

Representative Brad R. Wilson proposes the following substitute bill:

OUTDOOR RECREATION GRANT PROGRAM

2017 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Ralph Okerlund

House Sponsor: Brad R. Wilson

LONG TITLE

General Description:

This bill creates the State Transient Room Tax Act and modifies provisions related to the Utah Office of Outdoor Recreation.

Highlighted Provisions:

This bill:

- defines terms;
- imposes a state transient room tax on accommodations and related services;
- creates the Outdoor Recreation Infrastructure Account and the Hospitality and Tourism Management Education Account;
- distributes the revenues the state collects from the state transient room tax to:
 - the Outdoor Recreation Infrastructure Account to implement the Outdoor Recreational Infrastructure Grant Program; and
 - the Hospitality and Tourism Management Education Account to fund the Hospitality and Tourism Management Career and Technical Education Pilot Program; and
- establishes the Utah Outdoor Recreation Grant Advisory Committee.

Money Appropriated in this Bill:

None



Other Special Clauses:

This bill provides a special effective date.

Utah Code Sections Affected:

AMENDS:

63I-1-253, as last amended by Laws of Utah 2016, Chapters 41, 63, and 169

63I-1-259, as last amended by Laws of Utah 2016, Chapters 350, 367, and 373

63I-1-263, as last amended by Laws of Utah 2016, Chapters 65, 136, 156, 322, and 408

63N-9-102, as last amended by Laws of Utah 2016, Chapter 88

63N-9-203, as enacted by Laws of Utah 2016, Chapter 88

ENACTS:

53A-15-206, Utah Code Annotated 1953

53A-15-207, Utah Code Annotated 1953

59-28-101, Utah Code Annotated 1953

59-28-102, Utah Code Annotated 1953

59-28-103, Utah Code Annotated 1953

59-28-104, Utah Code Annotated 1953

59-28-105, Utah Code Annotated 1953

59-28-106, Utah Code Annotated 1953

59-28-107, Utah Code Annotated 1953

63N-9-204, Utah Code Annotated 1953

63N-9-205, Utah Code Annotated 1953

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

Section 1. Section **53A-15-206** is enacted to read:

53A-15-206. Hospitality and Tourism Management Career and Technical

Education Pilot Program.

(1) As used in this section:

(a) "Board" means the State Board of Education.

(b) "Local education agency" means a school district or charter school.

(c) "Pilot program" means the Hospitality and Tourism Management Career and Technical Education Pilot Program created under Subsection (2).

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

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

(i) hospitality soft skills;

(ii) operational areas of the hospitality industry;

(iii) sales and marketing; and

(iv) safety and security; and

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

(i) hospitality leadership skills;

(ii) operational leadership;

(iii) managing food and beverage operations; and

(iv) managing business operations.

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

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

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

(5) (a) A local education agency may apply to the board to participate in the pilot program.

(b) The board shall select participants in the pilot program.

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

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

(a) how many local education agencies and how many students are participating in the

88 pilot program; and

89 (b) any recommended changes to the pilot program.

90 Section 2. Section **53A-15-207** is enacted to read:

91 **53A-15-207. Hospitality and Tourism Management Education Account -- Uses --**
92 **Costs.**

93 (1) There is created an expendable special revenue fund known as the "Hospitality and
94 Tourism Management Education Account," which the State Board of Education shall use to
95 fund the Hospitality and Tourism Management Career and Technical Education Pilot Program
96 created in Section [53A-15-206](#).

97 (2) The account consists of:

98 (a) distributions to the account under Section [59-28-103](#);

99 (b) interest earned on the account;

100 (c) appropriations made by the Legislature; and

101 (d) private donations, grants, gifts, bequests, or money made available from any other
102 source to implement this part.

103 (3) The State Board of Education shall administer the account.

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

105 (5) Interest accrued from investment of money in the account shall remain in the
106 account.

107 Section 3. Section **59-28-101** is enacted to read:

108 **CHAPTER 28. STATE TRANSIENT ROOM TAX ACT**

109 **59-28-101. Title.**

110 This chapter is known as the "State Transient Room Tax Act."

111 Section 4. Section **59-28-102** is enacted to read:

112 **59-28-102. Definitions.**

113 As used in this chapter:

114 (1) "Agreement" means the same as that term is defined in Section [59-12-102](#).

115 (2) "Certified service provider" means the same as that term is defined in Section
116 [59-12-102](#).

117 (3) "Model 2 seller" means the same as that term is defined in Section [59-12-102](#).

118 (4) "Purchaser" means the same as that term is defined in Section [59-12-102](#).

(5) "Sales price" means the same as that term is defined in Section [59-12-102](#).

(6) "Seller" means the same as that term is defined in Section [59-12-102](#).

Section 5. Section **59-28-103** is enacted to read:

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

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

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

(3) (a) (i) Subject to Subsection (3)(a)(ii), the commission shall deposit 6% of the revenue the state collects from the tax under this chapter into the Hospitality and Tourism Management Education Account created in Section [53A-15-207](#) to fund the Hospitality and Tourism Management Career and Technical Education Pilot Program created in Section [53A-15-206](#).

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

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

Section 6. Section **59-28-104** is enacted to read:

59-28-104. Collection of tax.

(1) Except as provided in Subsection (2), the commission shall administer, collect, and enforce a tax under this chapter in accordance with:

(a) Chapter 1, General Taxation Policies; and

(b) the same procedures used to administer, collect, and enforce the tax under Chapter 12, Part 1, Tax Collection.

(2) A tax under this chapter is not subject to Section [59-12-107.1](#) or [59-12-123](#).

(3) A seller required to collect a tax under this chapter may retain 6% of any amounts the seller is required to remit to the commission under this chapter for the costs of collecting

the tax.

(4) The commission shall retain and deposit an administrative charge in accordance with Section [59-1-306](#) from the revenues the commission collects from a tax under this chapter.

Section 7. Section **59-28-105** is enacted to read:

59-28-105. Seller or certified service provider reliance on commission information.

A seller or certified service provider is not liable for failing to collect a tax at a tax rate imposed under this chapter if the seller's or certified service provider's failure to collect the tax is as a result of the seller's or certified service provider's reliance on incorrect data provided by the commission in a database created by the commission:

(1) containing tax rates or boundaries regarding a tax under this chapter; or

(2) indicating the taxability of transactions described in Subsection [59-12-103](#)(1)(i).

Section 8. Section **59-28-106** is enacted to read:

59-28-106. Certified service provider or model 2 seller reliance on commission certified software.

(1) Except as provided in Subsection (2) and subject to Subsection (4), a certified service provider or model 2 seller is not liable for failing to collect a tax required under this chapter if:

(a) the certified service provider or model 2 seller relies on software the commission certifies; and

(b) the certified service provider's or model 2 seller's failure to collect a tax required under this chapter is as a result of the seller's or certified service provider's reliance on incorrect data:

(i) provided by the commission; or

(ii) in the software the commission certifies.

(2) The relief from liability described in Subsection (1) does not apply if a certified service provider or model 2 seller incorrectly classifies an item or transaction into a product category the commission certifies.

(3) If the taxability of a product category is incorrectly classified in software the commission certifies, the commission shall:

181 (a) notify a certified service provider or model 2 seller of the incorrect classification of
182 the taxability of a product category in software the commission certifies; and

183 (b) state in the notice required by Subsection (3)(a) that, if the certified service provider
184 or model 2 seller fails to correct the taxability of the item or transaction within 10 days after the
185 day on which the certified service provider or model 2 seller receives the notice, the certified
186 service provider or model 2 seller is liable for failing to collect the correct amount of tax under
187 this chapter on the incorrectly classified product category.

188 (4) If a certified service provider or model 2 seller fails to correct the taxability of an
189 item or transaction within 10 days after the day on which the certified service provider or
190 model 2 seller receives the notice described in Subsection (3), the certified service provider or
191 model 2 seller is liable for failing to collect the correct amount of tax under this chapter on the
192 item or transaction.

193 Section 9. Section **59-28-107** is enacted to read:

194 **59-28-107. Purchaser relief from liability.**

195 (1) (a) Except as provided in Subsection (1)(b), a purchaser is relieved from a penalty
196 under Section [59-1-401](#) for failure to pay a tax due under this chapter or an underpayment if:

197 (i) the purchaser's seller or certified service provider relies on incorrect data provided
198 by the commission:

199 (A) on a tax rate;

200 (B) on a boundary;

201 (C) on a taxing jurisdiction; or

202 (D) in the taxability matrix the commission provides in accordance with the agreement;

203 or

204 (ii) the purchaser, regardless of whether the purchaser holds a direct payment permit in
205 accordance with Section [59-12-107.1](#), relies on incorrect data provided by the commission:

206 (A) on a tax rate;

207 (B) on a boundary;

208 (C) on a taxing jurisdiction; or

209 (D) in the taxability matrix the commission provides in accordance with the agreement.

210 (b) For purposes of Subsection (1)(a), a purchaser is not relieved from a penalty under
211 Section [59-1-401](#) for failure to pay a tax due under this chapter or an underpayment if the

purchaser's, the purchaser's seller's, or the purchaser's certified service provider's reliance on incorrect data provided by the commission is as a result of conduct that is:

(i) fraudulent;

(ii) intentional; or

(iii) willful.

(2) In addition to the relief from a penalty described in Subsection (1), a purchaser is not liable for a tax or interest under Section [59-1-402](#) for failure to pay a tax due under this chapter or an underpayment if:

(a) the purchaser's seller or certified service provider relies on:

(i) incorrect data provided by the commission:

(A) on a tax rate;

(B) on a boundary; or

(C) on a taxing jurisdiction; or

(ii) an erroneous classification by the commission:

(A) in the taxability matrix the commission provides in accordance with the agreement;

and

(B) with respect to a term in the library of definitions that is listed as taxable or exempt, included in or excluded from "sales price," or included in or excluded from a definition; or

(b) the purchaser, regardless of whether the purchaser holds a direct payment permit in accordance with Section [59-12-107.1](#), relies on:

(i) incorrect data provided by the commission:

(A) on a tax rate;

(B) on a boundary; or

(C) on a taxing jurisdiction; or

(ii) an erroneous classification by the commission:

(A) in the taxability matrix the commission provides in accordance with the agreement;

and

(B) with respect to a term in the library of definitions that is listed as taxable or exempt, included in or excluded from "sales price," or included in or excluded from a definition.

Section 10. Section **63I-1-253** is amended to read:

63I-1-253. Repeal dates, Titles 53, 53A, and 53B.

The following provisions are repealed on the following dates:

(1) Subsection **53-10-202**(18) is repealed July 1, 2018.

(2) Section **53-10-202.1** is repealed July 1, 2018.

(3) Title 53A, Chapter 1a, Part 6, Public Education Job Enhancement Program, is repealed July 1, 2020.

(4) Section **53A-13-106.5** is repealed July 1, 2019.

(5) Section **53A-15-106** is repealed July 1, 2019.

(6) Sections **53A-15-206** and **53A-15-207** are repealed January 1, 2023.

~~[(6)]~~ (7) Subsections **53A-16-113**(3) and (4) are repealed December 31, 2016.

~~[(7)]~~ (8) Section **53A-16-114** is repealed December 31, 2016.

~~[(8)]~~ (9) Section **53A-17a-163**, Performance-based Compensation Pilot Program, is repealed July 1, 2016.

~~[(9)]~~ (10) Title 53A, Chapter 31, Part 4, American Indian and Alaskan Native Education State Plan Pilot Program, is repealed July 1, 2022.

~~[(10)]~~ (11) Section **53B-24-402**, Rural residency training program, is repealed July 1, 2020.

~~[(11)]~~ (12) Subsection **53C-3-203**(4)(b)(vii), which provides for the distribution of money from the Land Exchange Distribution Account to the Geological Survey for test wells, other hydrologic studies, and air quality monitoring in the West Desert, is repealed July 1, 2020.

Section 11. Section **63I-1-259** is amended to read:

63I-1-259. Repeal dates, Title 59.

(1) Subsection **59-2-924**(7) is repealed on December 31, 2016.

(2) Subsection **59-2-924.2**(9) is repealed on December 31, 2017.

(3) Section **59-2-924.3** is repealed on December 31, 2016.

(4) Section **59-7-618** is repealed July 1, 2020.

(5) Section **59-9-102.5** is repealed December 31, 2020.

(6) Section **59-10-1033** is repealed July 1, 2020.

(7) Subsection **59-12-2219**(13) is repealed on June 30, 2020.

(8) Title 59, Chapter 28, State Transient Room Tax Act, is repealed on January 1, 2023.

Section 12. Section **63I-1-263** is amended to read:

63I-1-263. Repeal dates, Titles 63A to 63N.

(1) Subsection **63A-5-104**(4)(h) is repealed on July 1, 2024.

(2) Section **63A-5-603**, State Facility Energy Efficiency Fund, is repealed July 1, 2023.

(3) Title 63C, Chapter 4a, Constitutional and Federalism Defense Act, is repealed July 1, 2018.

(4) Title 63C, Chapter 4b, Commission for the Stewardship of Public Lands, is repealed November 30, 2019.

(5) Title 63C, Chapter 16, Prison Development Commission Act, is repealed July 1, 2020.

(6) Title 63C, Chapter 17, Point of the Mountain Development Commission Act, is repealed July 1, 2021.

(7) Title 63H, Chapter 4, Heber Valley Historic Railroad Authority, is repealed July 1, 2020.

(8) Title 63H, Chapter 8, Utah Housing Corporation Act, is repealed July 1, 2026.

(9) On July 1, 2025:

(a) in Subsection **17-27a-404**(3)(c)(ii), the language that states "the Resource Development Coordinating Committee," is repealed;

(b) Subsection **23-14-21**(2)(c) is amended to read "(c) provide notification of proposed sites for the transplant of species to local government officials having jurisdiction over areas that may be affected by a transplant.";

(c) in Subsection **23-14-21**(3), the language that states "and the Resource Development Coordinating Committee" is repealed;

(d) in Subsection **23-21-2.3**(1), the language that states "the Resource Development Coordinating Committee created in Section **63J-4-501** and" is repealed;

(e) in Subsection **23-21-2.3**(2), the language that states "the Resource Development Coordinating Committee and" is repealed;

(f) Subsection **63J-4-102**(1) is repealed and the remaining subsections are renumbered accordingly;

- 305 (g) Subsections 63J-4-401(5)(a) and (c) are repealed;
- 306 (h) Subsection 63J-4-401(5)(b) is renumbered to Subsection 63J-4-401(5)(a) and the
- 307 word "and" is inserted immediately after the semicolon;
- 308 (i) Subsection 63J-4-401(5)(d) is renumbered to Subsection 63J-4-401(5)(b);
- 309 (j) Sections 63J-4-501, 63J-4-502, 63J-4-503, 63J-4-504, and 63J-4-505 are repealed;
- 310 and
- 311 (k) Subsection 63J-4-603(1)(e)(iv) is repealed and the remaining subsections are
- 312 renumbered accordingly.
- 313 (10) The Crime Victim Reparations and Assistance Board, created in Section
- 314 63M-7-504, is repealed July 1, 2017.
- 315 (11) Title 63M, Chapter 11, Utah Commission on Aging, is repealed July 1, 2017.
- 316 (12) Title 63N, Chapter 2, Part 2, Enterprise Zone Act, is repealed July 1, 2018.
- 317 (13) (a) Title 63N, Chapter 2, Part 4, Recycling Market Development Zone Act, is
- 318 repealed January 1, 2021.
- 319 (b) Subject to Subsection (13)(c), Sections 59-7-610 and 59-10-1007 regarding tax
- 320 credits for certain persons in recycling market development zones, are repealed for taxable
- 321 years beginning on or after January 1, 2021.
- 322 (c) A person may not claim a tax credit under Section 59-7-610 or 59-10-1007:
- 323 (i) for the purchase price of machinery or equipment described in Section 59-7-610 or
- 324 59-10-1007, if the machinery or equipment is purchased on or after January 1, 2021; or
- 325 (ii) for an expenditure described in Subsection 59-7-610(1)(b) or 59-10-1007(1)(b), if
- 326 the expenditure is made on or after January 1, 2021.
- 327 (d) Notwithstanding Subsections (13)(b) and (c), a person may carry forward a tax
- 328 credit in accordance with Section 59-7-610 or 59-10-1007 if:
- 329 (i) the person is entitled to a tax credit under Section 59-7-610 or 59-10-1007; and
- 330 (ii) (A) for the purchase price of machinery or equipment described in Section
- 331 59-7-610 or 59-10-1007, the machinery or equipment is purchased on or before December 31,
- 332 2020; or
- 333 (B) for an expenditure described in Subsection 59-7-610(1)(b) or 59-10-1007(1)(b), the
- 334 expenditure is made on or before December 31, 2020.
- 335 (14) Section 63N-2-512 is repealed on July 1, 2021.

(15) (a) Title 63N, Chapter 2, Part 6, Utah Small Business Jobs Act, is repealed January 1, 2021.

(b) Section 59-9-107 regarding tax credits against premium taxes is repealed for calendar years beginning on or after January 1, 2021.

(c) Notwithstanding Subsection (15)(b), an entity may carry forward a tax credit in accordance with Section 59-9-107 if:

(i) the person is entitled to a tax credit under Section 59-9-107 on or before December 31, 2020; and

(ii) the qualified equity investment that is the basis of the tax credit is certified under Section 63N-2-603 on or before December 31, 2023.

(16) Title 63N, Chapter 9, Part 2, Outdoor Recreational Infrastructure Grant Program, is repealed January 1, 2023.

~~[(16)]~~ (17) Title 63N, Chapter 12, Part 3, Utah Broadband Outreach Center, is repealed July 1, 2018.

Section 13. Section 63N-9-102 is amended to read:

63N-9-102. Definitions.

As used in this chapter:

(1) "Accessible to the general public," in relation to the awarding of an infrastructure grant, means:

(a) the public may use the infrastructure in accordance with federal and state regulations; and

(b) no community or group retains exclusive rights to access the infrastructure.

(2) "Director" means the director of the outdoor recreation office.

(3) "Executive director" means the executive director of GOED.

(4) "Infrastructure grant" means an outdoor recreational infrastructure grant described in Section 63N-9-202.

(5) "Outdoor recreation office" means the Utah Office of Outdoor Recreation created in Section 63N-9-104.

(6) (a) "Recreational infrastructure project" means an undertaking to build or improve the approved facilities~~[, services,]~~ and installations needed for the public to access and enjoy the state's outdoors.

- (b) "Recreational infrastructure project" may include the:
- (i) establishment, construction, or renovation of a trail, trail infrastructure, or trail facilities;
 - (ii) construction of a project for water-related outdoor recreational activities;
 - (iii) development of a project for wildlife watching opportunities, including bird watching;
 - (iv) development of a project that provides winter recreation amenities;
 - (v) construction or improvement of a community park that has amenities for outdoor recreation; and
 - (vi) construction or improvement of a naturalistic and accessible playground~~[-and]~~.
 - ~~[(vii) development, establishment, or expansion of a program for youth related to outdoor recreation.]~~
- (7) "Underserved or underprivileged community" means a group of people, including a municipality, county, or American Indian tribe that:
- (a) has limited access or has demonstrated a low level of use of recreational infrastructure; and
 - (b) is economically disadvantaged.
- Section 14. Section **63N-9-203** is amended to read:
- 63N-9-203. Rulemaking and requirements for awarding an infrastructure grant.**
- (1) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the outdoor recreation office shall make rules establishing the eligibility and reporting criteria for an entity to receive an infrastructure grant, including:
- (a) the form and process of submitting an application to the outdoor recreation office for an infrastructure grant;
 - (b) which entities are eligible to apply for an infrastructure grant;
 - (c) specific categories of recreational infrastructure projects that are eligible for an infrastructure grant;
 - (d) the method and formula for determining grant amounts; and
 - (e) the reporting requirements of grant recipients.
- (2) In determining the award of an infrastructure grant, the outdoor recreation office may prioritize a recreational infrastructure project that will serve an underprivileged or

underserved community.

(3) An infrastructure grant may only be awarded by the executive director after consultation with the director and the board.

(4) The following entities may not receive an infrastructure grant under this part:

(a) a federal government entity;

(b) a state agency; and

(c) a for-profit entity.

(5) An infrastructure grant may only be awarded under this part:

(a) for a recreational infrastructure project that is accessible to the general public; and

(b) subject to Subsections (6) and (7), if the grant recipient agrees to provide matching funds having a value equal to or greater than the amount of the infrastructure grant.

(6) Up to 50% of the grant recipient match described in Subsection (5)(b) may be provided through an in-kind contribution by the grant recipient, if:

(a) approved by the executive director after consultation with the director and the board; and

(b) the in-kind donation does not include real property.

(7) An infrastructure grant may not be awarded under this part if the grant, or the grant recipient match described in Subsection (5)(b), will be used for the purchase of real property or for the purchase or transfer of a conservation easement.

Section 15. Section **63N-9-204** is enacted to read:

63N-9-204. Utah Outdoor Recreation Grant Advisory Committee -- Membership
-- Duties -- Expenses.

(1) As used in this section, "advisory committee" means the Utah Outdoor Recreation Grant Advisory Committee created in Subsection (2).

(2) There is created in the office the Utah Outdoor Recreation Grant Advisory Committee, composed of the following 14 members:

(a) five members representing state or federal government as follows:

(i) the director;

(ii) the director of the Division of Parks and Recreation created in Section [79-4-201](#) or the director's designee;

(iii) one member who is an employee of the office engaged in the duties described in

Section [63N-7-201](#), appointed by the executive director;

(iv) one member representing the Bureau of Land Management, appointed by the executive director; and

(v) one member representing the National Park Service Rivers, Trails and Conservation Assistance Program, appointed by the executive director;

(b) nine members representing local government, the private sector, or the public that are knowledgeable about outdoor recreation activities or tourism-based economic development, appointed by the executive director as follows:

(i) one member representing municipal government, recommended by the Utah League of Cities and Towns;

(ii) one member representing county government, recommended by the Utah Association of Counties;

(iii) two members representing the outdoor industry;

(iv) one member representing the Utah Tourism Industry Association;

(v) one member representing the Utah Hotel and Lodging Association;

(vi) one member representing the health care industry;

(vii) one member representing multi-ability groups or programs; and

(viii) one member representing a university outdoor recreation, parks, or tourism department; and

(c) one of the members appointed under Subsection (2)(b)(i) or (ii) shall represent rural interests.

(3) The advisory committee shall advise and make recommendations to the office regarding infrastructure grants.

(4) (a) Except as required by Subsection (4)(b), as terms of appointed advisory committee members expire, the executive director shall appoint each new member or reappointed member to a four-year term.

(b) Notwithstanding the requirements of Subsection (4)(a), the executive director shall, at the time of appointment or reappointment, adjust the length of terms to ensure that the terms of appointed advisory committee members are staggered so that approximately half of the appointed advisory committee members are appointed every two years.

(5) The director shall serve as chair of the advisory committee.

460 (6) The advisory committee shall elect annually a vice chair from the advisory
461 committee's members.

462 (7) When a vacancy occurs in the membership for any reason, the executive director
463 shall appoint the replacement for the unexpired term.

464 (8) A majority of the advisory committee constitutes a quorum for the purpose of
465 conducting advisory committee business and the action of a majority of a quorum constitutes
466 the action of the advisory committee.

467 (9) The office shall provide administrative staff support for the advisory committee.

468 (10) A member may not receive compensation or benefits for the member's service, but
469 a member appointed under Subsection (2)(b) may receive per diem and travel expenses in
470 accordance with:

471 (a) Section [63A-3-106](#);

472 (b) Section [63A-3-107](#); and

473 (c) rules made by the Division of Finance pursuant to Sections [63A-3-106](#) and
474 [63A-3-107](#).

475 (11) The advisory committee, as a governmental entity, has all the rights, privileges,
476 and immunities of a governmental entity of the state and the advisory committee meetings are
477 subject to Title 52, Chapter 4, Open and Public Meetings Act.

478 Section 16. Section **63N-9-205** is enacted to read:

479 **63N-9-205. Utah Outdoor Recreation Infrastructure Account -- Uses -- Costs.**

480 (1) There is created an expendable special revenue fund known as the "Outdoor
481 Recreation Infrastructure Account," which the office shall use to fund the Outdoor Recreational
482 Infrastructure Grant Program created in Section [63N-9-202](#).

483 (2) The account consists of:

484 (a) distributions to the account under Section [59-28-103](#);

485 (b) interest earned on the account;

486 (c) appropriations made by the Legislature; and

487 (d) private donations, grants, gifts, bequests, or money made available from any other
488 source to implement this part.

489 (3) The office shall, with the advice of the Utah Outdoor Recreation Grant Advisory
490 Committee created in Section [63N-9-204](#), administer the account.

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

492 (5) Interest accrued from investment of money in the account shall remain in the
493 account.

494 Section 17. **Effective date.**

495 This bill takes effect on January 1, 2018.