



28 **53B-7-704**, as last amended by Laws of Utah 2021, Chapter 282  
29 **53B-10-201**, as last amended by Laws of Utah 2022, Chapter 370  
30 **53B-10-203**, as last amended by Laws of Utah 2021, Chapter 282  
31 **59-1-403**, as last amended by Laws of Utah 2023, Chapters 21, 52, 86, 259, and 329  
32 **63G-6a-804**, as last amended by Laws of Utah 2020, Chapter 257  
33 **63I-1-263**, as last amended by Laws of Utah 2023, Chapters 33, 47, 104, 109, 139, 155,  
34 212, 218, 249, 270, 448, 489, and 534  
35 **63N-1a-102**, as last amended by Laws of Utah 2022, Chapters 200, 362  
36 **63N-1a-103**, as enacted by Laws of Utah 2021, Chapter 282  
37 **63N-1a-201**, as last amended by Laws of Utah 2023, Chapter 499  
38 **63N-1a-202**, as last amended by Laws of Utah 2022, Chapters 200, 362  
39 **63N-1a-301**, as last amended by Laws of Utah 2022, Chapters 200, 307  
40 **63N-1a-401**, as renumbered and amended by Laws of Utah 2022, Chapter 362  
41 **63N-1a-402**, as renumbered and amended by Laws of Utah 2022, Chapter 362  
42 **63N-1b-404**, as last amended by Laws of Utah 2023, Chapter 499  
43 **63N-2-104.2**, as enacted by Laws of Utah 2022, Chapter 200  
44 **63N-2-107**, as last amended by Laws of Utah 2022, Chapter 200  
45 **63N-2-504**, as last amended by Laws of Utah 2021, Chapter 282  
46 **63N-2-512**, as last amended by Laws of Utah 2023, Chapter 471  
47 **63N-2-808**, as last amended by Laws of Utah 2021, Chapter 282  
48 **63N-3-102**, as last amended by Laws of Utah 2023, Chapter 499  
49 **63N-3-105**, as last amended by Laws of Utah 2023, Chapter 499  
50 **63N-3-106**, as last amended by Laws of Utah 2023, Chapter 499  
51 **63N-3-107**, as last amended by Laws of Utah 2023, Chapter 499  
52 **63N-3-111**, as last amended by Laws of Utah 2023, Chapter 499  
53 **63N-3-112**, as last amended by Laws of Utah 2022, Chapter 362  
54 **63N-3-1101**, as enacted by Laws of Utah 2022, Chapter 296  
55 **63N-3-1102**, as enacted by Laws of Utah 2022, Chapter 296  
56 **63N-4-103**, as last amended by Laws of Utah 2022, Chapter 274  
57 **63N-4-104**, as last amended by Laws of Utah 2022, Chapter 362  
58 **63N-4-105**, as last amended by Laws of Utah 2021, Chapter 282  
59 **63N-7-102**, as repealed and reenacted by Laws of Utah 2022, Chapter 362  
60 **63N-8-102**, as last amended by Laws of Utah 2023, Chapter 499  
61 **63N-8-103**, as last amended by Laws of Utah 2023, Chapter 499



- 62 63N-8-104, as last amended by Laws of Utah 2021, Chapter 282
- 63 63N-13-305, as last amended by Laws of Utah 2022, Chapter 240
- 64 63N-16-301, as enacted by Laws of Utah 2021, Chapter 373
- 65 63N-17-102, as enacted by Laws of Utah 2021, Chapter 282
- 66 63N-17-201, as last amended by Laws of Utah 2022, Chapter 458
- 67 63N-17-202, as last amended by Laws of Utah 2023, Chapter 499
- 68 63N-17-203, as enacted by Laws of Utah 2022, Chapter 458
- 69 63N-17-301, as enacted by Laws of Utah 2021, Chapter 282

70 ENACTS:

- 71 63N-3-1301, Utah Code Annotated 1953
- 72 63N-3-1302, Utah Code Annotated 1953
- 73 63N-17-401, Utah Code Annotated 1953

74 REPEALS:

- 75 63N-1a-101, as renumbered and amended by Laws of Utah 2021, Chapter 282
- 76 63N-17-101, as enacted by Laws of Utah 2021, Chapter 282



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

79 Section 1. Section **53B-7-702** is amended to read:

80 **53B-7-702 . Definitions.**

81 As used in this part:

- 82 (1) "Account" means the Performance Funding Restricted Account created in Section
- 83 53B-7-703.
- 84 (2) "Estimated revenue growth from targeted jobs" means the estimated increase in
- 85 individual income tax revenue generated by individuals employed in targeted jobs,
- 86 determined by the Department of Workforce Services in accordance with Section
- 87 53B-7-704.
- 88 (3) "Full new performance funding amount" means the maximum amount of new
- 89 performance funding that a degree-granting institution or technical college may qualify
- 90 for in a fiscal year, determined by the Legislature in accordance with Section 53B-7-705.
- 91 (4) "Full-time" means the number of credit hours the board determines is full-time
- 92 enrollment for a student.
- 93 (5) [~~"GO Utah office"~~] "GOEO" means the Governor's Office of Economic Opportunity
- 94 created in Section 63N-1a-301.
- 95 (6) "Job" means an occupation determined by the Department of Workforce Services.

96 (7) "Membership hour" means 60 minutes of scheduled instruction provided by a technical  
97 college to a student enrolled in the technical college.

98 (8) "New performance funding" means the difference between the total amount of money in  
99 the account and the amount of money appropriated from the account for performance  
100 funding in the current fiscal year.

101 (9) "Performance" means total performance across the metrics described in [~~Sections~~  
102 ~~53B-7-706 and 53B-7-707~~] Section 53B-7-706.

103 (10) "Research university" means the University of Utah or Utah State University.

104 (11) "Targeted job" means a job designated by the Department of Workforce Services or [  
105 ~~the GO Utah office~~] GOEO in accordance with Section 53B-7-704.

106 (12) "Technical college" means:

107 (a) the same as that term is defined in Section 53B-1-101.5; [~~and~~] or

108 (b) a degree-granting institution acting in the degree-granting institution's technical  
109 education role described in Section 53B-2a-201.

110 (13) "Technical college graduate" means an individual who:

111 (a) has earned a certificate from an accredited program at a technical college; and

112 (b) is no longer enrolled in the technical college.

113 Section 2. Section **53B-7-704** is amended to read:

114 **53B-7-704 . Designation of targeted jobs -- Determination of estimated revenue**  
115 **growth from targeted jobs -- Reporting.**

116 (1) As used in this section, "baseline amount" means the average annual wages for targeted  
117 jobs over calendar years 2014, 2015, and 2016, as determined by the Department of  
118 Workforce Services using the best available information.

119 (2) (a) The Department of Workforce Services shall designate, as a targeted job, a job  
120 that:

121 (i) has a base employment level of at least 100 individuals;

122 (ii) ranks in the top 20% of jobs for outlook based on:

123 (A) projected number of openings; and

124 (B) projected rate of growth;

125 (iii) ranks in the top 20% of jobs for median annual wage; and

126 (iv) requires postsecondary training.

127 (b) The Department of Workforce Services shall designate targeted jobs every other year.

128 (c) [~~The GO Utah office~~] GOEO may, after consulting with the Department of

129 Workforce Services and industry representatives, designate a job that has significant

- 130 industry importance as a targeted job.
- 131 (d) Annually, the Department of Workforce Services and [~~the GO Utah office~~] GOEO  
132 shall report to the Higher Education Appropriations Subcommittee on targeted jobs,  
133 including:
- 134 (i) the method used to determine which jobs are targeted jobs;  
135 (ii) changes to which jobs are targeted jobs; and  
136 (iii) the reasons for each change described in Subsection (2)(d)(ii).
- 137 (3) Based on the targeted jobs described in Subsection (2), the Department of Workforce  
138 Services shall annually determine the estimated revenue growth from targeted jobs by:
- 139 (a) determining the total estimated wages for targeted jobs for the year:
- 140 (i) based on the average wages for targeted jobs, calculated using the most recently  
141 available wage data and data from each of the two years before the most recently  
142 available data; and  
143 (ii) using the best available information;
- 144 (b) determining the change in estimated wages for targeted jobs by subtracting the  
145 baseline amount from the total wages for targeted jobs described in Subsection (3)(a);  
146 and
- 147 (c) multiplying the change in estimated wages for targeted jobs described in Subsection  
148 (3)(b) by 3.6%.
- 149 (4) Annually, at least 30 days before the first day of the legislative general session, the  
150 Department of Workforce Services shall report the estimated revenue growth from  
151 targeted jobs to:
- 152 (a) the Office of the Legislative Fiscal Analyst; and  
153 (b) the Division of Finance.
- 154 Section 3. Section **53B-10-201** is amended to read:
- 155 **53B-10-201 . Definitions.**
- 156 As used in this part:
- 157 (1) "Award" means a monetary grant awarded in accordance with Section 53B-10-202.  
158 (2) "Full-time" means the number of credit hours the board determines is full-time  
159 enrollment for a student for purposes of the program.
- 160 (3) [~~"GO Utah office"~~] "GOEO" means the Governor's Office of Economic Opportunity  
161 created in Section 63N-1a-301.
- 162 (4) "Institution" means an institution of higher education described in Subsection 53B-1-102  
163 (1)(a).

- 164 (5) "Program" means the Talent Development Award Program created in Section  
 165 53B-10-202.
- 166 (6) "Qualifying degree" means an associate's or a bachelor's degree that qualifies an  
 167 individual to work in a qualifying job, as determined by [~~the GO Utah office~~] GOEO  
 168 under Section 53B-10-203.
- 169 (7) "Qualifying job" means a job:  
 170 (a) described in Section 53B-10-203 for which an individual may receive an award for  
 171 the current two-year period; or  
 172 (b) (i) that was [~~selected~~] identified in accordance with Section 53B-10-203 at the  
 173 time a recipient received an award; and  
 174 (ii) (A) for which the recipient is pursuing a qualifying degree;  
 175 (B) for which the recipient completed a qualifying degree; or  
 176 (C) in which the recipient is working.
- 177 (8) "Recipient" means an individual who receives an award.
- 178 Section 4. Section **53B-10-203** is amended to read:  
 179 **53B-10-203 . Identification of qualifying jobs and qualifying degrees.**
- 180 (1) Every other year, [~~the GO Utah office~~] GOEO shall [~~select~~] identify:  
 181 (a) five qualifying jobs that:  
 182 (i) have the highest demand for new employees; and  
 183 (ii) offer high wages; and  
 184 (b) the qualifying degrees for each qualifying job.
- 185 (2) [~~The GO Utah office~~] GOEO shall:  
 186 (a) ensure that each qualifying job:  
 187 (i) ranks in the top 40% of jobs based on an employment index that considers the  
 188 job's growth rate and total openings;  
 189 (ii) ranks in the top 40% of jobs for wages; and  
 190 (iii) requires an associate's degree or a bachelor's degree; and  
 191 (b) report the five qualifying jobs and qualifying degrees to the board.
- 192 Section 5. Section **59-1-403** is amended to read:  
 193 **59-1-403 . Confidentiality -- Exceptions -- Penalty -- Application to property tax.**
- 194 (1) As used in this section:  
 195 (a) "Distributed tax, fee, or charge" means a tax, fee, or charge:  
 196 (i) the commission administers under:  
 197 (A) this title, other than a tax under Chapter 12, Part 2, Local Sales and Use Tax

- 198 Act;
- 199 (B) Title 10, Chapter 1, Part 3, Municipal Energy Sales and Use Tax Act;
- 200 (C) Title 10, Chapter 1, Part 4, Municipal Telecommunications License Tax Act;
- 201 (D) Section 19-6-805;
- 202 (E) Section 63H-1-205; or
- 203 (F) Title 69, Chapter 2, Part 4, Prepaid Wireless Telecommunications Service
- 204 Charges; and
- 205 (ii) with respect to which the commission distributes the revenue collected from the
- 206 tax, fee, or charge to a qualifying jurisdiction.
- 207 (b) "Qualifying jurisdiction" means:
- 208 (i) a county, city, town, or metro township;
- 209 (ii) the military installation development authority created in Section 63H-1-201; or
- 210 (iii) the Utah Inland Port Authority created in Section 11-58-201.
- 211 (2) (a) Any of the following may not divulge or make known in any manner any
- 212 information gained by that person from any return filed with the commission:
- 213 (i) a tax commissioner;
- 214 (ii) an agent, clerk, or other officer or employee of the commission; or
- 215 (iii) a representative, agent, clerk, or other officer or employee of any county, city, or
- 216 town.
- 217 (b) An official charged with the custody of a return filed with the commission is not
- 218 required to produce the return or evidence of anything contained in the return in any
- 219 action or proceeding in any court, except:
- 220 (i) in accordance with judicial order;
- 221 (ii) on behalf of the commission in any action or proceeding under:
- 222 (A) this title; or
- 223 (B) other law under which persons are required to file returns with the
- 224 commission;
- 225 (iii) on behalf of the commission in any action or proceeding to which the
- 226 commission is a party; or
- 227 (iv) on behalf of any party to any action or proceeding under this title if the report or
- 228 facts shown by the return are directly involved in the action or proceeding.
- 229 (c) Notwithstanding Subsection (2)(b), a court may require the production of, and may
- 230 admit in evidence, any portion of a return or of the facts shown by the return, as are
- 231 specifically pertinent to the action or proceeding.

- 232 (3) This section does not prohibit:
- 233 (a) a person or that person's duly authorized representative from receiving a copy of any
- 234 return or report filed in connection with that person's own tax;
- 235 (b) the publication of statistics as long as the statistics are classified to prevent the
- 236 identification of particular reports or returns; and
- 237 (c) the inspection by the attorney general or other legal representative of the state of the
- 238 report or return of any taxpayer:
- 239 (i) who brings action to set aside or review a tax based on the report or return;
- 240 (ii) against whom an action or proceeding is contemplated or has been instituted
- 241 under this title; or
- 242 (iii) against whom the state has an unsatisfied money judgment.
- 243 (4) (a) Notwithstanding Subsection (2) and for purposes of administration, the
- 244 commission may by rule, made in accordance with Title 63G, Chapter 3, Utah
- 245 Administrative Rulemaking Act, provide for a reciprocal exchange of information
- 246 with:
- 247 (i) the United States Internal Revenue Service; or
- 248 (ii) the revenue service of any other state.
- 249 (b) Notwithstanding Subsection (2) and for all taxes except individual income tax and
- 250 corporate franchise tax, the commission may by rule, made in accordance with Title
- 251 63G, Chapter 3, Utah Administrative Rulemaking Act, share information gathered
- 252 from returns and other written statements with the federal government, any other
- 253 state, any of the political subdivisions of another state, or any political subdivision of
- 254 this state, except as limited by Sections 59-12-209 and 59-12-210, if the political
- 255 subdivision, other state, or the federal government grant substantially similar
- 256 privileges to this state.
- 257 (c) Notwithstanding Subsection (2) and for all taxes except individual income tax and
- 258 corporate franchise tax, the commission may by rule, in accordance with Title 63G,
- 259 Chapter 3, Utah Administrative Rulemaking Act, provide for the issuance of
- 260 information concerning the identity and other information of taxpayers who have
- 261 failed to file tax returns or to pay any tax due.
- 262 (d) Notwithstanding Subsection (2), the commission shall provide to the director of the
- 263 Division of Environmental Response and Remediation, as defined in Section
- 264 19-6-402, as requested by the director of the Division of Environmental Response
- 265 and Remediation, any records, returns, or other information filed with the

- 266 commission under Chapter 13, Motor and Special Fuel Tax Act, or Section  
267 19-6-410.5 regarding the environmental assurance program participation fee.
- 268 (e) Notwithstanding Subsection (2), at the request of any person the commission shall  
269 provide that person sales and purchase volume data reported to the commission on a  
270 report, return, or other information filed with the commission under:
- 271 (i) Chapter 13, Part 2, Motor Fuel; or  
272 (ii) Chapter 13, Part 4, Aviation Fuel.
- 273 (f) Notwithstanding Subsection (2), upon request from a tobacco product manufacturer,  
274 as defined in Section 59-22-202, the commission shall report to the manufacturer:
- 275 (i) the quantity of cigarettes, as defined in Section 59-22-202, produced by the  
276 manufacturer and reported to the commission for the previous calendar year under  
277 Section 59-14-407; and
- 278 (ii) the quantity of cigarettes, as defined in Section 59-22-202, produced by the  
279 manufacturer for which a tax refund was granted during the previous calendar  
280 year under Section 59-14-401 and reported to the commission under Subsection  
281 59-14-401(1)(a)(v).
- 282 (g) Notwithstanding Subsection (2), the commission shall notify manufacturers,  
283 distributors, wholesalers, and retail dealers of a tobacco product manufacturer that is  
284 prohibited from selling cigarettes to consumers within the state under Subsection  
285 59-14-210(2).
- 286 (h) Notwithstanding Subsection (2), the commission may:
- 287 (i) provide to the Division of Consumer Protection within the Department of  
288 Commerce and the attorney general data:  
289 (A) reported to the commission under Section 59-14-212; or  
290 (B) related to a violation under Section 59-14-211; and
- 291 (ii) upon request, provide to any person data reported to the commission under  
292 Subsections 59-14-212(1)(a) through (c) and Subsection 59-14-212(1)(g).
- 293 (i) Notwithstanding Subsection (2), the commission shall, at the request of a committee  
294 of the Legislature, the Office of the Legislative Fiscal Analyst, or the Governor's  
295 Office of Planning and Budget, provide to the committee or office the total amount of  
296 revenues collected by the commission under Chapter 24, Radioactive Waste Facility  
297 Tax Act, for the time period specified by the committee or office.
- 298 (j) Notwithstanding Subsection (2), the commission shall make the directory required by  
299 Section 59-14-603 available for public inspection.

- 300 (k) Notwithstanding Subsection (2), the commission may share information with federal,  
 301 state, or local agencies as provided in Subsection 59-14-606(3).
- 302 (l) (i) Notwithstanding Subsection (2), the commission shall provide the Office of  
 303 Recovery Services within the Department of Health and Human Services any  
 304 relevant information obtained from a return filed under Chapter 10, Individual  
 305 Income Tax Act, regarding a taxpayer who has become obligated to the Office of  
 306 Recovery Services.
- 307 (ii) The information described in Subsection (4)(l)(i) may be provided by the Office  
 308 of Recovery Services to any other state's child support collection agency involved  
 309 in enforcing that support obligation.
- 310 (m) (i) Notwithstanding Subsection (2), upon request from the state court  
 311 administrator, the commission shall provide to the state court administrator, the  
 312 name, address, telephone number, county of residence, and social security number  
 313 on resident returns filed under Chapter 10, Individual Income Tax Act.
- 314 (ii) The state court administrator may use the information described in Subsection  
 315 (4)(m)(i) only as a source list for the master jury list described in Section  
 316 78B-1-106.
- 317 (n) (i) As used in this Subsection (4)(n):
- 318 (A) [~~"GO Utah office"~~] "GOEEO" means the Governor's Office of Economic  
 319 Opportunity created in Section 63N-1a-301.
- 320 (B) "Income tax information" means information gained by the commission that is  
 321 required to be attached to or included in a return filed with the commission  
 322 under Chapter 7, Corporate Franchise and Income Taxes, or Chapter 10,  
 323 Individual Income Tax Act.
- 324 (C) "Other tax information" means information gained by the commission that is  
 325 required to be attached to or included in a return filed with the commission  
 326 except for a return filed under Chapter 7, Corporate Franchise and Income  
 327 Taxes, or Chapter 10, Individual Income Tax Act.
- 328 (D) "Tax information" means income tax information or other tax information.
- 329 (ii) (A) Notwithstanding Subsection (2) and except as provided in Subsection  
 330 (4)(n)(ii)(B) or (C), the commission shall at the request of [~~the GO Utah office~~]  
 331 GOEEO provide to [~~the GO Utah office~~] GOEEO all income tax information.
- 332 (B) For purposes of a request for income tax information made under Subsection  
 333 (4)(n)(ii)(A), [~~the GO Utah office~~] GOEEO may not request and the commission



- 334 may not provide to [~~the GO Utah office~~] GOEO a person's address, name,  
335 social security number, or taxpayer identification number.
- 336 (C) In providing income tax information to [~~the GO Utah office~~] GOEO, the  
337 commission shall in all instances protect the privacy of a person as required by  
338 Subsection (4)(n)(ii)(B).
- 339 (iii) (A) Notwithstanding Subsection (2) and except as provided in Subsection  
340 (4)(n)(iii)(B), the commission shall at the request of [~~the GO Utah office~~]  
341 GOEO provide to [~~the GO Utah office~~] GOEO other tax information.
- 342 (B) Before providing other tax information to [~~the GO Utah office~~] GOEO, the  
343 commission shall redact or remove any name, address, social security number,  
344 or taxpayer identification number.
- 345 (iv) [~~The GO Utah office~~] GOEO may provide tax information received from the  
346 commission in accordance with this Subsection (4)(n) only:
- 347 (A) as a fiscal estimate, fiscal note information, or statistical information; and  
348 (B) if the tax information is classified to prevent the identification of a particular  
349 return.
- 350 (v) (A) A person may not request tax information from [~~the GO Utah office~~] GOEO  
351 under Title 63G, Chapter 2, Government Records Access and Management  
352 Act, or this section, if [~~the GO Utah office~~] GOEO received the tax information  
353 from the commission in accordance with this Subsection (4)(n).
- 354 (B) [~~The GO Utah office~~] GOEO may not provide to a person that requests tax  
355 information in accordance with Subsection (4)(n)(v)(A) any tax information  
356 other than the tax information [~~the GO Utah office~~] GOEO provides in  
357 accordance with Subsection (4)(n)(iv).
- 358 (o) Notwithstanding Subsection (2), the commission may provide to the governing board  
359 of the agreement or a taxing official of another state, the District of Columbia, the  
360 United States, or a territory of the United States:
- 361 (i) the following relating to an agreement sales and use tax:
- 362 (A) information contained in a return filed with the commission;  
363 (B) information contained in a report filed with the commission;  
364 (C) a schedule related to Subsection (4)(o)(i)(A) or (B); or  
365 (D) a document filed with the commission; or
- 366 (ii) a report of an audit or investigation made with respect to an agreement sales and  
367 use tax.

- 368 (p) Notwithstanding Subsection (2), the commission may provide information  
369 concerning a taxpayer's state income tax return or state income tax withholding  
370 information to the Driver License Division if the Driver License Division:  
371 (i) requests the information; and  
372 (ii) provides the commission with a signed release form from the taxpayer allowing  
373 the Driver License Division access to the information.
- 374 (q) Notwithstanding Subsection (2), the commission shall provide to the Utah  
375 Communications Authority, or a division of the Utah Communications Authority, the  
376 information requested by the authority under Sections 63H-7a-302, 63H-7a-402, and  
377 63H-7a-502.
- 378 (r) Notwithstanding Subsection (2), the commission shall provide to the Utah  
379 Educational Savings Plan information related to a resident or nonresident individual's  
380 contribution to a Utah Educational Savings Plan account as designated on the  
381 resident or nonresident's individual income tax return as provided under Section  
382 59-10-1313.
- 383 (s) Notwithstanding Subsection (2), for the purpose of verifying eligibility under  
384 Sections 26B-3-106 and 26B-3-903, the commission shall provide an eligibility  
385 worker with the Department of Health and Human Services or its designee with the  
386 adjusted gross income of an individual if:  
387 (i) an eligibility worker with the Department of Health and Human Services or its  
388 designee requests the information from the commission; and  
389 (ii) the eligibility worker has complied with the identity verification and consent  
390 provisions of Sections 26B-3-106 and 26B-3-903.
- 391 (t) Notwithstanding Subsection (2), the commission may provide to a county, as  
392 determined by the commission, information declared on an individual income tax  
393 return in accordance with Section 59-10-103.1 that relates to eligibility to claim a  
394 residential exemption authorized under Section 59-2-103.
- 395 (u) Notwithstanding Subsection (2), the commission shall provide a report regarding any  
396 access line provider that is over 90 days delinquent in payment to the commission of  
397 amounts the access line provider owes under Title 69, Chapter 2, Part 4, Prepaid  
398 Wireless Telecommunications Service Charges, to the board of the Utah  
399 Communications Authority created in Section 63H-7a-201.
- 400 (v) Notwithstanding Subsection (2), the commission shall provide the Department of  
401 Environmental Quality a report on the amount of tax paid by a radioactive waste

- 402 facility for the previous calendar year under Section 59-24-103.5.
- 403 (w) Notwithstanding Subsection (2), the commission may, upon request, provide to the  
404 Department of Workforce Services any information received under Chapter 10, Part  
405 4, Withholding of Tax, that is relevant to the duties of the Department of Workforce  
406 Services.
- 407 (x) Notwithstanding Subsection (2), the commission may provide the Public Service  
408 Commission or the Division of Public Utilities information related to a seller that  
409 collects and remits to the commission a charge described in Subsection 69-2-405(2),  
410 including the seller's identity and the number of charges described in Subsection  
411 69-2-405(2) that the seller collects.
- 412 (y) (i) Notwithstanding Subsection (2), the commission shall provide to each  
413 qualifying jurisdiction the collection data necessary to verify the revenue collected  
414 by the commission for a distributed tax, fee, or charge collected within the  
415 qualifying jurisdiction.
- 416 (ii) In addition to the information provided under Subsection (4)(y)(i), the  
417 commission shall provide a qualifying jurisdiction with copies of returns and other  
418 information relating to a distributed tax, fee, or charge collected within the  
419 qualifying jurisdiction.
- 420 (iii) (A) To obtain the information described in Subsection (4)(y)(ii), the chief  
421 executive officer or the chief executive officer's designee of the qualifying  
422 jurisdiction shall submit a written request to the commission that states the  
423 specific information sought and how the qualifying jurisdiction intends to use  
424 the information.
- 425 (B) The information described in Subsection (4)(y)(ii) is available only in official  
426 matters of the qualifying jurisdiction.
- 427 (iv) Information that a qualifying jurisdiction receives in response to a request under  
428 this subsection is:
- 429 (A) classified as a private record under Title 63G, Chapter 2, Government Records  
430 Access and Management Act; and
- 431 (B) subject to the confidentiality requirements of this section.
- 432 (z) Notwithstanding Subsection (2), the commission shall provide the Alcoholic  
433 Beverage Services Commission, upon request, with taxpayer status information  
434 related to state tax obligations necessary to comply with the requirements described  
435 in Section 32B-1-203.

- 436 (aa) Notwithstanding Subsection (2), the commission shall inform the Department of  
437 Workforce Services, as soon as practicable, whether an individual claimed and is  
438 entitled to claim a federal earned income tax credit for the year requested by the  
439 Department of Workforce Services if:
- 440 (i) the Department of Workforce Services requests this information; and
  - 441 (ii) the commission has received the information release described in Section  
442 35A-9-604.
- 443 (bb) (i) As used in this Subsection (4)(bb), "unclaimed property administrator" means  
444 the administrator or the administrator's agent, as those terms are defined in Section  
445 67-4a-102.
- 446 (ii) (A) Notwithstanding Subsection (2), upon request from the unclaimed  
447 property administrator and to the extent allowed under federal law, the  
448 commission shall provide the unclaimed property administrator the name,  
449 address, telephone number, county of residence, and social security number or  
450 federal employer identification number on any return filed under Chapter 7,  
451 Corporate Franchise and Income Taxes, or Chapter 10, Individual Income Tax  
452 Act.
  - 453 (B) The unclaimed property administrator may use the information described in  
454 Subsection (4)(aa)(ii)(A) only for the purpose of returning unclaimed property  
455 to the property's owner in accordance with Title 67, Chapter 4a, Revised  
456 Uniform Unclaimed Property Act.
  - 457 (iii) The unclaimed property administrator is subject to the confidentiality provisions  
458 of this section with respect to any information the unclaimed property  
459 administrator receives under this Subsection (4)(aa).
- 460 (5) (a) Each report and return shall be preserved for at least three years.
- 461 (b) After the three-year period provided in Subsection (5)(a) the commission may  
462 destroy a report or return.
- 463 (6) (a) Any individual who violates this section is guilty of a class A misdemeanor.
- 464 (b) If the individual described in Subsection (6)(a) is an officer or employee of the state,  
465 the individual shall be dismissed from office and be disqualified from holding public  
466 office in this state for a period of five years thereafter.
  - 467 (c) Notwithstanding Subsection (6)(a) or (b), [~~the GO Utah office~~] GOEEO, when  
468 requesting information in accordance with Subsection (4)(n)(iii), or an individual  
469 who requests information in accordance with Subsection (4)(n)(v):

- 470 (i) is not guilty of a class A misdemeanor; and  
471 (ii) is not subject to:  
472 (A) dismissal from office in accordance with Subsection (6)(b); or  
473 (B) disqualification from holding public office in accordance with Subsection  
474 (6)(b).
- 475 (d) Notwithstanding Subsection (6)(a) or (b), for a disclosure of information to the  
476 Office of the Legislative Auditor General in accordance with Title 36, Chapter 12,  
477 Legislative Organization, an individual described in Subsection (2):  
478 (i) is not guilty of a class A misdemeanor; and  
479 (ii) is not subject to:  
480 (A) dismissal from office in accordance with Subsection (6)(b); or  
481 (B) disqualification from holding public office in accordance with Subsection  
482 (6)(b).
- 483 (7) Except as provided in Section 59-1-404, this part does not apply to the property tax.  
484 Section 6. Section **63G-6a-804** is amended to read:  
485 **63G-6a-804 . Purchase of prison industry goods.**
- 486 (1) As used in this section:  
487 (a) "Applicable procurement unit" means a procurement unit that is not:  
488 (i) a political subdivision of the state; [or]  
489 (ii) the Utah Schools for the Deaf and the Blind; or  
490 (iii) the Utah Office of Tourism.
- 491 (b) "Correctional industries division" means the Division of Correctional Industries,  
492 created in Section 64-13a-4.
- 493 (c) "Correctional industries director" means the director of the correctional industries  
494 division, appointed under Section 64-13a-4.
- 495 (2) (a) An applicable procurement unit shall purchase goods and services produced by  
496 the correctional industries division as provided in this section.  
497 (b) A procurement unit that is not an applicable procurement unit may, and is  
498 encouraged to, purchase goods and services under this section.  
499 (c) A procurement unit is not required to use a standard procurement process to purchase  
500 goods or services under this section.
- 501 (3) On or before July 1 of each year, the correctional industries director shall:  
502 (a) publish and distribute to all procurement units and other interested public entities a  
503 catalog of goods and services produced by the correctional industries division,

- 504 including a description and price of each item offered for sale; and
- 505 (b) update and revise the catalog described in Subsection (3)(a) during the year as the
- 506 correctional industries director considers necessary.
- 507 (4) (a) An applicable procurement unit may not purchase any goods or services provided
- 508 by the correctional industries division from any other source unless the correctional
- 509 industries director and the procurement official or, in the case of institutions of higher
- 510 education, the institutional procurement officer, determine in writing that purchase
- 511 from the correctional industries division is not feasible due to one of the following
- 512 circumstances:
- 513 (i) the good or service offered by the correctional industries division does not meet
- 514 the reasonable requirements of the procurement unit;
- 515 (ii) the good or service cannot be supplied within a reasonable time by the
- 516 correctional industries division; or
- 517 (iii) the cost of the good or service, including basic price, transportation costs, and
- 518 other expenses of acquisition, is not competitive with the cost of procuring the
- 519 item from another source.
- 520 (b) In cases of disagreement under Subsection (4)(a):
- 521 (i) the decision may be appealed to a board consisting of:
- 522 (A) the director of the Department of Corrections;
- 523 (B) the director of Administrative Services; and
- 524 (C) a neutral third party agreed upon by the other two members of the board;
- 525 (ii) in the case of an institution of higher education of the state, the president of the
- 526 institution, or the president's designee, shall make the final decision; or
- 527 (iii) in the case of any of the following entities, a person designated by the
- 528 rulemaking authority shall make the final decision:
- 529 (A) a legislative procurement unit;
- 530 (B) a judicial procurement unit; or
- 531 (C) a public transit district.

532 Section 7. Section **63I-1-263** is amended to read:

533 **63I-1-263 . Repeal dates: Titles 63A to 63N.**

- 534 (1) Subsection 63A-5b-405(5), relating to prioritizing and allocating capital improvement
- 535 funding, is repealed July 1, 2024.
- 536 (2) Section 63A-5b-1003, State Facility Energy Efficiency Fund, is repealed July 1, 2023.
- 537 (3) Sections 63A-9-301 and 63A-9-302, related to the Motor Vehicle Review Committee,

- 538 are repealed July 1, 2023.
- 539 (4) Title 63C, Chapter 4a, Constitutional and Federalism Defense Act, is repealed July 1,  
540 2028.
- 541 (5) Title 63C, Chapter 6, Utah Seismic Safety Commission, is repealed January 1, 2025.
- 542 (6) Title 63C, Chapter 12, Snake Valley Aquifer Advisory Council, is repealed July 1, 2024.
- 543 (7) Title 63C, Chapter 17, Point of the Mountain Development Commission Act, is  
544 repealed July 1, 2023.
- 545 (8) Title 63C, Chapter 18, Behavioral Health Crisis Response Commission, is repealed  
546 December 31, 2026.
- 547 (9) Title 63C, Chapter 23, Education and Mental Health Coordinating Council, is repealed  
548 July 1, 2026.
- 549 (10) Title 63C, Chapter 27, Cybersecurity Commission, is repealed July 1, 2032.
- 550 (11) Title 63C, Chapter 28, Ethnic Studies Commission, is repealed July 1, 2026.
- 551 (12) Title 63C, Chapter 29, Domestic Violence Data Task Force, is repealed December 31,  
552 2024.
- 553 (13) Title 63C, Chapter 31, State Employee Benefits Advisory Commission, is repealed on  
554 July 1, 2028.
- 555 (14) Section 63G-6a-805, which creates the Purchasing from Persons with Disabilities  
556 Advisory Board, is repealed July 1, 2026.
- 557 (15) Title 63G, Chapter 21, Agreements to Provide State Services, is repealed July 1, 2028.
- 558 (16) Title 63H, Chapter 4, Heber Valley Historic Railroad Authority, is repealed July 1,  
559 2024.
- 560 (17) Title 63H, Chapter 8, Utah Housing Corporation Act, is repealed July 1, 2026.
- 561 (18) Subsection 63J-1-602.2(25), related to the Utah Seismic Safety Commission, is  
562 repealed January 1, 2025.
- 563 (19) Section 63L-11-204, creating a canyon resource management plan to Provo Canyon, is  
564 repealed July 1, 2025.
- 565 (20) Title 63L, Chapter 11, Part 4, Resource Development Coordinating Committee, is  
566 repealed July 1, 2027.
- 567 (21) In relation to the Utah Substance Use and Mental Health Advisory Council, on January  
568 1, 2033:
- 569 (a) Sections 63M-7-301, 63M-7-302, 63M-7-303, 63M-7-304, and 63M-7-306 are  
570 repealed;
- 571 (b) Section 63M-7-305, the language that states "council" is replaced with "commission";

- 572 (c) Subsection 63M-7-305(1)(a) is repealed and replaced with:  
573        "(1) "Commission" means the Commission on Criminal and Juvenile Justice."; and  
574 (d) Subsection 63M-7-305(2) is repealed and replaced with:  
575        "(2) The commission shall:  
576        (a) provide ongoing oversight of the implementation, functions, and evaluation of the  
577        Drug-Related Offenses Reform Act; and  
578        (b) coordinate the implementation of Section 77-18-104 and related provisions in Subsections  
579        77-18-103(2)(c) and (d).".
- 580 (22) The Crime Victim Reparations and Assistance Board, created in Section 63M-7-504, is  
581        repealed July 1, 2027.
- 582 (23) Title 63M, Chapter 7, Part 8, Sex Offense Management Board, is repealed July 1, 2026.
- 583 (24) Title 63M, Chapter 11, Utah Commission on Aging, is repealed July 1, 2026.
- 584 (25) Title 63N, Chapter 1b, Part 4, Women in the Economy Subcommittee, is repealed  
585        January 1, 2025.
- 586 (26) Title 63N, Chapter 2, Part 2, Enterprise Zone Act, is repealed July 1, 2028.
- 587 (27) Section 63N-2-512, related to the Hotel Impact Mitigation Fund, is repealed July 1,  
588        2028.
- 589 (28) Title 63N, Chapter 3, Part 9, Strategic Innovation Grant Pilot Program, is repealed July  
590        1, 2027.
- 591 (29) Title 63N, Chapter 3, Part 11, Manufacturing Modernization Grant Program, is  
592        repealed July 1, 2025.
- 593 (30) In relation to the Rural Employment Expansion Program, on July 1, 2028:  
594        (a) Title 63N, Chapter 4, Part 4, Rural Employment Expansion Program, is repealed; and  
595        (b) Subsection 63N-4-805(5)(b), referring to the Rural Employment Expansion Program,  
596        is repealed.
- 597 (31) In relation to the Board of Tourism Development, on July 1, 2025:  
598        (a) Subsection 63N-2-511(1)(b), which defines "tourism board," is repealed;  
599        (b) Subsections 63N-2-511(3)(a) and (5), the language that states "tourism board" is  
600        repealed and replaced with "Utah Office of Tourism";  
601        (c) Subsection 63N-7-101(1), which defines "board," is repealed;  
602        (d) Subsection 63N-7-102(3)(c), which requires the Utah Office of Tourism to receive  
603        approval from the Board of Tourism Development, is repealed; and  
604        (e) Title 63N, Chapter 7, Part 2, Board of Tourism Development, is repealed.
- 605 (32) Subsection [~~63N-8-103(3)(e)~~] 63N-8-103(3)(b), which allows the Governor's Office of



606 Economic Opportunity to issue an amount of tax credit certificates only for rural  
607 productions, is repealed on July 1, 2024.

608 Section 8. Section **63N-1a-102** is amended to read:

609 **63N-1a-102 . Definitions.**

610 As used in this title:

611 (1) "Baseline jobs" means the number of full-time employee positions that existed within a  
612 business entity in the state before the date on which a project related to the business  
613 entity is approved by the office or by the [~~GO Utah~~] GOEO board.

614 (2) "Baseline state revenue" means the amount of state tax revenue collected from a  
615 business entity or the employees of a business entity during the year before the date on  
616 which a project related to the business entity is approved by the office or by the [~~GO~~  
617 ~~Utah~~] GOEO board.

618 (3) "Commission" means the Unified Economic Opportunity Commission created in  
619 Section 63N-1a-201.

620 (4) "Economic opportunity agency" includes:

- 621 (a) the Department of Workforce Services;
- 622 (b) the Department of Cultural and Community Engagement;
- 623 (c) the Department of Commerce;
- 624 (d) the Department of Natural Resources;
- 625 (e) the Office of Energy Development;
- 626 (f) the State Board of Education;
- 627 (g) institutions of higher education;
- 628 (h) the Utah Multicultural Commission;
- 629 (i) the World Trade Center Utah;
- 630 (j) local government entities;
- 631 (k) associations of governments;
- 632 (l) the Utah League of Cities and Towns;
- 633 (m) the Utah Association of Counties;
- 634 (n) the Economic Development Corporation of Utah;
- 635 (o) the Small Business Administration;
- 636 (p) chambers of commerce;
- 637 (q) industry associations;
- 638 (r) small business development centers; and
- 639 (s) other entities identified by the commission or the executive director.

- 640 (5) "Executive director" means the executive director of the office.
- 641 (6) "Full-time employee" means an employment position that is filled by an employee who  
642 works at least 30 hours per week and:
- 643 (a) may include an employment position filled by more than one employee, if each  
644 employee who works less than 30 hours per week is provided benefits comparable to  
645 a full-time employee; and
- 646 (b) may not include an employment position that is shifted from one jurisdiction in the  
647 state to another jurisdiction in the state.
- 648 (7) [~~"GO Utah board"~~] "GOEO board" means the Board of Economic Opportunity created in  
649 Section 63N-1a-401.
- 650 (8) "High paying job" means a newly created full-time employee position where the  
651 aggregate average annual gross wage of the employment position, not including health  
652 care or other paid or unpaid benefits, is:
- 653 (a) at least 110% of the average wage of the county in which the employment position  
654 exists; or
- 655 (b) for an employment position related to a project described in Chapter 2, Part 1,  
656 Economic Development Tax Increment Financing, and that is located within the  
657 boundary of a county of the third, fourth, fifth, or sixth class, or located within a  
658 municipality in a county of the second class and where the municipality has a  
659 population of 10,000 or less:
- 660 (i) at least 100% of the average wage of the county in which the employment position  
661 exists; or
- 662 (ii) an amount determined by rule made by the office in accordance with Title 63G,  
663 Chapter 3, Utah Administrative Rulemaking Act, if the office determines the  
664 project is in a county experiencing economic distress.
- 665 (9) (a) "Incremental job" means a full-time employment position in the state that:
- 666 (i) did not exist within a business entity in the state before the beginning of a project  
667 related to the business entity; and
- 668 (ii) is created in addition to the number of baseline jobs that existed within a business  
669 entity.
- 670 (b) "Incremental job" includes a full-time employment position where the employee is  
671 hired:
- 672 (i) directly by a business entity; or
- 673 (ii) by a professional employer organization, as defined in Section 31A-40-102, on

- 674                   behalf of a business entity.
- 675   (10) "New state revenue" means the state revenue collected from a business entity or a  
676       business entity's employees during a calendar year minus the baseline state revenue  
677       calculation.
- 678   (11) "Office" or [~~"GO Utah office"~~] "GOEEO" means the Governor's Office of Economic  
679       Opportunity.
- 680   (12) "State revenue" means state tax liability paid by a business entity or a business entity's  
681       employees under any combination of the following provisions:
- 682       (a) Title 59, Chapter 7, Corporate Franchise and Income Taxes;
- 683       (b) Title 59, Chapter 10, Part 1, Determination and Reporting of Tax Liability and  
684       Information;
- 685       (c) Title 59, Chapter 10, Part 2, Trusts and Estates;
- 686       (d) Title 59, Chapter 10, Part 4, Withholding of Tax; and
- 687       (e) Title 59, Chapter 12, Sales and Use Tax Act.
- 688   (13) "State strategic goals" means the strategic goals listed in Section 63N-1a-103.
- 689   (14) "Statewide economic development strategy" means the economic development  
690       strategy developed by the commission in accordance with Section 63N-1a-202.
- 691   (15) "Talent board" means the Talent, Education, and Industry Alignment Board created in  
692       Section 53B-34-102.
- 693   (16) "Targeted industry" means an industry or group of industries targeted by the  
694       commission under Section 63N-1a-202, for economic development in the state.
- 695       Section 9. Section **63N-1a-103** is amended to read:
- 696       **63N-1a-103 . Purpose.**
- 697   (1) The [~~mission~~] purpose of the Economic Opportunity Act and the entities established [  
698       ~~herein~~] in the act is to catalyze strategic economic opportunities for all residents of the  
699       state with a vision of creating economically thriving communities, businesses, and  
700       families throughout the state.
- 701   (2) The [~~mission and vision are~~] purpose is realized through targeted efforts that  
702       demonstrably improve quality of life, measured by the extent to which the efforts  
703       accomplish the following strategic goals:
- 704       (a) catalyzing targeted industry growth;
- 705       (b) supporting economically thriving communities;
- 706       (c) empowering students and workers with market-relevant skills;
- 707       (d) stimulating economic growth in rural and multicultural communities through

708 household level efforts; and

709 (e) securing healthy and resilient ecosystems for current and future generations.

710 Section 10. Section **63N-1a-201** is amended to read:

711 **63N-1a-201 . Creation of commission.**

712 (1) There is created in the office the Unified Economic Opportunity Commission,  
713 established to carry out the ~~[mission]~~ purpose described in Section 63N-1a-103 and  
714 direct the office and other appropriate entities in fulfilling the state strategic goals.

715 (2) The commission consists of:

716 (a) the following voting members:

717 (i) the governor, who shall serve as the chair of the commission;

718 (ii) the executive director, who shall serve as the vice chair of the commission;

719 (iii) the executive director of the Department of Workforce Services;

720 (iv) the executive director of the Department of Transportation;

721 (v) the executive director of the Department of Natural Resources;

722 (vi) the executive director of the Department of Commerce;

723 (vii) the commissioner of the Department of Agriculture and Food;

724 (viii) the executive director of the Governor's Office of Planning and Budget;

725 (ix) the commissioner of higher education;

726 (x) the state superintendent of public instruction;

727 (xi) the president of the Senate [~~or the president's designee~~];

728 (xii) the speaker of the House of Representatives [~~or the speaker's designee~~];

729 (xiii) one individual who is knowledgeable about housing needs in the state,  
730 including housing density and land use, appointed by the governor;

731 (xiv) one individual who represents the interests of urban cities, appointed by the  
732 Utah League of Cities and Towns; and

733 (xv) one individual who represents the interests of rural counties, appointed by the  
734 Utah Association of Counties; and

735 (b) the following non-voting members:

736 (i) the chief executive officer of World Trade Center Utah;

737 (ii) the chief executive officer of the Economic Development Corporation of Utah;

738 (iii) a senior advisor to the chair of the commission with expertise in rural affairs of  
739 the state, appointed by the chair of the commission; and

740 (iv) the chief executive officer of one of the following entities, appointed by the chair  
741 of the commission:

- 742 (A) the Utah Inland Port Authority created in Section 11-58-201;  
743 (B) the Point of the Mountain State Land Authority created in Section 11-59-201;  
744 or  
745 (C) the Military Installation Development Authority created in Section 63H-1-201.

- 746 (3) (a) A majority of commission members, not including a vacancy, constitutes a  
747 quorum for the ~~[purposes]~~ purpose of conducting commission business ~~[and the]~~ .  
748 (b) The action of a majority of a quorum constitutes the action of the commission.  
749 (4) The executive director of the office, or the executive director's designee, is the executive  
750 director of the commission.  
751 (5) The office shall provide:  
752 (a) office space and administrative staff support for the commission; and  
753 (b) the central leadership and coordination of the commission's efforts in the field of  
754 economic development.  
755 (6) (a) A member may not receive compensation or benefits for the member's service on  
756 the commission, but may receive per diem and travel expenses in accordance with:  
757 (i) Sections 63A-3-106 and 63A-3-107; and  
758 (ii) rules made by the Division of Finance in accordance with Sections 63A-3-106  
759 and 63A-3-107.  
760 (b) Compensation and expenses of a commission member who is a legislator are  
761 governed by Section 36-2-2 and Legislative Joint Rules, Title 5, Legislative  
762 Compensation and Expenses.

763 Section 11. Section **63N-1a-202** is amended to read:

764 **63N-1a-202 . Commission duties.**

- 765 (1) The commission shall:  
766 (a) develop, coordinate, and lead a comprehensive statewide economic development  
767 strategy that:  
768 (i) unifies and coordinates economic development efforts in the state;  
769 (ii) includes key performance indicators for long-term progress toward the state  
770 strategic goals;  
771 (iii) establishes reporting and accountability processes for the key performance  
772 indicators; and  
773 (iv) ensures the success of the statewide economic development strategy is shared  
774 among the urban and rural areas of the state;  
775 (b) receive feedback, input, and reports from economic opportunity agencies regarding

- 776 programs related to the statewide economic development strategy;
- 777 (c) develop the statewide economic strategy in view of the state water policy described  
778 in Section 73-1-21, including the state's commitment to appropriate conservation,  
779 efficient and optimal use of water resources, infrastructure development and  
780 improvement, optimal agricultural use, water quality, reasonable access to  
781 recreational activities, effective wastewater treatment, and protecting and restoring  
782 healthy ecosystems;
- 783 (d) direct and facilitate changes to or recommend elimination of economic development  
784 programs to ensure alignment with the ~~[mission and vision]~~ purpose described in  
785 Section 63N-1a-103;
- 786 (e) at least once every five years, identify which industries or groups of industries shall  
787 be targeted for economic development in the state;
- 788 (f) establish strategies for the recruitment and retention of targeted industries while  
789 respecting the different needs of rural and urban areas throughout the state;
- 790 (g) establish strategies for supporting entrepreneurship and small business development  
791 in the state;
- 792 (h) analyze the state's projected long-term population and economic growth and plan for  
793 the anticipated impacts of the projected growth in a manner that improves quality of  
794 life and is consistent with the statewide economic development strategy and state  
795 strategic goals;
- 796 (i) identify gaps and potential solutions related to improving infrastructure, especially as  
797 related to the state's projected long-term population growth;
- 798 (j) support the development of a prepared workforce that can support targeted industries  
799 identified by the commission;
- 800 (k) coordinate and develop strategies that assist education providers and industry to  
801 cooperate in supporting students in developing market relevant skills to meet industry  
802 needs;
- 803 (l) develop strategies and plans to ensure comprehensive economic development efforts  
804 are targeted to the unique needs of rural areas of the state;
- 805 (m) study the unique needs of multicultural communities throughout the state and  
806 develop household-level plans to ensure residents of the state can participate in  
807 economic opportunities in the state;
- 808 (n) ensure the commission's efforts are, to the extent practicable, data-driven and  
809 evidence-based;

- 810 (o) support an integrated international trade strategy for the state;
- 811 (p) facilitate coordination among public, private, and nonprofit economic opportunity
- 812 agencies; and
- 813 (q) in performing the commission's duties, consider the recommendations of the
- 814 subcommittees described in Chapter 1b, Commission Subcommittees, the [~~GO~~Utah]
- 815 GOEO board, the talent board, and any working groups established under Subsection
- 816 (2).

817 (2) The commission may establish working groups as is[~~deemed~~] appropriate to assist and

818 advise the commission on specified topics or issues related to the commission's duties.

819 (3) The commission shall provide a report to the office for inclusion in the office's annual

820 written report described in Section 63N-1a-306[~~7~~] that includes:

- 821 (a) the activity to achieve the statewide economic development strategy;
- 822 (b) a description of how the commission fulfilled the commission's statutory purposes
- 823 and duties during the year, including any relevant findings;
- 824 (c) the key performance indicators included in the statewide economic development
- 825 strategy, including data showing the extent to which the indicators are being met; and
- 826 (d) any legislative recommendations.

827 Section 12. Section **63N-1a-301** is amended to read:

828 **63N-1a-301 . Creation of office -- Responsibilities.**

829 (1) There is created the Governor's Office of Economic Opportunity.

830 (2) The office is:

- 831 (a) responsible for implementing the statewide economic development strategy
- 832 developed by the commission; and
- 833 (b) the industrial and business promotion authority of the state.

834 (3) The office shall:

- 835 (a) consistent with the statewide economic development strategy, coordinate and align
- 836 into a single effort the activities of the economic opportunity agencies in the field of
- 837 economic development;
- 838 (b) provide support and direction to economic opportunity agencies in establishing
- 839 goals, metrics, and activities that align with the statewide economic development
- 840 strategy;
- 841 (c) administer and coordinate state and federal economic development grant programs;
- 842 (d) promote and encourage the economic, commercial, financial, industrial, agricultural,
- 843 and civic welfare of the state;

- 844 (e) promote and encourage the employment of workers in the state and the purchase of  
 845 goods and services produced in the state by local businesses;
- 846 (f) act to create, develop, attract, and retain business, industry, and commerce in the state[;] :
- 847 (i) in accordance with the statewide economic development plan and commission  
 848 directives; and
- 849 (ii) subject to the restrictions in Section 11-41-103;
- 850 (g) act to enhance the state's economy;
- 851 (h) act to assist strategic industries that are likely to drive future economic growth;
- 852 (i) assist communities in the state in developing economic development capacity and  
 853 coordination with other communities;
- 854 (j) identify areas of education and workforce development in the state that can be  
 855 improved to support economic and business development;
- 856 (k) consistent with direction from the commission, develop core strategic priorities for  
 857 the office, which may include:
- 858 (i) enhancing statewide access to entrepreneurship opportunities and small business  
 859 support;
- 860 (ii) focusing industry recruitment and expansion of targeted industries;
- 861 (iii) ensuring that in awarding competitive economic development incentives the  
 862 office accurately measures the benefits and costs of the incentives; and
- 863 (iv) assisting communities with technical support to aid those communities in  
 864 improving economic development opportunities;
- 865 (l) submit an annual written report as described in Section 63N-1a-306; and
- 866 (m) perform other duties as provided by the Legislature.
- 867 (4) ~~[In order to perform its]~~ To perform the office's duties under this title, the office may:
- 868 (a) enter into a contract or agreement with, or make a grant to, a public or private entity,  
 869 including a municipality, if the contract or agreement is not in violation of state  
 870 statute or other applicable law;
- 871 (b) except as provided in Subsection (4)(c), receive and expend funds from a public or  
 872 private source for any lawful purpose that is in the state's best interest; and
- 873 (c) solicit and accept a contribution of money, services, or facilities from a public or  
 874 private donor, but may not use the contribution for publicizing the exclusive interest  
 875 of the donor.
- 876 (5) Money received under Subsection (4)(c) shall be deposited into the General Fund as  
 877 dedicated credits of the office.



- 878 (6) (a) The office shall:
- 879 (i) obtain the advice of the [~~GO Utah~~] GOEO board before implementing a change to
- 880 a policy, priority, or objective under which the office operates; and
- 881 (ii) provide periodic updates to the commission regarding the office's efforts under
- 882 Subsections (3)(a) and (b).
- 883 (b) Subsection (6)(a)(i) does not apply to the routine administration by the office of
- 884 money or services related to the assistance, retention, or recruitment of business,
- 885 industry, or commerce in the state.

886 Section 13. Section **63N-1a-401** is amended to read:

887 **63N-1a-401 . Creation of Board of Economic Opportunity.**

- 888 (1) (a) There is created within the office the Board of Economic Opportunity, consisting
- 889 of [~~15~~] nine members appointed by the chair of the commission, in consultation with
- 890 the executive director, to four-year terms of office with the advice and consent of the
- 891 Senate in accordance with Title 63G, Chapter 24, Part 2, Vacancies[~~7~~] .
- 892 (b) The nine members described in Subsection (1)(a) shall include:
- 893 (i) one member associated with the state's rural communities;
- 894 (ii) one member associated with direct entrepreneurship in the state;
- 895 (iii) one member associated with higher education in the state;
- 896 (iv) [~~at least five of whom reside in a county of the third, fourth, fifth, or sixth class.~~]
- 897 five members, other than the members described in Subsections (1)(b)(i) through
- 898 (iii), that are associated with a targeted industry; and
- 899 (v) one at-large member.
- 900 [~~(b)~~] (c) Notwithstanding the requirements of Subsection (1)(a), the chair of the
- 901 commission shall, at the time of appointment or reappointment, adjust the length of
- 902 terms to ensure that the terms of board members are staggered so that approximately
- 903 half of the board is appointed every two years.
- 904 [~~(c)~~] (d) The members may not serve more than two full consecutive terms except [~~where~~]
- 905 when the chair of the commission determines that an additional term is in the best
- 906 interest of the state.
- 907 [~~(2) In appointing members of the board, the chair of the commission shall ensure that:~~]
- 908 [~~(a) no more than eight members of the board are from one political party; and~~]
- 909 [~~(b) members represent a variety of geographic areas and economic interests of the state.~~]
- 910 [~~(3)~~] (2) When a vacancy occurs in the membership for any reason, the replacement shall be
- 911 appointed for the unexpired term in accordance with Title 63G, Chapter 24, Part 2,

- 912 Vacancies.
- 913 [~~(4)~~ Eight members of the board constitute]
- 914 (3) A majority of board members, not including a vacancy, constitutes a quorum for
- 915 conducting board business and exercising board power.
- 916 [~~(5)~~ (4) The chair of the commission shall select one board member as the board's chair and
- 917 one member as the board's vice chair.
- 918 [~~(6)~~ (5) A member may not receive compensation or benefits for the member's service, but
- 919 may receive per diem and travel expenses in accordance with:
- 920 (a) Section 63A-3-106;
- 921 (b) Section 63A-3-107; and
- 922 (c) rules made by the Division of Finance under Sections 63A-3-106 and 63A-3-107.
- 923 [~~(7)~~ (6) A member shall comply with the conflict of interest provisions described in Title
- 924 63G, Chapter 24, Part 3, Conflicts of Interest.
- 925 Section 14. Section **63N-1a-402** is amended to read:
- 926 **63N-1a-402 . Board of Economic Opportunity duties and powers.**
- 927 (1) The [~~GO Utah~~] GOEQ board shall advise and assist the office to:
- 928 (a) promote and encourage the economic, commercial, financial, industrial, agricultural,
- 929 and civic welfare of the state;
- 930 (b) promote and encourage the development, attraction, expansion, and retention of
- 931 businesses, industries, and commerce in the state;
- 932 (c) support the efforts of local government and regional nonprofit economic
- 933 development organizations to encourage expansion or retention of businesses,
- 934 industries, and commerce in the state;
- 935 (d) act to enhance the state's economy;
- 936 (e) develop policies, priorities, and objectives regarding the assistance, retention, or
- 937 recruitment of business, industries, and commerce in the state;
- 938 (f) administer programs for the assistance, retention, or recruitment of businesses,
- 939 industries, and commerce in the state;
- 940 (g) ensure that economic development programs are available to all areas of the state in
- 941 accordance with federal and state law;
- 942 (h) identify local, regional, and statewide rural economic development and planning
- 943 priorities;
- 944 (i) understand, through study and input, issues relating to local, regional, and statewide
- 945 rural economic development, including challenges, opportunities, best practices,

946 policy, planning, and collaboration; and  
 947 [~~(j)~~] make recommendations regarding loans, grants, or other assistance from the  
 948 ~~Industrial Assistance Account as provided in Section 63N-3-105; and]~~  
 949 [~~(k)~~] (j) maintain ethical and conflict of interest standards consistent with those imposed  
 950 on a public officer under Title 67, Chapter 16, Utah Public Officers' and Employees'  
 951 Ethics Act.

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

955 Section 15. Section **63N-1b-404** is amended to read:

956 **63N-1b-404 . Annual report.**

957 (1) The subcommittee shall annually prepare a report for inclusion in the commission's  
 958 report to the office under Subsection [~~63N-1a-202(3)~~] 63N-1a-202(4).

959 (2) The report described in Subsection (1) shall:

960 (a) describe how the subcommittee fulfilled the subcommittee's statutory purposes and  
 961 duties during the year; and

962 (b) contain recommendations on how the state should act to address issues relating to  
 963 women in the economy.

964 Section 16. Section **63N-2-104.2** is amended to read:

965 **63N-2-104.2 . Written agreement -- Contents -- Grounds for amendment or**  
 966 **termination.**

967 (1) If the office determines that a business entity is eligible for a tax credit under Section  
 968 63N-2-104.1, the office may enter into a written agreement with the business entity that:

969 (a) establishes performance benchmarks for the business entity to claim a tax credit,  
 970 including any minimum wage requirements;

971 (b) specifies the maximum amount of tax credit that the business entity may be  
 972 authorized for a taxable year and over the life of the new commercial project, subject  
 973 to the limitations in Section 63N-2-104.3;

974 (c) establishes the length of time the business entity may claim a tax credit;

975 (d) requires the business entity to retain records supporting a claim for a tax credit for at  
 976 least four years after the business entity claims the tax credit;

977 (e) requires the business entity to submit to audits for verification of any tax credit  
 978 claimed; and

979 (f) requires the business entity, in order to claim a tax credit, to meet the requirements of

980 Section 63N-2-105.

981 (2) In establishing the terms of a written agreement, including the duration and amount of  
982 tax credit that the business entity may be authorized to receive, the office shall:

983 (a) authorize the tax credit in a manner that provides the most effective incentive for the  
984 new commercial project;

985 (b) consider the following factors:

986 (i) whether the new commercial project provides vital or specialized support to  
987 supply chains;

988 (ii) whether the new commercial project provides an innovative product, technology,  
989 or service;

990 (iii) the number and wages of new incremental jobs associated with the new  
991 commercial project;

992 (iv) the amount of financial support provided by local government entities for the  
993 new commercial project;

994 (v) the amount of capital expenditures associated with the new commercial project;

995 (vi) whether the new commercial project returns jobs transferred overseas;

996 (vii) the rate of unemployment in the county in which the new commercial project is  
997 located;

998 (viii) whether the new commercial project creates a remote work opportunity;

999 (ix) whether the new commercial project is located in a development zone created by  
1000 a local government entity as described in Subsection 63N-2-104(2);

1001 (x) whether the business entity commits to hiring Utah workers for the new  
1002 commercial project;

1003 (xi) whether the business entity adopts a corporate citizenry plan or supports  
1004 initiatives in the state that advance education, gender equality, diversity and  
1005 inclusion, work-life balance, environmental or social good, or other similar causes;

1006 (xii) whether the business entity's headquarters are located within the state;

1007 (xiii) the likelihood of other business entities relocating to another state as a result of  
1008 the new commercial project;

1009 (xiv) the necessity of the tax credit for the business entity's expansion in the state or  
1010 relocation from another state; and

1011 (xv) the location and impact of the new commercial project on existing and planned  
1012 transportation facilities, existing and planned housing, including affordable  
1013 housing, and public infrastructure; and

- 1014 (c) consult with the [~~GO Utah~~] GOEO board.
- 1015 (3) [~~(a)~~] In determining the amount of tax credit that a business entity may be authorized  
 1016 to receive under a written agreement, the office may:
- 1017 [~~(i)~~] (a) authorize a higher or optimized amount of tax credit for a new commercial  
 1018 project located within a development zone created by a local government entity as  
 1019 described in Subsection 63N-2-104(2); and
- 1020 [~~(ii)~~] (b) establish by rule made in accordance with Title 63G, Chapter 3, Utah  
 1021 Administrative Rulemaking Act, a process by which the office closely approximates  
 1022 the amount of taxes the business entity paid under Title 59, Chapter 12, Sales and  
 1023 Use Tax Act, for a capital project.
- 1024 [~~(b) The office may apply a process described in Subsection (3)(a)(ii) to a business  
 1025 entity only with respect to a new or amended written agreement that takes effect on  
 1026 or after January 1, 2022.~~]
- 1027 (4) If the office identifies any of the following events after entering into a written  
 1028 agreement with a business entity, the office and the business entity shall amend, or the  
 1029 office may terminate, the written agreement:
- 1030 (a) a change in the business entity's organization resulting from a merger with or  
 1031 acquisition of another entity located in the state;
- 1032 (b) a material increase in the business entity's retail operations that results in new state  
 1033 revenue not subject to the incentive; or
- 1034 (c) an increase in the business entity's operations that:
- 1035 (i) is outside the scope of the written agreement or outside the boundaries of a  
 1036 development zone; and
- 1037 (ii) results in new state revenue not subject to the incentive.
- 1038 Section 17. Section **63N-2-107** is amended to read:
- 1039 **63N-2-107 . Reports of new state revenue, partial rebates, and tax credits.**
- 1040 (1) Before October 1 of each year, the office shall submit a report to the Governor's Office  
 1041 of Planning and Budget, the Office of the Legislative Fiscal Analyst, and the Division of  
 1042 Finance identifying:
- 1043 (a) (i) the total estimated amount of new state [~~revenues~~] revenue created from new  
 1044 commercial projects;
- 1045 (ii) the estimated amount of new state [~~revenues~~] revenue from new commercial  
 1046 projects that will be generated from:
- 1047 (A) sales tax;

- 1048 (B) income tax; and  
 1049 (C) corporate franchise and income tax; and  
 1050 (iii) the minimum number of new incremental jobs and high paying jobs that will be  
 1051 created before any tax credit is awarded; and  
 1052 (b) the total estimated amount of tax credits that the office projects that business entities  
 1053 will qualify to claim under this part.
- 1054 (2) By the first business day of each month, the office shall submit a report to the  
 1055 Governor's Office of Planning and Budget, the Office of the Legislative Fiscal Analyst,  
 1056 and the Division of Finance identifying:
- 1057 (a) each new written agreement that the office entered into since the last report;  
 1058 (b) the estimated amount of new state ~~[revenues]~~ revenue that will be generated under  
 1059 each written agreement described in Subsection (2)(a);  
 1060 (c) the estimated maximum amount of tax credits that a business entity could qualify for  
 1061 under each written agreement described in Subsection (2)(a); and  
 1062 (d) the minimum number of new incremental jobs and high paying jobs that will be  
 1063 created before any tax credit is awarded.
- 1064 (3) At the reasonable request of the Governor's Office of Planning and Budget, the Office  
 1065 of the Legislative Fiscal Analyst, or the Division of Finance, the office shall provide  
 1066 additional information about the tax credit, new incremental jobs and high paying jobs,  
 1067 costs, and economic benefits related to this part, if the information is part of a public  
 1068 record as defined in Section 63G-2-103.
- 1069 (4) By ~~[June 30]~~ October 1, the office shall submit to the Economic Development and  
 1070 Workforce Services Interim Committee, the Business, Economic Development, and  
 1071 Labor Appropriations Subcommittee, and the governor, a written report that provides an  
 1072 overview of the implementation and efficacy of the statewide economic development  
 1073 strategy, including an analysis of the extent to which the office's programs are aligned  
 1074 with the prevailing economic conditions expected in the next fiscal year.

1075 Section 18. Section **63N-2-504** is amended to read:

1076 **63N-2-504 . Independent review committee.**

- 1077 (1) In accordance with rules adopted by the office under Section 63N-2-509, the ~~[GO Utah]~~  
 1078 GOEO board shall establish a separate, independent review committee to provide  
 1079 recommendations to the office regarding the terms and conditions of an agreement and  
 1080 to consult with the office as provided in this part or in rule.
- 1081 (2) The review committee shall consist of:

- 1082 (a) one member appointed by the executive director to represent the office;
- 1083 (b) two members appointed by the mayor or chief executive of the county in which the
- 1084 qualified hotel is located or proposed to be located;
- 1085 (c) two members appointed by:
- 1086 (i) the mayor of the municipality in which the qualified hotel is located or proposed
- 1087 to be located, if the qualified hotel is located or proposed to be located within the
- 1088 boundary of a municipality; or
- 1089 (ii) the mayor or chief executive of the county in which the qualified hotel is located
- 1090 or proposed to be located, in addition to the two members appointed under
- 1091 Subsection (2)(b), if the qualified hotel is located or proposed to be located
- 1092 outside the boundary of a municipality;
- 1093 (d) an individual representing the hotel industry, appointed by the Utah Hotel and
- 1094 Lodging Association;
- 1095 (e) an individual representing the commercial development and construction industry,
- 1096 appointed by the president or chief executive officer of the local chamber of
- 1097 commerce;
- 1098 (f) an individual representing the convention and meeting planners industry, appointed
- 1099 by the president or chief executive officer of the local convention and visitors bureau;
- 1100 and
- 1101 (g) one member appointed by the [~~GO Utah~~] GOEO board.
- 1102 (3) (a) A member serves an indeterminate term and may be removed from the review
- 1103 committee by the appointing authority at any time.
- 1104 (b) A vacancy may be filled in the same manner as an appointment under Subsection (2).
- 1105 (4) A member of the review committee may not be paid for serving on the review
- 1106 committee and may not receive per diem or expense reimbursement.
- 1107 (5) The office shall provide any necessary staff support to the review committee.
- 1108 Section 19. Section **63N-2-512** is amended to read:
- 1109 **63N-2-512 . Hotel Impact Mitigation Fund.**
- 1110 (1) As used in this section:
- 1111 (a) "Affected hotel" means a hotel built in the state before July 1, 2014.
- 1112 (b) "Direct losses" means affected hotels' losses of hotel guest business attributable to
- 1113 the qualified hotel room supply being added to the market in the state.
- 1114 (c) "Mitigation fund" means the Hotel Impact Mitigation Fund, created in Subsection (2).
- 1115 (2) There is created an expendable special revenue fund known as the Hotel Impact

- 1116 Mitigation Fund.
- 1117 (3) The mitigation fund shall:
- 1118 (a) be administered by [~~the GO Utah board~~] GOEO;
- 1119 (b) earn interest; and
- 1120 (c) be funded by:
- 1121 (i) payments required to be deposited into the mitigation fund by the Division of
- 1122 Finance under Subsection 59-12-103(10);
- 1123 (ii) money required to be deposited into the mitigation fund under Subsection 17-31-9
- 1124 (2) by the county in which a qualified hotel is located; and
- 1125 (iii) any money deposited into the mitigation fund under Subsection (6).
- 1126 (4) Interest earned by the mitigation fund shall be deposited into the mitigation fund.
- 1127 (5) (a) In accordance with office rules, [~~the GO Utah board~~] GOEO shall annually pay up
- 1128 to \$2,100,000 of money in the mitigation fund:
- 1129 (i) to affected hotels;
- 1130 (ii) for four consecutive years, beginning 12 months after the date of initial
- 1131 occupancy of the qualified hotel occurs; and
- 1132 (iii) to mitigate direct losses.
- 1133 (b) (i) If the amount [~~the GO Utah board~~] GOEO pays under Subsection (5)(a) in any
- 1134 year is less than \$2,100,000, [~~the GO Utah board~~] GOEO shall pay to the Stay
- 1135 Another Day and Bounce Back Fund, created in Section 63N-2-511, the
- 1136 difference between \$2,100,000 and the amount paid under Subsection (5)(a).
- 1137 (ii) [~~The GO Utah board~~] GOEO shall make any required payment under Subsection
- 1138 (5)(b)(i) within 90 days after the end of the year for which a determination is
- 1139 made of how much [~~the GO Utah board~~] GOEO is required to pay to affected
- 1140 hotels under Subsection (5)(a).
- 1141 (6) A host local government or qualified hotel owner may make payments to the Division
- 1142 of Finance for deposit into the mitigation fund.
- 1143 (7) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the
- 1144 office shall, in consultation with the Utah Hotel and Lodging Association and the county
- 1145 in which the qualified hotel is located, make rules establishing procedures and criteria
- 1146 governing payments under Subsection (5)(a) to affected hotels.
- 1147 Section 20. Section **63N-2-808** is amended to read:
- 1148 **63N-2-808 . Agreements between office and tax credit applicant and life science**
- 1149 **establishment -- Tax credit certificate.**



- 1150 (1) (a) The office, with advice from the [~~GO Utah~~] GOEO board, may enter into an  
1151 agreement to grant a tax credit certificate to a tax credit applicant selected in  
1152 accordance with this part, if the tax credit applicant meets the conditions established  
1153 in the agreement and under this part.
- 1154 (b) The agreement described in Subsection (1)(a) shall:
- 1155 (i) detail the requirements that the tax credit applicant shall meet prior to receiving a  
1156 tax credit certificate;
- 1157 (ii) require the tax credit certificate recipient to retain records supporting a claim for a  
1158 tax credit for at least four years after the tax credit certificate recipient claims a tax  
1159 credit under this part; and
- 1160 (iii) require the tax credit certificate recipient to submit to audits for verification of  
1161 the tax credit claimed, including audits by the office and by the State Tax  
1162 Commission.
- 1163 (2) (a) The office, with advice from the [~~GO Utah~~] GOEO board, shall enter into an  
1164 agreement with the life science establishment in which the tax credit applicant  
1165 invested for purposes of claiming a tax credit.
- 1166 (b) The agreement described in Subsection (2)(a):
- 1167 (i) shall provide the office with a document that expressly and directly authorizes the  
1168 State Tax Commission to disclose to the office the life science establishment's tax  
1169 returns and other information that would otherwise be subject to confidentiality  
1170 under Section 59-1-403 or Section 6103, Internal Revenue Code;
- 1171 (ii) shall authorize the Department of Workforce Services to disclose to the office the  
1172 employment data that the life science establishment submits to the Department of  
1173 Workforce Services;
- 1174 (iii) shall require the life science establishment to provide the office with the life  
1175 science establishment's current capitalization tables; and
- 1176 (iv) may require the life science establishment to provide the office with other data  
1177 that:
- 1178 (A) ensure compliance with the requirements of this chapter; and  
1179 (B) demonstrate the economic impact of the tax credit applicant's investment in  
1180 the life science establishment.

1181 Section 21. Section **63N-3-102** is amended to read:

1182 **63N-3-102 . Definitions.**

1183 As used in this part:

- 1184 (1) "Administrator" means the executive director or the executive director's designee.
- 1185 (2) "Applicant" means an individual, for profit business entity, nonprofit, corporation,  
 1186 partnership, unincorporated association, government entity, executive branch department  
 1187 or division of a department, a political subdivision, a state institution of higher  
 1188 education, or any other administrative unit of the state.
- 1189 [~~(2)~~] (3) "Economic opportunities" means business situations or community circumstances  
 1190 which lend themselves to the furtherance of the economic interests of the state by  
 1191 providing a catalyst or stimulus to the growth or retention, or both, of commerce and  
 1192 industry in the state, including retention of companies whose relocation outside the state  
 1193 would have a significant detrimental economic impact on the state as a whole, regions of  
 1194 the state, or specific components of the state.
- 1195 [~~(3)~~] (4) "Restricted Account" means the restricted account known as the Industrial  
 1196 Assistance Account created in Section 63N-3-103.
- 1197 [~~(4)~~] (5) "Talent development grant" means a grant awarded under Section 63N-3-112.  
 1198 Section 22. Section **63N-3-105** is amended to read:  
 1199 **63N-3-105 . Qualification for assistance -- Application requirements.**
- 1200 (1) Subject to the requirements of this part, the administrator may provide loans, grants, or  
 1201 other financial assistance from the restricted account to an entity offering an economic  
 1202 opportunity if that entity:  
 1203 (a) applies to the administrator in a form approved by the administrator; and  
 1204 (b) meets the qualifications of Subsection (2).
- 1205 (2) As part of an application for receiving financial assistance under this part, an applicant  
 1206 shall demonstrate the following to the satisfaction of the administrator:  
 1207 (a) the nature of the economic opportunity and the related benefit to the economic  
 1208 well-being of the state by providing evidence documenting the expenditure of money  
 1209 necessitated by the economic opportunity;  
 1210 (b) how the economic opportunity will act in concert with other state, federal, or local  
 1211 agencies to achieve the economic benefit;  
 1212 (c) that the applicant will expend funds in the state with employees, vendors,  
 1213 subcontractors, or other businesses in an amount proportional with money provided  
 1214 from the restricted account at a minimum ratio of one to one per year or other more  
 1215 stringent requirements as established on a per project basis by the administrator;  
 1216 (d) for an application for a loan, the applicant's ability to sustain economic activity in the  
 1217 state sufficient to repay, by means of cash or appropriate credits, the loan provided by

- 1218 the restricted account; and
- 1219 (e) any other criteria the administrator considers appropriate.
- 1220 (3) (a) The administrator may exempt an applicant from any of the requirements of
- 1221 Subsection (2) if:
- 1222 (i) the applicant is part of a targeted industry; or
- 1223 (ii) the applicant is a quasi-public corporation organized under Title 16, Chapter 6a,
- 1224 Utah Revised Nonprofit Corporation Act, or Title 63E, Chapter 2, Independent
- 1225 Corporations Act, and the applicant's operations, as demonstrated to the
- 1226 satisfaction of the administrator, will provide significant economic stimulus to the
- 1227 growth of commerce and industry in the state[~~;~~].
- 1228 [~~(iii) the GO Utah board recommends awarding a grant to the applicant.]~~
- 1229 (b) The administrator may not exempt the applicant from the requirement under
- 1230 Subsection 63N-3-106(1)(b) that the loan be structured so that the repayment or
- 1231 return to the state equals at least the amount of the assistance together with an annual
- 1232 interest charge.
- 1233 [~~(4) The GO Utah board shall make recommendations to the administrator regarding~~
- 1234 ~~applications for loans, grants, or other financial assistance from the Industrial Assistance~~
- 1235 ~~Account.]~~
- 1236 [(~~5~~)] (4) Before awarding any money under this part, the administrator shall:
- 1237 (a) make findings as to whether an applicant has satisfied the requirements of Subsection
- 1238 (2);
- 1239 (b) establish benchmarks and timeframes in which progress toward the completion of the
- 1240 agreed upon activity is to occur;
- 1241 (c) monitor compliance by an applicant with any contract or agreement entered into by
- 1242 the applicant and the state as provided by Section 63N-3-107; and
- 1243 (d) make funding decisions based upon appropriate findings and compliance.
- 1244 Section 23. Section **63N-3-106** is amended to read:
- 1245 **63N-3-106 . Structure of loans, grants, and assistance -- Repayment -- Earned**
- 1246 **credits.**
- 1247 (1) (a) Subject to Subsection (1)(b), the administrator has authority to determine the
- 1248 structure, amount, and nature of any loan, grant, or other financial assistance from the
- 1249 restricted account.
- 1250 (b) Loans made under this part shall be structured so the intended repayment or return to
- 1251 the state, including cash or credit, equals at least the amount of the assistance

- 1252 together with an annual interest charge as negotiated by the administrator.
- 1253 (c) Payments resulting from grants awarded from the restricted account shall be made  
 1254 only after the administrator has determined that the company has satisfied the  
 1255 conditions upon which the payment or earned credit was based.
- 1256 (2) (a) The administrator may provide for a system of earned credits that may be used to  
 1257 support grant payments or in lieu of cash repayment of a restricted account loan  
 1258 obligation.
- 1259 (b) The value of the credits described in Subsection (2)(a) shall be based on factors  
 1260 determined by the administrator, including:
- 1261 (i) the number of Utah jobs created;
- 1262 (ii) the increased economic activity in Utah; or
- 1263 (iii) other events and activities that occur as a result of the restricted account  
 1264 assistance.
- 1265 (3) (a) A cash loan repayment or other cash recovery from a company receiving  
 1266 assistance under this section, including interest, shall be deposited into the restricted  
 1267 account.
- 1268 (b) The administrator and the Division of Finance shall determine the manner of  
 1269 recognizing and accounting for the earned credits used in lieu of loan repayments or  
 1270 to support grant payments as provided in Subsection (2).
- 1271 (4) (a) (i) At the end of each fiscal year, the Division of Finance shall [~~set aside~~]  
 1272 transfer the balance of the General Fund revenue surplus as defined in Section  
 1273 63J-1-312 after the transfers of General Fund revenue surplus described in  
 1274 Subsection (4)(b) to the Industrial Assistance Account in an amount equal to any  
 1275 credit that has accrued under this part.
- 1276 (ii) [~~The set aside~~] The transfer under Subsection (4)(a)(i) [~~shall be~~] is capped at  
 1277 \$50,000,000[~~, at which time no subsequent contributions may be made and any~~  
 1278 ~~interest accrued above the \$50,000,000 cap shall be deposited]~~ and the Division of  
 1279 Finance shall deposit any interest accrued above the \$50,000,000 cap into the  
 1280 General Fund.
- 1281 (b) The [~~set aside~~] Division of Finance shall make the transfer required by Subsection  
 1282 (4)(a)[~~shall be made~~] after the [~~transfer of surplus~~] Division of Finance transfers the  
 1283 General Fund revenue surplus[~~is made~~]:
- 1284 (i) to the Medicaid Growth Reduction and Budget Stabilization Restricted Account,  
 1285 as provided in Section 63J-1-315;

1286 (ii) to the General Fund Budget Reserve Account, as provided in Section 63J-1-312;  
1287 and

1288 (iii) to the Wildland Fire Suppression Fund or State Disaster Recovery Restricted  
1289 Account, as provided in Section 63J-1-314.

1290 (c) These credit amounts may not be used for purposes of the restricted account as  
1291 provided in this part until appropriated by the Legislature.

1292 Section 24. Section **63N-3-107** is amended to read:

1293 **63N-3-107 . Agreements.**

1294 The administrator shall enter into agreements with each successful applicant that  
1295 have specific terms and conditions for each loan, grant, or financial assistance under  
1296 this part, including:

1297 (1) for a loan:

1298 (a) repayment schedules;

1299 (b) interest rates;

1300 (c) specific economic activity required to qualify for the loan or for repayment credits;

1301 (d) collateral or security, if any; and

1302 (e) other terms and conditions considered appropriate by the administrator; and

1303 (2) for a grant or other financial assistance:

1304 (a) requirements for compliance monitoring~~[, for a period of five years];~~

1305 (b) repayment for nonperformance or departure from the state;

1306 (c) collateral or security, if any; and

1307 (d) other terms and conditions considered appropriate by the administrator.

1308 Section 25. Section **63N-3-111** is amended to read:

1309 **63N-3-111 . Annual policy considerations.**

1310 (1) (a) The office shall make recommendations to state and federal agencies, local  
1311 governments, the governor, and the Legislature regarding policies and initiatives that  
1312 promote the economic development of targeted industries.

1313 (b) The office may create one or more voluntary advisory committees that may include  
1314 public and private stakeholders to solicit input on policy guidance and best practices  
1315 in encouraging the economic development of targeted industries.

1316 ~~[(2) In evaluating the economic impact of applications for assistance, the GO Utah board  
1317 shall use an econometric cost-benefit model.]~~

1318 ~~[(3)]~~ (2) The ~~[GO Utah board]~~ administrator may establish:

1319 (a) minimum interest rates to be applied to loans granted that reflect a fair social rate of

1320 return to the state comparable to prevailing market-based rates such as the prime rate,  
 1321 U.S. Government T-bill rate, or bond coupon rate as paid by the state, adjusted by  
 1322 social indicators such as the rate of unemployment; and

1323 (b) minimum applicant expense ratios, as long as they are at least equal to those required  
 1324 under Subsection 63N-3-105(2).

1325 Section 26. Section **63N-3-112** is amended to read:

1326 **63N-3-112 . Talent development grants.**

1327 (1) A for-profit business that is creating new incremental high paying jobs in the state, may  
 1328 apply to receive a talent development grant from the restricted account.

1329 (2) In accordance with the provisions of this section and in consultation with the [~~GO Utah~~]  
 1330 GOEO board, the administrator may award up to \$10,000 per new job created.

1331 (3) The administrator shall designate an application process for a business to apply for the  
 1332 grant.

1333 (4) A business may apply to receive a grant only after each employee has been employed at  
 1334 qualifying wage levels for at least 12 consecutive months.

1335 (5) [~~Money~~] The office shall deduct money granted for a talent development grant under this  
 1336 section[~~shall be deducted~~] from any other money or incentive awarded by the office to  
 1337 the business.

1338 (6) Grants awarded under this section are only to reimburse a business for the costs incurred  
 1339 to recruit, hire, train, and otherwise employ an employee in a newly created job.

1340 (7) [~~A~~] As part of the application process, a business shall submit a hiring and training plan  
 1341 detailing [~~what~~] how the grant money will be used[~~for as part of the application process~~].

1342 (8) The administrator may[~~only~~] grant an award only up to an amount that is no more than  
 1343 25% of the estimated costs to be incurred by the business for the costs in the hiring and  
 1344 training plan.

1345 Section 27. Section **63N-3-1101** is amended to read:

1346 **63N-3-1101 . Definitions.**

1347 As used in this part:

1348 (1) "Grant" means a grant awarded under Section 63N-3-1102.

1349 (2) "Program" means the Manufacturing Modernization Grant Program created in Section  
 1350 63N-3-1102.

1351 (3) "Targeted industry" means an industry or group of industries targeted by the [~~GO Utah~~]  
 1352 GOEO board under Section 63N-3-111 for economic development in the state.

1353 Section 28. Section **63N-3-1102** is amended to read:

- 1354           **63N-3-1102 . Manufacturing Modernization Grant Program -- Creation --**  
1355 **Purpose -- Requirements -- Rulemaking -- Report.**
- 1356 (1) (a) There is created the Manufacturing Modernization Grant Program to be  
1357       administered by the office.
- 1358       (b) The purpose of the program is to award grants to existing Utah businesses to  
1359       establish, relocate, retain, or develop manufacturing industry in the state and lessen  
1360       dependence on manufacturing overseas.
- 1361 (2) (a) An entity that submits a proposal for a grant to the office shall include details in  
1362       the proposal regarding:
- 1363       (i) [~~how the entity plans~~] the entity's plan to use the grant to fulfill the purpose  
1364       described in Subsection (1)(b);
- 1365       (ii) any plan to use funding sources in addition to a grant for the proposal; and  
1366       (iii) any existing or planned partnerships between the entity and another individual or  
1367       entity to implement the proposal.
- 1368       (b) In evaluating a proposal for a grant, the office shall consider:
- 1369       (i) the likelihood the proposal will accomplish the purpose described in Subsection  
1370       (1)(b);
- 1371       (ii) the extent to which any additional funding sources or existing or planned  
1372       partnerships will benefit the proposal; and  
1373       (iii) the viability and sustainability of the proposal.
- 1374       (c) In determining a grant award, the office:
- 1375       (i) [~~shall~~] may consult with the [~~GO Utah~~] GOEEO board; and  
1376       (ii) may prioritize a targeted industry or an entity with fewer than 250 employees.
- 1377 (3) Before receiving the grant, a grant recipient shall enter into a written agreement with the  
1378       office that specifies:
- 1379       (a) the grant amount;
- 1380       (b) the time period and structure for distribution of the grant, including any terms and  
1381       conditions the recipient is required to meet to receive a distribution; and  
1382       (c) the expenses for which the recipient may use the grant, including:
- 1383       (i) [~~to acquire~~] acquisition of manufacturing equipment;
- 1384       (ii) production, design, or engineering costs;
- 1385       (iii) specialized employee training;
- 1386       (iv) technology upgrades; or  
1387       (v) [~~to provide~~] provision of a grant to another individual or entity for the expenses

1388 described in Subsections (3)(c)(i) through (iv) or to otherwise fulfill the recipient's  
1389 proposal.

1390 (4) Subject to Subsection (2), the office may, in accordance with Title 63G, Chapter 3, Utah  
1391 Administrative Rulemaking Act, make rules to establish:

1392 (a) the form and process for submitting a proposal to the office for a grant;

1393 (b) ~~[which]~~ the entities that are eligible to apply for a grant;

1394 (c) the method and formula for determining a grant amount; and

1395 (d) the reporting requirements for a grant recipient.

1396 (5) On or before ~~[November 30]~~ October 1 of each year, the office shall provide a written  
1397 report to the Economic Development and Workforce Services Interim Committee  
1398 regarding:

1399 (a) each grant awarded; and

1400 (b) the economic impact of each grant.

1401 Section 29. Section **63N-3-1301** is enacted to read:

1402

### **Part 13. Innovation in Artificial Intelligence Grant Pilot Program**

1403 **63N-3-1301 . Definitions.**

1404 As used in this part:

1405 (1) "Business entity" means a for-profit or nonprofit organization.

1406 (2) "Pilot program" means the Innovation in Artificial Intelligence Grant Pilot Program  
1407 created in Section 63N-3-1302.

1408 (3) "Student" means a child enrolled in a public or private school, grades kindergarten  
1409 through twelfth grade.

1410 Section 30. Section **63N-3-1302** is enacted to read:

1411 **63N-3-1302 . Innovation in Artificial Intelligence Grant Pilot Program created --**

1412 **Purpose -- Requirements -- Report.**

1413 (1) There is created the Innovation in Artificial Intelligence Grant Pilot Program, to be  
1414 administered subject to the availability of funds by the office as described in this section.

1415 (2) (a) The purpose of the pilot program is to award a grant to a business entity to  
1416 develop a program, material, and curriculum to:

1417 (i) teach a course on artificial intelligence to students, with an emphasis on practical  
1418 training; and

1419 (ii) prepare students for career opportunities in technology.

1420 (b) A business entity that is awarded a grant under this section shall work in partnership



- 1421           with a public or private school.
- 1422   (3) A business entity that submits an application for a grant to the office shall include the  
1423       following details in the application:
- 1424       (a) how the business entity proposes to fulfill the purpose described in Subsection (2)(a);  
1425       (b) how the business entity proposes to work with a public or private school, as  
1426           described in Subsection (2)(b); and
- 1427       (c) any existing or planned partnership between the business entity and another  
1428           individual or business entity to implement the proposal in the application.
- 1429   (4) In evaluating an application for a grant, the office shall consider:
- 1430       (a) the likelihood that the business entity's proposal will accomplish the purpose  
1431           described in Subsection (2)(a); and
- 1432       (b) the overall viability of the proposal.
- 1433   (5) Before a business entity that has an approved application for a grant may receive grant  
1434       funds, the business entity shall enter into a written agreement with the office that  
1435       specifies:
- 1436       (a) the grant amount; and
- 1437       (b) the time period and structure for distribution of grant funds, including any terms and  
1438           conditions the office requires.
- 1439   (6) The office may make rules in accordance with Title 63G, Chapter 3, Utah  
1440       Administrative Rulemaking Act, to administer the pilot program, including:
- 1441       (a) establishing criteria and procedures for applying for and awarding a grant under this  
1442           section; and
- 1443       (b) reporting requirements from a business entity after a grant is awarded.
- 1444   (7) The office shall include an annual written update on the pilot program in the report  
1445       described in Section 63N-1a-306.
- 1446       Section 31. Section **63N-4-103** is amended to read:
- 1447       **63N-4-103 . Purpose of the Center for Rural Development.**
- 1448       The Center for Rural Development is established to:
- 1449       (1) foster and support economic development programs and activities for the benefit of  
1450           rural counties and communities;
- 1451       (2) foster and support community, county, and resource management planning programs  
1452           and activities for the benefit of rural counties and communities;
- 1453       (3) foster and support leadership training programs and activities for the benefit of:
- 1454           (a) rural leaders in both the public and private sectors;

- 1455 (b) economic development and planning personnel; and  
 1456 (c) rural government officials;  
 1457 (4) foster and support efforts to coordinate and focus the technical and other resources of  
 1458 appropriate institutions of higher education, local governments, private sector interests,  
 1459 associations, nonprofit organizations, federal agencies, and others, in ways that address  
 1460 the economic development, planning, and leadership challenges;  
 1461 (5) work to enhance the capacity of [~~the GO Utah office~~] GOEO to address rural economic  
 1462 development, planning, and leadership training challenges and opportunities by  
 1463 establishing partnerships and positive working relationships with appropriate public and  
 1464 private sector entities, individuals, and institutions; and  
 1465 (6) foster government-to-government collaboration and good working relations between  
 1466 state and rural government regarding economic development and planning issues.

1467 Section 32. Section **63N-4-104** is amended to read:

1468 **63N-4-104 . Duties.**

- 1469 (1) The Center for Rural Development shall:
- 1470 (a) work to enhance the capacity of the office to address rural economic development,  
 1471 planning, and leadership training challenges and opportunities by establishing  
 1472 partnerships and positive working relationships with appropriate public and private  
 1473 sector entities, individuals, and institutions;
- 1474 (b) work with the [~~GO Utah~~] GOEO board to coordinate and focus available resources in  
 1475 ways that address the economic development, planning, and leadership training  
 1476 challenges and priorities in rural Utah;
- 1477 (c) assist in administering the Rural Opportunity Program created in Section 63N-4-802;  
 1478 and
- 1479 (d) in accordance with economic development and planning policies set by state  
 1480 government, coordinate relations between:
- 1481 (i) the state;  
 1482 (ii) rural governments;  
 1483 (iii) other public and private groups engaged in rural economic planning and  
 1484 development; and  
 1485 (iv) federal agencies.
- 1486 (2) [~~the~~] The Center for Rural Development may[ ~~not~~] . in accordance with Title 63G,  
 1487 Chapter 3, Utah Administrative Rulemaking Act, make rules necessary to carry out  
 1488 its duties.

- 1489 [~~(i) in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act,~~  
 1490 ~~make rules necessary to carry out its duties;]~~  
 1491 [~~(ii) accept gifts, grants, devises, and property, in cash or in kind, for the benefit of rural~~  
 1492 ~~Utah citizens; and]~~  
 1493 [~~(iii) use those gifts, grants, devises, and property received under Subsection (2)(a)(ii)~~  
 1494 ~~for the use and benefit of rural citizens within the state.]~~  
 1495 [~~(b) All resources received under Subsection (2)(a)(ii) shall be deposited in the General~~  
 1496 ~~Fund as dedicated credits to be used as directed in Subsection (2)(a)(iii).]~~

1497 Section 33. Section **63N-4-105** is amended to read:

1498 **63N-4-105 . Program manager.**

- 1499 (1) The executive director [~~shall~~] may appoint a director for the Center for Rural  
 1500 Development with the approval of the governor.  
 1501 (2) The director of the Center for Rural Development shall be a person knowledgeable in  
 1502 the field of rural economic development and planning and experienced in administration.  
 1503 (3) Upon change of the executive director, the director of the Center for Rural Development  
 1504 may not be dismissed without cause for at least 180 days.

1505 Section 34. Section **63N-7-102** is amended to read:

1506 **63N-7-102 . Utah Office of Tourism created -- Appointment of managing director**  
 1507 **-- Responsibilities of tourism office.**

- 1508 (1) There is created within [~~the GO Utah office~~] GOEO the Utah Office of Tourism.  
 1509 (2) (a) The executive director shall appoint a managing director of the tourism office.  
 1510 (b) The managing director may, with the approval of the executive director, appoint staff.  
 1511 (3) The tourism office shall:  
 1512 (a) be the tourism development authority of the state;  
 1513 (b) develop a tourism advertising, marketing, branding, destination development, and  
 1514 destination management program for the state;  
 1515 (c) receive approval from the board under Subsection 63N-7-202(1)(a) before  
 1516 implementing the program described in Subsection (3)(b);  
 1517 (d) develop a plan to increase the economic contribution by tourists visiting the state;  
 1518 (e) plan and conduct a program of information, advertising, and publicity relating to the  
 1519 recreational, scenic, historic, cultural, and culinary tourist attractions, amenities, and  
 1520 advantages of the state at large;  
 1521 (f) encourage and assist in the coordination of the activities of persons, firms,  
 1522 associations, corporations, travel regions, counties, and governmental agencies

1523 engaged in publicizing, developing, and promoting the tourist attractions, amenities,  
1524 and advantages of the state;

1525 (g) conduct a regular and ongoing research program to identify statewide economic  
1526 trends and conditions in the tourism sector of the economy; and

1527 (h) ensure that any plan or program developed under this Subsection (3) addresses, but  
1528 not be limited to, the following policies:

1529 (i) enhancing the state's image;

1530 (ii) promoting the state as a year-round destination;

1531 (iii) encouraging expenditures by visitors to the state; and

1532 (iv) expanding the markets where the state is promoted.

1533 Section 35. Section **63N-8-102** is amended to read:

1534 **63N-8-102 . Definitions.**

1535 As used in this chapter:

1536 (1) "Digital media company" means a company engaged in the production of a digital  
1537 media project.

1538 (2) "Digital media project" means all or part of a production of interactive entertainment or  
1539 animated production that is produced for distribution in commercial or educational  
1540 markets, which shall include projects intended for Internet or wireless distribution.

1541 (3) "Dollars left in the state" means expenditures made in the state for a state-approved  
1542 production, including:

1543 (a) an expenditure that is subject to:

1544 (i) a corporate franchise or income tax under Title 59, Chapter 7, Corporate Franchise  
1545 and Income Taxes;

1546 (ii) an individual income tax under Title 59, Chapter 10, Individual Income Tax Act; [  
1547 and]

1548 (iii) a sales and use tax under Title 59, Chapter 12, Sales and Use Tax Act,  
1549 notwithstanding any sales and use tax exemption allowed by law; or

1550 (iv) a combination of Subsections (3)(a)(i), (ii), and (iii);

1551 (b) payments made to a nonresident only to the extent of the income tax paid to the state  
1552 on the payments, the amount of per diems paid in the state, and other direct  
1553 reimbursements transacted in the state; and

1554 (c) payments made to a payroll company or loan-out corporation that is registered to do  
1555 business in the state, only to the extent of the amount of withholding under Section  
1556 59-10-402.

- 1557 (4) "Loan-out corporation" means a corporation owned by one or more artists that provides  
1558 services of the artists to a third party production company.
- 1559 (5) "Motion picture company" means a company engaged in the production of:  
1560 (a) motion pictures;  
1561 (b) television series; or  
1562 (c) made-for-television movies.
- 1563 (6) "Motion picture incentive" means either a cash rebate from the Motion Picture Incentive  
1564 Account or a refundable tax credit under Section 59-7-614.5 or 59-10-1108.
- 1565 (7) "New state ~~[revenues]~~ revenue" means:  
1566 (a) incremental new state sales and use tax ~~[revenues]~~ revenue generated as a result of a  
1567 digital media project that a digital media company pays under Title 59, Chapter 12,  
1568 Sales and Use Tax Act;  
1569 (b) incremental new state tax ~~[revenues]~~ revenue that a digital media company pays as a  
1570 result of a digital media project under:  
1571 (i) Title 59, Chapter 7, Corporate Franchise and Income Taxes;  
1572 (ii) Title 59, Chapter 10, Part 1, Determination and Reporting of Tax Liability and  
1573 Information;  
1574 (iii) Title 59, Chapter 10, Part 2, Trusts and Estates;  
1575 (iv) Title 59, Chapter 10, Part 4, Withholding of Tax; or  
1576 (v) a combination of Subsections (7)(b)(i), (ii), (iii), and (iv);  
1577 (c) incremental new state ~~[revenues]~~ revenue generated as individual income taxes under  
1578 Title 59, Chapter 10, Part 1, Determination and Reporting of Tax Liability and  
1579 Information, paid by employees of the new digital media project as evidenced by  
1580 payroll records from the digital media company; or  
1581 (d) a combination of Subsections (7)(a), (b), and (c).
- 1582 (8) "Payroll company" means a business entity that handles the payroll and becomes the  
1583 employer of record for the staff, cast, and crew of a motion picture production.
- 1584 (9) "Refundable tax credit" means a refundable motion picture tax credit authorized under  
1585 Section 63N-8-103 and claimed under Section 59-7-614.5 or 59-10-1108.
- 1586 (10) "Restricted account" means the Motion Picture Incentive Account created in Section  
1587 63N-8-103.
- 1588 (11) "Rural production" means a state-approved production in which at least 75% of the  
1589 total number of production days occur within:  
1590 (a) a county of the third, fourth, fifth, or sixth class; or

- 1591 (b) a county of the second class that has a national park within or partially within the  
1592 county's boundaries.
- 1593 (12) "State-approved production" means a production under Subsections (2) and (5) that is:  
1594 (a) approved by the office and ratified by the [~~GO Utah board~~] Board of Tourism  
1595 Development created in Section 63N-7-201; and  
1596 (b) produced in the state by a motion picture company.
- 1597 (13) "Tax credit amount" means the amount the office lists as a tax credit on a tax credit  
1598 certificate for a taxable year.
- 1599 (14) "Tax credit certificate" means a certificate issued by the office that:  
1600 (a) lists the name of the applicant;  
1601 (b) lists the applicant's taxpayer identification number;  
1602 (c) lists the amount of tax credit that the office awards the applicant for the taxable year;  
1603 and  
1604 (d) may include other information as determined by the office.
- 1605 Section 36. Section **63N-8-103** is amended to read:  
1606 **63N-8-103 . Motion Picture Incentive Account created -- Cash rebate incentives**  
1607 **-- Refundable tax credit incentives.**
- 1608 (1) (a) There is created within the General Fund a restricted account known as the  
1609 Motion Picture Incentive Account, which the office shall use to provide cash rebate  
1610 incentives for state-approved productions by a motion picture company.  
1611 (b) All interest generated from investment of money in the restricted account shall be  
1612 deposited in the restricted account.  
1613 (c) The restricted account shall consist of an annual appropriation by the Legislature.  
1614 (d) The office shall:  
1615 (i) with the advice of the [~~GO Utah board~~] Board of Tourism Development created in  
1616 Section 63N-7-201, administer the restricted account; and  
1617 (ii) make payments from the restricted account as required under this section.  
1618 (e) The cost of administering the restricted account shall be paid from money in the  
1619 restricted account.
- 1620 (2) (a) A motion picture company or digital media company seeking disbursement of an  
1621 incentive allowed under an agreement with the office shall follow the procedures and  
1622 requirements of this Subsection (2).  
1623 (b) The motion picture company or digital media company shall provide the office with  
1624 an incentive request form, provided by the office, identifying and documenting the

- 1625 dollars left in the state and new state [~~revenues~~] revenue generated by the motion  
1626 picture company or digital media company for state-approved production, including  
1627 any related tax returns by the motion picture company, payroll company, digital  
1628 media company, or loan-out corporation under Subsection (2)(d).
- 1629 (c) For a motion picture company, an independent certified public accountant shall:
- 1630 (i) review the incentive request form submitted by the motion picture company; and  
1631 (ii) provide a report on the accuracy and validity of the incentive request form,  
1632 including the amount of dollars left in the state, in accordance with the agreed  
1633 upon procedures established by the office by rule.
- 1634 (d) The motion picture company, digital media company, payroll company, or loan-out  
1635 corporation shall provide the office with a document that expressly directs and  
1636 authorizes the State Tax Commission to disclose the entity's tax returns and other  
1637 information concerning the entity that would otherwise be subject to confidentiality  
1638 under Section 59-1-403 or Section 6103, Internal Revenue Code, to the office.
- 1639 (e) The office shall submit the document described in Subsection (2)(d) to the State Tax  
1640 Commission.
- 1641 (f) Upon receipt of the document described in Subsection (2)(d), the State Tax  
1642 Commission shall provide the office with the information requested by the office that  
1643 the motion picture company, digital media company, payroll company, or loan-out  
1644 corporation directed or authorized the State Tax Commission to provide to the office  
1645 in the document described in Subsection (2)(d).
- 1646 (g) Subject to Subsection (3), for a motion picture company the office shall:
- 1647 (i) review the incentive request form from the motion picture company described in  
1648 Subsection (2)(b) and verify that the incentive request form was reviewed by an  
1649 independent certified public accountant as described in Subsection (2)(c); and  
1650 (ii) based upon the independent certified public accountant's report under Subsection  
1651 (2)(c), determine the amount of the incentive that the motion picture company is  
1652 entitled to under the motion picture company's agreement with the office.
- 1653 (h) Subject to Subsection (3), for a digital media company, the office shall:
- 1654 (i) ensure the digital media project results in new state [~~revenues~~] revenue; and  
1655 (ii) based upon review of new state [~~revenues~~] revenue, determine the amount of the  
1656 incentive that a digital media company is entitled to under the digital media  
1657 company's agreement with the office.
- 1658 (i) Subject to Subsection (3), if the incentive is in the form of a cash rebate, the office

- 1659 shall pay the incentive from the restricted account to the motion picture company,  
 1660 notwithstanding Subsections 51-5-3(23)(b) and 63J-1-105(6).
- 1661 (j) If the incentive is in the form of a refundable tax credit under Section 59-7-614.5 or  
 1662 59-10-1108, the office shall:
- 1663 (i) issue a tax credit certificate to the motion picture company or digital media  
 1664 company; and
- 1665 (ii) provide a digital record of the tax credit certificate to the State Tax Commission.
- 1666 (k) A motion picture company or digital media company may not claim a motion picture  
 1667 tax credit under Section 59-7-614.5 or 59-10-1108 unless the motion picture  
 1668 company or digital media company has received a tax credit certificate for the claim  
 1669 issued by the office under Subsection (2)(j)(i).
- 1670 (l) A motion picture company or digital media company may claim a motion picture tax  
 1671 credit on the motion picture company's or the digital media company's tax return for  
 1672 the amount listed on the tax credit certificate issued by the office.
- 1673 (m) A motion picture company or digital media company that claims a tax credit under  
 1674 Subsection (2)(l) shall retain the tax credit certificate and all supporting  
 1675 documentation in accordance with Subsection 63N-8-104(6).
- 1676 (3) (a) Subject to this Subsection (3), the office may issue \$6,793,700 in tax credit  
 1677 certificates under this part in each fiscal year.
- 1678 ~~[(b) For the fiscal year ending June 30, 2022, the office may issue \$8,393,700 in tax  
 1679 credit certificates under this part.]~~
- 1680 ~~[(e)]~~ (b) For fiscal years 2023 and 2024, in addition to the amount of tax credit  
 1681 certificates authorized under Subsection (3)(a), the office may issue \$12,000,000 in  
 1682 tax credit certificates under this part only for rural productions.
- 1683 ~~[(d)]~~ (c) If the office does not issue tax credit certificates in a fiscal year totaling the  
 1684 amount authorized under this Subsection (3), the office may carry over that amount  
 1685 for issuance in subsequent fiscal years.
- 1686 Section 37. Section **63N-8-104** is amended to read:
- 1687 **63N-8-104 . Motion picture incentives -- Standards to qualify for an incentive --**  
 1688 **Limitations -- Content of agreement between office and motion picture company**  
 1689 **or digital media company.**
- 1690 (1) In addition to the requirements for receiving a motion picture incentive as set forth in  
 1691 this part, the office, in accordance with Title 63G, Chapter 3, Utah Administrative  
 1692 Rulemaking Act, shall make rules establishing:



- 1693 (a) the standards that a motion picture company or digital media company must meet to  
1694 qualify for the motion picture incentive; and
- 1695 (b) criteria for determining the amount of the incentive.
- 1696 (2) The office shall ensure that those standards include the following:
- 1697 (a) an incentive may only be issued for a state-approved production by a motion picture  
1698 company or digital media company;
- 1699 (b) financing has been obtained and is in place for the production; and
- 1700 (c) the economic impact of the production on the state represents new incremental  
1701 economic activity in the state as opposed to existing economic activity.
- 1702 (3) With respect to a digital media project, the office shall consider economic modeling,  
1703 including the costs and benefits of the digital media project to state and local  
1704 governments in determining the motion picture incentive amount.
- 1705 (4) The office may also consider giving preference to a production that stimulates economic  
1706 activity in rural areas of the state or that has Utah content, such as recognizing that the  
1707 production was made in the state or uses Utah as Utah in the production.
- 1708 (5) (a) The office, with advice from the [~~GO Utah board~~] Board of Tourism Development  
1709 created in Section 63N-7-201, may enter into an agreement with a motion picture  
1710 company or digital media company that meets the standards established under this  
1711 section and satisfies the other qualification requirements under this part.
- 1712 (b) Subject to Subsection 63N-8-103(3), the office may commit or authorize a motion  
1713 picture incentive:
- 1714 (i) to a motion picture company of up to 20% of the dollars left in the state by the  
1715 motion picture company, and a motion picture company can receive an additional  
1716 5%, not to exceed 25% of the dollars left in the state by the motion picture  
1717 company if the company fulfills certain requirements determined by the office  
1718 including:
- 1719 (A) employing a significant percentage of cast and crew from Utah;
- 1720 (B) highlighting the state of Utah and the Utah Film Commission in the motion  
1721 picture credits; or
- 1722 (C) other promotion opportunities as agreed upon by the office and the motion  
1723 picture company; and
- 1724 (ii) to a digital media company, if the incentive does not exceed 100% of the new  
1725 state revenue less the considerations under Subsection (3), but not to exceed 20%  
1726 of the dollars left in the state by the digital media company.

- 1727 (c) The office may not give a cash rebate incentive from the Motion Picture Incentive  
 1728 Restricted Account for a digital media project.
- 1729 (6) The office shall ensure that the agreement entered into with a motion picture company  
 1730 or digital media company under Subsection (5)(a):
- 1731 (a) details the requirements that the motion picture company or digital media company  
 1732 must meet to qualify for an incentive under this part;
- 1733 (b) specifies:
- 1734 (i) the nature of the incentive; and
- 1735 (ii) the maximum amount of the motion picture incentive that the motion picture  
 1736 company or digital media company may earn for a taxable year and over the life  
 1737 of the production;
- 1738 (c) establishes the length of time over which the motion picture company or digital  
 1739 media company may claim the motion picture incentive;
- 1740 (d) requires the motion picture company or digital media company to retain records  
 1741 supporting its claim for a motion picture incentive for at least four years after the  
 1742 motion picture company or digital media company claims the incentive under this  
 1743 part; and
- 1744 (e) requires the motion picture company or digital media company to submit to audits  
 1745 for verification of the claimed motion picture incentive.

1746 Section 38. Section **63N-13-305** is amended to read:

1747 **63N-13-305 . Office oversight over contract performance of facilitator -- Office**  
 1748 **reports to Legislature.**

- 1749 (1) The office shall monitor and oversee a facilitator's performance under a contract under  
 1750 Section 63N-13-303 to ensure that the facilitator is fulfilling the requirements of Section  
 1751 63N-13-304.
- 1752 (2) Before [~~November 15~~] October 1 of each year, the office shall provide an annual report  
 1753 to the Economic Development and Workforce Services Interim Committee of the  
 1754 facilitator's activities under this part.

1755 Section 39. Section **63N-16-301** is amended to read:

1756 **63N-16-301 . Regulatory relief web page.**

- 1757 (1) The regulatory relief office shall create and maintain on [~~the GO Utah office's~~] GOEO's  
 1758 website a web page that invites residents and businesses in the state to make suggestions  
 1759 regarding laws and regulations that could be modified or eliminated to reduce the  
 1760 regulatory burden of residents and businesses in the state.

- 1761 (2) On at least a quarterly basis, the regulatory relief office shall compile the results of  
 1762 suggestions from the web page and provide a written report to the governor, the  
 1763 Business and Labor Interim Committee, and the Economic Development and Workforce  
 1764 Services Interim Committee that describes the most common suggestions.
- 1765 (3) In creating the report described in Subsection (2), the regulatory relief office and the  
 1766 advisory committee:
- 1767 (a) shall ensure that private information of residents and businesses that make  
 1768 suggestions on the web page is not made public; and
- 1769 (b) may evaluate the suggestions and provide analysis and suggestions regarding which  
 1770 state laws and regulations could be modified or eliminated to reduce the regulatory  
 1771 burden of residents and businesses in the state while still protecting consumers.

1772 Section 40. Section **63N-17-102** is amended to read:

1773 **63N-17-102 . Definitions.**

1774 As used in this chapter:

- 1775 (1) "Broadband center" means the Utah Broadband Center created in Section 63N-17-201.
- 1776 [~~(2) "Eligible applicant" means:~~]
- 1777 [~~(a) a telecommunications provider or an Internet service provider;~~]
- 1778 [~~(b) a local government entity and one or more private entities, collectively, who are~~  
 1779 ~~parties to a public-private partnership established for the purpose of expanding~~  
 1780 ~~affordable broadband access in the state; or]~~
- 1781 [~~(c) a tribal government.~~]
- 1782 (2) "Final proposal" means the submission provided by the state to the Assistant Secretary  
 1783 of Commerce for Communications and Information as part of the state's BEAD  
 1784 Application, as set forth in 47 U.S.C. Sec. 1702(e)(4).
- 1785 (3) "Initial proposal" means the submission provided by the state to the Assistant Secretary  
 1786 of Commerce for Communications and Information as part of the state's BEAD  
 1787 Application, as set forth in 47 U.S.C. Sec. 1702(e)(3).
- 1788 (4) "Letter of intent" means the submission provided by the state to the Assistant Secretary  
 1789 of Commerce for Communications and Information as part of the state's BEAD  
 1790 Application, as set forth in 47 U.S.C. Sec. 1702(e)(1)(B).
- 1791 [~~(3)~~] (5) "Public-private partnership" means an arrangement or agreement between a  
 1792 government entity and one or more private persons to fund and provide for a public need  
 1793 through the development or operation of a public project in which the private person or  
 1794 persons share with the government entity the responsibility or risk of developing,

- 1795 owning, maintaining, financing, or operating the project.
- 1796 (6) "Subgrantee" means an entity that receives funds from the state under:
- 1797 (a) the Broadband Access Grant Program created in Section 63N-17-301; or
- 1798 (b) the Broadband Equity Access and Deployment Grant Program created in Section
- 1799 63N-17-401.
- 1800 (7) "State BEAD application" means a submission by the state for a grant under the federal
- 1801 Broadband Equity Access and Deployment Program established under 47 U.S.C. Sec.
- 1802 1702(b), consisting of a letter of intent, initial proposal, and final proposal.
- 1803 [~~(4) "Underserved area" means an area of the state that is underserved in terms of the area's~~
- 1804 ~~access to broadband service, as further defined by rule made by the broadband center.]~~
- 1805 [~~(5) "Unserved area" means an area of the state that is rural and unserved in terms of the~~
- 1806 ~~area's access to broadband service, as further defined by rule made by the broadband~~
- 1807 ~~center.]~~
- 1808 Section 41. Section **63N-17-201** is amended to read:
- 1809 **63N-17-201 . Utah Broadband Center -- Creation -- Director -- Duties.**
- 1810 (1) There is created within the office the Utah Broadband Center.
- 1811 (2) The executive director shall appoint a director of the broadband center to oversee the
- 1812 operations of the broadband center.
- 1813 (3) The broadband center shall:
- 1814 (a) ensure that publicly funded broadband projects continue to be publicly accessible and
- 1815 provide a public benefit;
- 1816 (b) develop the statewide digital connectivity plan described in Section 63N-17-203;
- 1817 (c) carry out the duties described in Section 63N-17-202; [~~and~~]
- 1818 (d) administer the Broadband Access Grant Program in accordance with Part 3,
- 1819 Broadband Access Grant Program[~~;~~]; and
- 1820 (e) administer the Broadband Equity Access and Deployment Grant Program in
- 1821 accordance with Part 4, Broadband Equity Access and Deployment Program.
- 1822 [~~(e)~~] (f) The broadband center shall ensure efficiency with respect to:
- 1823 (i) expenditure of funds; and
- 1824 (ii) avoiding duplication of efforts.
- 1825 [~~(f)~~] (g) The broadband center shall consider administering broadband infrastructure
- 1826 funds in a manner that:
- 1827 (i) efficiently maximizes the leverage of federal funding;
- 1828 (ii) avoids the use of public funds for broadband facilities that duplicate existing

- 1829 broadband facilities that already meet or exceed federal standards; and
- 1830 (iii) accounts for the benefits and costs to the state of existing facilities, equipment,
- 1831 and services of public and private broadband providers.
- 1832 Section 42. Section **63N-17-202** is amended to read:
- 1833 **63N-17-202 . Infrastructure and broadband coordination.**
- 1834 (1) The broadband center shall partner with the Utah Geospatial Resource Center created in
- 1835 Section 63A-16-505 to collect and maintain a database and interactive map that displays
- 1836 economic development data statewide, including:
- 1837 (a) voluntarily submitted broadband availability, speeds, and other broadband data;
- 1838 (b) voluntarily submitted public utility data;
- 1839 (c) workforce data, including information regarding:
- 1840 (i) enterprise zones designated under Section 63N-2-206;
- 1841 (ii) public institutions of higher education; and
- 1842 (iii) APEX accelerators;
- 1843 (d) transportation data, which may include information regarding railway routes,
- 1844 commuter rail routes, airport locations, and major highways;
- 1845 (e) lifestyle data, which may include information regarding state parks, national parks
- 1846 and monuments, United States Forest Service boundaries, ski areas, golf courses, and
- 1847 hospitals; and
- 1848 (f) other relevant economic development data as determined by the office, including data
- 1849 provided by partner organizations.
- 1850 (2) The broadband center may:
- 1851 (a) make recommendations to state and federal agencies, local governments, the
- 1852 governor, and the Legislature regarding policies and initiatives that promote the
- 1853 development of broadband-related infrastructure in the state and help implement
- 1854 those policies and initiatives;
- 1855 (b) facilitate coordination between broadband providers and public and private entities;
- 1856 (c) collect and analyze data on broadband availability and usage in the state, including
- 1857 Internet speed, capacity, the number of unique visitors, and the availability of
- 1858 broadband infrastructure throughout the state;
- 1859 (d) create a voluntary broadband [~~advisory committee~~] alliance, which shall include
- 1860 broadband providers and other public and private stakeholders, to solicit input on
- 1861 broadband-related policy guidance, best practices, and adoption strategies;
- 1862 (e) work with broadband providers, state and local governments, and other public and

1863 private stakeholders to facilitate and encourage the expansion and maintenance of  
 1864 broadband infrastructure throughout the state; and

1865 (f) in accordance with the requirements of Title 63J, Chapter 5, Federal Funds

1866 Procedures Act, and in accordance with federal requirements:

1867 (i) apply for federal grants;

1868 (ii) participate in federal programs; and

1869 (iii) administer federally funded broadband-related programs.

1870 Section 43. Section **63N-17-203** is amended to read:

1871 **63N-17-203 . Statewide digital connectivity plan.**

1872 [(+)] As used in this section:

1873 [(a)] (1) "Commission" means the Utah Broadband Center Advisory Commission created in  
 1874 Section 36-29-109.

1875 [(b)] (2) "Strategic plan" means the statewide digital connectivity plan created in [  
 1876 ~~Subsection (2)~~] accordance with Subsections (2) and (3).

1877 [(2)] (3) The broadband center shall develop the [~~statewide digital connectivity~~] strategic  
 1878 plan.

1879 [(3)] (4) The strategic plan shall include strategies to:

1880 (a) implement broadband connectivity statewide;

1881 (b) promote digital equity;

1882 (c) apply for federal infrastructure funds; and

1883 (d) apply for additional funds.

1884 [(4)] (5) In developing the strategic plan, the broadband center shall work with the  
 1885 commission.

1886 [(5)] (6) The broadband center shall provide the commission with quarterly status updates  
 1887 regarding:

1888 (a) implementation of the commission's recommendations;

1889 (b) [~~recommendations the center has received from the Transportation Commission,~~  
 1890 ~~created in Section 72-1-301;~~] the grant programs created in Sections 63N-17-301 and  
 1891 63N-17-401, including:

1892 (i) applications received for grant funding;

1893 (ii) grant awards about to be made by the broadband center;

1894 (iii) grant awards made by the broadband center; and

1895 (iv) projects implemented with grant funding;

1896 (c) strategic plan development;

- 1897 (d) strategic plan implementation;
- 1898 (e) grants received in addition to those described in Subsection (6)(b);
- 1899 (f) projects funded in addition to those described in Subsection (6)(b); and
- 1900 (g) recommendations for legislation.
- 1901 ~~[(6)]~~ (7) The broadband center shall submit the strategic plan to the commission for the
- 1902 commission's recommendation before finalizing the strategic plan.
- 1903 ~~[(7)]~~ (8) On or before ~~[November 30]~~ October 1 of each year, the broadband center shall
- 1904 report to the commission and the Public Utilities, Energy, and Technology Interim
- 1905 Committee regarding~~[the]~~ status updates~~[described in Subsection (5)]~~.
- 1906 Section 44. Section **63N-17-301** is amended to read:
- 1907 **63N-17-301 . Creation of Broadband Access Grant Program.**
- 1908 (1) As used in this part:
- 1909 (a) "Eligible applicant" means:
- 1910 (i) a telecommunications provider or an Internet service provider;
- 1911 (ii) a local government entity and one or more private entities, collectively, who are
- 1912 parties to a public-private partnership established for the purpose of expanding
- 1913 affordable broadband access in the state; or
- 1914 (iii) a tribal government.
- 1915 (b) "Underserved area" means an area of the state that is underserved in terms of the
- 1916 area's access to broadband service, as further defined by rule made by the broadband
- 1917 center.
- 1918 (c) "Unserved area" means an area of the state that is unserved in terms of the area's
- 1919 access to broadband service, as further defined by rule made by the broadband center.
- 1920 (2) There is established a grant program known as the Broadband Access Grant Program
- 1921 that is administered by the broadband center in accordance with this part.
- 1922 ~~[(2)]~~ (3) (a) The broadband center may award a grant under this part to an eligible
- 1923 applicant ~~[who]~~ that submits to the broadband center an application that includes a
- 1924 proposed project to extend broadband service to individuals and businesses in an
- 1925 unserved area or an underserved area by providing last-mile connections to end users.
- 1926 (b) Subsection ~~[(2)(a)]~~ (3)(a) does not prohibit the broadband center from awarding a
- 1927 grant for a proposed project that also includes middle-mile elements that are
- 1928 necessary for the last-mile connections.
- 1929 ~~[(3)]~~ (4) In awarding grants under this part, the broadband center shall:
- 1930 (a) based on the following criteria and in the order provided, prioritize proposed projects:

- 1931 (i) located in unserved areas;
- 1932 (ii) located in underserved areas;
- 1933 (iii) (A) that the eligible applicant developed after meaningful engagement with
- 1934 the impacted community to identify the community's needs and innovative
- 1935 means of providing a public benefit that addresses the community's needs; and
- 1936 (B) that include, as a component of the proposed project, a long-term public
- 1937 benefit to the impacted community developed in response to the eligible
- 1938 applicant's engagement with the community;
- 1939 (iv) located in an economically distressed area of the state, as measured by indices of
- 1940 unemployment, poverty, or population loss;
- 1941 (v) that make the greatest investment in last-mile connections;
- 1942 (vi) that provide higher speed broadband access to end users; and
- 1943 (vii) for which the eligible applicant provides at least 25% of the money needed for
- 1944 the proposed project, with higher priority to proposed projects for which the
- 1945 eligible applicant provides a greater percentage of the money needed for the
- 1946 proposed project; and
- 1947 (b) consider the impact of available funding for the proposed project from other sources,
- 1948 including money from matching federal grant programs.
- 1949 [~~(4) The broadband center may not award a grant under this part that exceeds \$7,500,000.~~]
- 1950 (5) For a project that the eligible applicant cannot complete in a single fiscal year, the
- 1951 broadband center may distribute grant proceeds for the project over the course of the
- 1952 project's construction.
- 1953 [~~(6) In awarding grants under this part, the broadband center shall ensure that grant funds~~
- 1954 ~~are not used in a manner that causes competition among projects that are substantially~~
- 1955 ~~supported by state funds, as determined in accordance with rule made by the broadband~~
- 1956 ~~center.]~~
- 1957 [~~(7)~~ (6) In awarding a grant under this part, the broadband center shall ensure that grant
- 1958 funds are not used by a subgrantee in a manner that causes competition among projects
- 1959 that are substantially supported by state funds or federal funds subgranted by the state,
- 1960 as determine in accordance with rules made by the broadband center in accordance with
- 1961 Title 63G, Chapter 3, Utah Administrative Rulemaking Act.
- 1962 (7) As provided in and subject to the requirements of Title 63G, Chapter 2, Government
- 1963 Records Access and Management Act, a record submitted to the broadband center that
- 1964 contains a trade secret or confidential commercial information described in Subsection



1965 63G-2-305(2) is a protected record.

1966 Section 45. Section **63N-17-401** is enacted to read:

1967 **Part 4. Broadband Equity Access and Deployment Grant Program**

1968 **63N-17-401 . Creation of Broadband Equity Access and Deployment Grant**

1969 **Program.**

1970 (1) There is established a grant program known as the Broadband Equity Access and  
 1971 Deployment Grant Program that is administered by the broadband center in accordance  
 1972 with:

1973 (a) this part; and

1974 (b) the requirements of the National Telecommunications and Information  
 1975 Administration's Broadband Equity Access and Deployment Program, 47 U.S.C. Sec.  
 1976 1702 et seq.

1977 (2) The broadband center shall:

1978 (a) prepare and submit the state's Broadband Equity Access and Deployment application,  
 1979 including the letter of intent, initial proposal, and final proposal to the National  
 1980 Telecommunications and Information Administration;

1981 (b) administer the Broadband Equity Access and Deployment Grant Program in  
 1982 accordance with this section and as approved by the National Telecommunications  
 1983 and Information Administration;

1984 (c) accept and process an application for subgranted funds;

1985 (d) report to the broadband commission quarterly on:

1986 (i) the progress of the broadband center's submission described in Subsection (2)(a);

1987 (ii) the administration of the program;

1988 (iii) applications received for subgranted funding;

1989 (iv) approved applications for subgranted funds; and

1990 (v) projects supported by subgranted funds;

1991 (e) ensure that a subgrantee complies with the state's final proposal to the National  
 1992 Telecommunications and Information Administration; and

1993 (f) make rules, in accordance with Title 63G, Chapter 3, Utah Administrative  
 1994 Rulemaking Act, necessary to administer this section.

1995 (3) The broadband commission shall give the broadband center recommendations during  
 1996 the quarterly reports described in Subsection (2)(d).

1997 (4) The broadband center may approve an application for subgranted funds if:

- 1998 (a) the application meets the requirements of this section;
- 1999 (b) the application meets any rule made pursuant to this section;
- 2000 (c) the application meets the requirements of the National Telecommunications and
- 2001 Information Administration's Broadband Equity Access and Deployment Program, 47
- 2002 U.S.C. Sec. 1702 et seq.; and
- 2003 (d) the broadband center has informed the broadband commission about the application,
- 2004 as described in Subsection (2)(d).
- 2005 (5) After the broadband center completes a competitive application process for subgranted
- 2006 funds but before the broadband center notifies the applicant of the award, the broadband
- 2007 center shall present to the broadband commission on the subgrant award.
- 2008 Section 46. **Repealer.**
- 2009 This bill repeals:
- 2010 Section **63N-1a-101, Title.**
- 2011 Section **63N-17-101, Title.**
- 2012 Section 47. **Effective date.**
- 2013 This bill takes effect on May 1, 2024.
- 2014 Section 48. **Revisor instructions.**
- 2015 The Legislature intends that, on May 1, 2024, all references to the term "GO
- 2016 Utah" change to "GOEO" in any new language added to the Utah Code by legislation
- 2017 that passes in the 2024 General Session and becomes law.