdiction of the Office of Substance Use and Mental
- 4532 Health, or a person on probation or parole, or judicial review of the action;
- 4533 (d) state agency action to evaluate, discipline, employ, transfer, reassign, or promote a
- 4534 student or teacher in a school or educational institution, or judicial review of the
- 4535 action;
- 4536 (e) an application for employment and internal personnel action within an agency
- 4537 concerning its own employees, or judicial review of the action;
- 4538 (f) the issuance of a citation or assessment under Title 34A, Chapter 6, Utah
- 4539 Occupational Safety and Health Act, and Title 58, Occupations and Professions,
- 4540 except that this chapter governs an agency action commenced by the employer,
- 4541 licensee, or other person authorized by law to contest the validity or correctness of
- 4542 the citation or assessment;
- 4543 (g) state agency action relating to management of state funds, the management and
- 4544 disposal of school and institutional trust land assets, and contracts for the purchase or
- 4545 sale of products, real property, supplies, goods, or services by or for the state, or by
- 4546 or for an agency of the state, except as provided in those contracts, or judicial review
- 4547 of the action;
- 4548 (h) state agency action under Title 7, Chapter 1, Part 3, Powers and Duties of
- 4549 Commissioner of Financial Institutions, Title 7, Chapter 2, Possession of Depository
- 4550 Institution by Commissioner, Title 7, Chapter 19, Acquisition of Failing Depository

- 4551 Institutions or Holding Companies, and Chapter 7, Governmental Immunity Act of
4552 Utah, or judicial review of the action;
- 4553 (i) the initial determination of a person's eligibility for unemployment benefits, the initial
4554 determination of a person's eligibility for benefits under Title 34A, Chapter 2,
4555 Workers' Compensation Act, and Title 34A, Chapter 3, Utah Occupational Disease
4556 Act, or the initial determination of a person's unemployment tax liability;
- 4557 (j) state agency action relating to the distribution or award of a monetary grant to or
4558 between governmental units, or for research, development, or the arts, or judicial
4559 review of the action;
- 4560 (k) the issuance of a notice of violation or order under Title 19, Chapter 2, Air
4561 Conservation Act, Title 19, Chapter 3, Radiation Control Act, Title 19, Chapter 4,
4562 Safe Drinking Water Act, Title 19, Chapter 5, Water Quality Act, Title 19, Chapter 6,
4563 Part 1, Solid and Hazardous Waste Act, Title 19, Chapter 6, Part 4, Petroleum
4564 Storage Tank Act, Title 19, Chapter 6, Part 7, Used Oil Management Act, or Title 19,
4565 Chapter 6, Part 10, Mercury Switch Removal Act, except that this chapter governs an
4566 agency action commenced by a person authorized by law to contest the validity or
4567 correctness of the notice or order;
- 4568 (l) state agency action, to the extent required by federal statute or regulation, to be
4569 conducted according to federal procedures;
- 4570 (m) the initial determination of a person's eligibility for government or public assistance
4571 benefits;
- 4572 (n) state agency action relating to wildlife licenses, permits, tags, and certificates of
4573 registration;
- 4574 (o) a license for use of state recreational facilities;
- 4575 (p) state agency action under Chapter 2, Government Records Access and Management
4576 Act, except as provided in Section 63G-2-603;
- 4577 (q) state agency action relating to the collection of water commissioner fees and
4578 delinquency penalties, or judicial review of the action;
- 4579 (r) state agency action relating to the installation, maintenance, and repair of headgates,
4580 caps, valves, or other water controlling works and weirs, flumes, meters, or other
4581 water measuring devices, or judicial review of the action;
- 4582 (s) the issuance and enforcement of an initial order under Section 73-2-25;
- 4583 (t)(i) a hearing conducted by the Division of Securities under Section 61-1-11.1; and
4584 (ii) an action taken by the Division of Securities under a hearing conducted under

- 4585 Section 61-1-11.1, including a determination regarding the fairness of an issuance
4586 or exchange of securities described in Subsection 61-1-11.1(1);
- 4587 (u) state agency action relating to water well driller licenses, water well drilling permits,
4588 water well driller registration, or water well drilling construction standards, or
4589 judicial review of the action;
- 4590 (v) the issuance of a determination and order under Title 34A, Chapter 5, Utah
4591 Antidiscrimination Act;
- 4592 (w) state environmental studies and related decisions by the Department of
4593 Transportation approving state or locally funded projects, or judicial review of the
4594 action;
- 4595 (x) the suspension of operations under Subsection 32B-1-304(3);
- 4596 (y) the issuance of a determination of violation by the Governor's Office of Economic [
4597 ~~Opportunity~~] Development under Section 11-41-104; or
- 4598 (z) a challenge to an aspect of a distribution management plan under Section 73-33-202.
- 4599 (3) This chapter does not affect a legal remedy otherwise available to:
- 4600 (a) compel an agency to take action; or
4601 (b) challenge an agency's rule.
- 4602 (4) This chapter does not preclude an agency, prior to the beginning of an adjudicative
4603 proceeding, or the presiding officer during an adjudicative proceeding from:
- 4604 (a) requesting or ordering a conference with parties and interested persons to:
4605 (i) encourage settlement;
4606 (ii) clarify the issues;
4607 (iii) simplify the evidence;
4608 (iv) facilitate discovery; or
4609 (v) expedite the proceeding; or
- 4610 (b) granting a timely motion to dismiss or for summary judgment if the requirements of
4611 Rule 12(b) or Rule 56 of the Utah Rules of Civil Procedure are met by the moving
4612 party, except to the extent that the requirements of those rules are modified by this
4613 chapter.
- 4614 (5)(a) A declaratory proceeding authorized by Section 63G-4-503 is not governed by
4615 this chapter, except as explicitly provided in that section.
- 4616 (b) Judicial review of a declaratory proceeding authorized by Section 63G-4-503 is
4617 governed by this chapter.
- 4618 (6) This chapter does not preclude an agency from enacting a rule affecting or governing an

4619 adjudicative proceeding or from following the rule, if the rule is enacted according to the
 4620 procedures outlined in Chapter 3, Utah Administrative Rulemaking Act, and if the rule
 4621 conforms to the requirements of this chapter.

4622 (7)(a) If the attorney general issues a written determination that a provision of this
 4623 chapter would result in the denial of funds or services to an agency of the state from
 4624 the federal government, the applicability of the provision to that agency shall be
 4625 suspended to the extent necessary to prevent the denial.

4626 (b) The attorney general shall report the suspension to the Legislature at its next session.

4627 (8) Nothing in this chapter may be interpreted to provide an independent basis for
 4628 jurisdiction to review final agency action.

4629 (9) Nothing in this chapter may be interpreted to restrict a presiding officer, for good cause
 4630 shown, from lengthening or shortening a time period prescribed in this chapter, except
 4631 the time period established for judicial review.

4632 (10) Notwithstanding any other provision of this section, this chapter does not apply to a
 4633 special adjudicative proceeding, as defined in Section 19-1-301.5, except to the extent
 4634 expressly provided in Section 19-1-301.5.

4635 (11) Subsection (2)(w), regarding action taken based on state environmental studies and
 4636 policies of the Department of Transportation, applies to any claim for which a court of
 4637 competent jurisdiction has not issued a final unappealable judgment or order before May
 4638 14, 2019.

4639 Section 65. Section **63G-21-102** is amended to read:

4640 **63G-21-102 (Effective 05/06/26) (Repealed 07/01/28). Definitions.**

4641 As used in this chapter:

4642 (1) "Designated agency" means:

4643 (a) the Governor's Office of Economic ~~[Opportunity]~~ Development;

4644 (b) the Division of Wildlife Resources;

4645 (c) the Department of Public Safety;

4646 (d) the Division of Technology Services; or

4647 (e) the Department of Workforce Services.

4648 (2)(a) "State service" means a service or benefit regularly provided to the public by a
 4649 designated agency.

4650 (b) "State service" includes:

4651 (i) for the Governor's Office of Economic ~~[Opportunity]~~ Development or the Division
 4652 of Technology Services, public high-speed ~~[Internet]~~ internet access;

- 4653 (ii) for the Division of Wildlife Resources, fishing, hunting, and trapping licenses;
 4654 (iii) for the Department of Public Safety, fingerprinting, an online driver license
 4655 renewal, online appointment scheduling, an online motor vehicle record request,
 4656 and an online change of address with the Driver License Division; and
 4657 (iv) for the Department of Workforce Services, online job searches, verification of
 4658 submission for benefits administered by the Department of Workforce Services,
 4659 online unemployment applications, online food stamp applications, and online
 4660 appointment scheduling.

4661 (3) "USPS" means the United States Postal Service.

4662 Section 66. Section **63G-21-201** is amended to read:

4663 **63G-21-201 (Effective 05/06/26) (Repealed 07/01/28). Limited authorization to**
 4664 **provide state services at post office locations.**

- 4665 (1) If allowed by federal law, a designated agency may negotiate and enter into an
 4666 agreement with USPS that allows USPS to provide one or more state services at one or
 4667 more post office locations within the state.
- 4668 (2) The designated agency shall ensure that the agreement described in Subsection (1)
 4669 includes:
- 4670 (a) the term of the agreement, which may not extend beyond July 1, 2028;
 4671 (b) provisions to ensure the security of state data and resources;
 4672 (c) provisions to provide training to USPS employees on how to provide each state
 4673 service in the agreement;
 4674 (d) except as provided in Subsection (2)(e), provisions authorizing compensation to
 4675 USPS for at least 100% of attributable costs of all property and services that USPS
 4676 provides under the agreement; and
 4677 (e) if the agreement is between USPS and the Division of Wildlife Resources to sell
 4678 fishing, hunting, or trapping licenses, provisions requiring compliance with Sections
 4679 23A-4-501 and 23A-4-502 regarding wildlife license agents, including remuneration
 4680 for services rendered.
- 4681 (3) After one or more designated agencies enter into an agreement described in Subsection
 4682 (1), the Governor's Office of Economic [~~Opportunity~~] Development created in Section
 4683 63N-1a-301 shall create a marketing campaign to advertise and promote the availability
 4684 of state services at each selected USPS location.

4685 Section 67. Section **63H-1-801** is amended to read:

4686 **63H-1-801 (Effective 05/06/26). Dissolution of authority -- Restrictions -- Filing**

4687 **copy of ordinance -- Authority records -- Dissolution expenses.**

- 4688 (1) The authority may not be dissolved unless the authority has no outstanding bonded
4689 indebtedness, other unpaid loans, indebtedness, or advances, and no legally binding
4690 contractual obligations with persons or entities other than the state.
- 4691 (2) Upon the dissolution of the authority:
- 4692 (a) the Governor's Office of Economic [~~Opportunity~~] Development shall publish a notice
4693 of dissolution:
- 4694 (i) in a newspaper of general circulation in the county in which the dissolved
4695 authority is located; and
- 4696 (ii) as required in Section 45-1-101; and
- 4697 (b) all title to property owned by the authority vests in the state.
- 4698 (3) The books, documents, records, papers, and seal of each dissolved authority shall be
4699 deposited for safekeeping and reference with the state auditor.
- 4700 (4) The authority shall pay all expenses of the deactivation and dissolution.

4701 Section 68. Section **63J-1-602.2** is amended to read:

4702 **63J-1-602.2 (Effective 05/06/26) (Partially Repealed 07/01/29). List of nonlapsing**
4703 **appropriations to programs.**

4704 Appropriations made to the following programs are nonlapsing:

- 4705 (1) The Legislature and the Legislature's committees.
- 4706 (2) The State Board of Education, including all appropriations to agencies, line items, and
4707 programs under the jurisdiction of the State Board of Education, in accordance with
4708 Section 53F-9-103.
- 4709 (3) The Rangeland Improvement Act created in Section 4-20-101.
- 4710 (4) The Percent-for-Art Program created in Section 9-6-404.
- 4711 (5) The LeRay McAllister Working Farm and Ranch Fund Program created in Title 4,
4712 Chapter 46, Part 3, LeRay McAllister Working Farm and Ranch Fund.
- 4713 (6) The Utah Lake Authority created in Section 11-65-201.
- 4714 (7) Dedicated credits accrued to the Utah Marriage Commission as provided under
4715 Subsection 17-66-303(2)(d)(ii).
- 4716 (8) The Wildlife Land and Water Acquisition Program created in Section 23A-6-205.
- 4717 (9) Sanctions collected as dedicated credits from Medicaid providers under Subsection
4718 26B-3-108(7).
- 4719 (10) The primary care grant program created in Section 26B-4-310.
- 4720 (11) The Opiate Overdose Outreach Pilot Program created in Section 26B-4-512.

- 4721 (12) The Utah Health Care Workforce Financial Assistance Program created in Section
4722 26B-4-702.
- 4723 (13) The Rural Physician Loan Repayment Program created in Section 26B-4-703.
- 4724 (14) The Utah Medical Education Council for the:
- 4725 (a) administration of the Utah Medical Education Program created in Section 26B-4-707;
- 4726 (b) provision of medical residency grants described in Section 26B-4-711; and
- 4727 (c) provision of the forensic psychiatric fellowship grant described in Section 26B-4-712.
- 4728 (15) The Division of Services for People with Disabilities, as provided in Section 26B-6-402.
- 4729 (16) The Communication Habits to reduce Adolescent Threats (CHAT) Pilot Program
4730 created in Section 26B-7-122.
- 4731 (17) Funds that the Department of Alcoholic Beverage Services retains in accordance with
4732 Subsection 32B-2-301(8)(a) or (b).
- 4733 (18) The General Assistance program administered by the Department of Workforce
4734 Services, as provided in Section 35A-3-401.
- 4735 (19) The Utah National Guard, created in Title 39A, National Guard and Militia Act.
- 4736 (20) The Search and Rescue Financial Assistance Program, as provided in Section
4737 53-2a-1102.
- 4738 (21) The Emergency Medical Services Grant Program, as provided in Section 53-2d-207.
- 4739 (22) The Motorcycle Rider Education Program, as provided in Section 53-3-905.
- 4740 (23) The Utah Board of Higher Education for teacher preparation programs, as provided in
4741 Section 53H-5-402.
- 4742 (24) Innovation grants under Section 53G-10-608, except as provided in Subsection
4743 53G-10-608(3).
- 4744 (25) The Division of Fleet Operations for the purpose of upgrading underground storage
4745 tanks under Section 63A-9-401.
- 4746 (26) The Division of Technology Services for technology innovation as provided under
4747 Section 63A-16-903.
- 4748 (27) The State Capitol Preservation Board created by Section 63O-2-201.
- 4749 (28) The Office of Administrative Rules for publishing, as provided in Section 63G-3-402.
- 4750 (29) The Colorado River Authority of Utah, created in Title 63M, Chapter 14, Colorado
4751 River Authority of Utah Act.
- 4752 (30) The Governor's Office of Economic [~~Opportunity~~] Development to fund the Enterprise
4753 Zone Act, as provided in Title 63N, Chapter 2, Part 2, Enterprise Zone Act.
- 4754 (31) The Governor's Office of Economic [~~Opportunity's~~] Development's Rural Employment

- 4755 Expansion Program, as described in Title 63N, Chapter 4, Part 4, Rural Employment
4756 Expansion Program.
- 4757 (32) County correctional facility contracting program for state inmates as described in
4758 Section 64-13e-103.
- 4759 (33) County correctional facility reimbursement program for state probationary inmates and
4760 state parole inmates as described in Section 64-13e-104.
- 4761 (34) Programs for the Jordan River Recreation Area as described in Section 65A-2-8.
- 4762 (35) The Division of Human Resource Management user training program, as provided in
4763 Section 63A-17-106.
- 4764 (36) A public safety answering point's emergency telecommunications service fund, as
4765 provided in Section 69-2-301.
- 4766 (37) The Traffic Noise Abatement Program created in Section 72-6-112.
- 4767 (38) The money appropriated from the Navajo Water Rights Negotiation Account to the
4768 Division of Water Rights, created in Section 73-2-1.1, for purposes of participating in a
4769 settlement of federal reserved water right claims.
- 4770 (39) The Judicial Council for compensation for special prosecutors, as provided in Section
4771 77-10a-19.
- 4772 (40) A state rehabilitative employment program, as provided in Section 78A-6-210.
- 4773 (41) The Utah Geological Survey, as provided in Section 79-3-401.
- 4774 (42) The Bonneville Shoreline Trail Program created under Section 79-5-503.
- 4775 (43) Adoption document access as provided in Sections 81-13-103, 81-13-504, and
4776 81-13-505.
- 4777 (44) Indigent defense as provided in Title 78B, Chapter 22, Part 4, Utah Indigent Defense
4778 Commission.
- 4779 (45) The program established by the Division of Facilities Construction and Management
4780 under Section 63A-5b-703 under which state agencies receive an appropriation and pay
4781 lease payments for the use and occupancy of buildings owned by the Division of
4782 Facilities Construction and Management.
- 4783 (46) The State Tax Commission for reimbursing counties for deferrals in accordance with
4784 Section 59-2-1802.5.
- 4785 (47) The Veterinarian Education Loan Repayment Program created in Section 4-2-902.
4786 Section 69. Section **63L-2-301** is amended to read:
4787 **63L-2-301 (Effective 05/06/26). Promoting or lobbying for a federal designation**
4788 **within the state.**

- 4789 (1) As used in this section:
- 4790 (a) "Federal designation" means the designation of a:
- 4791 (i) national monument;
- 4792 (ii) national conservation area;
- 4793 (iii) wilderness area or wilderness study area;
- 4794 (iv) area of critical environmental concern;
- 4795 (v) research natural area; or
- 4796 (vi) national recreation area.
- 4797 (b)(i) "Governmental entity" means:
- 4798 (A) a state-funded institution of higher education or public education;
- 4799 (B) a political subdivision of the state;
- 4800 (C) an office, agency, board, bureau, committee, department, advisory board, or
- 4801 commission that the government funds or establishes to carry out the public's
- 4802 business, regardless of whether the office, agency board, bureau, committee,
- 4803 department, advisory board, or commission is composed entirely of public
- 4804 officials or employees;
- 4805 (D) an interlocal entity as defined in Section 11-13-103 or a joint or cooperative
- 4806 undertaking as defined in Section 11-13-103;
- 4807 (E) a governmental nonprofit corporation as defined in Section 11-13a-102; or
- 4808 (F) an association as defined in Section 53G-7-1101.
- 4809 (ii) "Governmental entity" does not mean:
- 4810 (A) the School and Institutional Trust Lands Administration created in Section
- 4811 53C-1-201;
- 4812 (B) the School and Institutional Trust Lands Board of Trustees created in Section
- 4813 53C-1-202;
- 4814 (C) the Office of the Governor;
- 4815 (D) the Governor's Office of Planning and Budget created in Section 63J-4-201;
- 4816 (E) the Public Lands Policy Coordinating Office created in Section 63L-11-201;
- 4817 (F) the Office of Energy Development created in Section 79-6-401; or
- 4818 (G) the Governor's Office of Economic [Opportunity] Development created in
- 4819 Section 63N-1a-301.
- 4820 (2)(a) A governmental entity, or a person a governmental entity employs and designates
- 4821 as a representative, may investigate the possibility of a federal designation within the
- 4822 state.

- 4823 (b) A governmental entity that intends to advocate for a federal designation within the
 4824 state shall:
- 4825 (i) notify the chairs of the following committees before the introduction of federal
 4826 legislation:
- 4827 (A) the Natural Resources, Agriculture, and Environment Interim Committee, if
 4828 constituted, and the Federalism Commission; or
- 4829 (B) if the notice is given during a General Session, the House and Senate Natural
 4830 Resources, Agriculture, and Environment Standing Committees; and
- 4831 (ii) upon request of the chairs, meet with the relevant committee to review the
 4832 proposal.
- 4833 (3) This section does not apply to a political subdivision supporting a federal designation if
 4834 the federal designation:
- 4835 (a) applies to 5,000 acres or less; and
- 4836 (b) has an economical or historical benefit to the political subdivision.

4837 Section 70. Section **63L-11-402** is amended to read:

4838 **63L-11-402 (Effective 05/06/26) (Repealed 07/01/27). Membership -- Terms --**

4839 **Chair -- Expenses.**

- 4840 (1) The Resource Development Coordinating Committee consists of the following 26
 4841 members:
- 4842 (a) the state science advisor;
- 4843 (b) a representative from the Department of Agriculture and Food appointed by the
 4844 commissioner of the Department of Agriculture and Food;
- 4845 (c) a representative from the Department of Cultural and Community Engagement
 4846 appointed by the executive director of the Department of Cultural and Community
 4847 Engagement;
- 4848 (d) a representative from the Department of Environmental Quality appointed by the
 4849 executive director of the Department of Environmental Quality;
- 4850 (e) a representative from the Department of Natural Resources appointed by the
 4851 executive director of the Department of Natural Resources;
- 4852 (f) a representative from the Department of Transportation appointed by the executive
 4853 director of the Department of Transportation;
- 4854 (g) a representative from the Governor's Office of Economic [~~Opportunity~~] Development
 4855 appointed by the executive director of the Governor's Office of Economic [
 4856 Opportunity] Development;

- 4857 (h) a representative from the Housing and Community Development Division appointed
4858 by the director of the Housing and Community Development Division;
- 4859 (i) a representative from the Utah Historical Society appointed by the director of the
4860 Utah Historical Society;
- 4861 (j) a representative from the Division of Air Quality appointed by the director of the
4862 Division of Air Quality;
- 4863 (k) a representative from the Division of Drinking Water appointed by the director of the
4864 Division of Drinking Water;
- 4865 (l) a representative from the Division of Environmental Response and Remediation
4866 appointed by the director of the Division of Environmental Response and
4867 Remediation;
- 4868 (m) a representative from the Division of Waste Management and Radiation Control
4869 appointed by the director of the Division of Waste Management and Radiation
4870 Control;
- 4871 (n) a representative from the Division of Water Quality appointed by the director of the
4872 Division of Water Quality;
- 4873 (o) a representative from the Division of Oil, Gas, and Mining appointed by the director
4874 of the Division of Oil, Gas, and Mining;
- 4875 (p) a representative from the Division of State Parks appointed by the director of the
4876 Division of State Parks;
- 4877 (q) a representative from the Division of Outdoor Recreation appointed by the director
4878 of the Division of Outdoor Recreation;
- 4879 (r) a representative from the Division of Forestry, Fire, and State Lands appointed by the
4880 director of the Division of Forestry, Fire, and State Lands;
- 4881 (s) a representative from the Utah Geological Survey appointed by the director of the
4882 Utah Geological Survey;
- 4883 (t) a representative from the Division of Water Resources appointed by the director of
4884 the Division of Water Resources;
- 4885 (u) a representative from the Division of Water Rights appointed by the director of the
4886 Division of Water Rights;
- 4887 (v) a representative from the Division of Wildlife Resources appointed by the director of
4888 the Division of Wildlife Resources;
- 4889 (w) a representative from the School and Institutional Trust Lands Administration
4890 appointed by the director of the School and Institutional Trust Lands Administration;

- 4891 (x) a representative from the Division of Facilities Construction and Management
 4892 appointed by the director of the Division of Facilities Construction and Management;
 4893 (y) a representative from the Division of Emergency Management appointed by the
 4894 director of the Division of Emergency Management; and
 4895 (z) a representative from the Division of Conservation, created under Section 4-46-401,
 4896 appointed by the director of the Division of Conservation.
- 4897 (2)(a) As particular issues require, the coordinating committee may, by majority vote of
 4898 the members present, appoint additional temporary members to serve as ex officio
 4899 voting members.
- 4900 (b) Those ex officio members may discuss and vote on the issue or issues for which they
 4901 were appointed.
- 4902 (3) A chair shall be selected by a vote of 14 committee members with the concurrence of
 4903 the advisor.
- 4904 (4) A member may not receive compensation or benefits for the member's service, but may
 4905 receive per diem and travel expenses in accordance with:
- 4906 (a) Sections 63A-3-106 and 63A-3-107; and
 4907 (b) rules made by the Division of Finance pursuant to Sections 63A-3-106 and
 4908 63A-3-107.
- 4909 Section 71. Section **63M-5-306** is amended to read:
- 4910 **63M-5-306 (Effective 05/06/26). Financial impact statement -- Alleviation plan --**
 4911 **Filing required -- Contents -- Payments credited against tax -- Provisions neither**
 4912 **exclusive nor mandatory.**
- 4913 (1)(a) A developer desiring to prepay ad valorem property taxes under Section
 4914 63M-5-201 shall first prepare and file with the Governor's Office of Economic [
 4915 ~~Opportunity~~] Development and all units of local government likely to be affected with
 4916 a significant financial impact due to a natural resource or industrial facility a financial
 4917 impact statement together with a plan for alleviating these impacts.
- 4918 (b) The impact statement and the alleviation plan shall be prepared in cooperation with
 4919 and after consultation with the Governor's Office of Economic [~~Opportunity~~]
 4920 Development and the affected units of local government.
- 4921 (c) The financial impact statement shall assess the projected financial impact on state
 4922 agencies and units of local government, including the impact on transportation
 4923 systems, culinary water systems, waste treatment facilities, public safety, schools,
 4924 public health, housing, planning and zoning, and general government administration.

- 4925 (d) The alleviation plan shall set out proposals for alleviating the impact and may
 4926 include payments to local units of government or direct expenditures by the
 4927 developer to alleviate the impact.
- 4928 (e) The impact statement and the alleviation plan may be amended by the developer in
 4929 cooperation with and after consultation with the Governor's Office of Economic
 4930 Opportunity and those units of local government affected by the amendment.
- 4931 (2) At least 90 days prior to commencement of construction of an industrial facility or
 4932 natural resources facility by a major developer, an impact statement and alleviation plan
 4933 as described in Subsection (1) shall be filed by the major developer regardless of
 4934 whether ~~or not~~ the major developer desires to prepay ad valorem property taxes.
- 4935 (3)(a) Upon the filing of the financial impact statement and alleviation plan, a developer
 4936 may apply to the governing body of the affected unit of local government for
 4937 authorization to prepay a portion of the anticipated ad valorem property taxes to be
 4938 expended consistent with the alleviation plan.
- 4939 (b) This authorization may provide that only a portion of the amounts so prepaid can be
 4940 applied against the ad valorem property taxes due in any given year.
- 4941 (c) In addition to payments directly to the affected unit of local government, an affected
 4942 unit of local government may authorize a tax credit on anticipated ad valorem
 4943 property taxes for expenditures made by the developer to other persons so long as the
 4944 expenditure is consistent with the alleviation plan.
- 4945 (4)(a) This chapter is designed to provide an additional mechanism for the alleviation of
 4946 impacts on units of local government and is not intended to discourage the use of
 4947 other mechanisms as may be available.
- 4948 (b) Nothing in this chapter requires a developer to prepay ad valorem property taxes or
 4949 to make any other expenditure not otherwise required by law.

4950 Section 72. Section **63M-11-201** is amended to read:

4951 **63M-11-201 (Effective 05/06/26) (Repealed 07/01/26). Composition --**

4952 **Appointments -- Terms -- Removal.**

- 4953 (1) The commission shall be composed of the following voting members:
- 4954 (a) the executive director of the Department of Health and Human Services or the
 4955 executive director's designee;
- 4956 ~~[(b) the executive director of the Department of Human Services or the executive~~
 4957 ~~director's designee;]~~
- 4958 ~~[(e)]~~ (b) the executive director of the Governor's Office of Economic ~~[Opportunity]~~

- 4959 Development or the executive director's designee;
- 4960 [(d)] (c) the executive director of the Department of Workforce Services or the executive
- 4961 director's designee; and
- 4962 [(e)] (d) 20 members, appointed by the governor in accordance with Subsection (3),
- 4963 including:
- 4964 (i) three members that represent the Utah Association of Areas on Aging, the
- 4965 Alzheimer's Association, or another organization or association that advocates for
- 4966 the aging population;
- 4967 (ii) two members that represent an organization or association that advocates for local
- 4968 government; and
- 4969 (iii) two members that represent the general public.
- 4970 (2)(a) A member appointed under Subsection (1)(e) shall serve a two-year term.
- 4971 (b) Notwithstanding the term requirements described in Subsection (2)(a), the governor
- 4972 may adjust the length of the initial commission members' terms to ensure that the
- 4973 terms are staggered so that approximately one-half of the members appointed under
- 4974 Subsection (1)(e) are appointed each year.
- 4975 (c) When, for any reason, a vacancy occurs in a position appointed by the governor
- 4976 under Subsection (1)(e), the governor shall appoint a person to fill the vacancy for the
- 4977 unexpired term of the commission member being replaced.
- 4978 (d) A member appointed under Subsection (1)(e) may be removed by the governor for
- 4979 cause.
- 4980 (e) A member appointed under Subsection (1)(e) shall be removed from the commission
- 4981 and replaced by the governor if the member is absent for three consecutive meetings
- 4982 of the commission without being excused by the chair of the commission.
- 4983 (3) In appointing the members under Subsection (1)(e), the governor shall:
- 4984 (a) ensure each of the following areas are represented:
- 4985 (i) higher education in Utah;
- 4986 (ii) the business community;
- 4987 (iii) charitable organizations;
- 4988 (iv) the health care provider industry;
- 4989 (v) the industry that provides telehealth services;
- 4990 (vi) the industry that provides data analysis services;
- 4991 (vii) the industry that provides information technology support services;
- 4992 (viii) financial institutions;

- 4993 (ix) the legal profession;
 4994 (x) the public safety sector;
 4995 (xi) public transportation;
 4996 (xii) ethnic minorities; and
 4997 (xiii) the industry that provides long-term care for the elderly;
 4998 (b) take into account the geographical makeup of the commission; and
 4999 (c) strive to appoint members who:
 5000 (i) are knowledgeable or have an interest in issues relating to the aging population;
 5001 (ii) provide a balanced representation of urban and rural communities in the state; and
 5002 (iii) represent the diversity of the population in the state.

5003 Section 73. Section **63N-1a-102** is amended to read:

5004 **63N-1a-102 (Effective 05/06/26). Definitions.**

5005 As used in this title:

- 5006 (1) "Baseline jobs" means the number of full-time employee positions that existed within a
 5007 business entity in the state before the date on which a project related to the business
 5008 entity is approved by the office or by the [GOEO] GOED board.
 5009 (2) "Baseline state revenue" means the amount of state tax revenue collected from a
 5010 business entity or the employees of a business entity during the year before the date on
 5011 which a project related to the business entity is approved by the office or by the [GOEO]
 5012 GOED board.
 5013 (3) "Council" means the Economic Development Council created in Section 63N-1a-501.
 5014 [~~3~~] (4) "Economic opportunity agency" includes:
 5015 (a) the Department of Workforce Services;
 5016 (b) the Department of Cultural and Community Engagement;
 5017 (c) the Department of Commerce;
 5018 (d) the Department of Natural Resources;
 5019 (e) the Office of Energy Development;
 5020 (f) the State Board of Education;
 5021 (g) institutions of higher education;
 5022 (h) the Utah Multicultural Commission;
 5023 (i) the World Trade Center Utah;
 5024 (j) local government entities;
 5025 (k) associations of governments;
 5026 (l) the Utah League of Cities and Towns;

- 5027 (m) the Utah Association of Counties;
- 5028 (n) the Economic Development Corporation of Utah;
- 5029 (o) the Small Business Administration;
- 5030 (p) chambers of commerce;
- 5031 (q) industry associations;
- 5032 (r) small business development centers; and
- 5033 (s) other entities identified by the commission or the executive director.
- 5034 [(4)] (5) "Executive director" means the executive director of the office.
- 5035 [(5)] (6) "Full-time employee" means an employment position that is filled by an employee
- 5036 who works at least 30 hours per week and:
- 5037 (a) may include an employment position filled by more than one employee, if each
- 5038 employee who works less than 30 hours per week is provided benefits comparable to
- 5039 a full-time employee; and
- 5040 (b) may not include an employment position that is shifted from one jurisdiction in the
- 5041 state to another jurisdiction in the state.
- 5042 [(6)] (7) ["~~GOEO~~ GOED board" means the Board of Economic [~~Opportunity~~] Development
- 5043 created in Section 63N-1a-401.
- 5044 [(7)] (8) "High paying job" means a newly created full-time employee position where the
- 5045 aggregate average annual gross wage of the employment position, not including health
- 5046 care or other paid or unpaid benefits, is:
- 5047 (a) at least 110% of the average wage of the county in which the employment position
- 5048 exists; or
- 5049 (b) for an employment position related to a project described in Chapter 2, Part 1,
- 5050 Economic Development Tax Increment Financing, and that is located within the
- 5051 boundary of a county of the third, fourth, fifth, or sixth class, or located within a
- 5052 municipality in a county of the second class and where the municipality has a
- 5053 population of 10,000 or less:
- 5054 (i) at least 100% of the average wage of the county in which the employment position
- 5055 exists; or
- 5056 (ii) an amount determined by rule made by the office in accordance with Title 63G,
- 5057 Chapter 3, Utah Administrative Rulemaking Act, if the office determines the
- 5058 project is in a county experiencing economic distress.
- 5059 [(8)] (9)(a) "Incremental job" means a full-time employment position in the state that:
- 5060 (i) did not exist within a business entity in the state before the beginning of a project

- 5061 related to the business entity; and
- 5062 (ii) is created in addition to the number of baseline jobs that existed within a business
- 5063 entity.
- 5064 (b) "Incremental job" includes a full-time employment position where the employee is
- 5065 hired:
- 5066 (i) directly by a business entity; or
- 5067 (ii) by a professional employer organization, as defined in Section 31A-40-102, on
- 5068 behalf of a business entity.
- 5069 ~~[(9)]~~ (10) "New state revenue" means the state revenue collected from a business entity or a
- 5070 business entity's employees during a calendar year minus the baseline state revenue
- 5071 calculation.
- 5072 ~~[(10)]~~ (11) "Office" or [~~"GOEO"~~] "GOED" means the Governor's Office of Economic [
- 5073 ~~Opportunity~~] Development.
- 5074 ~~[(11)]~~ (12) "State revenue" means state tax liability paid by a business entity or a business
- 5075 entity's employees under any combination of the following provisions:
- 5076 (a) Title 59, Chapter 7, Corporate Franchise and Income Taxes;
- 5077 (b) Title 59, Chapter 10, Part 1, Determination and Reporting of Tax Liability and
- 5078 Information;
- 5079 (c) Title 59, Chapter 10, Part 2, Trusts and Estates;
- 5080 (d) Title 59, Chapter 10, Part 4, Withholding of Tax; and
- 5081 (e) Title 59, Chapter 12, Sales and Use Tax Act.
- 5082 ~~[(12)]~~ (13) "State strategic goals" means the strategic goals listed in Section 63N-1a-103.
- 5083 ~~[(13)]~~ (14) "Statewide economic development strategy" means the economic development
- 5084 strategy developed by the office in accordance with Section 63N-1a-301.
- 5085 ~~[(14)]~~ (15) "Targeted industry" means an industry or group of industries targeted by the
- 5086 office under Section 63N-1a-301, for economic development in the state.
- 5087 Section 74. Section **63N-1a-103** is amended to read:
- 5088 **63N-1a-103 (Effective 05/06/26). Purpose.**
- 5089 (1) The purpose of the Economic Opportunity Act and the entities established in the act is
- 5090 to catalyze strategic economic development opportunities for all residents of the state
- 5091 with a vision of creating economically thriving communities, businesses, and families
- 5092 throughout the state.
- 5093 (2) The purpose is realized through targeted efforts that demonstrably improve quality of
- 5094 life, measured by the extent to which the efforts accomplish the following strategic goals:

- 5095 (a) catalyzing targeted industry growth;
- 5096 (b) supporting economically thriving communities;
- 5097 (c) empowering students and workers with market-relevant skills;
- 5098 (d) stimulating economic growth in rural and multicultural communities through
- 5099 household level efforts; and
- 5100 (e) securing healthy and resilient ecosystems for current and future generations.

5101 Section 75. Section **63N-1a-301** is amended to read:

5102 **63N-1a-301 (Effective 05/06/26). Creation of office -- Responsibilities.**

5103 (1) There is created the Governor's Office of Economic [~~Opportunity~~] Development.

5104 (2) The office is:

5105 (a) responsible for creating and implementing the statewide economic development

5106 strategy that:

- 5107 (i) unifies and coordinates economic development efforts in the state;
- 5108 (ii) includes key performance indicators for long-term progress toward the state
- 5109 strategic goals;
- 5110 (iii) establishes reporting and accountability processes for the key performance
- 5111 indicators; and
- 5112 (iv) ensures the success of statewide economic development; and

5113 (b) the industrial and business promotion authority of the state.

5114 (3) The office shall:

- 5115 (a) consistent with the statewide economic development strategy, coordinate and align
- 5116 into a single effort the activities of the economic opportunity agencies in the field of
- 5117 economic development;
- 5118 (b) provide support and direction to economic opportunity agencies in establishing
- 5119 goals, metrics, and activities that align with the statewide economic development
- 5120 strategy;
- 5121 (c) administer and coordinate state and federal economic development grant programs;
- 5122 (d) promote and encourage the economic, commercial, financial, industrial, agricultural,
- 5123 and civic welfare of the state;
- 5124 (e) develop the statewide economic development strategy consistent with the state water
- 5125 policy described in Section 73-1-21, including the state's commitment to appropriate:
- 5126 (i) conservation;
- 5127 (ii) efficient and optimal use of water resources;
- 5128 (iii) infrastructure development and improvement;

- 5129 (iv) optimal agricultural use;
- 5130 (v) water quality;
- 5131 (vi) reasonable access to recreational activities;
- 5132 (vii) effective wastewater treatment; and
- 5133 (viii) protecting and restoring health ecosystems;
- 5134 (f) at least once every five years, identify which industry or groups of industries shall be
- 5135 targeted for economic development in the state;
- 5136 (g) promote and encourage the employment of workers in the state and the purchase of
- 5137 goods and services produced in the state by local businesses;
- 5138 (h) act to create, develop, attract, and retain business, industry, and commerce in the
- 5139 state:
- 5140 (i) in accordance with the statewide economic development strategy; and
- 5141 (ii) subject to the restrictions in Section 11-41-103;
- 5142 (i) act to enhance the state's economy;
- 5143 (j) analyze the state's projected long-term population and economic growth and plan for
- 5144 the anticipated impacts of the projected growth in a manner that improves quality of
- 5145 life and is consistent with the statewide economic development strategy and state
- 5146 strategic goals;
- 5147 (k) act to assist strategic industries that are likely to drive future economic growth;
- 5148 (l) assist communities in the state in developing economic development capacity and
- 5149 coordination with other communities;
- 5150 (m) develop strategies and plans to ensure comprehensive economic development efforts
- 5151 are targeted to the unique needs of rural areas of the state;
- 5152 (n) identify areas of education and workforce development in the state that can be
- 5153 improved to support economic and business development;
- 5154 (o) develop core strategic priorities for the office, which may include:
- 5155 (i) enhancing statewide access to entrepreneurship opportunities and small business
- 5156 support;
- 5157 (ii) focusing industry recruitment and expansion of targeted industries;
- 5158 (iii) ensuring that in awarding competitive economic development incentives the
- 5159 office accurately measures the benefits and costs of the incentives; and
- 5160 (iv) assisting communities with technical support to aid those communities in
- 5161 improving economic development opportunities;
- 5162 (p) submit an annual written report as described in Section 63N-1a-306; and

- 5163 (q) perform other duties as provided by the Legislature.
- 5164 (4) To perform the office's duties under this title, the office may:
- 5165 (a) enter into a contract or agreement with, or make a grant to, a public or private entity,
- 5166 including a municipality, if the contract or agreement is not in violation of state
- 5167 statute or other applicable law;
- 5168 (b) except as provided in Subsection (4)(c), receive and expend funds from a public or
- 5169 private source for any lawful purpose that is in the state's best interest; and
- 5170 (c) solicit and accept a contribution of money, services, or facilities from a public or
- 5171 private donor, but may not use the contribution for publicizing the exclusive interest
- 5172 of the donor.
- 5173 (5) Money received under Subsection (4)(c) shall be deposited into the General Fund as
- 5174 dedicated credits of the office.

5175 Section 76. Section **63N-1a-303** is amended to read:

5176 **63N-1a-303 (Effective 05/06/26). Powers and duties of executive director.**

- 5177 (1) Unless otherwise expressly provided by statute, the executive director may organize the
- 5178 office in any appropriate manner, including the appointment of deputy directors of the
- 5179 office.
- 5180 (2) The executive director may consolidate personnel and service functions for efficiency
- 5181 and economy in the office.
- 5182 (3) The executive director, with the approval of the governor:
- 5183 (a) may, by following the procedures and requirements of Title 63J, Chapter 5, Federal
- 5184 Funds Procedures Act, seek federal grants, loans, or participation in federal programs;
- 5185 (b) may enter into a lawful contract or agreement with another state, a chamber of
- 5186 commerce organization, a service club, or a private entity; and
- 5187 (c) shall annually prepare and submit to the governor a budget of the office's financial
- 5188 requirements.
- 5189 (4) With the governor's approval, if a federal program requires the expenditure of state
- 5190 funds as a condition for the state to participate in a fund, property, or service, the
- 5191 executive director may expend necessary funds from money provided by the Legislature
- 5192 for the use of the office.
- 5193 (5) The executive director shall coordinate with the executive directors of the Department
- 5194 of Workforce Services and the Governor's Office of Planning and Budget to review data
- 5195 and metrics to be reported to the Legislature as described in Section 63N-1a-306.
- 5196 (6) The executive director shall:

- 5197 (a) receive guidance from the Economic Development Council created in Section
 5198 63N-1a-502;
- 5199 (b) establish and implement strategies to recruit industries identified by the Economic
 5200 Development Council to locate in the state;
- 5201 (c) establish strategies for and actively support entrepreneurship, small business
 5202 development, and existing small businesses in the state;
- 5203 (d) coordinate state and local efforts on economic development activities, including
 5204 efforts led by:
- 5205 (i) the Utah Inland Port Authority created in Section 11-58-201;
 5206 (ii) the Point of the Mountain State Land Authority created in Section 11-59-201;
 5207 (iii) the Utah Lake Authority created in Section 11-65-201;
 5208 (iv) the Utah Fairpark Area Investment and Restoration District created in Section
 5209 11-68-201;
- 5210 (v) the Military Installation Development Authority created in Section 63H-1-201;
 5211 and
- 5212 (vi) regional associations of governments created under Title 11, Chapter 13,
 5213 Interlocal Cooperation Act;
- 5214 (e) identify areas of the state for targeted economic development;
- 5215 (f) match areas of the state for targeted economic development, with targeted industries
 5216 or businesses encouraged to permanently relocate to, or significantly expand
 5217 operations in, the state;
- 5218 (g) ensure the office's efforts are, to the extent practicable, data-driven, evidence-based,
 5219 and focused on developing human capital, physical capital, and innovation; and
- 5220 (h) support an integrated international trade strategy for the state.
- 5221 (7) Nothing in Subsection (6) shall be construed to:
- 5222 (a) give the executive director authority over an entity described in Subsection (6)(e); or
 5223 (b) modify the legal status of a political subdivision.
- 5224 [(6)] (8) Unless otherwise provided in this title, the executive director may make rules in
 5225 accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, as
 5226 necessary for the administration of programs established under state law.
- 5227 Section 77. Section **63N-1a-401** is amended to read:
- 5228 **63N-1a-401 (Effective 05/06/26). Creation of Board of Economic Development.**
- 5229 (1)(a) There is created within the office the Board of Economic [Opportunity]
 5230 Development, consisting of nine members appointed by the executive director of the

- 5231 office, in consultation with the governor, to four-year terms of office with the advice
 5232 and consent of the Senate in accordance with Title 63G, Chapter 24, Part 2,
 5233 Vacancies.
- 5234 (b) The nine members described in Subsection (1)(a) shall include:
 5235 (i) one member associated with the state's rural communities;
 5236 (ii) one member associated with direct entrepreneurship in the state;
 5237 (iii) one member associated with higher education in the state;
 5238 (iv) five members, other than the members described in Subsections (1)(b)(i) through
 5239 (iii), that are associated with a targeted industry; and
 5240 (v) one at-large member.
- 5241 (c) Notwithstanding the requirements of Subsection (1)(a), the executive director shall,
 5242 at the time of appointment or reappointment, adjust the length of terms to ensure that
 5243 the terms of board members are staggered so that approximately half of the board is
 5244 appointed every two years.
- 5245 (d) The members may not serve more than two full consecutive terms except when the
 5246 executive director determines that an additional term is in the best interest of the state.
- 5247 (2) When a vacancy occurs in the membership for any reason, the replacement shall be
 5248 appointed for the unexpired term in accordance with Title 63G, Chapter 24, Part 2,
 5249 Vacancies.
- 5250 (3) A majority of board members, not including a vacancy, constitutes a quorum for
 5251 conducting board business and exercising board power.
- 5252 (4) The executive director shall select one board member as the board's chair and one
 5253 member as the board's vice chair.
- 5254 (5) A member may not receive compensation or benefits for the member's service, but may
 5255 receive per diem and travel expenses in accordance with:
 5256 (a) Section 63A-3-106;
 5257 (b) Section 63A-3-107; and
 5258 (c) rules made by the Division of Finance under Sections 63A-3-106 and 63A-3-107.
- 5259 (6) A member shall comply with the conflict of interest provisions described in Title 63G,
 5260 Chapter 24, Part 3, Conflicts of Interest.
- 5261 Section 78. Section **63N-1a-402** is amended to read:
 5262 **63N-1a-402 (Effective 05/06/26). Board of Economic Development duties and**
 5263 **powers.**
- 5264 (1) The [GOEØ] GOED board shall advise and assist the office to:

- 5265 (a) promote and encourage the economic, commercial, financial, industrial, agricultural,
5266 and civic welfare of the state;
- 5267 (b) promote and encourage the development, attraction, expansion, and retention of
5268 businesses, industries, and commerce in the state;
- 5269 (c) support the efforts of local government and regional nonprofit economic
5270 development organizations to encourage expansion or retention of businesses,
5271 industries, and commerce in the state;
- 5272 (d) act to enhance the state's economy;
- 5273 (e) develop policies, priorities, and objectives regarding the assistance, retention, or
5274 recruitment of business, industries, and commerce in the state;
- 5275 (f) administer programs for the assistance, retention, or recruitment of businesses,
5276 industries, and commerce in the state;
- 5277 (g) ensure that economic development programs are available to all areas of the state in
5278 accordance with federal and state law;
- 5279 (h) identify local, regional, and statewide rural economic development and planning
5280 priorities;
- 5281 (i) understand, through study and input, issues relating to local, regional, and statewide
5282 rural economic development, including challenges, opportunities, best practices,
5283 policy, planning, and collaboration; and
- 5284 (j) maintain ethical and conflict of interest standards consistent with those imposed on a
5285 public officer under Title 67, Chapter 16, Utah Public Officers' and Employees'
5286 Ethics Act.

- 5287 (2) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the [
5288 ~~GOEO~~] GOED board may, in consultation with the executive director, make rules for the
5289 conduct of the [~~GOEO~~] GOED board's business.

5290 Section 79. Section **63N-1a-501** is enacted to read:

5291 **63N-1a-501 (Effective 05/06/26). Creation of Economic Development Council.**

- 5292 (1) There is created the Economic Development Council.
- 5293 (2) The council consists of the following voting members:
- 5294 (a) the governor, or the governor's designee, who shall be the chair of the council;
- 5295 (b) the president of the Senate or the president's designee;
- 5296 (c) the speaker of the House of Representatives or the speaker's designee;
- 5297 (d) a member appointed by the Utah Inland Port Authority board created in Section
5298 11-58-301, to represent the interests of the Utah Inland Port Authority;

- 5299 (e) a member appointed by the Point of the Mountain State Land Authority board
 5300 created in Section 11-59-301, to represent the interests of the Point of the Mountain
 5301 State Land Authority;
- 5302 (f) a member appointed by the Utah Fairpark Area Investment and Restoration District
 5303 board created in Section 11-70-301, to represent the interests of the Utah Fairpark
 5304 Area Investment and Restoration District;
- 5305 (g) a member appointed by the Military Installation Development Authority board
 5306 created in Section 63H-1-301, to represent the interests of the Military Installation
 5307 Development Authority;
- 5308 (h) the director of the School and Institutional Trust Lands Administration created in
 5309 Section 53C-1-201 or the director's designee;
- 5310 (i) a member to represent the interests of municipalities, appointed by the Utah League
 5311 of Cities and Towns; and
- 5312 (j) a member to represent the interests of counties, appointed by the Utah Association of
 5313 Counties.
- 5314 (3)(a) A majority of council members, not including a vacancy, constitutes a quorum for
 5315 the purpose of conducting council business.
- 5316 (b) The action of a majority of a quorum constitutes the action of the council.
- 5317 (4) The office shall provide office space and staff support for the council.
- 5318 (5)(a) A council member may not receive compensation or benefits for the member's
 5319 service on the council, but may receive per diem and travel expenses in accordance
 5320 with:
- 5321 (i) Sections 63A-3-106 and 63A-3-107; and
- 5322 (ii) rules made by the Division of Finance in accordance with Sections 63A-3-106
 5323 and 63A-3-107.
- 5324 (b) Compensation and expenses of a council member who is a legislator are governed by
 5325 Section 36-2-2 and Legislative Joint Rules, Title 5, Legislative Compensation and
 5326 Expenses.
- 5327 Section 80. Section **63N-1a-502** is enacted to read:
- 5328 **63N-1a-502 (Effective 05/06/26). Economic Development Council duties.**
- 5329 The council shall:
- 5330 (1) establish strategic economic development objectives for the state, including establishing
 5331 broad objectives;
- 5332 (2) provide recommendations to the executive director regarding efforts to achieve strategic

- 5333 economic development objectives;
 5334 (3) make recommendations to the Legislature;
 5335 (4) unify and coordinate economic development projects that have regional or statewide
 5336 impact;
 5337 (5) at least once every five years, recommend to the executive director industries or groups
 5338 of industries to target for economic development in the state;
 5339 (6) gather input from organizations contributing to economic development in the state,
 5340 including economic opportunity agencies; and
 5341 (7) receive an annual report from the board.

5342 Section 81. Section **63N-1a-503** is enacted to read:

5343 **63N-1a-503 (Effective 05/06/26). Reporting.**

- 5344 (1) The chair and executive director shall, no later than May 31, 2026, provide a report to
 5345 the Economic Development and Workforce Services Interim Committee that describes
 5346 the council and office's progress in coordinating efforts around opportunity zone
 5347 application development.
 5348 (2) Beginning January 1, 2027, the chair or the chair's designee shall, no later than July 1,
 5349 provide an annual written report to the Economic Development and Workforce Services
 5350 Interim Committee that describes:
 5351 (a) the strategic economic development objectives established under Section 63N-1a-501;
 5352 (b) the council's efforts to unify and coordinate economic development projects with
 5353 regional or statewide impact, if any; and
 5354 (c) any recommendations for action from the Legislature.
 5355 (3) Beginning January 1, 2028, the executive director shall, no later than July 1, provide an
 5356 annual written report to the Economic Development and Workforce Services Interim
 5357 Committee, on:
 5358 (a) the executive director's progress toward achieving strategic economic development
 5359 objectives identified by the council; and
 5360 (b) the executive director's efforts to fulfill the duties described in Subsection
 5361 63N-1a-303(6).

5362 Section 82. Section **63N-2-104.2** is amended to read:

5363 **63N-2-104.2 (Effective 05/06/26). Written agreement -- Contents -- Grounds for**
 5364 **amendment or termination.**

- 5365 (1) If the office determines that a business entity is eligible for a tax credit under Section
 5366 63N-2-104.1, the office may enter into a written agreement with the business entity that:

- 5367 (a) establishes performance benchmarks for the business entity to claim a tax credit,
5368 including any minimum wage requirements;
- 5369 (b) specifies the maximum amount of tax credit that the business entity may be
5370 authorized for a taxable year and over the life of the new commercial project, subject
5371 to the limitations in Section 63N-2-104.3;
- 5372 (c) establishes the length of time the business entity may claim a tax credit;
- 5373 (d) requires the business entity to retain records supporting a claim for a tax credit for at
5374 least four years after the business entity claims the tax credit;
- 5375 (e) requires the business entity to submit to audits for verification of any tax credit
5376 claimed; and
- 5377 (f) requires the business entity, in order to claim a tax credit, to meet the requirements of
5378 Section 63N-2-105.
- 5379 (2) In establishing the terms of a written agreement, including the duration and amount of
5380 tax credit that the business entity may be authorized to receive, the office shall:
- 5381 (a) authorize the tax credit in a manner that provides the most effective incentive for the
5382 new commercial project;
- 5383 (b) consider the following factors:
- 5384 (i) whether the new commercial project provides vital or specialized support to
5385 supply chains;
- 5386 (ii) whether the new commercial project provides an innovative product, technology,
5387 or service;
- 5388 (iii) the number and wages of new incremental jobs associated with the new
5389 commercial project;
- 5390 (iv) the amount of financial support provided by local government entities for the
5391 new commercial project;
- 5392 (v) the amount of capital expenditures associated with the new commercial project;
- 5393 (vi) whether the new commercial project returns jobs transferred overseas;
- 5394 (vii) the rate of unemployment in the county in which the new commercial project is
5395 located;
- 5396 (viii) whether the new commercial project creates a remote work opportunity;
- 5397 (ix) whether the new commercial project is located in a development zone created by
5398 a local government entity as described in Subsection 63N-2-104(2);
- 5399 (x) whether the business entity commits to hiring Utah workers for the new
5400 commercial project;

- 5401 (xi) whether the business entity adopts a corporate citizenry plan or supports
5402 initiatives in the state that advance education, gender equality, diversity and
5403 inclusion, work-life balance, environmental or social good, or other similar causes;
- 5404 (xii) whether the business entity's headquarters are located within the state;
- 5405 (xiii) the likelihood of other business entities relocating to another state as a result of
5406 the new commercial project;
- 5407 (xiv) the necessity of the tax credit for the business entity's expansion in the state or
5408 relocation from another state;
- 5409 (xv) whether the proposed new commercial project might reasonably be expected to
5410 occur in the foreseeable future without the tax credit; and
- 5411 (xvi) the location and impact of the new commercial project on existing and planned
5412 transportation facilities, existing and planned housing, including affordable
5413 housing, and public infrastructure; and
- 5414 (c) consult with the [GØEØ] GOED board.
- 5415 (3) In determining the amount of tax credit that a business entity may be authorized to
5416 receive under a written agreement, the office may:
- 5417 (a) authorize a higher or optimized amount of tax credit for a new commercial project
5418 located within a development zone created by a local government entity as described
5419 in Subsection 63N-2-104(2); and
- 5420 (b) establish by rule made in accordance with Title 63G, Chapter 3, Utah Administrative
5421 Rulemaking Act, a process by which the office closely approximates the amount of
5422 taxes the business entity paid under Title 59, Chapter 12, Sales and Use Tax Act, for
5423 a capital project.
- 5424 (4) If the office identifies any of the following events after entering into a written
5425 agreement with a business entity, the office and the business entity shall amend, or the
5426 office may terminate, the written agreement:
- 5427 (a) a change in the business entity's organization resulting from a merger with or
5428 acquisition of another entity located in the state;
- 5429 (b) a material increase in the business entity's retail operations that results in new state
5430 revenue not subject to the incentive; or
- 5431 (c) an increase in the business entity's operations that:
- 5432 (i) is outside the scope of the written agreement or outside the boundaries of a
5433 development zone; and
- 5434 (ii) results in new state revenue not subject to the incentive.

5435 Section 83. Section **63N-2-504** is amended to read:

5436 **63N-2-504 (Effective 05/06/26). Independent review committee.**

- 5437 (1) In accordance with rules adopted by the office under Section 63N-2-509, the [~~GOED~~]
5438 GOED board shall establish a separate, independent review committee to provide
5439 recommendations to the office regarding the terms and conditions of an agreement and
5440 to consult with the office as provided in this part or in rule.
- 5441 (2) The review committee shall consist of:
- 5442 (a) one member appointed by the executive director to represent the office;
 - 5443 (b) two members appointed by the mayor or chief executive of the county in which the
5444 qualified hotel is located or proposed to be located;
 - 5445 (c) two members appointed by:
 - 5446 (i) the mayor of the municipality in which the qualified hotel is located or proposed
5447 to be located, if the qualified hotel is located or proposed to be located within the
5448 boundary of a municipality; or
 - 5449 (ii) the mayor or chief executive of the county in which the qualified hotel is located
5450 or proposed to be located, in addition to the two members appointed under
5451 Subsection (2)(b), if the qualified hotel is located or proposed to be located
5452 outside the boundary of a municipality;
 - 5453 (d) an individual representing the hotel industry, appointed by the Utah Hotel and
5454 Lodging Association;
 - 5455 (e) an individual representing the commercial development and construction industry,
5456 appointed by the president or chief executive officer of the local chamber of
5457 commerce;
 - 5458 (f) an individual representing the convention and meeting planners industry, appointed
5459 by the president or chief executive officer of the local convention and visitors bureau;
5460 and
 - 5461 (g) one member appointed by the [~~GOED~~] GOED board.
- 5462 (3)(a) A member serves an indeterminate term and may be removed from the review
5463 committee by the appointing authority at any time.
- 5464 (b) A vacancy may be filled in the same manner as an appointment under Subsection (2).
- 5465 (4) A member of the review committee may not be paid for serving on the review
5466 committee and may not receive per diem or expense reimbursement.
- 5467 (5) The office shall provide any necessary staff support to the review committee.

5468 Section 84. Section **63N-2-512** is amended to read:

- 5469 **63N-2-512 (Effective 05/06/26) (Superseded 07/01/26). Hotel Impact Mitigation**
5470 **Fund.**
- 5471 (1) As used in this section:
- 5472 (a) "Affected hotel" means a hotel built in the state before July 1, 2014.
- 5473 (b) "City-wide event" means an event hosted at a convention facility pursuant to a
5474 contract by a nonprofit corporation responsible for the promotion of convention
5475 business.
- 5476 (c) "Mitigation fund" means the Hotel Impact Mitigation Fund, created in Subsection (2).
- 5477 (d) "Qualified losses" means revenue lost by an affected hotel for city-wide events
5478 attributable to the qualified hotel room supply being added to the market in the state,
5479 calculated by taking the difference between:
- 5480 (i) an affected hotel's average total annual room-night revenue for city-wide events
5481 for the three-year period between January 1, 2017, and December 31, 2019; and
5482 (ii) the affected hotel's total annual room-night revenue for city-wide events for the
5483 applicable year.
- 5484 (2) There is created an expendable special revenue fund known as the Hotel Impact
5485 Mitigation Fund.
- 5486 (3) The mitigation fund shall:
- 5487 (a) be administered by [GOEØ] GOED;
- 5488 (b) earn interest; and
- 5489 (c) be funded by:
- 5490 (i) payments required to be deposited into the mitigation fund by the Division of
5491 Finance under Subsection 59-12-103(10);
- 5492 (ii) money required to be deposited into the mitigation fund under Subsection
5493 17-78-707(2) by the county in which a qualified hotel is located; and
- 5494 (iii) any money deposited into the mitigation fund under Subsection (7).
- 5495 (4) Interest earned by the mitigation fund shall be deposited into the mitigation fund.
- 5496 (5) In accordance with office rules and Subsection (6), [GOEØ] GOED shall annually pay
5497 \$2,100,000 from the mitigation fund to affected hotels to mitigate qualified losses as
5498 follows:
- 5499 (a) for calendar years 2023 and 2024, on or before June 1, 2025;
- 5500 (b) for calendar year 2025, on or before February 28, 2026; and
- 5501 (c) for calendar year 2026, on or before February 28, 2026.
- 5502 (6) Each calendar year, [GOEØ] GOED shall award the available \$2,100,000 to affected

5503 hotels proportionally, according to each affected hotel's qualified losses in relation to the
5504 total qualified losses suffered collectively by all affected hotels.

5505 (7) A host local government or qualified hotel owner may make payments to the Division
5506 of Finance for deposit into the mitigation fund.

5507 (8) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the
5508 office shall, in consultation with the Utah Hotel and Lodging Association and the county
5509 in which the qualified hotel is located, make rules establishing procedures and criteria
5510 governing payments under Subsection (5) to affected hotels.

5511 Section 85. Section **63N-2-512** is amended to read:

5512 **63N-2-512 (Effective 07/01/26) (Repealed 07/01/28). Hotel Impact Mitigation**
5513 **Fund.**

5514 (1) As used in this section:

5515 (a) "Affected hotel" means a hotel built in the state before July 1, 2014.

5516 (b) "City-wide event" means an event hosted at a convention facility pursuant to a
5517 contract by a nonprofit corporation responsible for the promotion of convention
5518 business.

5519 (c) "Mitigation fund" means the Hotel Impact Mitigation Fund, created in Subsection (2).

5520 (d) "Qualified losses" means revenue lost by an affected hotel for city-wide events
5521 attributable to the qualified hotel room supply being added to the market in the state,
5522 calculated by taking the difference between:

5523 (i) an affected hotel's average total annual room-night revenue for city-wide events
5524 for the three-year period between January 1, 2017, and December 31, 2019; and

5525 (ii) the affected hotel's total annual room-night revenue for city-wide events for the
5526 applicable year.

5527 (2) There is created an expendable special revenue fund known as the Hotel Impact
5528 Mitigation Fund.

5529 (3) The mitigation fund shall:

5530 (a) be administered by [~~GOEØ~~] GOED;

5531 (b) earn interest; and

5532 (c) be funded by:

5533 (i) money required to be deposited into the mitigation fund under Subsection
5534 17-78-707(2) by the county in which a qualified hotel is located; and

5535 (ii) any money deposited into the mitigation fund under Subsection (7).

5536 (4) Interest earned by the mitigation fund shall be deposited into the mitigation fund.

- 5537 (5) In accordance with office rules and Subsection (6), [GØEØ] GOED shall annually pay
5538 \$2,100,000 from the mitigation fund to affected hotels to mitigate qualified losses as
5539 follows:
- 5540 (a) for calendar years 2023 and 2024, on or before June 1, 2025;
5541 (b) for calendar year 2025, on or before February 28, 2026; and
5542 (c) for calendar year 2026, on or before February 28, 2026.
- 5543 (6) Each calendar year, [GØEØ] GOED shall award the available \$2,100,000 to affected
5544 hotels proportionally, according to each affected hotel's qualified losses in relation to the
5545 total qualified losses suffered collectively by all affected hotels.
- 5546 (7) A host local government or qualified hotel owner may make payments to the Division
5547 of Finance for deposit into the mitigation fund.
- 5548 (8) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the
5549 office shall, in consultation with the Utah Hotel and Lodging Association and the county
5550 in which the qualified hotel is located, make rules establishing procedures and criteria
5551 governing payments under Subsection (5) to affected hotels.

5552 Section 86. Section **63N-2-808** is amended to read:

5553 **63N-2-808 (Effective 05/06/26). Agreements between office and tax credit**
5554 **applicant and life science establishment -- Tax credit certificate.**

- 5555 (1)(a) The office, with advice from the [GØEØ] GOED board, may enter into an
5556 agreement to grant a tax credit certificate to a tax credit applicant selected in
5557 accordance with this part, if the tax credit applicant meets the conditions established
5558 in the agreement and under this part.
- 5559 (b) The agreement described in Subsection (1)(a) shall:
- 5560 (i) detail the requirements that the tax credit applicant shall meet prior to receiving a
5561 tax credit certificate;
- 5562 (ii) require the tax credit certificate recipient to retain records supporting a claim for a
5563 tax credit for at least four years after the tax credit certificate recipient claims a tax
5564 credit under this part; and
- 5565 (iii) require the tax credit certificate recipient to submit to audits for verification of
5566 the tax credit claimed, including audits by the office and by the State Tax
5567 Commission.
- 5568 (2)(a) The office, with advice from the [GØEØ] GOED board, shall enter into an
5569 agreement with the life science establishment in which the tax credit applicant
5570 invested for purposes of claiming a tax credit.

- 5571 (b) The agreement described in Subsection (2)(a):
- 5572 (i) shall provide the office with a document that expressly and directly authorizes the
- 5573 State Tax Commission to disclose to the office the life science establishment's tax
- 5574 returns and other information that would otherwise be subject to confidentiality
- 5575 under Section 59-1-403 or Section 6103, Internal Revenue Code;
- 5576 (ii) shall authorize the Department of Workforce Services to disclose to the office the
- 5577 employment data that the life science establishment submits to the Department of
- 5578 Workforce Services;
- 5579 (iii) shall require the life science establishment to provide the office with the life
- 5580 science establishment's current capitalization tables; and
- 5581 (iv) may require the life science establishment to provide the office with other data
- 5582 that:
- 5583 (A) ensure compliance with the requirements of this chapter; and
- 5584 (B) demonstrate the economic impact of the tax credit applicant's investment in
- 5585 the life science establishment.

5586 Section 87. Section **63N-3-112** is amended to read:

5587 **63N-3-112 (Effective 05/06/26). Talent development grants.**

- 5588 (1) A for-profit business that is creating new incremental high paying jobs in the state, may
- 5589 apply to receive a talent development grant from the restricted account.
- 5590 (2) In accordance with the provisions of this section and in consultation with the [~~GOEO~~]
- 5591 GOED board, the administrator may award up to \$10,000 per new job created.
- 5592 (3) The administrator shall designate an application process for a business to apply for the
- 5593 grant.
- 5594 (4) A business may apply to receive a grant only after each employee has been employed at
- 5595 qualifying wage levels for at least 12 consecutive months.
- 5596 (5) The office shall deduct money granted for a talent development grant under this section
- 5597 from any other money or incentive awarded by the office to the business.
- 5598 (6) Grants awarded under this section are only to reimburse a business for the costs incurred
- 5599 to recruit, hire, train, and otherwise employ an employee in a newly created job.
- 5600 (7) As part of the application process, a business shall submit a hiring and training plan
- 5601 detailing how the grant money will be used.
- 5602 (8) The administrator may grant an award only up to an amount that is no more than 25% of
- 5603 the estimated costs to be incurred by the business for the costs in the hiring and training
- 5604 plan.

5605 Section 88. Section **63N-3-603** is amended to read:

5606 **63N-3-603 (Effective 05/06/26). Applicability, requirements, and limitations on a**
5607 **housing and transit reinvestment zone.**

5608 (1) A housing and transit reinvestment zone proposal created under this part shall
5609 demonstrate how the proposal addresses the following objectives:

- 5610 (a) higher utilization of public transit;
- 5611 (b) increasing availability of housing, including affordable housing, and fulfillment of
5612 moderate income housing plans;
- 5613 (c) promoting and encouraging development of owner-occupied housing;
- 5614 (d) improving efficiencies in parking and transportation, including walkability of
5615 communities near public transit facilities;
- 5616 (e) overcoming development impediments and market conditions that render a
5617 development cost prohibitive absent the proposal and incentives;
- 5618 (f) conserving water resources through efficient land use;
- 5619 (g) improving air quality by reducing fuel consumption and motor vehicle trips;
- 5620 (h) encouraging transformative mixed-use development and investment in transportation
5621 and public transit infrastructure in strategic areas;
- 5622 (i) strategic land use and municipal planning in major transit investment corridors as
5623 described in Subsection 10-20-404(2);
- 5624 (j) increasing access to employment and educational opportunities; and
- 5625 (k) increasing access to child care.

5626 (2)(a) In order to accomplish the objectives described in Subsection (1), a municipality
5627 or public transit county that initiates the process to create a housing and transit
5628 reinvestment zone as described in this part shall ensure that the proposal for a
5629 housing and transit reinvestment zone includes:

- 5630 (i) except as provided in Subsection (3), at least 12% of the proposed dwelling units
5631 within the housing and transit reinvestment zone are affordable housing units,
5632 with:
- 5633 (A) up to 9% of the proposed dwelling units occupied or reserved for occupancy
5634 by households with a gross household income equal to or less than 80% of the
5635 county median gross income for households of the same size; and
- 5636 (B) at least 3% of the proposed dwelling units occupied or reserved for occupancy
5637 by households with a gross household income equal to or less than 60% of the
5638 county median gross income for households of the same size;

- 5639 (ii) except as provided in Subsection (2)(c), a housing and transit reinvestment zone
5640 shall include:
- 5641 (A) at least 51% of the developable area within a housing and transit reinvestment
5642 zone as residential uses; and
- 5643 (B) an average of at least 50 dwelling units per acre within the acreage of the
5644 housing and transit reinvestment zone dedicated to residential uses;
- 5645 (iii) mixed-use development; and
- 5646 (iv) a mix of dwelling units to ensure that at least 25% of the dwelling units have
5647 more than one bedroom.
- 5648 (b)(i) If a housing and transit reinvestment zone is phased, a municipality or public
5649 transit county shall ensure that a housing and transit reinvestment zone is phased
5650 and developed to provide the required 12% of affordable housing units in each
5651 phase of development.
- 5652 (ii) A municipality or public transit county may allow a housing and transit
5653 reinvestment zone to be phased and developed in a manner to provide more of the
5654 required affordable housing units in early phases of development.
- 5655 (iii) A municipality or public transit county shall include in a housing and transit
5656 reinvestment zone proposal an affordable housing plan, which may include deed
5657 restrictions, to ensure the affordable housing required in the proposal will continue
5658 to meet the definition of affordable housing at least throughout the entire term of
5659 the housing and transit reinvestment zone.
- 5660 (c) For a housing and transit reinvestment zone proposed by a public transit county at a
5661 public transit hub, or for a housing and transit reinvestment zone proposed by a
5662 municipality at a bus rapid transit station, the housing and transit reinvestment zone
5663 shall include:
- 5664 (i) at least 51% of the developable area within a housing and transit reinvestment
5665 zone as residential uses; and
- 5666 (ii) an average of at least 39 dwelling units per acre within the acreage of the housing
5667 and transit reinvestment zone dedicated to residential uses.
- 5668 (3) A municipality or public transit county that, at the time the housing and transit
5669 reinvestment zone proposal is approved by the housing and transit reinvestment zone
5670 committee, meets the affordable housing guidelines of the United States Department of
5671 Housing and Urban Development at 60% area median income is exempt from the
5672 requirement described in Subsection (2)(a).

- 5673 (4)(a) A municipality may only propose a housing and transit reinvestment zone at a
5674 commuter rail station, and a public transit county may only propose a housing and
5675 transit reinvestment zone at a public transit hub, that:
- 5676 (i) subject to Subsection (5)(a):
 - 5677 (A)(I) except as provided in Subsection (4)(a)(i)(A)(II), for a municipality,
5678 does not exceed a 1/3 mile radius of a commuter rail station;
 - 5679 (II) for a municipality that is a city of the first or second class that is within a
5680 county of the first or second class, with an opportunity zone created in
5681 accordance with Section 1400Z-1, Internal Revenue Code, does not exceed
5682 a 1/2 mile radius of a commuter rail station located within the opportunity
5683 zone; or
 - 5684 (III) for a public transit county, does not exceed a 1/3 mile radius of a public
5685 transit hub; and
 - 5686 (B) has a total area of no more than 125 noncontiguous acres;
 - 5687 (ii) subject to Section 63N-3-607, proposes the capture of a maximum of 80% of each
5688 taxing entity's property tax increment above the base year for a term of no more
5689 than 25 consecutive years on each parcel within a 45-year period not to exceed the
5690 property tax increment amount approved in the housing and transit reinvestment
5691 zone proposal; and
 - 5692 (iii) the commencement of collection of property tax increment, for all or a portion of
5693 the housing and transit reinvestment zone project area, shall be triggered by
5694 providing notice as described in Subsection (6), but a housing and transit
5695 reinvestment zone proposal may not propose or include triggering more than three
5696 property tax increment collection periods for the same project during the
5697 applicable 45-year period.
- 5698 (b) A municipality or public transit county may only propose a housing and transit
5699 reinvestment zone at a light rail station or bus rapid transit station that:
- 5700 (i) subject to Subsection (5):
 - 5701 (A) does not exceed:
 - 5702 (I) except as provided in Subsection (4)(b)(i)(A)(II), (III), or (4)(e), a 1/4 mile
5703 radius of a bus rapid transit station or light rail station;
 - 5704 (II) for a municipality that is a city of the first class with a population greater
5705 than 150,000 that is within a county of the first class, a 1/2 mile radius of a
5706 light rail station located in an opportunity zone created in accordance with

5707 Section 1400Z-1, Internal Revenue Code; or

5708 (III) a 1/2 mile radius of a light rail station located within a master-planned
5709 development of 500 acres or more; and

5710 (B) has a total area of no more than 100 noncontiguous acres;

5711 (ii) subject to Subsection (4)(c) and Section 63N-3-607, proposes the capture of a
5712 maximum of 80% of each taxing entity's property tax increment above the base
5713 year for a term of no more than 15 consecutive years on each parcel within a
5714 30-year period not to exceed the property tax increment amount approved in the
5715 housing and transit reinvestment zone proposal; and

5716 (iii) the commencement of collection of property tax increment, for all or a portion of
5717 the housing and transit reinvestment zone project area, shall be triggered by
5718 providing notice as described in Subsection (6), but a housing and transit
5719 reinvestment zone proposal may not propose or include triggering more than three
5720 property tax increment collection periods for the same project during the
5721 applicable 30-year period.

5722 (c) For a housing and transit reinvestment zone proposed by a public transit county at a
5723 public transit hub, or for a housing and transit reinvestment zone proposed by a
5724 municipality at a bus rapid transit station, if the proposed housing density within the
5725 housing and transit reinvestment zone is between 39 and 49 dwelling units per acre,
5726 the maximum capture of each taxing entity's property tax increment above the base
5727 year is 60%.

5728 (d) A municipality that is a city of the first class with a population greater than 150,000
5729 in a county of the first class as described in Subsections (4)(a)(i)(A)(II) and
5730 (4)(b)(i)(A)(II) may only propose one housing and transit reinvestment zone within
5731 an opportunity zone.

5732 (e)(i) Subject to Subsection (4)(e)(ii), the radius restrictions described in Subsection
5733 (4)(b)(i) do not apply, and a housing and transit reinvestment zone may extend to
5734 an area between two light rail stations located within a city of the third class if the
5735 two light rail stations are within a .95 mile distance on the same light rail line.

5736 (ii) If a housing and transit reinvestment zone is extended to accommodate two light
5737 rail stations as described in Subsection (4)(e)(i):

5738 (A) the housing and transit reinvestment zone is limited to a total area not to
5739 exceed 100 noncontiguous acres; and

5740 (B) the housing and transit reinvestment zone may not exceed a 1/4 mile radius

- 5741 from the light rail stations or any point on the light rail line between the two
5742 stations.
- 5743 (f) If a parcel within the housing and transit reinvestment zone is included as an area that
5744 is part of a project area, as that term is defined in Section 17C-1-102, and created
5745 under Title 17C, Chapter 1, Agency Operations, that parcel may not be triggered for
5746 collection unless the project area funds collection period, as that term is defined in
5747 Section 17C-1-102, has expired.
- 5748 (5)(a) For a housing and transit reinvestment zone for a commuter rail station, if a parcel
5749 is intersected by the relevant radius limitation, the full parcel may be included as part
5750 of the housing and transit reinvestment zone area and will not count against the
5751 limitations described in Subsection (4)(a)(i).
- 5752 (b) For a housing and transit reinvestment zone for a light rail or bus rapid transit
5753 station, if a parcel is intersected by the relevant radius limitation, the full parcel may
5754 be included as part of the housing and transit reinvestment zone area and will not
5755 count against the limitations described in Subsection (4)(b)(i).
- 5756 (c) A housing and transit reinvestment zone may not be smaller than 10 acres.
- 5757 (6)(a) The notice of commencement of collection of property tax increment required in
5758 Subsection (4)(a)(iii) or (4)(b)(iii) shall be sent by mail or electronically to the
5759 following entities no later than December 31 of the year before the year for which the
5760 property tax increment collection is proposed to commence:
- 5761 (i) the State Tax Commission;
- 5762 (ii) the State Board of Education;
- 5763 (iii) the state auditor;
- 5764 (iv) the auditor of the county in which the housing and transit reinvestment zone is
5765 located;
- 5766 (v) each taxing entity affected by the collection of property tax increment from the
5767 housing and transit reinvestment zone; and
- 5768 (vi) the Governor's Office of Economic [Opportunity] Development.
- 5769 (b) The notice described in Subsection (4)(a)(iii) or (4)(b)(iii) may not be triggered until
5770 the date on which the housing and transit reinvestment zone proposal is approved by
5771 the housing and transit reinvestment zone committee.
- 5772 (7)(a) The maximum number of housing and transit reinvestment zones at light rail
5773 stations, not including a convention center reinvestment zone, is eight in any given
5774 county.

- 5775 (b) Within a county of the first class, the maximum number of housing and transit
5776 reinvestment zones at bus rapid transit stations is three.
- 5777 (c) Within a county of the first class, the maximum total combined number of housing
5778 and transit reinvestment zones described in Subsections (7)(a) and (b) and first home
5779 investment zones created under Part 16, First Home Investment Zone Act, is 11.
- 5780 (8)(a) For purposes of this Subsection (8), "entitlement agreement" means:
- 5781 (i) a land use application;
- 5782 (ii) a rezone petition; or
- 5783 (iii) a request, petition, or application to:
- 5784 (A) enact or approve a development agreement; or
- 5785 (B) to amend or modify a development agreement.
- 5786 (b) This Subsection (8) applies to a specified county, as defined in Section 17-80-101,
5787 that has created a small public transit district on or before January 1, 2022.
- 5788 (c) To accomplish the objectives described in Subsection (1), an owner of undeveloped
5789 property within an unincorporated county shall have the right to develop and build a
5790 mixed-use development if:
- 5791 (i) the owner has submitted an entitlement agreement to the county on or before
5792 December 31, 2022, and is within a 1/3 mile radius of a public transit hub in a
5793 county described in Subsection (8)(b), including parcels that are intersected by the
5794 1/3 mile radius; and
- 5795 (ii) the county described in Subsection (8)(b) has failed to approve the entitlement
5796 agreement described in Subsection (8)(c)(i) by ordinance before December 31,
5797 2022.
- 5798 (d) The mixed use development described in Subsection (8)(c) shall include the
5799 following:
- 5800 (i)(A)(I) a maximum number of dwelling units equal to 30 multiplied by the
5801 total acres of developable area within the mixed-use development dedicated
5802 exclusively to residential use; or
- 5803 (II) a maximum number of dwelling units equal to 15 multiplied by the total
5804 acres of the mixed-use development; and
- 5805 (B) at least 33% of the dwelling units as affordable housing;
- 5806 (ii) commercial uses, including office, retail, educational, and healthcare in support of
5807 the mixed-use development constituting no more than 1/3 of the total planned
5808 gross building square footage of the subject parcels; and

- 5809 (iii) any other infrastructure element necessary or reasonable to support the
5810 mixed-use development, including:
5811 (A) parking infrastructure;
5812 (B) streets;
5813 (C) sidewalks;
5814 (D) parks; and
5815 (E) trails.
- 5816 (e)(i) The mixed-use development described in this Subsection (8) may qualify for a
5817 housing and transit reinvestment zone described in Subsection (4)(a).
5818 (ii) The county described in Subsection (8)(b) may propose a housing and transit
5819 reinvestment zone in accordance with this part, if the housing and transit
5820 reinvestment zone includes:
5821 (A)(I) an average of at least 30 dwelling units per acre within the acreage of the
5822 housing and transit reinvestment zone dedicated to residential use; or
5823 (II) a minimum number of 14 dwelling units per acre on average within the
5824 acreage of the housing and transit reinvestment zone; and
5825 (B) at least 33% of the dwelling units as affordable housing units.
- 5826 (f) A county may not take an action or enforce an agreement, ordinance, regulation, or
5827 requirement that prevents or creates development impediments to the development of
5828 a mixed-use development as described in this Subsection (8).
- 5829 (g) A county action to approve or implement the development of a mixed-use
5830 development as described in this Subsection (8) shall constitute an administrative
5831 action taken by the county and does not require county legislative action.
- 5832 Section 89. Section **63N-3-603.1** is amended to read:
5833 **63N-3-603.1 (Effective 05/06/26). Applicability, requirements, and limitations on**
5834 **a convention center reinvestment zone.**
- 5835 (1) A convention center reinvestment zone proposal created under this part shall
5836 demonstrate how the proposal addresses the following objectives:
5837 (a) redevelopment of a convention center and the surrounding area's infrastructure and
5838 assets;
5839 (b) activation of unrealized economic opportunities related to the convention center and
5840 surrounding infrastructure and assets;
5841 (c) modernization of infrastructure and design of the convention center and surrounding
5842 area and related public spaces;

- 5843 (d) encouragement of transformative development and investment, including parking
5844 improvements;
- 5845 (e) promotion of economic development and employment opportunities;
- 5846 (f) improvement of the aesthetic, functionality, and walkability of the [-]convention
5847 center and surrounding area;
- 5848 (g) enhancement of tourism opportunities; and
- 5849 (h) creation of outdoor event space to accommodate events or festivals open to the
5850 public.
- 5851 (2) A convention center reinvestment zone in a capital city proposal created under this part
5852 shall also demonstrate how the proposal addresses the following objectives:
- 5853 (a) redevelopment of a convention center and surrounding infrastructure and assets that
5854 directly serve the convention center, including parking facilities;
- 5855 (b) modernization of infrastructure and design of the convention center; and
- 5856 (c) improvement of the aesthetic, functionality, and walkability of the convention center.
- 5857 (3) The Governor's Office of Economic [~~Opportunity~~] Development shall propose a
5858 convention center reinvestment zone to accomplish the objectives described in
5859 Subsections (1) and (2).
- 5860 (4)(a)(i) A convention center reinvestment zone proposal may propose the capture of
5861 100% of the property tax increment and 100% of the sales and use tax increment
5862 described in Subsection 63N-3-602(38)(b)(ii) for a period of 30 years.
- 5863 (ii) For a convention center reinvestment zone in a capital city, in addition to the
5864 proposed capture of property tax increment and sales and use tax increment
5865 described in Subsection (4)(a)(i), the convention center reinvestment zone may
5866 propose the capture of 50% of the sales and use tax increment described in
5867 Subsection 63N-3-602(38)(b)(i).
- 5868 (b) The convention center reinvestment zone proposal shall include the respective start
5869 date and base year date from which to calculate:
- 5870 (i) the 30-year period of property tax increment; and
- 5871 (ii) the 30-year period of the sales and use tax increment.
- 5872 (c) The convention center reinvestment zone proposal may not stagger the collection
5873 periods for the parcels within the convention center reinvestment zone boundary and
5874 the parcels within the convention center reinvestment zone boundary shall have the
5875 same 30-year collection period.
- 5876 (d) The convention center reinvestment zone proposal start date for the 30-year period

5877 described in this Subsection (4), shall be no sooner than January 1 of the year of the
5878 identified tax collection year.

5879 (e)(i) For a convention center reinvestment zone in a capital city, revenue from the
5880 property tax increment and sales and use tax increment shall be distributed
5881 directly to a convention center public infrastructure district in a capital city created
5882 as required in Subsection 63N-3-607(8)(b); and

5883 (ii) For a convention center reinvestment zone in a city other than a capital city,
5884 revenue from the property tax increment and sales and use tax increment may be
5885 distributed directly to the municipality or public infrastructure district as described
5886 in the convention center reinvestment zone proposal.

5887 (5) The Governor's Office of Economic [~~Opportunity~~] Development may only propose a
5888 convention center reinvestment zone:

5889 (a) within the boundary of the eligible municipality;

5890 (b) consisting of a total area:

5891 (i) not to exceed 50 acres; or

5892 (ii) if greater than 50 acres, approved by the relevant eligible municipality;

5893 (c) consisting only of contiguous parcels; and

5894 (d) for a convention center reinvestment zone in a capital city, in an area that includes
5895 any portion of an existing convention center and any city block that is bordered by an
5896 existing convention center.

5897 (6)(a) For a convention center reinvestment zone in a capital city, the Governor's Office
5898 of Economic [~~Opportunity~~] Development shall propose a convention center
5899 reinvestment zone on or before April 15, 2025.

5900 (b) For a convention center reinvestment zone that is not in a capital city, the Governor's
5901 Office of Economic [~~Opportunity~~] Development shall propose a convention center
5902 reinvestment zone within 60 days after receiving a petition from the relevant city.

5903 (7) A convention center reinvestment zone does not count toward the maximum of eight
5904 housing and transit reinvestment zones in a given county as provided in Subsection
5905 63N-3-603(7)(a).

5906 Section 90. Section **63N-3-604** is amended to read:

5907 **63N-3-604 (Effective 05/06/26). Process for a proposal of a housing and transit**
5908 **reinvestment zone -- Analysis.**

5909 (1) Subject to approval of the housing and transit reinvestment zone committee as described
5910 in Section 63N-3-605, in order to create a housing and transit reinvestment zone, a

- 5911 municipality or public transit county that has general land use authority over the housing
5912 and transit reinvestment zone area, shall:
- 5913 (a) prepare a proposal for the housing and transit reinvestment zone that:
- 5914 (i) demonstrates that the proposed housing and transit reinvestment zone will meet
5915 the objectives described in Subsection 63N-3-603(1);
- 5916 (ii) explains how the municipality or public transit county will achieve the
5917 requirements of Subsection 63N-3-603(2)(a)(i);
- 5918 (iii) defines the specific transportation infrastructure needs, if any, and proposed
5919 improvements and estimated budgets;
- 5920 (iv) defines the boundaries of:
- 5921 (A) the housing and transit reinvestment zone; and
- 5922 (B) the sales and use tax boundary corresponding to the housing and transit
5923 reinvestment zone boundary, as described in Section 63N-3-610;
- 5924 (v) includes maps of the proposed housing and transit reinvestment zone to illustrate:
- 5925 (A) the proposed boundary and radius from a public transit hub;
- 5926 (B) proposed housing density within the housing and transit reinvestment zone;
- 5927 and
- 5928 (C) existing zoning and proposed zoning changes related to the housing and transit
5929 reinvestment zone;
- 5930 (vi) identifies any development impediments that prevent the development from
5931 being a market-rate investment, including proposed strategies and estimated
5932 budgets for addressing each one;
- 5933 (vii) describes the proposed development plan and estimated budgets, including the
5934 requirements described in Subsections 63N-3-603(2) and (4);
- 5935 (viii) establishes a base year and collection period to calculate the property tax
5936 increment within the housing and transit reinvestment zone;
- 5937 (ix) establishes a sales and use tax base year to calculate the sales and use tax
5938 increment within the housing and transit reinvestment zone in accordance with
5939 Section 63N-3-610;
- 5940 (x) describes projected maximum revenues generated and the amount of property tax
5941 increment capture from each taxing entity and proposed expenditures of revenue
5942 derived from the housing and transit reinvestment zone;
- 5943 (xi) includes an analysis of other applicable or eligible incentives, grants, or sources
5944 of revenue that can be used to reduce the finance gap;

- 5945 (xii) estimates budgets and evaluates possible benefits to active and public
5946 transportation availability and impacts on air quality;
- 5947 (xiii) proposes a finance schedule to align expected revenue with required financing
5948 costs and payments;
- 5949 (xiv) provides a pro-forma for the planned development that:
- 5950 (A) satisfies the requirements described in Subsections 63N-3-603(2), (3), and (4);
- 5951 (B) includes data showing the cost difference between what type of development
5952 could feasibly be developed absent the housing and transit reinvestment zone
5953 property tax increment and the type of development that is proposed to be
5954 developed with the housing and transit reinvestment zone property tax
5955 increment; and
- 5956 (C) provides estimated budgets and construction costs, anticipated revenue,
5957 financing, expenses, and other sources and uses of funds for the project area;
5958 and
- 5959 (xv) for a housing and transit reinvestment zone at a commuter rail station, light rail
5960 station, or bus rapid transit station that is proposed and not in public transit service
5961 operation as of the date of submission of the proposal, demonstrates that the
5962 proposed station is:
- 5963 (A) included as needed in phase one of a metropolitan planning organization's
5964 adopted long-range transportation plan and in phase one of the relevant public
5965 transit district's adopted long-range plan; and
- 5966 (B) reasonably anticipated to be constructed in the near future; and
- 5967 (b) submit the housing and transit reinvestment zone proposal to the Governor's Office
5968 of Economic ~~Opportunity~~ Development.
- 5969 (2) As part of the proposal described in Subsection (1), a municipality or public transit
5970 county shall study and evaluate possible impacts of a proposed housing and transit
5971 reinvestment zone on parking within the city and housing and transit reinvestment zone.
- 5972 (3)(a) After receiving the proposal as described in Subsection (1)(b), the Governor's
5973 Office of Economic ~~Opportunity~~ Development shall:
- 5974 (i) within 14 days after the date on which the Governor's Office of Economic [
5975 ~~Opportunity~~ Development] receives the proposal described in Subsection (1)(b),
5976 provide notice of the proposal to all affected taxing entities, including the State
5977 Tax Commission, cities, counties, school districts, metropolitan planning
5978 organizations, and the county assessor and county auditor of the county in which

- 5979 the housing and transit reinvestment zone is located; and
- 5980 (ii) at the expense of the proposing municipality or public transit county as described
- 5981 in Subsection (5), contract with an independent entity to perform the financial gap
- 5982 analysis described in Subsection (3)(b).
- 5983 (b) The gap analysis required in Subsection (3)(a)(ii) shall include:
- 5984 (i) a description of the planned development;
- 5985 (ii) a market analysis relative to other comparable project developments included in
- 5986 or adjacent to the municipality or public transit county absent the proposed
- 5987 housing and transit reinvestment zone;
- 5988 (iii) an evaluation of the proposal to and a determination of the adequacy and
- 5989 efficiency of the proposal;
- 5990 (iv) an evaluation of the proposed increment capture needed to cover the enhanced
- 5991 development costs associated with the housing and transit reinvestment zone
- 5992 proposal and enable the proposed development to occur; and
- 5993 (v) based on the market analysis and other findings, an opinion relative to the
- 5994 appropriate amount of potential public financing reasonably determined to be
- 5995 necessary to achieve the objectives described in Subsection 63N-3-603(1).
- 5996 (c) After receiving notice from the Governor's Office of Economic [Opportunity]
- 5997 Development of a proposed housing and transit reinvestment zone as described in
- 5998 Subsection (3)(a)(i), the State Tax Commission shall:
- 5999 (i) evaluate the feasibility of administering the tax implications of the proposal; and
- 6000 (ii) provide a letter to the Governor's Office of Economic [Opportunity] Development
- 6001 describing any challenges in the administration of the proposal, or indicating that
- 6002 the State Tax Commission can feasibly administer the proposal.
- 6003 (4) After receiving the results from the analysis described in Subsection (3)(b), the
- 6004 municipality or public transit county proposing the housing and transit reinvestment
- 6005 zone may:
- 6006 (a) amend the housing and transit reinvestment zone proposal based on the findings of
- 6007 the analysis described in Subsection (3)(b) and request that the Governor's Office of
- 6008 Economic [Opportunity] Development submit the amended housing and transit
- 6009 reinvestment zone proposal to the housing and transit reinvestment zone committee;
- 6010 or
- 6011 (b) request that the Governor's Office of Economic [Opportunity] Development submit
- 6012 the original housing and transit reinvestment zone proposal to the housing and transit

6013 reinvestment zone committee.

6014 (5)(a) The Governor's Office of Economic ~~[Opportunity]~~ Development may accept, as a
6015 dedicated credit, up to \$20,000 from a municipality or public transit county for the
6016 costs of the gap analysis described in Subsection (3)(b).

6017 (b) The Governor's Office of Economic ~~[Opportunity]~~ Development may expend funds
6018 received from a municipality or public transit county as dedicated credits to pay for
6019 the costs associated with the gap analysis described in Subsection (3)(b).

6020 Section 91. Section **63N-3-604.1** is amended to read:

6021 **63N-3-604.1 (Effective 05/06/26). Process for proposing a convention center**
6022 **reinvestment zone.**

6023 (1) To create a convention center reinvestment zone under this part, the Governor's Office
6024 of Economic ~~[Opportunity]~~ Development shall, after consulting with and giving notice to
6025 the related eligible municipality and county, provide a proposal for a convention center
6026 reinvestment zone to the housing and transit reinvestment zone committee.

6027 (2)(a) The Governor's Office of Economic ~~[Opportunity]~~ Development shall ensure that a
6028 proposal for the creation of a convention center reinvestment zone includes the
6029 following information and data that:

6030 (i) defines the boundary of the proposed convention center reinvestment zone;

6031 (ii) describes generally the proposed development plan;

6032 (iii) identifies a base year and collection period to calculate the property tax
6033 increment within the convention center reinvestment zone;

6034 (iv) specifies a sales and use tax base year to calculate the sales and use tax increment
6035 within the convention center reinvestment zone in accordance with Section
6036 63N-3-610.1;

6037 (v) provides estimated project and investment objectives for the convention center
6038 reinvestment zone; and

6039 (vi) outlines generally the impacts on transportation in and around the proposed
6040 convention center reinvestment zone.

6041 (b) For a convention center reinvestment zone in a capital city, the proposal described in
6042 Subsection (2)(a) shall also provide estimated budgets and construction costs,
6043 anticipated revenue, financing, expenses, and other sources and uses of funds for the
6044 project area.

6045 (c) The proposal described in Subsection (2)(b) shall limit the use of funds to:

6046 (i) a convention center;

- 6047 (ii) a publicly owned entertainment venue;
- 6048 (iii) parking; and
- 6049 (iv) infrastructure related to the project.
- 6050 (3) A proposal by the Governor's Office of Economic [Opportunity] Development for a
- 6051 convention center reinvestment zone shall demonstrate how the information and data
- 6052 provided in the proposal pursuant to Subsection (2) furthers the objectives described in
- 6053 Section 63N-3-603.1 and is in the public interest.
- 6054 (4) After submitting the proposal as described in Subsection (2), the Governor's Office of
- 6055 Economic [Opportunity] Development shall provide notice of the proposal to all affected
- 6056 taxing entities, including the State Tax Commission, cities, counties, school districts,
- 6057 metropolitan planning organizations, and the county assessor and county auditor of the
- 6058 county in which the convention center reinvestment zone is located.
- 6059 (5) After receiving notice from the Governor's Office of Economic [Opportunity]
- 6060 Development of a proposed convention center reinvestment zone as described in
- 6061 Subsection (4), the State Tax Commission shall, within 14 days:
- 6062 (a) evaluate the feasibility of administering the tax implications of the proposal; and
- 6063 (b) provide a letter to the Governor's Office of Economic [Opportunity] Development
- 6064 describing any challenges in the administration of the proposal, or indicating that the
- 6065 State Tax Commission can feasibly administer the proposal.

6066 Section 92. Section **63N-3-605** is amended to read:

6067 **63N-3-605 (Effective 05/06/26). Housing and transit reinvestment zone**

6068 **committee -- Creation.**

- 6069 (1) For any housing and transit reinvestment zone proposed under this part, or for a first
- 6070 home investment zone proposed in accordance with Part 16, First Home Investment
- 6071 Zone Act, there is created a housing and transit reinvestment zone committee with
- 6072 membership described in Subsection (2).
- 6073 (2) Each housing and transit reinvestment zone committee shall consist of the following
- 6074 members:
- 6075 (a) one representative from the Governor's Office of Economic [Opportunity]
- 6076 Development, designated by the executive director of the Governor's Office of
- 6077 Economic [Opportunity] Development;
- 6078 (b) one representative from each municipality that is a party to the proposed housing and
- 6079 transit reinvestment zone or first home investment zone, designated by the chief
- 6080 executive officer of each respective municipality;

- 6081 (c) a member of the Transportation Commission created in Section 72-1-301;
- 6082 (d) a member of the board of trustees of a large public transit district;
- 6083 (e) one individual from the Office of the State Treasurer, designated by the state
- 6084 treasurer;
- 6085 (f) two members designated by the president of the Senate;
- 6086 (g) two members designated by the speaker of the House of Representatives;
- 6087 (h) one member designated by the chief executive officer of each county affected by the
- 6088 housing and transit reinvestment zone or first home investment zone;
- 6089 (i) two representatives designated by the school superintendent from the school district
- 6090 affected by the housing and transit reinvestment zone or first home investment zone;
- 6091 and
- 6092 (j) one representative, representing the largest participating local taxing entity, after the
- 6093 municipality, county, and school district.
- 6094 (3) The individual designated by the Governor's Office of Economic [Opportunity]
- 6095 Development as described in Subsection (2)(a) shall serve as chair of the housing and
- 6096 transit reinvestment zone committee.
- 6097 (4)(a) A majority of the members of the housing and transit reinvestment zone
- 6098 committee constitutes a quorum of the housing and transit reinvestment zone
- 6099 committee.
- 6100 (b) An action by a majority of a quorum of the housing and transit reinvestment zone
- 6101 committee is an action of the housing and transit reinvestment zone committee.
- 6102 (5)(a) After the Governor's Office of Economic [Opportunity] Development receives the
- 6103 results of the analysis described in Section 63N-3-604, and after the Governor's
- 6104 Office of Economic [Opportunity] Development has received a request from the
- 6105 submitting municipality or public transit county to submit the housing and transit
- 6106 reinvestment zone proposal to the housing and transit reinvestment zone committee,
- 6107 the Governor's Office of Economic [Opportunity] Development shall notify each of
- 6108 the entities described in Subsection (2) of the formation of the housing and transit
- 6109 reinvestment zone committee.
- 6110 (b) For a first home investment zone, the housing and transit reinvestment zone
- 6111 committee shall follow the procedures described in Section 63N-3-1604.
- 6112 (6)(a) The chair of the housing and transit reinvestment zone committee shall convene a
- 6113 public meeting to consider the proposed housing and transit reinvestment zone.
- 6114 (b) A meeting of the housing and transit reinvestment zone committee is subject to Title

- 6115 52, Chapter 4, Open and Public Meetings Act.
- 6116 (7)(a) The proposing municipality or public transit county shall present the housing and
6117 transit reinvestment zone proposal to the housing and transit reinvestment zone
6118 committee in a public meeting.
- 6119 (b) The housing and transit reinvestment zone committee shall, for a housing and transit
6120 reinvestment zone proposal:
- 6121 (i) evaluate and verify whether the elements of a housing and transit reinvestment
6122 zone described in Subsections 63N-3-603(2) and (4) have been met; and
- 6123 (ii) evaluate the proposed housing and transit reinvestment zone relative to the
6124 analysis described in Subsection 63N-3-604(2).
- 6125 (c) The housing and transit reinvestment zone committee shall, for a convention center
6126 reinvestment zone proposal, evaluate and verify whether the objectives of a
6127 convention center reinvestment zone described in Section 63N-3-603.1 have been
6128 met.
- 6129 (8)(a) Subject to Subsection (8)(b), the housing and transit reinvestment zone committee
6130 may:
- 6131 (i)(A) for a housing and transit reinvestment zone, request changes to the housing
6132 and transit reinvestment zone proposal based on the analysis, characteristics,
6133 and criteria described in Section 63N-3-604; or
- 6134 (B) for a convention center reinvestment zone, request changes to the convention
6135 center reinvestment zone proposal based on the characteristics and criteria
6136 described in Sections 63N-3-603.1 and 63N-3-604.1; or
- 6137 (ii) vote to approve or deny the proposal.
- 6138 (b) Before the housing and transit reinvestment zone committee may approve the
6139 housing and transit reinvestment zone proposal, the municipality or public transit
6140 county proposing the housing and transit reinvestment zone shall ensure that the area
6141 of the proposed housing and transit reinvestment zone is zoned in such a manner to
6142 accommodate the requirements of a housing and transit reinvestment zone described
6143 in this section and the proposed development.
- 6144 (9) If a housing and transit reinvestment zone is approved by the committee:
- 6145 (a) the proposed housing and transit reinvestment zone is established according to the
6146 terms of the housing and transit reinvestment zone proposal;
- 6147 (b) affected local taxing entities are required to participate according to the terms of the
6148 housing and transit reinvestment zone proposal; and

- 6149 (c) each affected taxing entity is required to participate at the same rate.
- 6150 (10) A housing and transit reinvestment zone proposal may be amended by following the
6151 same procedure as approving a housing and transit reinvestment zone proposal.
- 6152 (11)(a) The approval for a convention center reinvestment zone in a capital city may be
6153 completed with a condition that the relevant municipality also create a public
6154 infrastructure district as provided in Subsection 63N-3-607(8)(b).
- 6155 (b) The approval described in Subsection (11)(a) shall verify that the requirements and
6156 limitations on use of funds is limited to the conditions described under Subsections
6157 63N-3-604.1(2)(b) and (c).
- 6158 Section 93. Section **63N-3-606** is amended to read:
- 6159 **63N-3-606 (Effective 05/06/26). Notice requirements.**
- 6160 (1) In approving a housing and transit reinvestment zone or convention center reinvestment
6161 zone proposal, the housing and transit reinvestment zone committee shall follow the
6162 hearing and notice requirements for creating a housing and transit reinvestment zone or
6163 convention center reinvestment zone area proposal.
- 6164 (2) Within 30 days after the housing and transit reinvestment zone committee approves a
6165 proposed housing and transit reinvestment zone, the municipality or public transit
6166 county, or for a convention center reinvestment zone, the Governor's Office of
6167 Economic [Opportunity] Development, shall:
- 6168 (a) record with the recorder of the county in which the housing and transit reinvestment
6169 zone or convention center reinvestment zone is located a document containing:
- 6170 (i) a description of the land within the housing and transit reinvestment zone or
6171 convention center reinvestment zone;
- 6172 (ii) a statement that the proposed housing and transit reinvestment zone or convention
6173 center reinvestment zone has been approved; and
- 6174 (iii) the date of adoption;
- 6175 (b) transmit a copy of the description of the land within the housing and transit
6176 reinvestment zone or convention center reinvestment zone and an accurate map or
6177 plat indicating the boundaries of the housing and transit reinvestment zone or
6178 convention center reinvestment zone to the Utah Geospatial Resource Center created
6179 under Section 63A-16-505; and
- 6180 (c) transmit a copy of the approved housing and transit reinvestment zone or convention
6181 center reinvestment zone proposal, map, and description of the land within the
6182 housing and transit reinvestment zone or convention center reinvestment zone, to:

- 6183 (i) the auditor, recorder, attorney, surveyor, and assessor of the county in which any
 6184 part of the housing and transit reinvestment zone or convention center
 6185 reinvestment zone is located;
- 6186 (ii) the officer or officers performing the function of auditor or assessor for each
 6187 taxing entity that does not use the county assessment roll or collect the taxing
 6188 entity's taxes through the county;
- 6189 (iii) the legislative body or governing board of each taxing entity;
- 6190 (iv) the State Tax Commission; and
- 6191 (v) the State Board of Education.

6192 Section 94. Section **63N-3-610.1** is amended to read:

6193 **63N-3-610.1 (Effective 05/06/26). Sales and use tax increment in a convention**
 6194 **center reinvestment zone.**

6195 (1) A convention center revitalization zone proposal shall, in consultation with the State
 6196 Tax Commission:

- 6197 (a) create a sales and use tax boundary as described in Subsection (2); and
- 6198 (b) establish a sales and use tax base year to calculate and transfer the sales and use tax
 6199 increment within the convention center revitalization zone 90 days after the date of
 6200 the notice described in Subsection [~~(4)~~] (5).

6201 (2)(a) The Governor's Office of Economic [~~Opportunity~~] Development, in consultation
 6202 with the State Tax Commission, shall establish a sales and use tax boundary that:

- 6203 (i) is based on state sales and use tax collection boundaries, which are determined
 6204 using the ZIP Code as defined in Section 59-12-102, including the four digit
 6205 delivery route extension;
- 6206 (ii) follows as closely as reasonably practicable the boundary of the convention
 6207 center revitalization zone; and
- 6208 (iii) is one contiguous area that includes at least the entire boundary of the convention
 6209 center revitalization zone.

6210 (b) If a state sales and use tax boundary is intersected by the boundary of the convention
 6211 center revitalization zone, the convention center revitalization zone may include the
 6212 entire state sales and use tax boundary.

6213 (c) The Governor's Office of Economic [~~Opportunity~~] Development shall include the
 6214 sales and use tax boundary in the convention center revitalization zone proposal as
 6215 described in Section 63N-3-603.1.

6216 (3)(a) For a convention center reinvestment zone that is not located in a capital city,

6217 beginning no sooner than January 1, 2026, and on the first day of a calendar quarter
6218 after the year set in the proposal and after the sales and use tax boundary for a
6219 convention center reinvestment zone is established, the State Tax Commission shall,
6220 at least annually, transfer an amount equal to 100% of the local sales and use tax
6221 increment within an established sales and use tax boundary to the relevant
6222 municipality or public infrastructure district.

6223 (b) For a convention center reinvestment zone that is located in a capital city, beginning
6224 no sooner than January 1, 2026, and on the first day of a calendar quarter after the
6225 year set in the proposal and after the sales and use tax boundary for a convention
6226 center reinvestment zone in a capital city is established, the State Tax Commission
6227 shall, at least annually, transfer an amount equal to 50% of the state sales and use tax
6228 increment and 100% of any local sales and use tax increment within an established
6229 sales and use tax boundary to the public infrastructure district created pursuant to
6230 Subsection 63N-3-607(8)(b).

6231 (4) The Governor's Office of Economic [~~Opportunity~~] Development may only propose one
6232 sales and use tax increment period and one sales and use tax base year for a convention
6233 center revitalization zone established under this part.

6234 (5)(a) The distribution of the sales and use tax increment shall begin:

6235 (i) on the first day of a calendar quarter;

6236 (ii) after a 90-day waiting period, beginning on the date the State Tax Commission
6237 receives notice from the Governor's Office of Economic [~~Opportunity~~]
6238 Development meeting the requirements of Subsection (5)(b); and

6239 (iii) no earlier than January 1, 2026 after the year set in the proposal of the approved
6240 convention center reinvestment zone.

6241 (b) The notice described in Subsection (5)(a) shall include:

6242 (i) a statement that the convention center revitalization zone will be established under
6243 this part;

6244 (ii) the approval date and effective date of the convention center revitalization zone;
6245 and

6246 (iii) the definitions of the sales and use tax boundary and sales and use tax base year.

6247 (6) The State Tax Commission may retain and deposit an administrative charge in
6248 accordance with Section 59-1-306 from sales and use tax revenues the State Tax
6249 Commission collects and administers under this section.

6250 Section 95. Section **63N-3-611** is amended to read:

6251 **63N-3-611 (Effective 05/06/26). Boundary adjustments.**

6252 If the relevant county assessor or county auditor adjusts parcel boundaries relevant to a
 6253 housing and transit reinvestment zone or a convention center reinvestment zone, the
 6254 municipality administering the property tax increment collected in the housing and transit
 6255 reinvestment zone, or for a convention center reinvestment zone, the Governor's Office of
 6256 Economic [Opportunity] Development may make corresponding adjustments to the boundary
 6257 of the housing and transit reinvestment zone.

6258 Section 96. Section **63N-3-1101** is amended to read:

6259 **63N-3-1101 (Effective 05/06/26) (Repealed 07/01/28). Definitions.**

6260 As used in this part:

- 6261 (1) "Grant" means a grant awarded under Section 63N-3-1102.
 6262 (2) "Program" means the Manufacturing Modernization Grant Program created in Section
 6263 63N-3-1102.
 6264 (3) "Targeted industry" means an industry or group of industries targeted by the [GOEO]
 6265 GOED board under Section 63N-3-111 for economic development in the state.

6266 Section 97. Section **63N-3-1102** is amended to read:

6267 **63N-3-1102 (Effective 05/06/26) (Repealed 07/01/28). Manufacturing**
 6268 **Modernization Grant Program -- Creation -- Purpose -- Requirements -- Rulemaking --**
 6269 **Report.**

- 6270 (1)(a) There is created the Manufacturing Modernization Grant Program to be
 6271 administered by the office.
 6272 (b) The purpose of the program is to award grants to existing Utah businesses to
 6273 establish, relocate, retain, or develop manufacturing industry in the state and lessen
 6274 dependence on manufacturing overseas.
 6275 (2)(a) An entity that submits a proposal for a grant to the office shall include details in
 6276 the proposal regarding:
 6277 (i) the entity's plan to use the grant to fulfill the purpose described in Subsection
 6278 (1)(b);
 6279 (ii) any plan to use funding sources in addition to a grant for the proposal; and
 6280 (iii) any existing or planned partnerships between the entity and another individual or
 6281 entity to implement the proposal.
 6282 (b) In evaluating a proposal for a grant, the office shall consider:
 6283 (i) the likelihood the proposal will accomplish the purpose described in Subsection
 6284 (1)(b);

- 6285 (ii) the extent to which any additional funding sources or existing or planned
 6286 partnerships will benefit the proposal; and
 6287 (iii) the viability and sustainability of the proposal.
- 6288 (c) In determining a grant award, the office:
 6289 (i) may consult with the [GOEO] GOED board; and
 6290 (ii) may prioritize a targeted industry or an entity with fewer than 250 employees.
- 6291 (3) Before receiving the grant, a grant recipient shall enter into a written agreement with the
 6292 office that specifies:
 6293 (a) the grant amount;
 6294 (b) the time period and structure for distribution of the grant, including any terms and
 6295 conditions the recipient is required to meet to receive a distribution; and
 6296 (c) the expenses for which the recipient may use the grant, including:
 6297 (i) acquisition of manufacturing equipment;
 6298 (ii) production, design, or engineering costs;
 6299 (iii) specialized employee training;
 6300 (iv) technology upgrades; or
 6301 (v) provision of a grant to another individual or entity for the expenses described in
 6302 Subsections (3)(c)(i) through (iv) or to otherwise fulfill the recipient's proposal.
- 6303 (4) Subject to Subsection (2), the office may, in accordance with Title 63G, Chapter 3, Utah
 6304 Administrative Rulemaking Act, make rules to establish:
 6305 (a) the form and process for submitting a proposal to the office for a grant;
 6306 (b) the entities that are eligible to apply for a grant;
 6307 (c) the method and formula for determining a grant amount; and
 6308 (d) the reporting requirements for a grant recipient.
- 6309 (5) On or before October 1 of each year, the office shall provide a written report to the
 6310 Economic Development and Workforce Services Interim Committee regarding:
 6311 (a) each grant awarded; and
 6312 (b) the economic impact of each grant.
- 6313 Section 98. Section **63N-3-1602** is amended to read:
 6314 **63N-3-1602 (Effective 05/06/26). Applicability, requirements, and limitations on**
 6315 **a first home investment zone.**
- 6316 (1) A first home investment zone created in accordance with this part shall promote the
 6317 following objectives:
 6318 (a) encouraging efficient development and opportunities for home ownership by

- 6319 providing a variety of housing options, including affordable housing and for sale,
6320 owner-occupied housing;
- 6321 (b) improving availability of housing options;
- 6322 (c) overcoming development impediments and market conditions that render a
6323 development cost prohibitive absent the proposal and incentives;
- 6324 (d) conserving water resources through efficient land use;
- 6325 (e) improving air quality by reducing fuel consumption and motor vehicle trips;
- 6326 (f) encouraging transformative mixed-use development;
- 6327 (g) strategic land use and municipal planning in major transit investment corridors as
6328 described in Subsection 10-20-404(2);
- 6329 (h) increasing access to employment and educational opportunities;
- 6330 (i) increasing access to child care; and
- 6331 (j) improving efficiencies in parking and transportation, including walkability of
6332 communities, street and path interconnectivity within the proposed development and
6333 connections to surrounding communities, and access to roadways, public
6334 transportation, and active transportation.
- 6335 (2) In order to accomplish the objectives described in Subsection (1), a municipality or
6336 county that initiates the process to create a first home investment zone as described in
6337 this part shall ensure that the proposal for a first home investment zone includes:
- 6338 (a) subject to Subsection (3), a minimum of 30 housing units per acre:
- 6339 (i) in at least 51% of the developable area within the first home investment zone; and
6340 (ii) of which 50% must be owner occupied;
- 6341 (b) a mixed use development;
- 6342 (c) a requirement that at least 25% of homes within the first home investment zone
6343 remain owner occupied for at least 25 years from the date of original purchase;
- 6344 (d) for homes inside the first home investment zone, a requirement that at least 12% of
6345 the owner occupied homes and 12% of the homes that are not owner occupied are
6346 affordable housing;
- 6347 (e) a requirement that at least 20% of the extraterritorial homes are affordable housing;
6348 and
- 6349 (f) except for extraterritorial homes, the number of homes that result from multiplying
6350 the number of housing units described in Subsection (2)(a) by the developable area
6351 described in Subsection (2)(a)(i) may be intermingled with other mixed uses within
6352 the first home investment zone.

- 6353 (3)(a) Subject to Subsection (3)(b), to satisfy the requirements described in Subsection
6354 (2)(a), a first home investment zone may include an extraterritorial home to count
6355 toward the required density and owner-occupancy of the first home investment zone
6356 by:
- 6357 (i) adding the total number of extraterritorial homes related to the first home
6358 investment zone to the total number of homes within the first home investment
6359 zone; and
 - 6360 (ii) dividing the sum described in Subsection (3)(a)(i) by a number equal to 51% of
6361 the total number of developable acres within the first home investment zone.
- 6362 (b) Extraterritorial homes may account for no more than half of the total homes to
6363 calculate density within a first home investment zone.
- 6364 (4)(a) If a municipality proposes a first home investment zone, the proposal shall comply
6365 with the limitations described in this Subsection (4).
- 6366 (b) A first home investment zone may not be less than 10 acres and no more than 100
6367 acres of developable area in size.
 - 6368 (c)(i) Except as provided in Subsection (4)(c)(ii), a first home investment zone is
6369 required to be one contiguous area.
 - 6370 (ii) While considering a first home investment zone proposal as described in Section
6371 63N-3-1605, the housing and transit reinvestment zone committee may consider
6372 and approve a first home investment zone that is not one contiguous area if:
 - 6373 (A) the municipality provides evidence in the proposal showing that the deviation
6374 from the contiguity requirement will enhance the ability of the first home
6375 investment zone to achieve the objectives described in Subsection (1); and
 - 6376 (B) the housing and transit reinvestment zone committee determines that the
6377 deviation is reasonable and circumstances justify deviation from the contiguity
6378 requirement.
 - 6379 (iii) The first home investment zone area contiguity is not affected by roads or other
6380 rights-of-way.
 - 6381 (d)(i) A first home investment zone proposal may propose the capture of a maximum
6382 of 60% of each taxing entity's tax increment above the base year for a term of no
6383 more than 25 consecutive years within a 45-year period not to exceed the tax
6384 increment amount approved in the first home investment zone proposal.
 - 6385 (ii) A first home investment zone proposal may not propose or include triggering
6386 more than three tax increment collection periods during the applicable 25-year

- 6387 period.
- 6388 (iii) Subject to Subsection (4)(d)(iv), a municipality shall ensure that the required
6389 affordable housing units are included proportionally in each phase of the first
6390 home investment zone development.
- 6391 (iv) A municipality may allow a first home investment zone to be phased and
6392 developed in a manner to provide more of the required affordable housing units in
6393 early phases of development.
- 6394 (e) If a municipality proposes a first home investment zone, commencement of the
6395 collection of tax increment, for all or a portion of the first home investment zone, is
6396 triggered by providing notice as described in Subsection (5).
- 6397 (f) A municipality may restrict homes within a first home investment zone and related
6398 extraterritorial homes from being used as a short-term rental.
- 6399 (g) A municipality shall ensure that affordable housing within a first home investment
6400 zone and related extraterritorial homes that are reserved as affordable housing are
6401 spread throughout the overall development.
- 6402 (h) A municipality shall ensure that at least 80% of extraterritorial homes included in a
6403 first home investment zone proposal are single-family detached homes.
- 6404 (i) A municipality shall include in a first home investment zone proposal:
- 6405 (i) an affordable housing plan, which may include deed restrictions, to ensure the
6406 affordable housing required in the proposal will continue to meet the definition of
6407 affordable housing at least throughout the entire term of the first home investment
6408 zone; and
- 6409 (ii) an owner occupancy plan, which may include deed restrictions, to ensure the
6410 owner occupancy requirements in the proposal will continue to meet the definition
6411 of owner occupancy at least throughout the entire term of the first home
6412 investment zone.
- 6413 (j) A municipality shall include in the first home investment zone proposal evidence to
6414 demonstrate how the first home investment zone proposal complies with the
6415 municipality's moderate income housing plan and general plan.
- 6416 (5) Notice of commencement of collection of tax increment shall be sent by mail or
6417 electronically to the following entities no later than January 1 of the year for which the
6418 tax increment collection is proposed to commence:
- 6419 (a) the State Tax Commission;
- 6420 (b) the State Board of Education;

- 6421 (c) the state auditor;
- 6422 (d) the auditor of the county in which the first home investment zone is located;
- 6423 (e) each taxing entity affected by the collection of tax increment from the first home
- 6424 investment zone;
- 6425 (f) the assessor of the county in which the first home investment zone is located; and
- 6426 (g) the Governor's Office of Economic [~~Opportunity~~] Development.
- 6427 (6) A first home investment zone proposal may not include a proposal to capture sales and
- 6428 use tax increment.
- 6429 (7) A municipality may not propose a first home investment zone in a county of the first
- 6430 class if the limitation described in Subsection 63N-3-603(7)(c) has been reached.
- 6431 (8) A municipality may not propose a first home investment zone in a location that is
- 6432 eligible for a housing and transit reinvestment zone.
- 6433 (9) A municipality may not propose a first home investment zone if the municipality's
- 6434 community reinvestment agency, based on the most recent annual comprehensive
- 6435 financial report, retains cash and cash equivalent assets of more than 20% of ongoing
- 6436 and unencumbered annual community reinvestment agency revenue.

6437 Section 99. Section **63N-3-1603** is amended to read:

6438 **63N-3-1603 (Effective 05/06/26). Process for a proposal of a first home**

6439 **investment zone.**

- 6440 (1) Subject to approval of the housing and transit reinvestment zone committee as described
- 6441 in Section 63N-3-1604, in order to create a first home investment zone, a municipality
- 6442 that has general land use authority over the first home investment zone area, shall:
- 6443 (a) prepare a proposal for the first home investment zone that:
- 6444 (i) demonstrates that the proposed first home investment zone will meet the
- 6445 objectives described in Subsection 63N-3-1602(1);
- 6446 (ii) explains how the municipality will achieve the requirements of Subsection
- 6447 63N-3-1602(2);
- 6448 (iii) defines the specific infrastructure needs, if any, and proposed improvements;
- 6449 (iv) demonstrates how the first home investment zone will ensure:
- 6450 (A) sufficient pedestrian access to schools and other areas of community; and
- 6451 (B) inclusion of child care facilities and access;
- 6452 (v) defines the boundaries of the first home investment zone;
- 6453 (vi) includes maps of the proposed first home investment zone to illustrate:
- 6454 (A) proposed housing density within the first home investment zone;

- 6455 (B) extraterritorial homes relevant to the first home investment zone, including
6456 density of the development of extraterritorial homes; and
- 6457 (C) existing zoning and proposed zoning changes related to the first home
6458 investment zone;
- 6459 (vii) identifies any development impediments that prevent the development from
6460 being a market-rate investment and proposed strategies for addressing each one;
- 6461 (viii) describes the proposed development plan, including the requirements described
6462 in Subsections 63N-3-1602(2) and (4);
- 6463 (ix) establishes the collection period or periods to calculate the tax increment;
- 6464 (x) describes projected maximum revenues generated and the amount of tax
6465 increment capture from each taxing entity and proposed expenditures of revenue
6466 derived from the first home investment zone;
- 6467 (xi) includes an analysis of other applicable or eligible incentives, grants, or sources
6468 of revenue that can be used to reduce the finance gap;
- 6469 (xii) proposes a finance schedule to align expected revenue with required financing
6470 costs and payments;
- 6471 (xiii) evaluates possible benefits to active transportation, public transportation
6472 availability and utilization, street connectivity, and air quality; and
- 6473 (xiv) provides a pro forma for the planned development that:
- 6474 (A) satisfies the requirements described in Subsections 63N-3-1602(2) and (4); and
6475 (B) includes data showing the cost difference between what type of development
6476 could feasibly be developed absent the first home investment zone tax
6477 increment and the type of development that is proposed to be developed with
6478 the first home investment zone tax increment;
- 6479 (b) submit the proposal to the relevant school district to discuss the requirements of the
6480 proposal and whether the proposal provides the benefits and achieves the objectives
6481 described in this part; and
- 6482 (c) submit the first home investment zone proposal to the Governor's Office of
6483 Economic ~~Opportunity~~ Development.
- 6484 (2) As part of the proposal described in Subsection (1), a municipality shall:
- 6485 (a) study and evaluate possible impacts of a proposed first home investment zone on
6486 parking and efficient use of land within the municipality and first home investment
6487 zone; and
- 6488 (b) include in the first home investment zone proposal the findings of the study

6489 described in Subsection (2)(a) and proposed strategies to efficiently address parking
6490 impacts.

6491 (3)(a) After receiving the proposal as described in Subsection (1)(c), the Governor's
6492 Office of Economic [~~Opportunity~~] Development shall:

6493 (i) within 14 days after the date on which the Governor's Office of Economic [
6494 ~~Opportunity~~] Development receives the proposal described in Subsection (1)(c),
6495 provide notice of the proposal to all affected taxing entities, including the State
6496 Tax Commission, cities, counties, school districts, metropolitan planning
6497 organizations, and the county assessor and county auditor of the county in which
6498 the first home investment zone is located; and

6499 (ii) at the expense of the proposing municipality as described in Subsection (5),
6500 contract with an independent entity to:

6501 (A) perform the gap analysis described in Subsection (3)(b); and

6502 (B) perform an analysis of the pro-forma described in Subsection (1)(a)(xiv)(B)
6503 and the feasibility of the proposed development absent the tax increment.

6504 (b) The gap and pro-forma analysis required in Subsection (3)(a)(ii) shall include:

6505 (i) a description of the planned development;

6506 (ii) a market analysis relative to other comparable project developments included in
6507 or adjacent to the municipality absent the proposed first home investment zone;

6508 (iii) an evaluation of the proposal and a determination of the adequacy and efficiency
6509 of the proposal;

6510 (iv) an evaluation of the proposed tax increment capture needed to cover the system
6511 improvements and project improvements associated with the first home
6512 investment zone proposal and enable the proposed development to occur, and for
6513 the benefit of affordable housing projects; and

6514 (v) based on the market analysis and other findings, an opinion relative to the
6515 appropriate amount of potential public financing reasonably determined to be
6516 necessary to achieve the objectives described in Subsection 63N-3-1602(1).

6517 (c) After receiving notice from the Governor's Office of Economic [~~Opportunity~~]
6518 Development of a proposed first home investment zone as described in Subsection
6519 (3)(a)(i), the municipality, in consultation with the county assessor and the State Tax
6520 Commission, shall:

6521 (i) evaluate the feasibility of administering the tax implications of the proposal; and

6522 (ii) provide a letter to the Governor's Office of Economic [~~Opportunity~~] Development

6523 describing any challenges in the administration of the proposal, or indicating that
6524 the county assessor can feasibly administer the proposal.

6525 (4) After receiving the results from the analysis described in Subsection (3)(b), the
6526 municipality proposing the first home investment zone may:

6527 (a) amend the first home investment zone proposal based on the findings of the analysis
6528 described in Subsection (3)(b) and request that the Governor's Office of Economic [~~Opportunity~~] Development submit the amended first home investment zone proposal
6529 to the housing and transit reinvestment zone committee; or
6530

6531 (b) request that the Governor's Office of Economic [~~Opportunity~~] Development submit
6532 the original first home investment zone proposal to the housing and transit
6533 reinvestment zone committee.

6534 (5)(a) The Governor's Office of Economic [~~Opportunity~~] Development may accept, as a
6535 dedicated credit, up to \$20,000 from a municipality for the costs of the gap analysis
6536 described in Subsection (3)(b).

6537 (b) The Governor's Office of Economic [~~Opportunity~~] Development may expend funds
6538 received from a municipality as dedicated credits to pay for the costs associated with
6539 the gap analysis described in Subsection (3)(b).

6540 Section 100. Section **63N-3-1604** is amended to read:

6541 **63N-3-1604 (Effective 05/06/26). Consideration of proposals by housing and**
6542 **transit reinvestment zone committee.**

6543 (1) A first home investment zone proposed under this part is subject to approval by the
6544 housing and transit reinvestment zone committee.

6545 (2) After the Governor's Office of Economic [~~Opportunity~~] Development receives the
6546 results of the analysis described in Section 63N-3-1603, and after the Governor's Office
6547 of Economic [~~Opportunity~~] Development has received a request from the submitting
6548 municipality to submit the first home investment zone proposal to the housing and
6549 transit reinvestment zone committee, the Governor's Office of Economic [~~Opportunity~~]
6550 Development shall notify each of the relevant entities of the formation of the housing
6551 and transit reinvestment zone committee as described in Section 63N-3-605.

6552 (3)(a) The chair of the housing and transit reinvestment zone committee shall convene a
6553 public meeting to consider the proposed first home investment zone in the same
6554 manner as described in Section 63N-3-605.

6555 (b) A meeting of the housing and transit reinvestment zone committee is subject to Title
6556 52, Chapter 4, Open and Public Meetings Act.

- 6557 (4)(a) The proposing municipality shall present the first home investment zone proposal
6558 to the housing and transit reinvestment zone committee in a public meeting.
- 6559 (b) The housing and transit reinvestment zone committee shall:
- 6560 (i) evaluate and verify whether the objectives and elements of a first home investment
6561 zone described in Subsections 63N-3-1502(1), (2), and (4) have been met; and
- 6562 (ii) evaluate the proposed first home investment zone relative to the analysis
6563 described in Subsection 63N-3-1603(2).
- 6564 (5)(a) Subject to Subsection (5)(b), the housing and transit reinvestment zone committee
6565 may:
- 6566 (i) request changes to the first home investment zone proposal based on the analysis,
6567 characteristics, and criteria described in Section 63N-3-1603; or
- 6568 (ii) vote to approve or deny the proposal.
- 6569 (b) Before the housing and transit reinvestment zone committee may approve the first
6570 home investment zone proposal, the municipality proposing the first home
6571 investment zone shall ensure that the area of the proposed first home investment zone
6572 is zoned in such a manner to accommodate the requirements of a first home
6573 investment zone described in this section and the proposed development.
- 6574 (6) If a first home investment zone is approved by the committee:
- 6575 (a) the proposed first home investment zone is established according to the terms of the
6576 first home investment zone proposal;
- 6577 (b) affected local taxing entities are required to participate according to the terms of the
6578 first home investment zone proposal; and
- 6579 (c) each affected taxing entity is required to participate at the same rate.
- 6580 (7) A first home investment zone proposal may be amended by following the same
6581 procedure as approving a first home investment zone proposal.
- 6582 Section 101. Section **63N-3-1702** is amended to read:
- 6583 **63N-3-1702 (Effective 05/06/26). Applicability, requirements, and limitations on**
6584 **a major sporting event venue zone.**
- 6585 (1) A major sporting event venue zone created pursuant to this part shall promote the
6586 following objectives:
- 6587 (a) redevelopment of existing but aging major sporting event venues;
- 6588 (b) development of new major sporting event venues;
- 6589 (c) development of infrastructure supporting a major sporting event venue;
- 6590 (d) increased utilization of public transportation when accessing a major sporting event

- 6591 venue;
- 6592 (e) improved efficiencies in parking and transportation with the goal of increasing
- 6593 walkability between a major sporting event venue and a public transit station;
- 6594 (f) improved commercial development, or mixed commercial-residential development,
- 6595 in areas near a major sporting event venue;
- 6596 (g) improving air quality by reducing fuel consumption and motor vehicle trips; and
- 6597 (h) increasing tourism activity.
- 6598 (2) In order to accomplish the objectives described in this section, a creating entity that
- 6599 initiates the process to create a major sporting event venue zone shall ensure that a
- 6600 proposal for a major sporting event venue zone includes information demonstrating how
- 6601 the proposed major sporting event venue zone shall achieve the objectives described in
- 6602 Subsection (1).
- 6603 (3) Notice of commencement of collection of property tax increment shall be sent by mail
- 6604 or electronically to the following entities no later than January 1 of the year for which
- 6605 the property tax increment collection is proposed to commence:
- 6606 (a) the State Tax Commission;
- 6607 (b) the State Board of Education;
- 6608 (c) the state auditor;
- 6609 (d) the auditor of the county in which the major sporting event venue zone is proposed to
- 6610 be created;
- 6611 (e) each taxing entity to be affected by collection of property tax increment in the
- 6612 proposed major sporting event venue zone;
- 6613 (f) the assessor of the county in which the major sporting event venue zone is proposed
- 6614 to be created; and
- 6615 (g) the Governor's Office of Economic ~~Opportunity~~ Development.
- 6616 (4) A major sporting event venue zone proposal may include:
- 6617 (a) a proposal to capture property tax increment;
- 6618 (b) a proposal to capture local sales and use tax increment; and
- 6619 (c) a proposal to implement a tax described in Section 11-71-201, either immediately
- 6620 upon creation of the major sporting event venue zone or on a specified timeline
- 6621 following the creation of the major sporting event venue zone.

6622 Section 102. Section **63N-4-103** is amended to read:

6623 **63N-4-103 (Effective 05/06/26). Purpose of the Center for Rural Development.**

6624 The Center for Rural Development is established to:

- 6625 (1) foster and support economic development programs and activities for the benefit of
 6626 rural counties and communities;
- 6627 (2) foster and support community, county, and resource management planning programs
 6628 and activities for the benefit of rural counties and communities;
- 6629 (3) foster and support leadership training programs and activities for the benefit of:
 6630 (a) rural leaders in both the public and private sectors;
 6631 (b) economic development and planning personnel; and
 6632 (c) rural government officials;
- 6633 (4) foster and support efforts to coordinate and focus the technical and other resources of
 6634 appropriate institutions of higher education, local governments, private sector interests,
 6635 associations, nonprofit organizations, federal agencies, and others, in ways that address
 6636 the economic development, planning, and leadership challenges;
- 6637 (5) work to enhance the capacity of [GOEO] GOED to address rural economic development,
 6638 planning, and leadership training challenges and opportunities by establishing
 6639 partnerships and positive working relationships with appropriate public and private
 6640 sector entities, individuals, and institutions; and
- 6641 (6) foster government-to-government collaboration and good working relations between
 6642 state and rural government regarding economic development and planning issues.

6643 Section 103. Section **63N-4-104** is amended to read:

6644 **63N-4-104 (Effective 05/06/26). Duties.**

- 6645 (1) The Center for Rural Development shall:
- 6646 (a) work to enhance the capacity of the office to address rural economic development,
 6647 planning, and leadership training challenges and opportunities by establishing
 6648 partnerships and positive working relationships with appropriate public and private
 6649 sector entities, individuals, and institutions;
- 6650 (b) work with the [GOEO] GOED board to coordinate and focus available resources in
 6651 ways that address the economic development, planning, and leadership training
 6652 challenges and priorities in rural Utah;
- 6653 (c) assist in administering the Rural Opportunity Program created in Section 63N-4-802;
 6654 and
- 6655 (d) in accordance with economic development and planning policies set by state
 6656 government, coordinate relations between:
- 6657 (i) the state;
- 6658 (ii) rural governments;

- 6659 (iii) other public and private groups engaged in rural economic planning and
 6660 development; and
 6661 (iv) federal agencies.
- 6662 (2) The Center for Rural Development may, in accordance with Title 63G, Chapter 3, Utah
 6663 Administrative Rulemaking Act, make rules necessary to carry out its duties.
- 6664 Section 104. Section **63N-7-102** is amended to read:
- 6665 **63N-7-102 (Effective 05/06/26) (Partially Repealed 07/01/30). Utah Office of**
 6666 **Tourism created -- Appointment of managing director -- Responsibilities of tourism**
 6667 **office.**
- 6668 (1) There is created within [~~GOED~~] GOED the Utah Office of Tourism.
- 6669 (2)(a) The executive director shall appoint a managing director of the tourism office.
- 6670 (b) The managing director may, with the approval of the executive director, appoint staff.
- 6671 (3) The tourism office shall:
- 6672 (a) be the tourism development authority of the state;
- 6673 (b) develop a tourism advertising, marketing, branding, destination development, and
 6674 destination management program for the state;
- 6675 (c) receive approval from the board under Subsection 63N-7-202(1)(a) before
 6676 implementing the program described in Subsection (3)(b);
- 6677 (d) develop a plan to increase the economic contribution by tourists visiting the state;
- 6678 (e) plan and conduct a program of information, advertising, and publicity relating to the
 6679 recreational, scenic, historic, cultural, and culinary tourist attractions, amenities, and
 6680 advantages of the state at large;
- 6681 (f) encourage and assist in the coordination of the activities of persons, firms,
 6682 associations, corporations, travel regions, counties, and governmental agencies
 6683 engaged in publicizing, developing, and promoting the tourist attractions, amenities,
 6684 and advantages of the state;
- 6685 (g) conduct a regular and ongoing research program to identify statewide economic
 6686 trends and conditions in the tourism sector of the economy; and
- 6687 (h) ensure that any plan or program developed under this Subsection (3) addresses, but
 6688 not be limited to, the following policies:
- 6689 (i) enhancing the state's image;
- 6690 (ii) promoting the state as a year-round destination;
- 6691 (iii) encouraging expenditures by visitors to the state; and
- 6692 (iv) expanding the markets where the state is promoted.

6693 Section 105. Section **63N-16-102** is amended to read:

6694 **63N-16-102 (Effective 05/06/26). Definitions.**

6695 As used in this chapter:

- 6696 (1) "Advisory committee" means the General Regulatory Sandbox Program Advisory
6697 Committee created in Section 63N-16-104.
- 6698 (2) "Applicable agency" means a department or agency of the state that by law regulates a
6699 business activity and persons engaged in such business activity, including the issuance
6700 of licenses or other types of authorization, which the office determines would otherwise
6701 regulate a sandbox participant.
- 6702 (3) "Applicant" means a person that applies to participate in the regulatory sandbox.
- 6703 (4) "Blockchain technology" means the use of a digital database containing records of
6704 financial transactions, which can be simultaneously used and shared within a
6705 decentralized, publicly accessible network and can record transactions between two
6706 parties in a verifiable and permanent way.
- 6707 (5) "Consumer" means a person that purchases or otherwise enters into a transaction or
6708 agreement to receive an offering pursuant to a demonstration by a sandbox participant.
- 6709 (6) "Demonstrate" or "demonstration" means to temporarily provide an offering in
6710 accordance with the provisions of the regulatory sandbox program described in this
6711 chapter.
- 6712 (7) "Director" means the director of the Utah Office of Regulatory Relief created in Section
6713 63N-16-103.
- 6714 (8) "Executive director" means the executive director of the Governor's Office of Economic [
6715 Opportunity] Development.
- 6716 (9) "Financial product or service" means:
6717 (a) a financial product or financial service that requires state licensure or registration; or
6718 (b) a financial product, financial service, or banking business that includes a business
6719 model, delivery mechanism, offering of deposit accounts, or element that may require
6720 a license or other authorization to act as a financial institution, enterprise, or other
6721 entity that is regulated by Title 7, Financial Institutions Act, or other related
6722 provisions.
- 6723 (10) "Health, safety, and financial well-being" includes protecting against physical injury,
6724 property damage, or financial harm.
- 6725 (11) "Innovation" means the use or incorporation of a new or existing idea, a new or
6726 emerging technology, or a new use of existing technology, including blockchain

- 6727 technology, to address a problem, provide a benefit, or otherwise offer a product,
6728 production method, or service.
- 6729 (12) "Insurance product or service" means an insurance product or insurance service that
6730 requires state licensure, registration, or other authorization as regulated by Title 31A,
6731 Insurance Code, including an insurance product or insurance service that includes a
6732 business model, delivery mechanism, or element that requires a license, registration, or
6733 other authorization to do an insurance business, act as an insurance producer or
6734 consultant, or engage in insurance adjusting as regulated by Title 31A, Insurance Code.
- 6735 (13)(a) "Offering" means a product, production method, or service, including a financial
6736 product or service or an insurance product or service, that includes an innovation.
- 6737 (b) "Offering" does not include a product, production method, or service that is governed
6738 by Title 61, Chapter 1, Utah Uniform Securities Act.
- 6739 (14) "Product" means a commercially distributed good that is:
- 6740 (a) tangible personal property;
- 6741 (b) the result of a production process; and
- 6742 (c) passed through the distribution channel before consumption.
- 6743 (15) "Production" means the method or process of creating or obtaining a good, which may
6744 include assembling, breeding, capturing, collecting, extracting, fabricating, farming,
6745 fishing, gathering, growing, harvesting, hunting, manufacturing, mining, processing,
6746 raising, or trapping a good.
- 6747 (16) "Regulatory relief office" means the Utah Office of Regulatory Relief created in
6748 Section 63N-16-103.
- 6749 (17) "Regulatory sandbox" means the General Regulatory Sandbox Program created in
6750 Section 63N-16-201, which allows a person to temporarily demonstrate an offering
6751 under a waiver or suspension of one or more state laws or regulations.
- 6752 (18) "Sandbox participant" means a person whose application to participate in the
6753 regulatory sandbox is approved in accordance with the provisions of this chapter.
- 6754 (19) "Service" means any commercial activity, duty, or labor performed for another person.
6755 Section 106. Section **63N-16-301** is amended to read:
- 6756 **63N-16-301 (Effective 05/06/26). Regulatory relief web page.**
- 6757 (1) The regulatory relief office shall create and maintain on [GOEO's] GOED's website a
6758 web page that invites residents and businesses in the state to make suggestions regarding
6759 laws and regulations that could be modified or eliminated to reduce the regulatory
6760 burden of residents and businesses in the state.

- 6761 (2) On at least a quarterly basis, the regulatory relief office shall compile the results of
6762 suggestions from the web page and provide a written report to the governor, the
6763 Business and Labor Interim Committee, and the Economic Development and Workforce
6764 Services Interim Committee that describes the most common suggestions.
- 6765 (3) In creating the report described in Subsection (2), the regulatory relief office and the
6766 advisory committee:
- 6767 (a) shall ensure that private information of residents and businesses that make
6768 suggestions on the web page is not made public; and
- 6769 (b) may evaluate the suggestions and provide analysis and suggestions regarding which
6770 state laws and regulations could be modified or eliminated to reduce the regulatory
6771 burden of residents and businesses in the state while still protecting consumers.

6772 Section 107. Section **63N-18-201** is amended to read:

6773 **63N-18-201 (Effective 05/06/26). Creation of the Utah Center for Immigration**
6774 **and Integration -- Responsibilities of the center.**

- 6775 (1) There is created within the Governor's Office of Economic [Opportunity] Development
6776 the Utah Center for Immigration and Integration.
- 6777 (2) The center shall:
- 6778 (a) assist individuals and businesses in the state with identifying pathways for recruiting
6779 and retaining foreign labor;
- 6780 (b) coordinate with state agencies in developing and administering policies and
6781 programs related to immigrant integration;
- 6782 (c) develop and implement a statewide strategy for immigrant integration that promotes
6783 economic opportunities for immigrant communities in the state;
- 6784 (d) create and convene a task force to review and make recommendations regarding the
6785 state's policies on immigrant integration;
- 6786 (e) develop sustainable partnerships with local officials, the business sector, and
6787 community organizations serving immigrant communities in the state; and
- 6788 (f) advise and make recommendations to the governor, state agencies, and the
6789 Legislature regarding immigrant integration and foreign labor issues.
- 6790 (3) The center may not encourage a business to bypass state residents for the business's
6791 workforce needs.
- 6792 (4) The center may, in accordance with Title 63G, Chapter 3, Utah Administrative
6793 Rulemaking Act, make rules to carry out the center's responsibilities under this chapter.
- 6794 Section 108. Section **63N-20-101** is amended to read:

6795 **63N-20-101 (Effective 05/06/26). Definitions.**

6796 As used in this part:

6797 (1) "Contractor" means the educational technology provider that the Governor's Office of
6798 Economic [Opportunity] Development selects under Section 63N-20-102.6799 (2) "Office" means the Governor's Office of Economic [Opportunity] Development created
6800 in Section 63N-1a-301.

6801 (3) "Preschool child" means a child who is:

6802 (a) four or five years old; and

6803 (b) not eligible for enrollment under Subsection 53G-4-402(8).

6804 (4)(a) "Private preschool provider" means a child care program that:

6805 (i)(A) is licensed under Title 26B, Chapter 2, Part 4, Child Care Licensing or,
6806 except as provided in Subsection (4)(b), is exempt from licensure under
6807 Section 26B-2-405; and6808 (B) meets other criteria as established by the office, consistent with Utah
6809 Constitution, Article X, Section 1; or

6810 (ii) is a residential certificate provider described in Section 26B-2-404.

6811 (b) "Private preschool provider" does not include a program exempt from licensure
6812 under Subsection 26B-2-405(2)(c).6813 (5) "Public preschool" means a preschool program that is provided by a school district, a
6814 charter school, or the Head Start program.

6815 (6) "State board" means the State Board of Education.

6816 (7) "UPSTART" means the statewide program created in Section 63N-20-102 that uses a
6817 home-based educational technology program and parent engagement to develop school
6818 readiness skills of preschool children.6819 Section 109. Section **67-1-2** is amended to read:6820 **67-1-2 (Effective 05/06/26). Senate confirmation of gubernatorial nominees --**6821 **Verification of nomination requirements -- Consultation on appointments -- Notification**
6822 **of anticipated vacancies.**6823 (1)(a) Except as provided in Subsection [~~(3)~~] (2), at least 30 days before the day of an
6824 extraordinary session of the Senate to confirm a gubernatorial nominee, the governor
6825 shall send to each member of the Senate and to the Office of Legislative Research
6826 and General Counsel the following information for each nominee:6827 (i) the nominee's name and biographical information, including a resume and
6828 curriculum vitae with personal contact information, including home address, email

- 6829 address, and telephone number, redacted, except that the governor shall send to
6830 the Office of Legislative Research and General Counsel the contact information
6831 for the nominee;
- 6832 (ii) a detailed list, with citations, of the legal requirements for the appointed position;
6833 (iii) a detailed list with supporting documents explaining how, and verifying that, the
6834 nominee meets each statutory and constitutional requirement for the appointed
6835 position;
- 6836 (iv) a written certification by the governor that the nominee satisfies all requirements
6837 for the appointment; and
- 6838 (v) public comment information collected in accordance with Section 63G-24-204.
- 6839 (b) This Subsection (1) does not apply to a judicial appointee.
- 6840 (2)(a) A majority of the president of the Senate, the Senate majority leader, and the
6841 Senate minority leader may waive the 30-day requirement described in Subsection (1)
6842 for a gubernatorial nominee other than a nominee for the following:
- 6843 (i) the executive director of a department;
- 6844 (ii) the executive director of the Governor's Office of Economic [Opportunity]
6845 Development;
- 6846 (iii) the executive director of the Labor Commission;
- 6847 (iv) a member of the State Tax Commission;
- 6848 (v) a member of the State Board of Education;
- 6849 (vi) a member of the Utah Board of Higher Education; or
- 6850 (vii) an individual:
- 6851 (A) whose appointment requires the advice and consent of the Senate; and
6852 (B) whom the governor designates as a member of the governor's cabinet.
- 6853 (b) The Senate shall hold a confirmation hearing for a nominee for an individual
6854 described in Subsection (2)(a).
- 6855 (3) The governor shall:
- 6856 (a) if the governor is aware of an upcoming vacancy in a position that requires Senate
6857 confirmation, provide notice of the upcoming vacancy to the president of the Senate,
6858 the Senate minority leader, and the Office of Legislative Research and General
6859 Counsel at least 30 days before the day on which the vacancy occurs; and
- 6860 (b) establish a process for government entities and other relevant organizations to
6861 provide input on gubernatorial appointments.
- 6862 (4) When the governor makes a judicial appointment, the governor shall immediately

- 6863 provide to the president of the Senate and the Office of Legislative Research and
6864 General Counsel:
- 6865 (a) the name of the judicial appointee; and
6866 (b) the judicial appointee's:
6867 (i) resume;
6868 (ii) complete file of all the application materials the governor received from the
6869 judicial nominating commission; and
6870 (iii) any other related documents, including any letters received by the governor
6871 about the appointee, unless the letter specifically directs that the letter may not be
6872 shared.
- 6873 (5) The governor shall inform the president of the Senate and the Office of Legislative
6874 Research and General Counsel of the number of letters withheld pursuant to Subsection
6875 (4)(b)(iii).
- 6876 (6)(a) Letters of inquiry submitted by any judge at the request of any judicial nominating
6877 commission are classified as private in accordance with Section 63G-2-302.
6878 (b) All other records received from the governor pursuant to this Subsection (6) may be
6879 classified as private in accordance with Section 63G-2-302.
- 6880 (7) The Senate shall consent or refuse to give the Senate's consent to a nomination or
6881 judicial appointment.
- 6882 Section 110. Section **67-3-1** is amended to read:
6883 **67-3-1 (Effective 05/06/26). Functions and duties.**
- 6884 (1)(a) The state auditor is the auditor of public accounts and is independent of any
6885 executive or administrative officers of the state.
6886 (b) The state auditor is not limited in the selection of personnel or in the determination
6887 of the reasonable and necessary expenses of the state auditor's office.
- 6888 (2) The state auditor shall examine and certify annually in respect to each fiscal year,
6889 financial statements showing:
6890 (a) the condition of the state's finances;
6891 (b) the revenues received or accrued;
6892 (c) expenditures paid or accrued;
6893 (d) the amount of unexpended or unencumbered balances of the appropriations to the
6894 agencies, departments, divisions, commissions, and institutions; and
6895 (e) the cash balances of the funds in the custody of the state treasurer.
- 6896 (3)(a) The state auditor shall:

- 6897 (i) audit each permanent fund, each special fund, the General Fund, and the accounts
6898 of any department of state government or any independent agency or public
6899 corporation as the law requires, as the auditor determines is necessary, or upon
6900 request of the governor or the Legislature;
- 6901 (ii) perform the audits in accordance with generally accepted auditing standards and
6902 other auditing procedures as promulgated by recognized authoritative bodies; and
6903 (iii) as the auditor determines is necessary, conduct the audits to determine:
- 6904 (A) honesty and integrity in fiscal affairs;
6905 (B) accuracy and reliability of financial statements;
6906 (C) effectiveness and adequacy of financial controls; and
6907 (D) compliance with the law.
- 6908 (b) If any state entity receives federal funding, the state auditor shall ensure that the
6909 audit is performed in accordance with federal audit requirements.
- 6910 (c)(i) The costs of the federal compliance portion of the audit may be paid from an
6911 appropriation to the state auditor from the General Fund.
- 6912 (ii) If an appropriation is not provided, or if the federal government does not
6913 specifically provide for payment of audit costs, the costs of the federal compliance
6914 portions of the audit shall be allocated on the basis of the percentage that each
6915 state entity's federal funding bears to the total federal funds received by the state.
- 6916 (iii) The allocation shall be adjusted to reflect any reduced audit time required to
6917 audit funds passed through the state to local governments and to reflect any
6918 reduction in audit time obtained through the use of internal auditors working
6919 under the direction of the state auditor.
- 6920 (4)(a) Except as provided in Subsection (4)(b), the state auditor shall, in addition to
6921 financial audits, and as the auditor determines is necessary, conduct performance and
6922 special purpose audits, examinations, and reviews of any entity that receives public
6923 funds, including a determination of any or all of the following:
- 6924 (i) the honesty and integrity of all the entity's fiscal affairs;
6925 (ii) whether the entity's administrators have faithfully complied with legislative intent;
6926 (iii) whether the entity's operations have been conducted in an efficient, effective, and
6927 cost-efficient manner;
6928 (iv) whether the entity's programs have been effective in accomplishing the intended
6929 objectives; and
6930 (v) whether the entity's management, control, and information systems are adequate,

- 6931 effective, and secure.
- 6932 (b) The auditor may not conduct performance and special purpose audits, examinations,
6933 and reviews of any entity that receives public funds if the entity:
- 6934 (i) has an elected auditor; and
- 6935 (ii) has, within the entity's last budget year, had the entity's financial statements or
6936 performance formally reviewed by another outside auditor.
- 6937 (5) The state auditor:
- 6938 (a) shall administer any oath or affirmation necessary to the performance of the duties of
6939 the auditor's office; and
- 6940 (b) may:
- 6941 (i) subpoena witnesses and documents, whether electronic or otherwise; and
- 6942 (ii) examine into any matter that the auditor considers necessary.
- 6943 (6) The state auditor may require all persons who have had the disposition or management
6944 of any property of this state or its political subdivisions to submit statements regarding
6945 the property at the time and in the form that the auditor requires.
- 6946 (7) The state auditor shall:
- 6947 (a) except where otherwise provided by law, institute suits in Salt Lake County in
6948 relation to the assessment, collection, and payment of revenues against:
- 6949 (i) persons who by any means have become entrusted with public money or property
6950 and have failed to pay over or deliver the money or property; and
- 6951 (ii) all debtors of the state;
- 6952 (b) collect and pay into the state treasury all fees received by the state auditor;
- 6953 (c) perform the duties of a member of all boards of which the state auditor is a member
6954 by the constitution or laws of the state, and any other duties that are prescribed by the
6955 constitution and by law;
- 6956 (d) stop the payment of the salary of any state official or state employee who:
- 6957 (i) refuses to settle accounts or provide required statements about the custody and
6958 disposition of public funds or other state property;
- 6959 (ii) refuses, neglects, or ignores the instruction of the state auditor or any controlling
6960 board or department head with respect to the manner of keeping prescribed
6961 accounts or funds; or
- 6962 (iii) fails to correct any delinquencies, improper procedures, and errors brought to the
6963 official's or employee's attention;
- 6964 (e) establish accounting systems, methods, and forms for public accounts in all taxing or

- 6965 fee-assessing units of the state in the interest of uniformity, efficiency, and economy;
- 6966 (f) superintend the contractual auditing of all state accounts;
- 6967 (g) subject to Subsection (8)(a), withhold state allocated funds or the disbursement of
- 6968 property taxes from a state or local taxing or fee-assessing unit, if necessary, to
- 6969 ensure that officials and employees in those taxing units comply with state laws and
- 6970 procedures in the budgeting, expenditures, and financial reporting of public funds;
- 6971 (h) subject to Subsection (9), withhold the disbursement of tax money from any county,
- 6972 if necessary, to ensure that officials and employees in the county comply with
- 6973 Section 59-2-303.1; and
- 6974 (i) withhold state allocated funds or the disbursement of property taxes from a local
- 6975 government entity or a limited purpose entity, as those terms are defined in Section
- 6976 67-1a-15 if the state auditor finds the withholding necessary to ensure that the entity
- 6977 registers and maintains the entity's registration with the lieutenant governor, in
- 6978 accordance with Section 67-1a-15.
- 6979 (8)(a) Except as otherwise provided by law, the state auditor may not withhold funds
- 6980 under Subsection (7)(g) until a state or local taxing or fee-assessing unit has received
- 6981 formal written notice of noncompliance from the auditor and has been given 60 days
- 6982 to make the specified corrections.
- 6983 (b) If, after receiving notice under Subsection (8)(a), a state or independent local
- 6984 fee-assessing unit that exclusively assesses fees has not made corrections to comply
- 6985 with state laws and procedures in the budgeting, expenditures, and financial reporting
- 6986 of public funds, the state auditor:
- 6987 (i) shall provide a recommended timeline for corrective actions;
- 6988 (ii) may prohibit the state or local fee-assessing unit from accessing money held by
- 6989 the state; and
- 6990 (iii) may prohibit a state or local fee-assessing unit from accessing money held in an
- 6991 account of a financial institution by filing an action in a court with jurisdiction
- 6992 under Title 78A, Judiciary and Judicial Administration, requesting an order of the
- 6993 court to prohibit a financial institution from providing the fee-assessing unit
- 6994 access to an account.
- 6995 (c) The state auditor shall remove a limitation on accessing funds under Subsection (8)(b)
- 6996 upon compliance with state laws and procedures in the budgeting, expenditures, and
- 6997 financial reporting of public funds.
- 6998 (d) If a local taxing or fee-assessing unit has not adopted a budget in compliance with

- 6999 state law, the state auditor:
- 7000 (i) shall provide notice to the taxing or fee-assessing unit of the unit's failure to
- 7001 comply;
- 7002 (ii) may prohibit the taxing or fee-assessing unit from accessing money held by the
- 7003 state; and
- 7004 (iii) may prohibit a taxing or fee-assessing unit from accessing money held in an
- 7005 account of a financial institution by:
- 7006 (A) contacting the taxing or fee-assessing unit's financial institution and
- 7007 requesting that the institution prohibit access to the account; or
- 7008 (B) filing an action in a court with jurisdiction under Title 78A, Judiciary and
- 7009 Judicial Administration, requesting an order of the court to prohibit a financial
- 7010 institution from providing the taxing or fee-assessing unit access to an account.
- 7011 (e) If the local taxing or fee-assessing unit adopts a budget in compliance with state law,
- 7012 the state auditor shall eliminate a limitation on accessing funds described in
- 7013 Subsection (8)(d).
- 7014 (9) The state auditor may not withhold funds under Subsection (7)(h) until a county has
- 7015 received formal written notice of noncompliance from the auditor and has been given 60
- 7016 days to make the specified corrections.
- 7017 (10)(a) The state auditor may not withhold funds under Subsection (7)(i) until the state
- 7018 auditor receives a notice of non-registration, as that term is defined in Section
- 7019 67-1a-15.
- 7020 (b) If the state auditor receives a notice of non-registration, the state auditor may
- 7021 prohibit the local government entity or limited purpose entity, as those terms are
- 7022 defined in Section 67-1a-15, from accessing:
- 7023 (i) money held by the state; and
- 7024 (ii) money held in an account of a financial institution by:
- 7025 (A) contacting the entity's financial institution and requesting that the institution
- 7026 prohibit access to the account; or
- 7027 (B) filing an action in a court with jurisdiction under Title 78A, Judiciary and
- 7028 Judicial Administration, requesting an order of the court to prohibit a financial
- 7029 institution from providing the entity access to an account.
- 7030 (c) The state auditor shall remove the prohibition on accessing funds described in
- 7031 Subsection (10)(b) if the state auditor received a notice of registration, as that term is
- 7032 defined in Section 67-1a-15, from the lieutenant governor.

- 7033 (11) Notwithstanding Subsection (7)(g), (7)(h), (7)(i), (8)(b), (8)(d), or (10)(b), the state
7034 auditor:
- 7035 (a) shall authorize a disbursement by a local government entity or limited purpose entity,
7036 as those terms are defined in Section 67-1a-15, or a state or local taxing or
7037 fee-assessing unit if the disbursement is necessary to:
- 7038 (i) avoid a major disruption in the operations of the local government entity, limited
7039 purpose entity, or state or local taxing or fee-assessing unit; or
7040 (ii) meet debt service obligations; and
- 7041 (b) may authorize a disbursement by a local government entity, limited purpose entity,
7042 or state or local taxing or fee-assessing unit as the state auditor determines is
7043 appropriate.
- 7044 (12)(a) The state auditor may seek relief under the Utah Rules of Civil Procedure to take
7045 temporary custody of public funds if an action is necessary to protect public funds
7046 from being improperly diverted from their intended public purpose.
- 7047 (b) If the state auditor seeks relief under Subsection (12)(a):
- 7048 (i) the state auditor is not required to exhaust the procedures in Subsection (7) or (8);
7049 and
- 7050 (ii) the state treasurer may hold the public funds in accordance with Section 67-4-1 if
7051 a court orders the public funds to be protected from improper diversion from their
7052 public purpose.
- 7053 (13) The state auditor shall:
- 7054 (a) establish audit guidelines and procedures for audits of local mental health and
7055 substance abuse authorities and their contract providers, conducted pursuant to Title
7056 17, Chapter 77, Local Health and Human Services, Title 26B, Chapter 5, Health Care
7057 - Substance Use and Mental Health, and Title 51, Chapter 2a, Accounting Reports
7058 from Political Subdivisions, Interlocal Organizations, and Other Local Entities Act;
7059 and
- 7060 (b) ensure that those guidelines and procedures provide assurances to the state that:
- 7061 (i) state and federal funds appropriated to local mental health authorities are used for
7062 mental health purposes;
- 7063 (ii) a private provider under an annual or otherwise ongoing contract to provide
7064 comprehensive mental health programs or services for a local mental health
7065 authority is in compliance with state and local contract requirements and state and
7066 federal law;

7067 (iii) state and federal funds appropriated to local substance abuse authorities are used
7068 for substance abuse programs and services; and
7069 (iv) a private provider under an annual or otherwise ongoing contract to provide
7070 comprehensive substance abuse programs or services for a local substance abuse
7071 authority is in compliance with state and local contract requirements, and state and
7072 federal law.

7073 (14)(a) The state auditor may, in accordance with the auditor's responsibilities for
7074 political subdivisions of the state as provided in Title 51, Chapter 2a, Accounting
7075 Reports from Political Subdivisions, Interlocal Organizations, and Other Local
7076 Entities Act, initiate audits or investigations of any political subdivision that are
7077 necessary to determine honesty and integrity in fiscal affairs, accuracy and reliability
7078 of financial statements, effectiveness, and adequacy of financial controls and
7079 compliance with the law.

7080 (b) If the state auditor receives notice under Subsection 11-41-104(7) from the
7081 Governor's Office of Economic ~~[Opportunity]~~ Development on or after July 1, 2024,
7082 the state auditor may initiate an audit or investigation of the public entity subject to
7083 the notice to determine compliance with Section 11-41-103.

7084 (15)(a) The state auditor may not audit work that the state auditor performed before
7085 becoming state auditor.

7086 (b) If the state auditor has previously been a responsible official in state government
7087 whose work has not yet been audited, the Legislature shall:
7088 (i) designate how that work shall be audited; and
7089 (ii) provide additional funding for those audits, if necessary.

7090 (16) The state auditor shall:

7091 (a) with the assistance, advice, and recommendations of an advisory committee
7092 appointed by the state auditor from among special district boards of trustees, officers,
7093 and employees and special service district boards, officers, and employees:
7094 (i) prepare a Uniform Accounting Manual for Special Districts that:
7095 (A) prescribes a uniform system of accounting and uniform budgeting and
7096 reporting procedures for special districts under Title 17B, Limited Purpose
7097 Local Government Entities - Special Districts, and special service districts
7098 under Title 17D, Chapter 1, Special Service District Act;
7099 (B) conforms with generally accepted accounting principles; and
7100 (C) prescribes reasonable exceptions and modifications for smaller districts to the

- 7101 uniform system of accounting, budgeting, and reporting;
- 7102 (ii) maintain the manual under this Subsection (16)(a) so that the manual continues to
7103 reflect generally accepted accounting principles;
- 7104 (iii) conduct a continuing review and modification of procedures in order to improve
7105 them;
- 7106 (iv) prepare and supply each district with suitable budget and reporting forms; and
7107 (v)(A) prepare instructional materials, conduct training programs, and render other
7108 services considered necessary to assist special districts and special service
7109 districts in implementing the uniform accounting, budgeting, and reporting
7110 procedures; and
7111 (B) ensure that any training described in Subsection (16)(a)(v)(A) complies with
7112 Title 63G, Chapter 22, State Training and Certification Requirements; and
- 7113 (b) continually analyze and evaluate the accounting, budgeting, and reporting practices
7114 and experiences of specific special districts and special service districts selected by
7115 the state auditor and make the information available to all districts.
- 7116 (17)(a) The following records in the custody or control of the state auditor are protected
7117 records under Title 63G, Chapter 2, Government Records Access and Management
7118 Act:
- 7119 (i) records that would disclose information relating to allegations of personal
7120 misconduct, gross mismanagement, or illegal activity of a past or present
7121 governmental employee if the information or allegation cannot be corroborated by
7122 the state auditor through other documents or evidence, and the records relating to
7123 the allegation are not relied upon by the state auditor in preparing a final audit
7124 report;
- 7125 (ii) records and audit workpapers to the extent the workpapers would disclose the
7126 identity of an individual who during the course of an audit, communicated the
7127 existence of any waste of public funds, property, or manpower, or a violation or
7128 suspected violation of a law, rule, or regulation adopted under the laws of this
7129 state, a political subdivision of the state, or any recognized entity of the United
7130 States, if the information was disclosed on the condition that the identity of the
7131 individual be protected;
- 7132 (iii) before an audit is completed and the final audit report is released, records or
7133 drafts circulated to an individual who is not an employee or head of a
7134 governmental entity for the individual's response or information;

- 7135 (iv) records that would disclose an outline or part of any audit survey plans or audit
7136 program; and
- 7137 (v) requests for audits, if disclosure would risk circumvention of an audit.
- 7138 (b) The provisions of Subsections (17)(a)(i), (ii), and (iii) do not prohibit the disclosure
7139 of records or information that relate to a violation of the law by a governmental entity
7140 or employee to a government prosecutor or peace officer.
- 7141 (c) The provisions of this Subsection (17) do not limit the authority otherwise given to
7142 the state auditor to classify a document as public, private, controlled, or protected
7143 under Title 63G, Chapter 2, Government Records Access and Management Act.
- 7144 (d)(i) As used in this Subsection (17)(d), "record dispute" means a dispute between
7145 the state auditor and the subject of an audit performed by the state auditor as to
7146 whether the state auditor may release a record, as defined in Section 63G-2-103,
7147 to the public that the state auditor gained access to in the course of the state
7148 auditor's audit but which the subject of the audit claims is not subject to disclosure
7149 under Title 63G, Chapter 2, Government Records Access and Management Act.
- 7150 (ii) The state auditor may submit a record dispute to the director of the Government
7151 Records Office, created in Section 63A-12-202, for a determination of whether the
7152 state auditor may, in conjunction with the state auditor's release of an audit report,
7153 release to the public the record that is the subject of the record dispute.
- 7154 (iii) The state auditor or the subject of the audit may seek judicial review of the
7155 director's determination, described in Subsection (17)(d)(ii), as provided in
7156 Section 63G-2-404.
- 7157 (18) If the state auditor conducts an audit of an entity that the state auditor has previously
7158 audited and finds that the entity has not implemented a recommendation made by the
7159 state auditor in a previous audit, the state auditor shall notify the Legislative
7160 Management Committee through the Legislative Management Committee's Audit
7161 Subcommittee that the entity has not implemented that recommendation.
- 7162 (19) The state auditor shall, with the advice and consent of the Senate, appoint the state
7163 privacy auditor described in Section 67-3-13.
- 7164 (20) Except as provided in Subsection (21), the state auditor shall report, or ensure that
7165 another government entity reports, on the financial, operational, and performance
7166 metrics for the state system of higher education and the state system of public education,
7167 including metrics in relation to students, programs, and schools within those systems.
- 7168 (21)(a) Notwithstanding Subsection (20), the state auditor shall conduct regular audits of:

- 7169 (i) the scholarship granting organization for the Carson Smith Opportunity
7170 Scholarship Program, created in Section 53E-7-402;
- 7171 (ii) the State Board of Education for the Carson Smith Scholarship Program, created
7172 in Section 53F-4-302; and
- 7173 (iii) the scholarship program manager for the Utah Fits All Scholarship Program,
7174 created in Section 53F-6-402, including an analysis of the cost effectiveness of the
7175 program, taking into consideration the amount of the scholarship and the amount
7176 of state and local funds dedicated on a per-student basis within the traditional
7177 public education system.
- 7178 (b) Nothing in this subsection limits or impairs the authority of the State Board of
7179 Education to administer the programs described in Subsection (21)(a).
- 7180 (22) The state auditor shall, based on the information posted by the Office of Legislative
7181 Research and General Counsel under Subsection 36-12-12.1(2), for each policy, track
7182 and post the following information on the state auditor's website:
- 7183 (a) the information posted under Subsections 36-12-12.1(2)(a) through (e);
7184 (b) an indication regarding whether the policy is timely adopted, adopted late, or not
7185 adopted;
- 7186 (c) an indication regarding whether the policy complies with the requirements
7187 established by law for the policy; and
- 7188 (d) a link to the policy.
- 7189 (23)(a) A legislator may request that the state auditor conduct an inquiry to determine
7190 whether a government entity, government official, or government employee has
7191 complied with a legal obligation directly imposed, by statute, on the government
7192 entity, government official, or government employee.
- 7193 (b) The state auditor may, upon receiving a request under Subsection (23)(a), conduct
7194 the inquiry requested.
- 7195 (c) If the state auditor conducts the inquiry described in Subsection (23)(b), the state
7196 auditor shall post the results of the inquiry on the state auditor's website.
- 7197 (d) The state auditor may limit the inquiry described in this Subsection (23) to a simple
7198 determination, without conducting an audit, regarding whether the obligation was
7199 fulfilled.
- 7200 (24) The state auditor shall:
- 7201 (a) ensure compliance with Title 63G, Chapter 31, Distinctions on the Basis of Sex, in
7202 accordance with Section 63G-31-401; and

7203 (b) report to the Legislative Management Committee, upon request, regarding the state
7204 auditor's actions under this Subsection (24).

7205 (25) The state auditor shall report compliance with Sections 67-27-107, 67-27-108, and
7206 67-27-109 by:

7207 (a) establishing a process to receive and audit each alleged violation; and

7208 (b) reporting to the Legislative Management Committee, upon request, regarding the
7209 state auditor's findings and recommendations under this Subsection (25).

7210 (26) The state auditor shall ensure compliance with Section 63G-1-704 regarding the
7211 display of flags in or on government property.

7212 (27)(a) On or before January 31 each year, the state auditor shall prepare a report that
7213 states, for each entity that holds public funds as defined in Section 51-7-3, the entity's
7214 total balance, as of the last day of the immediately preceding fiscal year, of cash, cash
7215 equivalents, and investments, as those terms are defined under the standards
7216 established by the Governmental Accounting Standards Board.

7217 (b) The state auditor shall make the report described in Subsection (27)(a) publicly
7218 available on a website that the state auditor maintains.

7219 Section 111. Section **67-22-2** is amended to read:

7220 **67-22-2 (Effective 05/06/26). Compensation -- Other state officers.**

7221 (1) As used in this section:

7222 (a) "Appointed executive" means the:

7223 (i) commissioner of the Department of Agriculture and Food;

7224 (ii) commissioner of the Insurance Department;

7225 (iii) commissioner of the Labor Commission;

7226 (iv) director, Department of Alcoholic Beverage Services;

7227 (v) commissioner of the Department of Financial Institutions;

7228 (vi) executive director, Department of Commerce;

7229 (vii) executive director, State Commission on Criminal and Juvenile Justice;

7230 (viii) adjutant general;

7231 (ix) executive director, Department of Cultural and Community Engagement;

7232 (x) executive director, Department of Corrections;

7233 (xi) commissioner, Department of Public Safety;

7234 (xii) executive director, Department of Natural Resources;

7235 (xiii) executive director, Governor's Office of Planning and Budget;

7236 (xiv) executive director, Department of Government Operations;

- 7237 (xv) executive director, Department of Environmental Quality;
- 7238 (xvi) executive director, Governor's Office of Economic [Opportunity] Development;
- 7239 (xvii) executive director, Department of Workforce Services;
- 7240 (xviii) executive director, Department of Health and Human Services, Nonphysician;
- 7241 (xix) executive director, Department of Transportation;
- 7242 (xx) executive director, Department of Veterans and Military Affairs;
- 7243 (xxi) advisor, Public Lands Policy Coordinating Office, created in Section
- 7244 63L-11-201;
- 7245 (xxii) Great Salt Lake commissioner, appointed under Section 73-32-201; and
- 7246 (xxiii) Utah water agent, appointed under Section 73-10g-702.
- 7247 (b) "Board or commission executive" means:
- 7248 (i) members, Board of Pardons and Parole;
- 7249 (ii) chair, State Tax Commission;
- 7250 (iii) commissioners, State Tax Commission;
- 7251 (iv) executive director, State Tax Commission;
- 7252 (v) chair, Public Service Commission; and
- 7253 (vi) commissioners, Public Service Commission.
- 7254 (c) "Deputy" means the person who acts as the appointed executive's second in
- 7255 command as determined by the Division of Human Resource Management.
- 7256 (2)(a) The director of the Division of Human Resource Management shall:
- 7257 (i) before October 31 of each year, recommend to the governor a compensation plan
- 7258 for the appointed executives and the board or commission executives; and
- 7259 (ii) base those recommendations on market salary studies conducted by the Division
- 7260 of Human Resource Management.
- 7261 (b)(i) The Division of Human Resource Management shall determine the salary range
- 7262 for the appointed executives by:
- 7263 (A) identifying the salary range assigned to the appointed executive's deputy;
- 7264 (B) designating the lowest minimum salary from those deputies' salary ranges as
- 7265 the minimum salary for the appointed executives' salary range; and
- 7266 (C) designating 105% of the highest maximum salary range from those deputies'
- 7267 salary ranges as the maximum salary for the appointed executives' salary range.
- 7268 (ii) If the deputy is a medical doctor, the Division of Human Resource Management
- 7269 may not consider that deputy's salary range in designating the salary range for
- 7270 appointed executives.

- 7271 (c)(i) Except as provided in Subsection (2)(c)(ii), in establishing the salary ranges for
7272 board or commission executives, the Division of Human Resource Management
7273 shall set the maximum salary in the salary range for each of those positions at
7274 90% of the salary for district judges as established in the annual appropriation act
7275 under Section 67-8-2.
- 7276 (ii) In establishing the salary ranges for an individual described in Subsection
7277 (1)(b)(ii), (1)(b)(iii), or (1)(b)(iv), the Division of Human Resource Management
7278 shall set the maximum salary in the salary range for each of those positions at
7279 100% of the salary for district judges as established in the annual appropriation act
7280 under Section 67-8-2.
- 7281 (3)(a)(i) Except as provided in Subsection (3)(a)(ii) or Subsection (3)(d), the
7282 governor shall establish a specific salary for each appointed executive within the
7283 range established under Subsection (2)(b).
- 7284 (ii) If the executive director of the Department of Health and Human Services is a
7285 physician, the governor shall establish a salary within the highest physician salary
7286 range established by the Division of Human Resource Management.
- 7287 (iii) The governor may provide salary increases for appointed executives within the
7288 range established by Subsection (2)(b) and identified in Subsection (3)(a)(ii).
- 7289 (b) The governor shall apply the same overtime regulations applicable to other FLSA
7290 exempt positions.
- 7291 (c) The governor may develop standards and criteria for reviewing the appointed
7292 executives.
- 7293 (d) If under Section 73-10g-702 the governor appoints an individual who is serving in an
7294 appointed executive branch position to be the Utah water agent, the governor shall
7295 adjust the salary of the Utah water agent to account for salary received for the
7296 appointed executive branch position.
- 7297 (4) Salaries for other Schedule A employees, as defined in Section 63A-17-301, that are not
7298 provided for in this chapter, or in Title 67, Chapter 8, Utah Elected Official and Judicial
7299 Salary Act, shall be established as provided in Section 63A-17-301.
- 7300 (5)(a) The Legislature fixes benefits for the appointed executives and the board or
7301 commission executives as follows:
- 7302 (i) the option of participating in a state retirement system established by Title 49,
7303 Utah State Retirement and Insurance Benefit Act, or in a deferred compensation
7304 plan administered by the State Retirement Office in accordance with the Internal

- 7305 Revenue Code and its accompanying rules and regulations;
- 7306 (ii) health insurance;
- 7307 (iii) dental insurance;
- 7308 (iv) basic life insurance;
- 7309 (v) unemployment compensation;
- 7310 (vi) workers' compensation;
- 7311 (vii) required employer contribution to [~~Social Security~~] social security;
- 7312 (viii) long-term disability income insurance;
- 7313 (ix) the same additional state-paid life insurance available to other noncareer service
- 7314 employees;
- 7315 (x) the same severance pay available to other noncareer service employees;
- 7316 (xi) the same leave, holidays, and allowances granted to Schedule B state employees
- 7317 as follows:
- 7318 (A) sick leave;
- 7319 (B) converted sick leave if accrued prior to January 1, 2014;
- 7320 (C) educational allowances;
- 7321 (D) holidays; and
- 7322 (E) annual leave except that annual leave shall be accrued at the maximum rate
- 7323 provided to Schedule B state employees;
- 7324 (xii) the option to convert accumulated sick leave to cash or insurance benefits as
- 7325 provided by law or rule upon resignation or retirement according to the same
- 7326 criteria and procedures applied to Schedule B state employees;
- 7327 (xiii) the option to purchase additional life insurance at group insurance rates
- 7328 according to the same criteria and procedures applied to Schedule B state
- 7329 employees; and
- 7330 (xiv) professional memberships if being a member of the professional organization is
- 7331 a requirement of the position.
- 7332 (b) Each department shall pay the cost of additional state-paid life insurance for its
- 7333 executive director from its existing budget.
- 7334 (6) The Legislature fixes the following additional benefits:
- 7335 (a) for the executive director of the Department of Transportation a vehicle for official
- 7336 and personal use;
- 7337 (b) for the executive director of the Department of Natural Resources a vehicle for
- 7338 commute and official use;

- 7339 (c) for the commissioner of Public Safety:
- 7340 (i) an accidental death insurance policy if POST certified; and
- 7341 (ii) a public safety vehicle for official and personal use;
- 7342 (d) for the executive director of the Department of Corrections:
- 7343 (i) an accidental death insurance policy if POST certified; and
- 7344 (ii) a public safety vehicle for official and personal use;
- 7345 (e) for the adjutant general a vehicle for official and personal use;
- 7346 (f) for each member of the Board of Pardons and Parole a vehicle for commute and
- 7347 official use; and
- 7348 (g) for the executive director of the Department of Veterans and Military Affairs a
- 7349 vehicle for commute and official use.

7350 Section 112. Section **71A-9-303** is amended to read:

7351 **71A-9-303 (Effective 05/06/26). Certain improvements, alterations, and**

7352 **expansions prohibited.**

- 7353 (1) A person may not begin to develop, or authorize development, on any land on which the
- 7354 department or the Governor's Office of Economic [Opportunity] Development holds a
- 7355 lawful easement unless the department or the Governor's Office of Economic [
- 7356 Opportunity] Development has affirmatively authorized the development of the land.
- 7357 (2) Nothing in this part prohibits a property owner from improving, altering, or expanding
- 7358 an existing residential or commercial use of the property owner's property if the
- 7359 improvement, alteration, or expansion does not violate any conditions of an easement
- 7360 placed on the property owner's land.

7361 Section 113. Section **72-1-209** is amended to read:

7362 **72-1-209 (Effective 05/06/26). Department to cooperate in programs relating to**

7363 **scenic centers.**

7364 The department shall cooperate in planning and promoting road-building programs into

7365 the scenic centers of the state and in providing camping grounds and facilities in scenic centers

7366 for tourists with:

- 7367 (1) the Governor's Office of Economic [Opportunity] Development;
- 7368 (2) other states;
- 7369 (3) all national, state, and local planning and zoning agencies and boards;
- 7370 (4) municipal and county officials; and
- 7371 (5) other agencies.

7372 Section 114. Section **72-2-503** is amended to read:

- 7373 **72-2-503 (Effective 05/06/26). Board creation -- Duties -- Grant administration.**
- 7374 (1) There is created the affordable housing infrastructure grant board consisting of the
- 7375 following members:
- 7376 (a) the executive director of the department, or the executive director's designee;
- 7377 (b) the executive director of the Governor's Office of Economic [Opportunity]
- 7378 Development appointed under Section 63N-1a-302, or the executive director's
- 7379 designee; and
- 7380 (c) an employee of the governor's office that is an expert or advisor on housing strategy,
- 7381 appointed by the governor.
- 7382 (2)(a) The Governor's Office of Economic [Opportunity] Development shall provide staff
- 7383 support for the board and the grant program.
- 7384 (b) The Governor's Office of Economic [Opportunity] Development may use and the
- 7385 department shall transfer grant funds for the costs of the Governor's Office of
- 7386 Economic [Opportunity] Development to administer the grant program under this part.
- 7387 (c) The Governor's Office of Economic [Opportunity] Development and the department
- 7388 shall enter into a memorandum of understanding to facilitate the calculation and
- 7389 transfer of funds for the administrative costs described in Subsection (2)(b).
- 7390 (3) The Governor's Office of Economic [Opportunity] Development, in consultation with
- 7391 the board, shall develop a process for the prioritization of grant proposals that includes:
- 7392 (a) instructions on making and submitting a grant proposal;
- 7393 (b) methodology for selecting grants; and
- 7394 (c) methodology for awarding grants.
- 7395 (4) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the
- 7396 Governor's Office of Economic [Opportunity] Development shall make rules to establish
- 7397 the process described in Subsection (3) and as otherwise necessary to implement this
- 7398 part.
- 7399 (5) The board shall:
- 7400 (a) accept grant applications;
- 7401 (b) rank grant proposals; and
- 7402 (c) award grants in accordance with this part.
- 7403 (6) A grant applicant shall ensure that each grant proposal includes:
- 7404 (a) information about the proposed project, including the projected number of affordable
- 7405 housing units, which may not be less than 50 units of affordable housing;
- 7406 (b) the projected time line of the proposed project;

- 7407 (c) data and information regarding the proposed types of affordable housing; and
7408 (d) information about the public infrastructure and other improvements needed.
- 7409 (7)(a) In considering a grant proposal, the board shall consider criteria including:
7410 (i) the value and number of housing units the project will produce;
7411 (ii) the value of any matching contribution from the grant applicant, including
7412 information about how the public entity determined the value of the matching
7413 assets; and
7414 (iii) any other criteria the board determines relevant.
- 7415 (b) For a grant proposal including highway infrastructure, the board may not award a
7416 grant unless the grant applicant provides a minimum matching contribution of the
7417 right-of-way needed for the highway improvements.
- 7418 (c) If a grant proposal includes highway infrastructure, the board shall give priority to
7419 the construction of public highways that are highways of regional significance that
7420 connect to other highways or points of regional significance.
- 7421 (8)(a) Subject to available funding, and subject to Subsection (8)(b), the board may
7422 award a grant to a recipient that the board determines advisable.
- 7423 (b) For every \$20,000 of grant funding awarded to a recipient, the infrastructure shall
7424 support at least one unit of affordable housing.
- 7425 (c) The board may not award a grant to a recipient if the board determines that the
7426 recipient will not be able to satisfy the requirement under Subsection (8)(b).
- 7427 (9) If the board approves the award of a grant as provided in this part, the department shall
7428 transfer the money to the grant recipient in accordance with Subsection (10).
- 7429 (10)(a) Before the department may provide grant money to a public entity for a project
7430 related to a grant awarded by the board, the public entity shall provide a detailed cost
7431 estimate of costs to complete the planning and design of the project.
- 7432 (b) If the executive director approves the cost estimate described in Subsection (10)(a),
7433 the department may provide to the public entity grant money reasonably necessary to
7434 complete the planning and design of the project.
- 7435 (c) After completion of the planning and design of a project related to a grant awarded
7436 by the board, the public entity shall provide to the department a detailed estimate of
7437 the costs to construct and complete the project described in Subsection (10)(b).
- 7438 (d) If the executive director approves the cost estimates described in Subsection (10)(c),
7439 the department may provide grant money to a public entity to construct and complete
7440 the project described in Subsection (10)(b).

7441 Section 115. Section **72-4-302** is amended to read:

7442 **72-4-302 (Effective 05/06/26) (Repealed 01/02/30). Utah State Scenic Byway**

7443 **Committee -- Creation -- Membership -- Meetings -- Expenses.**

7444 (1) There is created the Utah State Scenic Byway Committee.

7445 (2)(a) The committee shall consist of the following 13 members:

7446 (i) a representative from each of the following entities appointed by the governor:

7447 (A) the Governor's Office of Economic [~~Opportunity~~] Development;

7448 (B) the Utah Department of Transportation;

7449 (C) the Department of Cultural and Community Engagement;

7450 (D) the Division of State Parks;

7451 (E) the Federal Highway Administration;

7452 (F) the National Park Service;

7453 (G) the National Forest Service; and

7454 (H) the Bureau of Land Management;

7455 (ii) one local government tourism representative appointed by the governor;

7456 (iii) a representative from the private business sector appointed by the governor; and

7457 (iv) three local elected officials from a county, city, or town within the state
7458 appointed by the governor.

7459 (b) Except as provided in Subsection (2)(c), the members appointed in this Subsection
7460 (2) shall be appointed for a four-year term of office.

7461 (c) The governor shall, at the time of appointment or reappointment for appointments
7462 made under Subsection (2)(a)(i), (ii), (iii), or (iv) adjust the length of terms to ensure
7463 that the terms of committee members are staggered so that approximately half of the
7464 committee is appointed every two years.

7465 (3)(a) The representative from the Governor's Office of Economic [~~Opportunity~~]
7466 Development shall chair the committee.

7467 (b) The members appointed under Subsections (2)(a)(i)(E) through (H) serve as
7468 nonvoting, ex officio members of the committee.

7469 (4) The Governor's Office of Economic [~~Opportunity~~] Development and the department
7470 shall provide staff support to the committee.

7471 (5)(a) The chair may call a meeting of the committee only with the concurrence of the
7472 department.

7473 (b) A majority of the voting members of the committee constitute a quorum.

7474 (c) Action by a majority vote of a quorum of the committee constitutes action by the

7475 committee.

7476 (6) A member may not receive compensation or benefits for the member's service, but may
7477 receive per diem and travel expenses as allowed in:

7478 (a) Section 63A-3-106;

7479 (b) Section 63A-3-107; and

7480 (c) rules made by the Division of Finance according to Sections 63A-3-106 and
7481 63A-3-107.

7482 Section 116. Section **72-7-504** is amended to read:

7483 **72-7-504 (Effective 05/06/26). Advertising prohibited near interstate or primary**
7484 **system -- Exceptions -- Logo advertising -- Department rules.**

7485 (1) As used in this section, "specific service trailblazer sign" means a guide sign that
7486 provides users with business identification or directional information for services and
7487 eligible activities that are advertised on a logo advertising sign authorized under
7488 Subsection (3)(a)(i).

7489 (2) Outdoor advertising that is capable of being read or comprehended from any place on
7490 the main-traveled way of an interstate or primary system may not be erected or
7491 maintained, except:

7492 (a) directional and other official signs and notices authorized or required by law,
7493 including signs and notices pertaining to natural wonders and scenic and historic
7494 attractions, informational or directional signs regarding utility service, emergency
7495 telephone signs, buried or underground utility markers, and above ground utility
7496 closure signs;

7497 (b) on-premise signs advertising the sale or lease of property upon which the on-premise
7498 signs are located;

7499 (c) on-premise signs advertising major activities conducted on the property where the
7500 on-premise signs are located;

7501 (d) public assembly facility signs;

7502 (e) unified commercial development signs that have received a waiver as described in
7503 Section 72-7-504.6;

7504 (f) signs located in a commercial or industrial zone;

7505 (g) signs located in unzoned industrial or commercial areas as determined from actual
7506 land uses; and

7507 (h) logo advertising under Subsection (3).

7508 (3)(a) The department may itself or by contract erect, administer, and maintain

- 7509 informational signs:
- 7510 (i) on the main-traveled way of an interstate or primary system, as it existed on June
7511 1, 1991, specific service signs for the display of logo advertising and information
7512 of interest, excluding specific service trailblazer signs as defined in rules adopted
7513 in accordance with Section 41-6a-301, to the traveling public if:
- 7514 (A) the department complies with Title 63G, Chapter 6a, Utah Procurement Code,
7515 in the lease or other contract agreement with a private party for the sign or sign
7516 space; and
- 7517 (B) the private party for the lease of the sign or sign space pays an amount set by
7518 the department to be paid to the department or the party under contract with the
7519 department under this Subsection (3); and
- 7520 (ii) only on rural conventional roads as defined in rules adopted in accordance with
7521 Section 41-6a-301 in a county of the fourth, fifth, or sixth class for tourist-oriented
7522 directional signs that display logo advertising and information of interest to the
7523 traveling public if:
- 7524 (A) the department complies with Title 63G, Chapter 6a, Utah Procurement Code,
7525 in the lease or other contract agreement with a private party for the
7526 tourist-oriented directional sign or sign space; and
- 7527 (B) the private party for the lease of the sign or sign space pays an amount set by
7528 the department to be paid to the department or the party under contract with the
7529 department under this Subsection (3).
- 7530 (b) The amount shall be sufficient to cover the costs of erecting, administering, and
7531 maintaining the signs or sign spaces.
- 7532 (c)(i) Any sign erected pursuant to this Subsection (3) which was existing as of
7533 March 1, 2015, shall be permitted as if it were in compliance with this Subsection
7534 (3).
- 7535 (ii) A noncompliant sign shall only be permitted for the contract period of the
7536 advertising contract.
- 7537 (iii) A new advertising contract may not be issued for a noncompliant sign.
- 7538 (d) The department may consult the Governor's Office of Economic [Opportunity]
7539 Development in carrying out this Subsection (3).
- 7540 (4)(a) Revenue generated under Subsection (3) shall be:
- 7541 (i) applied first to cover department costs under Subsection (3); and
7542 (ii) deposited into the Transportation Fund.

- 7543 (b) Revenue in excess of costs under Subsection (3)(a) shall be deposited into the
7544 General Fund as a dedicated credit for use by the Governor's Office of Economic [
7545 ~~Opportunity~~] Development no later than the following fiscal year.
- 7546 (5) Outdoor advertising under Subsections (2)(a), (f), (g), and (h) shall conform to the rules
7547 made by the department under Sections 72-7-506 and 72-7-507.
- 7548 Section 117. Section **79-6-902** is amended to read:
7549 **79-6-902 (Effective 05/06/26). Utah Energy Infrastructure Board.**
- 7550 (1) There is created within the office the Utah Energy Infrastructure Board that consists of
7551 nine members as follows:
- 7552 (a) subject to Subsection (2), members appointed by the governor:
- 7553 (i) the director of the Office of Energy Development, who shall serve as chair of the
7554 board;
- 7555 (ii) one member from the Governor's Office of Economic [~~Opportunity~~] Development;
- 7556 (iii) one member from a public utility or electric interlocal entity that operates electric
7557 transmission facilities within the state;
- 7558 (iv) one member who resides within a county of the third, fourth, fifth, or sixth class,
7559 as classified under Section 17-60-104, with relevant experience in an energy or
7560 extraction industry;
- 7561 (v) one member currently serving as county commissioner of a county of the third,
7562 fourth, fifth, or sixth class, as classified under Section 17-60-104; and
- 7563 (vi) two members of the general public with relevant industry experience;
- 7564 (b) one member appointed jointly by the Utah Farm Bureau Federation, the Utah
7565 Manufacturer's Association, the Utah Mining Association, and the Utah Petroleum
7566 Association; and
- 7567 (c) the director of the School and Institutional Trust Lands Administration created in
7568 Section 53C-1-201.
- 7569 (2) The governor shall consult with the president of the Senate and the speaker of the House
7570 of Representatives in appointing the members described in Subsections (1)(a)(iii)
7571 through (vi).
- 7572 (3)(a) The term of an appointed board member is four years.
- 7573 (b) Notwithstanding Subsection (3)(a), the governor shall, at the time of appointment or
7574 reappointment, adjust the length of terms to ensure that the terms of board members
7575 are staggered so that approximately half of the board is appointed every two years.
- 7576 (c) The governor may remove a member of the board for cause.

- 7577 (d) The governor shall fill a vacancy in the board in the same manner under this section
7578 as the appointment of the member whose vacancy is being filled.
- 7579 (e) An individual appointed to fill a vacancy shall serve the remaining unexpired term of
7580 the member whose vacancy the individual is filling.
- 7581 (f) A board member shall serve until a successor is appointed and qualified.
- 7582 (4)(a) Five members of the board constitute a quorum for conducting board business.
- 7583 (b) A majority vote of the quorum present is required for an action to be taken by the
7584 board.
- 7585 (5) The board shall meet as needed to review an application.
- 7586 (6) A member may not receive compensation or benefits for the member's service, but may
7587 receive per diem and travel expenses in accordance with:
- 7588 (a) Section 63A-3-106;
- 7589 (b) Section 63A-3-107; and
- 7590 (c) rules made by the Division of Finance pursuant to Sections 63A-3-106 and
7591 63A-3-107.
- 7592 Section 118. Section **79-7-203** is amended to read:
- 7593 **79-7-203 (Effective 05/06/26). Powers and duties of division.**
- 7594 (1) As used in this section, "real property" includes land under water, upland, and all other
7595 property commonly or legally defined as real property.
- 7596 (2) The Division of Wildlife Resources shall retain the power and jurisdiction conferred
7597 upon the Division of Wildlife Resources by law on property controlled by the division
7598 with reference to fish and game.
- 7599 (3) For purposes of property controlled by the division, the division shall permit multiple
7600 uses of the property for purposes such as grazing, fishing, hunting, camping, mining, and
7601 the development and use of water and other natural resources.
- 7602 (4)(a) The division may acquire real and personal property in the name of the state by
7603 legal and proper means, including purchase, gift, devise, eminent domain, lease,
7604 exchange, or otherwise, subject to the approval of the executive director and the
7605 governor.
- 7606 (b) In acquiring real or personal property, the credit of the state may not be pledged
7607 without the consent of the Legislature.
- 7608 (5)(a) Before acquiring any real property, the division shall notify the county legislative
7609 body of the county where the property is situated of the division's intention to acquire
7610 the property.

- 7611 (b) If the county legislative body requests a hearing within 10 days of receipt of the
7612 notice, the division shall hold a public hearing in the county concerning the matter.
- 7613 (6) Acceptance of gifts or devises of land or other property is at the discretion of the
7614 division, subject to the approval of the executive director and the governor.
- 7615 (7) The division shall acquire property by eminent domain in the manner authorized by
7616 Title 78B, Chapter 6, Part 5, Eminent Domain.
- 7617 (8)(a) The division may make charges for special services and use of facilities, the
7618 income from which is available for recreation purposes.
- 7619 (b) The division may conduct and operate those services necessary for the comfort and
7620 convenience of the public.
- 7621 (9)(a) The division may lease or rent concessions of lawful kinds and nature on property
7622 to persons, partnerships, and corporations for a valuable consideration after notifying
7623 the commission.
- 7624 (b) The division shall comply with Title 63G, Chapter 6a, Utah Procurement Code, in
7625 selecting concessionaires.
- 7626 (10) The division shall proceed without delay to negotiate with the federal government
7627 concerning the Weber Basin and other recreation and reclamation projects.
- 7628 (11)(a) The division shall coordinate with and annually report to the following regarding
7629 land acquisition and development and grants administered under this chapter or
7630 Chapter 8, Outdoor Recreation Grants:
- 7631 (i) the Division of State Parks; and
7632 (ii) the ~~Office of~~ Center for Rural Development created in Section 63N-4-102.
- 7633 (b) The report required under Subsection (11)(a) shall be in writing, made public, and
7634 include a description and the amount of any grant awarded under this chapter or
7635 Chapter 8, Outdoor Recreation Grants.
- 7636 (12) The division shall:
- 7637 (a) coordinate outdoor recreation policy, management, and promotion:
- 7638 (i) among state and federal agencies and local government entities in the state;
7639 (ii) with the Public Lands Policy Coordinating Office created in Section 63L-11-201,
7640 if public land is involved; and
7641 (iii) on at least a quarterly basis, with the executive director and the executive
7642 director of the Governor's Office of Economic ~~Opportunity~~ Development;
- 7643 (b) in cooperation with the Governor's Office of Economic ~~Opportunity~~ Development,
7644 promote economic development in the state by:

- 7645 (i) coordinating with outdoor recreation stakeholders;
7646 (ii) improving recreational opportunities; and
7647 (iii) recruiting outdoor recreation business;
- 7648 (c) administer Chapter 9, Mitigating the Direct Impacts of Tourism and Outdoor
7649 Recreation;
- 7650 (d) promote all forms of outdoor recreation, including motorized and nonmotorized
7651 outdoor recreation;
- 7652 (e) recommend to the governor and Legislature policies and initiatives to enhance
7653 recreational amenities and experiences in the state and help implement those policies
7654 and initiatives;
- 7655 (f) in performing the division's duties, seek to ensure safe and adequate access to
7656 outdoor recreation for all user groups and for all forms of recreation;
- 7657 (g) develop data regarding the impacts of outdoor recreation in the state; and
7658 (h) promote the health and social benefits of outdoor recreation, especially to young
7659 people.

7660 (13) By following Title 63J, Chapter 5, Federal Funds Procedures Act, the division may:

- 7661 (a) seek federal grants or loans;
7662 (b) seek to participate in federal programs; and
7663 (c) in accordance with applicable federal program guidelines, administer federally
7664 funded outdoor recreation programs.

7665 Section 119. **Effective Date.**

7666 (1) Except as provided in Subsection (2), this bill takes effect May 6, 2026.

7667 (2) The actions affecting Section 63N-2-512 (Effective 07/01/26) (Repealed 07/01/28) take
7668 effect on July 1, 2026.

7669 Section 120. **Coordinating H.B. 475 with other 2026 General Session legislation.**

7670 The Legislature intends that all references to the term "GOEO" change to "GOED" and
7671 all references to the term "Governor's Office of Economic Opportunity" change to "Governor's
7672 Office of Economic Development" in any new language added to the Utah Code by legislation
7673 that passes in the 2026 General Session and becomes law.