

1                                   **REVENUE BOND AND CAPITAL FACILITIES**

2   **AMENDMENTS**

3   2012 GENERAL SESSION

4   STATE OF UTAH

5   **Chief Sponsor: Gage Froerer**

6   Senate Sponsor: J. Stuart Adams

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8   **LONG TITLE**

9   **General Description:**

10           This bill makes modifications to provisions relating to revenue bonding; authorizes  
11   certain state agencies and institutions to issue revenue bonds; and authorizes the  
12   construction or renovation of capital facilities using agency, institutional, or donated  
13   funds.

14   **Highlighted Provisions:**

15           This bill:

- 16           ▶ exempts the 2012-13 fiscal year from funding and construction restrictions relating  
17   to budget deficits;
- 18           ▶ reduces the fund raising goal that the University of Utah is required to meet before  
19   revenue bonds are issued to finance the cost of constructing an on-campus student  
20   life center;
- 21           ▶ permits non-student fees to be used in addition to student recreation fees as the  
22   primary revenue source for the repayment of bonds for the student life center;
- 23           ▶ increases the maximum square footage from the amount of revenue bonding that  
24   was previously authorized for the Dee Glen Smith Athletic Center and requires that  
25   donations and television revenues be used as the primary revenue source for  
26   repayment of the bonds;
- 27           ▶ authorizes the State Building Ownership Authority to issue revenue bonds for the



28 following:

29 • \$1,900,000 for the acquisition of the Sevier County Courts Building in  
30 Richfield, Utah;

31 ▶ authorizes the State Board of Regents to issue bonds for the following:

32 • \$9,580,000 for expanding the Orthopaedic Center at the University of Utah;

33 • \$21,702,000 for constructing a parking structure in the HPER area at the  
34 University of Utah;

35 • \$19,980,000 for constructing a parking structure in the Health Sciences area at  
36 the University of Utah;

37 • \$4,000,000 for constructing student housing for the Utah State University  
38 Eastern San Juan Campus in Blanding, Utah;

39 • \$8,000,000 for an addition to the Stromberg Center for student recreation at  
40 Weber State University; and

41 • \$60,500,000 for constructing a S.J. Quinney College of Law Building at the  
42 University of Utah; and

43 ▶ provides either authorizations for or prohibitions on state funding for operations and  
44 maintenance and capital improvement costs on the above projects; and

45 ▶ authorizes the planning, design, and construction or renovation of the following,  
46 provided that only agency, institutional, or donated funds are used:

47 • for a dental school building at the University of Utah at a cost of up to  
48 \$37,400,000, and prohibits the use of state funds for operation and maintenance  
49 and capital improvement costs on the building; and

50 • for a petroleum technology, energy safety, and transportation training center at  
51 the Uintah Basin Applied Technology College at a cost of up to \$1,000,000, and  
52 permits state funds to be used for operations and maintenance and capital  
53 improvement costs on the building.

54 **Money Appropriated in this Bill:**

55 None

56 **Other Special Clauses:**

57 None

58 **Utah Code Sections Affected:**

59 AMENDS:

60 **63A-5-104**, as last amended by Laws of Utah 2011, Chapters 219 and 409

61 **63B-16-202**, as enacted by Laws of Utah 2007, Chapter 174

62 **63B-20-103**, as enacted by Laws of Utah 2011, Chapter 409

63 ENACTS:

64 **63B-21-101**, Utah Code Annotated 1953

65 **63B-21-102**, Utah Code Annotated 1953

66 **63B-21-201**, Utah Code Annotated 1953



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

69 Section 1. Section **63A-5-104** is amended to read:

70 **63A-5-104. Definitions -- Capital development and capital improvement process**

71 **-- Approval requirements -- Limitations on new projects -- Emergencies.**

72 (1) As used in this section:

73 (a) "Capital developments" means a:

74 (i) remodeling, site, or utility project with a total cost of \$2,500,000 or more;

75 (ii) new facility with a construction cost of \$500,000 or more; or

76 (iii) purchase of real property where an appropriation is requested to fund the purchase.

77 (b) "Capital improvements" means a:

78 (i) remodeling, alteration, replacement, or repair project with a total cost of less than

79 \$2,500,000;

80 (ii) site and utility improvement with a total cost of less than \$2,500,000; or

81 (iii) new facility with a total construction cost of less than \$500,000.

82 (c) (i) "New facility" means the construction of a new building on state property

83 regardless of funding source.

84 (ii) "New facility" includes:

85 (A) an addition to an existing building; and

86 (B) the enclosure of space that was not previously fully enclosed.

87 (iii) "New facility" does not mean:

88 (A) the replacement of state-owned space that is demolished or that is otherwise

89 removed from state use, if the total construction cost of the replacement space is less than

90 \$2,500,000; or

91 (B) the construction of facilities that do not fully enclose a space.

92 (d) "Replacement cost of existing state facilities" means the replacement cost, as  
93 determined by the Division of Risk Management, of state facilities, excluding auxiliary  
94 facilities as defined by the State Building Board.

95 (e) "State funds" means public money appropriated by the Legislature.

96 (2) The State Building Board, on behalf of all state agencies, commissions,  
97 departments, and institutions shall submit its capital development recommendations and  
98 priorities to the Legislature for approval and prioritization.

99 (3) (a) Except as provided in Subsections (3)(b), (d), and (e), a capital development  
100 project may not be constructed on state property without legislative approval.

101 (b) Legislative approval is not required for a capital development project that consists  
102 of the design or construction of a new facility if the State Building Board determines that:

103 (i) the requesting state agency, commission, department, or institution has provided  
104 adequate assurance that:

105 (A) state funds will not be used for the design or construction of the facility; and

106 (B) the state agency, commission, department, or institution has a plan for funding in  
107 place that will not require increased state funding to cover the cost of operations and  
108 maintenance to, or state funding for, immediate or future capital improvements to the resulting  
109 facility; and

110 (ii) the use of the state property is:

111 (A) appropriate and consistent with the master plan for the property; and

112 (B) will not create an adverse impact on the state.

113 (c) (i) The Division of Facilities Construction and Management shall maintain a record  
114 of facilities constructed under the exemption provided in Subsection (3)(b).

115 (ii) For facilities constructed under the exemption provided in Subsection (3)(b), a state  
116 agency, commission, department, or institution may not request:

117 (A) increased state funds for operations and maintenance; or

118 (B) state capital improvement funding.

119 (d) Legislative approval is not required for:

120 (i) the renovation, remodeling, or retrofitting of an existing facility with nonstate funds

121 that has been approved by the State Building Board;

122 (ii) a facility to be built with nonstate funds and owned by nonstate entities within  
123 research park areas at the University of Utah and Utah State University;

124 (iii) a facility to be built at This is the Place State Park by This is the Place Foundation  
125 with funds of the foundation, including grant money from the state, or with donated services or  
126 materials;

127 (iv) a capital project that:

128 (A) is funded by:

129 (I) the Uintah Basin Revitalization Fund; or

130 (II) the Navajo Revitalization Fund; and

131 (B) does not provide a new facility for a state agency or higher education institution; or

132 (v) a capital project on school and institutional trust lands that is funded by the School  
133 and Institutional Trust Lands Administration from the Land Grant Management Fund and that  
134 does not fund construction of a new facility for a state agency or higher education institution.

135 (e) (i) Legislative approval is not required for capital development projects to be built  
136 for the Department of Transportation as a result of an exchange of real property under Section  
137 72-5-111.

138 (ii) When the Department of Transportation approves those exchanges, it shall notify  
139 the president of the Senate, the speaker of the House, and the cochairs of the Capital Facilities  
140 and Administrative Services Subcommittee of the Legislature's Joint Appropriation Committee  
141 about any new facilities to be built under this exemption.

142 (4) (a) (i) The State Building Board, on behalf of all state agencies, commissions,  
143 departments, and institutions shall by January 15 of each year, submit a list of anticipated  
144 capital improvement requirements to the Legislature for review and approval.

145 (ii) The list shall identify:

146 (A) a single project that costs more than \$1,000,000;

147 (B) multiple projects within a single building or facility that collectively cost more than  
148 \$1,000,000;

149 (C) a single project that will be constructed over multiple years with a yearly cost of  
150 \$1,000,000 or more and an aggregate cost of more than \$2,500,000;

151 (D) multiple projects within a single building or facility with a yearly cost of

152 \$1,000,000 or more and an aggregate cost of more than \$2,500,000;

153 (E) a single project previously reported to the Legislature as a capital improvement  
154 project under \$1,000,000 that, because of an increase in costs or scope of work, will now cost  
155 more than \$1,000,000; and

156 (F) multiple projects within a single building or facility previously reported to the  
157 Legislature as a capital improvement project under \$1,000,000 that, because of an increase in  
158 costs or scope of work, will now cost more than \$1,000,000.

159 (b) Unless otherwise directed by the Legislature, the State Building Board shall  
160 prioritize capital improvements from the list submitted to the Legislature up to the level of  
161 appropriation made by the Legislature.

162 (c) In prioritizing capital improvements, the State Building Board shall consider the  
163 results of facility evaluations completed by an architect/engineer as stipulated by the building  
164 board's facilities maintenance standards.

165 (d) The State Building Board may require an entity that benefits from a capital  
166 improvement project to repay the capital improvement funds from savings that result from the  
167 project.

168 (e) The State Building Board may provide capital improvement funding to a single  
169 project, or to multiple projects within a single building or facility, even if the total cost of the  
170 project or multiple projects is \$2,500,000 or more, if:

171 (i) the capital improvement project or multiple projects require more than one year to  
172 complete; and

173 (ii) the Legislature has affirmatively authorized the capital improvement project or  
174 multiple projects to be funded in phases.

175 (5) The Legislature may authorize:

176 (a) the total square feet to be occupied by each state agency; and

177 (b) the total square feet and total cost of lease space for each agency.

178 (6) (a) Except as provided in Subsection (6)(b) or (c), the Legislature may not fund the  
179 design or construction of any new capital development projects, except to complete the funding  
180 of projects for which partial funding has been previously provided, until the Legislature has  
181 appropriated 1.1% of the replacement cost of existing state facilities to capital improvements.

182 (b) (i) As used in this Subsection (6)(b):

- 183 (A) "Education Fund budget deficit" is as defined in Section 63J-1-312; and  
184 (B) "General Fund budget deficit" is as defined in Section 63J-1-312.
- 185 (ii) If the Legislature determines that an Education Fund budget deficit or a General  
186 Fund budget deficit exists, the Legislature may, in eliminating the deficit, reduce the amount  
187 appropriated to capital improvements to 0.9% of the replacement cost of state buildings.
- 188 (c) The requirements under Subsections (6)(a) and (b) do not apply to the 2008-09,  
189 2009-10, 2010-11, [~~and~~] 2011-12, and 2012-13 fiscal years.
- 190 (7) (a) If, after approval of capital development and capital improvement priorities by  
191 the Legislature under this section, emergencies arise that create unforeseen critical capital  
192 improvement projects, the State Building Board may, notwithstanding the requirements of Title  
193 63J, Chapter 1, Budgetary Procedures Act, reallocate capital improvement funds to address  
194 those projects.
- 195 (b) The State Building Board shall report any changes it makes in capital improvement  
196 allocations approved by the Legislature to:
- 197 (i) the Office of Legislative Fiscal Analyst within 30 days of the reallocation; and  
198 (ii) the Legislature at its next annual general session.
- 199 (8) (a) The State Building Board may adopt a rule allocating to institutions and  
200 agencies their proportionate share of capital improvement funding.
- 201 (b) The State Building Board shall ensure that the rule:
- 202 (i) reserves funds for the Division of Facilities Construction and Management for  
203 emergency projects; and  
204 (ii) allows the delegation of projects to some institutions and agencies with the  
205 requirement that a report of expenditures will be filed annually with the Division of Facilities  
206 Construction and Management and appropriate governing bodies.
- 207 (9) It is the intent of the Legislature that in funding capital improvement requirements  
208 under this section the General Fund be considered as a funding source for at least half of those  
209 costs.
- 210 Section 2. Section **63B-16-202** is amended to read:  
211 **63B-16-202. Revenue bond authorizations -- Board of Regents.**  
212 (1) It is the intent of the Legislature that:  
213 (a) when the University of Utah certifies to the Board of Regents that the university has

214 obtained reliable commitments, convertible to cash, of [~~\$15,000,000~~] \$10,000,000 or more in  
215 nonstate funds to construct an on-campus student life center, the Board of Regents, on behalf of  
216 the University of Utah, may issue, sell, and deliver revenue bonds or other evidences of  
217 indebtedness of the University of Utah to borrow money on the credit, revenues, and reserves  
218 of the University of Utah, other than appropriations from the Legislature, to finance the cost of  
219 constructing an on-campus student life center;

220 (b) student recreation fees and non-student fees be used as the primary revenue source  
221 for repayment of any obligation created under authority of this section;

222 (c) the University of Utah may increase student recreation fees to not more than \$60  
223 per semester for not more than 20 years, and use those revenues, together with the \$15,000,000  
224 collected under Subsection (1)(a), to service the student life center revenue bond debt;

225 (d) the bonds or other evidences of indebtedness authorized by this section may  
226 provide up to \$42,500,000, together with other amounts necessary to pay costs of issuance, pay  
227 capitalized interest, and fund any debt service reserve requirements;

228 (e) the University of Utah may plan, design, and construct the on-campus student life  
229 center subject to requirements in Section 63A-5-206; and

230 (f) the university may not request state funds for operation and maintenance costs or  
231 capital improvements.

232 (2) It is the intent of the Legislature that:

233 (a) the Board of Regents, on behalf of Southern Utah University, may issue, sell, and  
234 deliver revenue bonds or other evidences of indebtedness of Southern Utah University to  
235 borrow money on the credit, revenues, and reserves of Southern Utah University, other than  
236 appropriations of the Legislature, to finance the cost of constructing on-campus student  
237 dormitories;

238 (b) student housing rental fees be used as the primary revenue source for repayment of  
239 any obligation created under authority of this section;

240 (c) the bonds or other evidences of indebtedness authorized by this section may provide  
241 up to \$17,500,000, together with other amounts necessary to pay costs of issuance, pay  
242 capitalized interest, and fund any debt service reserve requirements;

243 (d) Southern Utah University may plan, design, and construct the on-campus student  
244 dormitories subject to requirements in Section 63A-5-206; and



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

247 Section 3. Section **63B-20-103** is amended to read:

248 **63B-20-103. Revenue Bond Authorizations -- Board of Regents.**

249 (1) The Legislature intends that:

250 (a) the Board of Regents, on behalf of Utah Valley University, may issue, sell, and  
251 deliver revenue bonds or other evidences of indebtedness of Utah Valley University to borrow  
252 money on the credit, revenues, and reserves of the university, other than appropriations of the  
253 Legislature, to finance the cost of constructing a Student Life and Wellness building with up to  
254 170,000 square feet;

255 (b) Utah Valley University use student fees as the primary revenue sources for  
256 repayment of any obligation created under authority of this section;

257 (c) the maximum amount of revenue bonds or evidences of indebtedness authorized by  
258 this section is \$40,000,000, together with other amounts necessary to pay costs of issuance, pay  
259 capitalized interest, and fund any debt service reserve requirements;

260 (d) the university may plan, design, and construct the Student Life and Wellness  
261 building subject to the requirements of Title 63A, Chapter 5, State Building Board - Division  
262 of Facilities Construction and Management; and

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

265 (2) The Legislature intends that:

266 (a) the Board of Regents, on behalf of Utah Valley University, may issue, sell, and  
267 deliver revenue bonds or other evidences of indebtedness of Utah Valley University to borrow  
268 money on the credit, revenues, and reserves of the university, other than appropriations of the  
269 Legislature, to finance the cost of constructing a parking structure with up to 534 stalls;

270 (b) Utah Valley University use parking fees as the primary revenue sources for  
271 repayment of any obligation created under authority of this section;

272 (c) the maximum amount of revenue bonds or evidences of indebtedness authorized by  
273 this section is \$8,000,000, together with other amounts necessary to pay costs of issuance, pay  
274 capitalized interest, and fund any debt service reserve requirements;

275 (d) the university may plan, design, and construct the parking structure, subject to the

276 requirements of Title 63A, Chapter 5, State Building Board - Division of Facilities  
277 Construction and Management; and

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

280 (3) The Legislature intends that:

281 (a) the Board of Regents, on behalf of the University of Utah, may issue, sell, and  
282 deliver revenue bonds or other evidences of indebtedness of the University of Utah to borrow  
283 money on the credit, revenues, and reserves of the university, other than appropriations of the  
284 Legislature, to finance the cost of constructing a parking structure for the Ambulatory Care  
285 Complex;

286 (b) the University of Utah use clinical revenues and other institutional funds as the  
287 primary revenue sources for repayment of any obligation created under authority of this  
288 section;

289 (c) the maximum amount of revenue bonds or evidences of indebtedness authorized by  
290 this section is \$16,328,000, together with other amounts necessary to pay costs of issuance, pay  
291 capitalized interest, and fund any debt service reserve requirements;

292 (d) the university may plan, design, and construct the parking structure, subject to the  
293 requirements of Title 63A, Chapter 5, State Building Board - Division of Facilities  
294 Construction and Management; and

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

297 (4) The Legislature intends that:

298 (a) the Board of Regents, on behalf of the University of Utah, may issue, sell, and  
299 deliver revenue bonds or other evidences of indebtedness of the University of Utah to borrow  
300 money on the credit, revenues, and reserves of the university, other than appropriations of the  
301 Legislature, to finance the cost of constructing a University of Utah Healthcare Medical  
302 Services building with up to 70,000 square feet;

303 (b) the University of Utah use clinical revenues, donations, and other institutional  
304 funds as the primary revenue sources for repayment of any obligation created under authority of  
305 this section;

306 (c) the maximum amount of revenue bonds or evidences of indebtedness authorized by

307 this section is \$25,857,000, together with other amounts necessary to pay costs of issuance, pay  
308 capitalized interest, and fund any debt service reserve requirements;

309 (d) the university may plan, design, and construct the Healthcare Medical Services  
310 building, subject to the requirements of Title 63A, Chapter 5, State Building Board - Division  
311 of Facilities Construction and Management; and

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

314 (5) The Legislature intends that:

315 (a) the Board of Regents, on behalf of Snow College, may issue, sell, and deliver  
316 revenue bonds or other evidences of indebtedness of Snow College to borrow money on the  
317 credit, revenues, and reserves of the university, other than appropriations of the Legislature, to  
318 finance the cost of constructing student housing with up to 93,000 square feet;

319 (b) Snow College use student housing rental fees as the primary revenue source for  
320 repayment of any obligation created under authority of this section;

321 (c) the maximum amount of revenue bonds or evidences of indebtedness authorized by  
322 this section is \$15,689,000, together with other amounts necessary to pay costs of issuance, pay  
323 capitalized interest, and fund any debt service reserve requirements;

324 (d) the university may plan, design, and construct the student housing, subject to the  
325 requirements of Title 63A, Chapter 5, State Building Board - Division of Facilities  
326 Construction and Management; and

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

329 (6) The Legislature intends that:

330 (a) the Board of Regents, on behalf of the University of Utah, may issue, sell, and  
331 deliver revenue bonds or other evidences of indebtedness of the University of Utah to borrow  
332 money on the credit, revenues, and reserves of the university, other than appropriations of the  
333 Legislature, to finance the cost of expanding the Dee Glen Smith Athletic Center with up to  
334 ~~[58,000]~~ 115,000 new square feet;

335 (b) the University of Utah use donations and ~~[other institutional funds]~~ television  
336 revenues as the primary revenue sources for repayment of any obligation created under  
337 authority of this section;

338 (c) the maximum amount of revenue bonds or evidences of indebtedness authorized by  
339 this section is [~~\$20,000,000~~] \$30,000,000, together with other amounts necessary to pay costs  
340 of issuance, pay capitalized interest, and fund any debt service reserve requirements;

341 (d) the university may plan, design, and construct the athletic center subject to the  
342 requirements of Title 63A, Chapter 5, State Building Board - Division of Facilities  
343 Construction and Management; and

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

346 (7) The Legislature intends that:

347 (a) the Board of Regents, on behalf of the University of Utah, may issue, sell, and  
348 deliver revenue bonds or other evidences of indebtedness of the University of Utah to borrow  
349 money on the credit, revenues, and reserves of the university, other than appropriations of the  
350 Legislature, to finance the cost of acquiring the University of Utah South Jordan Health Center  
351 that is currently leased;

352 (b) the University of Utah use clinical enterprise revenues as the primary source for  
353 repayment of any obligation created under authority of this section;

354 (c) the maximum amount of revenue bonds or evidences of indebtedness authorized by  
355 this section is \$66,000,000, together with other amounts necessary to pay costs of issuance, pay  
356 capitalized interest, and fund any debt service reserve requirements;

357 (d) no state funds be used for any portion of this project; and

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

360 (8) The Legislature intends that:

361 (a) the Board of Regents, on behalf of Weber State University, may issue, sell, and  
362 deliver revenue bonds or other evidences of indebtedness of Weber State University to borrow  
363 money on the credit, revenues, and reserves of the university, other than appropriations of the  
364 Legislature, to finance a portion of the cost of constructing a Professional Programs Classroom  
365 Building on the Davis Campus;

366 (b) Weber State University use student fees and other contributions as the primary  
367 revenue sources for repayment of any obligation created under authority of this section;

368 (c) the maximum amount of revenue bonds or evidences of indebtedness authorized by

369 this section is \$8,400,000, together with other amounts necessary to pay costs of issuance, pay  
370 capitalized interest, and fund any debt service reserve requirements;

371 (d) the university may plan, design, and construct the classroom building subject to the  
372 requirements of Title 63A, Chapter 5, State Building Board - Division of Facilities

373 Construction and Management; and

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

376 Section 4. Section **63B-21-101** is enacted to read:

377 **Part 1. 2012 Revenue Bond Authorizations**

378 **63B-21-101. Revenue Bond Authorizations -- State Building Ownership**

379 **Authority.**

380 The Legislature intends that:

381 (1) the State Building Ownership Authority, under the authority of Title 63B, Chapter  
382 1, Part 3, State Building Ownership Authority Act, may issue or execute obligations, or enter  
383 into or arrange for a lease-purchase agreement in which participation interests may be created,  
384 to provide up to \$1,900,000 for the acquisition of the Sevier County Courts Building in  
385 Richfield City, together with additional amounts necessary to pay costs of issuance, pay  
386 capitalized interest, and fund any debt service reserve requirements;

387 (2) the Judicial Branch use existing lease budgets as the primary revenue source for  
388 repayment of any obligation created under authority of this section; and

389 (3) the Judicial Branch may not request additional state funds for operation and  
390 maintenance costs.

391 Section 5. Section **63B-21-102** is enacted to read:

392 **63B-21-102. Revenue Bond Authorizations -- Board of Regents.**

393 (1) The Legislature intends that:

394 (a) the Board of Regents, on behalf of the University of Utah, may issue, sell, and  
395 deliver revenue bonds or other evidences of indebtedness of the University of Utah to borrow  
396 money on the credit, revenues, and reserves of the university, other than appropriations of the  
397 Legislature, to finance the cost of expanding the Orthopaedic Center with up to 25,200 new and  
398 remodeled square feet;

399 (b) University of Utah use clinical revenues, donations, and other institutional funds as

400 the primary revenue sources for repayment of any obligation created under authority of this  
401 section;

402 (c) the maximum amount of revenue bonds or evidences of indebtedness authorized by  
403 this section is \$9,580,000, together with other amounts necessary to pay costs of issuance, pay  
404 capitalized interest, and fund any debt service reserve requirements;

405 (d) the university may plan, design, and construct the Orthopaedic Center expansion  
406 subject to the requirements of Title 63A, Chapter 5, State Building Board - Division of  
407 Facilities Construction and Management; and

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

410 (2) The Legislature intends that:

411 (a) the Board of Regents, on behalf of the University of Utah, may issue, sell, and  
412 deliver revenue bonds or other evidences of indebtedness of the University of Utah to borrow  
413 money on the credit, revenues, and reserves of the university, other than appropriations of the  
414 Legislature, to finance the cost of constructing a parking structure in the HPER area;

415 (b) the University of Utah use parking revenue and permit fees as the primary revenue  
416 sources for repayment of any obligation created under authority of this section;

417 (c) the maximum amount of revenue bonds or evidences of indebtedness authorized by  
418 this section is \$21,702,000, together with other amounts necessary to pay costs of issuance, pay  
419 capitalized interest, and fund any debt service reserve requirements;

420 (d) the university may plan, design, and construct the parking structure subject to the  
421 requirements of Title 63A, Chapter 5, State Building Board - Division of Facilities  
422 Construction and Management; and

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

425 (3) The Legislature intends that:

426 (a) the Board of Regents, on behalf of the University of Utah, may issue, sell, and  
427 deliver revenue bonds or other evidences of indebtedness of the University of Utah to borrow  
428 money on the credit, revenues, and reserves of the university, other than appropriations of the  
429 Legislature, to finance the cost of constructing a parking structure in the Health Sciences area;

430 (b) the University of Utah use parking revenue and permit fees as the primary revenue

431 sources for repayment of any obligation created under authority of this section;

432 (c) the maximum amount of revenue bonds or evidences of indebtedness authorized by  
433 this section is \$19,980,000, together with other amounts necessary to pay costs of issuance, pay  
434 capitalized interest, and fund any debt service reserve requirements;

435 (d) the university may plan, design, and construct the parking structure subject to the  
436 requirements of Title 63A, Chapter 5, State Building Board - Division of Facilities  
437 Construction and Management; and

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

440 (4) The Legislature intends that:

441 (a) the Board of Regents, on behalf of Utah State University, may issue, sell, and  
442 deliver revenue bonds or other evidences of indebtedness of Utah State University to borrow  
443 money on the credit, revenues, and reserves of the university, other than appropriations of the  
444 Legislature, to finance the cost of constructing student housing for the Utah State University  
445 Eastern San Juan campus in Blanding with up to 16,000 new square feet;

446 (b) Utah State University use student housing rental fees as the primary revenue source  
447 for repayment of any obligation created under authority of this section;

448 (c) the maximum amount of revenue bonds or evidences of indebtedness authorized by  
449 this section is \$4,000,000, together with other amounts necessary to pay costs of issuance, pay  
450 capitalized interest, and fund any debt service reserve requirements;

451 (d) the university may plan, design, and construct the student housing subject to the  
452 requirements of Title 63A, Chapter 5, State Building Board - Division of Facilities  
453 Construction and Management; and

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

456 (5) The Legislature intends that:

457 (a) the Board of Regents, on behalf of Weber State University, may issue, sell, and  
458 deliver revenue bonds or other evidences of indebtedness of Weber State University to borrow  
459 money on the credit, revenues, and reserves of the university, other than appropriations of the  
460 Legislature, to finance the cost of constructing an addition to the Stromberg Center for student  
461 recreation with up to 29,200 new square feet;

462 (b) Weber State University use student fees and facility use fees as the primary revenue  
463 sources for repayment of any obligation created under authority of this section;

464 (c) the maximum amount of revenue bonds or evidences of indebtedness authorized by  
465 this section is \$8,000,000, together with other amounts necessary to pay costs of issuance, pay  
466 capitalized interest, and fund any debt service reserve requirements;

467 (d) the university may plan, design, and construct the Stromberg Center addition  
468 subject to the requirements of Title 63A, Chapter 5, State Building Board - Division of  
469 Facilities Construction and Management; and

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

472 (6) The Legislature intends that:

473 (a) the Board of Regents, on behalf of the University of Utah, may issue, sell, and  
474 deliver revenue bonds or other evidences of indebtedness of the University of Utah to borrow  
475 money on the credit, revenues, and reserves of the university, other than appropriations of the  
476 Legislature to finance the cost of constructing a S.J. Quinney College of Law Building with up  
477 to 155,900 new square feet;

478 (b) the University of Utah use donations and institutional funds as the primary revenue  
479 sources for repayment of any obligation created under authority of this section;

480 (c) the maximum amount of revenue bonds or evidences of indebtedness authorized by  
481 this section is \$60,500,000, together with other amounts necessary to pay costs of issuance, pay  
482 capitalized interest, and fund any debt service reserve requirements;

483 (d) the university may plan, design, and construct the parking structure subject to the  
484 requirements of Title 63A, Chapter 5, State Building Board - Division of Facilities  
485 Construction and Management; and

486 (e) the university may use previously authorized state funds for operation and  
487 maintenance costs or capital improvements.

488 Section 6. Section **63B-21-201** is enacted to read:

489 **Part 2. 2012 Capital Facility Design and Construction Authorizations**  
490 **63B-21-201. Authorizations to design and construct capital facilities using**  
491 **institutional or agency funds.**

492 (1) The Legislature intends that:



493           (a) the University of Utah may, subject to requirements in Title 63A, Chapter 5, State  
494 Building Board - Division of Facilities Construction and Management, use \$37,400,000 in  
495 donations and institutional funds to plan, design, and construct a Dental School Building with  
496 up to 70,200 new square feet;

497           (b) no state funds be used for any portion of this project; and

498           (c) the university may not request state funds for operation and maintenance costs or  
499 capital improvements.

500           (2) The Legislature intends that:

501           (a) the Uintah Basin Applied Technology College may, subject to requirements in Title  
502 63A, Chapter 5, State Building Board - Division of Facilities Construction and Management,  
503 use \$1,000,000 in donations and institutional funds to plan, design, and construct a Petroleum  
504 Technology, Energy Safety, and Transportation Training Center with up to 6,500 new square  
505 feet;

506           (b) no state funds be used for any portion of this project; and

507           (c) the college may use state funds for operation and maintenance costs and capital  
508 improvements.

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**Legislative Review Note**  
as of 3-8-12 9:04 AM

**Office of Legislative Research and General Counsel**