

OUTDOOR RECREATION INFRASTRUCTURE AMENDMENTS

2024 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Jeffrey D. Stenquist

Senate Sponsor: Ronald M. Winterton

LONG TITLE

General Description:

This bill makes changes related to outdoor recreation infrastructure.

Highlighted Provisions:

This bill:

- clarifies the definition for outdoor recreation infrastructure;
- includes additional authorized uses for funds in the Outdoor Adventure Infrastructure Restricted Account;
- allows the division to reimburse itself for costs from the Outdoor Adventure Infrastructure Restricted Account; and
- makes technical changes.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

- 51-9-901**, as enacted by Laws of Utah 2022, Chapter 77
- 51-9-902**, as last amended by Laws of Utah 2023, Chapters 183, 471
- 79-7-501**, as enacted by Laws of Utah 2023, Chapter 145
- 79-7-503**, as enacted by Laws of Utah 2023, Chapter 145

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

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

51-9-901 . Definitions.

As used in this part:

(1) "Account" means the Outdoor Adventure Infrastructure Restricted Account created in Section 51-9-902.

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

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

(b) "Outdoor recreation infrastructure" includes:

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

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

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

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

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

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

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

51-9-902 . Outdoor Adventure Infrastructure Restricted Account.

~~[(1) As used in this section, "outdoor recreation infrastructure" means:]~~

~~[(a) an unpaved trail, trail head infrastructure, signage, or crossing infrastructure for recreation, regardless of whether the recreation is motorized or nonmotorized recreation;]~~

~~[(b) a campground or day-use recreation site;]~~

~~[(c) water recreation infrastructure, including a pier, dock, or boat ramp; or]~~

~~[(d) outdoor recreation facilities that are accessible to visitors with disabilities.]~~

~~[(2)]~~ (1) There is created within the General Fund a restricted account known as the "Outdoor Adventure Infrastructure Restricted Account."

~~[(3)]~~ (2) The account shall consist of:

(a) money deposited into the account under Subsection 59-12-103(15); and

(b) interest and earnings on money in the account.

~~[(4)]~~ (3) Subject to appropriation from the Legislature, money from the account shall be

used for:

- (a) new construction of outdoor recreation infrastructure;
- (b) upgrades of outdoor recreation infrastructure;
- (c) the replacement of or structural improvements to outdoor recreation infrastructure;
- (d) the acquisition of land, a right-of-way, or easement used in relationship to outdoor recreation infrastructure; ~~[or]~~
- (e) providing access from state highways, as defined in Section 72-1-102, to outdoor recreation infrastructure~~[-]~~ ;
- (f) the costs associated with bringing new construction or upgrades of outdoor recreation infrastructure into environmental compliance;
- (g) strategic planning related to the development of outdoor recreation infrastructure; or
- (h) facilitating avalanche safety forecasting to protect the public in relation to outdoor recreation infrastructure.

~~[(5)]~~ (4) For each fiscal year, beginning with fiscal year 2023-2024, the Division of Finance shall, subject to appropriation by the Legislature, distribute money from the Outdoor Adventure Infrastructure Restricted Account as follows:

- (a) at least 15% to the Department of Natural Resources - Division of State Parks - Capital, to be expended using the department's existing prioritization process for capital projects in state parks described in Subsection ~~[(4)]~~ (3);
- (b) at least 22% to the Department of Natural Resources - Division of Outdoor Recreation - Capital, to be expended for competitive Recreation Restoration Infrastructure grants or Outdoor Recreational Infrastructure grants for outdoor recreation capital projects and related maintenance expenses, where maintenance expenses do not exceed 15% of the appropriation; and
- (c) at least 53% to the Department of Natural Resources - Division of Outdoor Recreation - Capital, to be expended for larger outdoor recreation infrastructure projects described in Subsection (3) as recommended to the Legislature by the Outdoor Adventure Commission ~~[described in Subsection (4)]~~.

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

Section 3. Section **79-7-501** is amended to read:

79-7-501 . Definitions.

96 As used in this part:

97 (1) "Initiative" means the Recreation Coordinated Investment Initiative created in [this part]
98 Section 79-7-502.

99 (2) "Outdoor recreation infrastructure" [~~includes:~~] means the same as that term is defined in
100 51-9-901.

101 [~~(a) a trail, trail head infrastructure, signage, and crossing infrastructure for both~~
102 ~~nonmotorized and motorized recreation;~~]

103 [~~(b) a campground or day-use recreation site;~~]

104 [~~(c) water recreation infrastructure, including a pier, dock, or boat ramp; and~~]

105 [~~(d) outdoor recreation facilities that are accessible to visitors with disabilities.~~]

106 (3) "Public lands" includes local, state, and federal lands.

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

108 **79-7-503 . Funding of initiative.**

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

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

113 [~~(2)~~] (b) contributions, including in-kind assistance, from public and private sources,
114 including a federal agency, state agency, local government, or private entity.

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

117 Section 5. **Effective date.**

118 This bill takes effect on May 1, 2024.