

1 **OUTDOOR RECREATION GRANT PROGRAM AMENDMENTS**

2 2019 GENERAL SESSION

3 STATE OF UTAH

4 **Chief Sponsor: Mike Schultz**

5 Senate Sponsor: _____

6

7 **LONG TITLE**

8 **General Description:**

9 This bill modifies provisions related to the state transient room tax and a program
10 regarding the hospitality and tourism industry.

11 **Highlighted Provisions:**

12 This bill:

- 13 ▶ defines terms;
- 14 ▶ removes the \$300,000 annual cap on money put into a hospitality and tourism
15 program from the state transient room tax;
- 16 ▶ renames the Hospitality and Tourism Management and Career and Technical
17 Education Pilot Program to the Hospitality and Tourism Education Program;
- 18 ▶ moves the administration of the program from the State Board of Education to the
19 Talent Ready Utah Center in the Governor's Office of Economic Development
20 (GOED);
- 21 ▶ describes GOED's duties in selecting a nonprofit entity to develop and implement
22 the program; and
- 23 ▶ makes technical changes.

24 **Money Appropriated in this Bill:**

25 None

26 **Other Special Clauses:**

27 None



28 **Utah Code Sections Affected:**

29 AMENDS:

30 **59-28-103**, as last amended by Laws of Utah 2018, Chapter 415

31 **63N-12-501**, as enacted by Laws of Utah 2018, Chapter 423

32 RENUMBERS AND AMENDS:

33 **63N-12-506**, (Renumbered from 53E-3-515, as renumbered and amended by Laws of
34 Utah 2018, Chapter 1)

35 **63N-12-507**, (Renumbered from 53F-9-501, as renumbered and amended by Laws of
36 Utah 2018, Chapter 2)



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

39 Section 1. Section **59-28-103** is amended to read:

40 **59-28-103. Imposition -- Rate -- Revenue distribution.**

41 (1) Subject to the other provisions of this chapter, the state shall impose a tax on the
42 transactions described in Subsection **59-12-103**(1)(i) at a rate of .32%.

43 (2) The tax imposed under this chapter is in addition to any other taxes imposed on the
44 transactions described in Subsection **59-12-103**(1)(i).

45 (3) (a) [~~(i) Subject to Subsection (3)(a)(ii), the~~] The commission shall deposit 6% of
46 the revenue the state collects from the tax under this chapter into the Hospitality and Tourism
47 Management Education Account created in Section [~~53F-9-501~~] **63N-12-507** to fund the
48 Hospitality and Tourism [~~Management Career and Technical Education Pilot~~] Education
49 Program created in Section [~~53E-3-515~~] **63N-12-506**.

50 [~~(ii) The commission may not deposit more than \$300,000 into the Hospitality and~~
51 ~~Tourism Management Education Account under Subsection (3)(a)(i) in a fiscal year.~~]

52 (b) Except for the amount deposited into the Hospitality and Tourism Management
53 Education Account under Subsection (3)(a) and the administrative charge retained under
54 Subsection **59-28-104**(4), the commission shall deposit any revenue the state collects from the
55 tax under this chapter into the Outdoor Recreation Infrastructure Account created in Section
56 **63N-9-205** to fund the Outdoor Recreational Infrastructure Grant Program created in Section
57 **63N-9-202**.

58 Section 2. Section **63N-12-501** is amended to read:

59 **63N-12-501. Definitions.**

60 As used in this part:

61 (1) "Center" means the Talent Ready Utah Center created in Section [63N-12-502](#).

62 (2) "Local education agency" means a school district, a charter school, or the Utah

63 Schools for the Deaf and the Blind.

64 [~~(2)~~] (3) "Talent ready board" means the Talent Ready Utah Board created in Section
65 [63N-12-503](#).

66 [~~(3)~~] (4) "Workforce programs" means education or industry programs that facilitate
67 training the state's workforce to meet industry demand.

68 Section 3. Section **63N-12-506**, which is renumbered from Section 53E-3-515 is
69 renumbered and amended to read:

70 [~~53E-3-515~~]. **63N-12-506. Hospitality and Tourism Education Program.**

71 (1) As used in this section and Section [63N-12-507](#):

72 (a) "Account" means the Hospitality and Tourism Management Education Account
73 created in Section [63N-12-507](#).

74 [~~(a) "Board" means the State Board of Education.~~]

75 [~~(b) "Local education agency" means a school district or charter school.~~]

76 [~~(c) "Pilot program"~~]

77 (b) "Program" means the Hospitality and Tourism [~~Management Career and Technical~~
78 ~~Education Pilot~~] Education Program created under Subsection (2).

79 [~~(2) There is created a Hospitality and Tourism Management Career and Technical~~
80 ~~Education Pilot Program to provide instruction that a local education agency may offer to a~~
81 ~~student in any of grades 9 through 12 on:~~]

82 [~~(a) the information and skills required for operational level employee positions in~~
83 ~~hospitality and tourism management, including:~~]

84 [~~(i) hospitality soft skills;~~]

85 [~~(ii) operational areas of the hospitality industry;~~]

86 [~~(iii) sales and marketing; and~~]

87 [~~(iv) safety and security; and~~]

88 [~~(b) the leadership and managerial responsibilities, knowledge, and skills required by~~
89 ~~an entry-level leader in hospitality and tourism management, including:~~]

90 ~~[(i) hospitality leadership skills;]~~

91 ~~[(ii) operational leadership;]~~

92 ~~[(iii) managing food and beverage operations; and]~~

93 ~~[(iv) managing business operations.]~~

94 ~~[(3) The instruction described in Subsection (2) may be delivered in a public school~~
95 ~~using live instruction, video, or online materials.]~~

96 ~~[(4) (a) In accordance with Title 63G, Chapter 6a, Utah Procurement Code, the board~~
97 ~~shall select one or more providers to supply materials and curriculum for the pilot program.]~~

98 ~~[(b) The board may seek recommendations from trade associations and other entities~~
99 ~~that have expertise in hospitality and tourism management regarding potential providers of~~
100 ~~materials and curriculum for the pilot program.]~~

101 ~~[(5) (a) A local education agency may apply to the board to participate in the pilot~~
102 ~~program.]~~

103 ~~[(b) The board shall select participants in the pilot program.]~~

104 ~~[(c) A local education agency that participates in the pilot program shall use the~~
105 ~~materials and curriculum supplied by a provider selected under Subsection (4).]~~

106 ~~[(6) The board shall evaluate the pilot program and provide an annual written report to~~
107 ~~the Education Interim Committee and the Economic Development and Workforce Services~~
108 ~~Interim Committee on or before October 1 describing:]~~

109 ~~[(a) how many local education agencies and how many students are participating in the~~
110 ~~pilot program; and]~~

111 ~~[(b) any recommended changes to the pilot program.]~~

112 (2) There is created the Hospitality and Tourism Education Program.

113 (3) The office may contract with a nonprofit entity that represents at least 50 hotels in
114 the state and that meets the requirements described in Subsection (5) to develop and implement
115 the program.

116 (4) The program may be developed and implemented to accomplish the following
117 objectives:

118 (a) in consultation with the State Board of Education, contracting with a curriculum
119 provider to develop and administer a two-year curriculum that may be utilized by a local
120 education agency for students in any of grades 9 through 12 and that provides:

121 (i) a certification recognized by the American Hotel and Lodging Association after
122 completion of the curriculum;

123 (ii) the information and skills required for operational level employee positions in
124 hospitality and tourism management, including:

125 (A) hospitality soft skills;

126 (B) operational areas of the hospitality industry;

127 (C) sales and marketing; and

128 (D) safety and security; and

129 (iii) the leadership and managerial responsibilities, knowledge, and skills required by
130 an entry-level leader in hospitality and tourism management, including:

131 (A) hospitality leadership skills;

132 (B) operational leadership;

133 (C) managing food and beverage operations; and

134 (D) managing business operations;

135 (b) providing opportunities for internships, externships, certifications, and continuing
136 education opportunities for potential and current professionals in the hospitality and tourism
137 industry; and

138 (c) providing funding for educational conferences or other professional development
139 opportunities for potential and current professionals in the hospitality and tourism industry.

140 (5) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the
141 office, in consultation with the talent ready board, shall make rules establishing the eligibility
142 requirements for a nonprofit entity to develop and implement the program, including:

143 (a) the form and process of submitting an application to the office; and

144 (b) the reporting requirements of a nonprofit entity, including the nonprofit entity's
145 success at providing educational and job benefits to individuals in the state.

146 (6) Before selecting a nonprofit entity to develop and implement the program, the
147 executive director shall receive recommendations from the talent ready board and the Utah
148 Outdoor Recreation Grant Advisory Committee created in Section [63N-9-204](#).

149 Section 4. Section **63N-12-507**, which is renumbered from Section 53F-9-501 is
150 renumbered and amended to read:

151 ~~[53F-9-501]~~. **63N-12-507. Hospitality and Tourism Management**

152 **Education Account -- Uses -- Costs.**

153 (1) There is created an expendable special revenue fund known as the "Hospitality and
154 Tourism Management Education Account," which [~~the State Board of Education~~] the office
155 shall use to fund the [~~Hospitality and Tourism Management Career and Technical Education~~
156 ~~Pilot Program~~] program created in Section [~~53E-3-515~~] 63N-12-506.

157 (2) The account consists of:

- 158 (a) distributions to the account under Section 59-28-103;
- 159 (b) interest earned on the account;
- 160 (c) appropriations made by the Legislature; and
- 161 (d) private donations, grants, gifts, bequests, or money made available from any other
162 source to implement Section [~~53E-3-507 or 53E-3-515~~] 63N-12-506.

163 (3) [~~The State Board of Education~~] The office shall administer the account.

164 (4) The cost of administering the account shall be paid from money in the account.

165 (5) Interest accrued from investment of money in the account shall remain in the
166 account.