

OUTDOOR RECREATION INFRASTRUCTURE AMENDMENTS

2024 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Jeffrey D. Stenquist

Senate Sponsor: Ronald M. Winterton

LONG TITLE

Committee Note:

The Economic Development and Workforce Services Interim Committee recommended this bill.

Legislative Vote: 8 voting for 1 voting against 5 absent

General Description:

This bill makes changes related to outdoor recreation infrastructure.

Highlighted Provisions:

This bill:

- ▶ clarifies the definition for outdoor recreation infrastructure;
- ▶ 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



28 **79-7-501**, as enacted by Laws of Utah 2023, Chapter 145

29 **79-7-503**, as enacted by Laws of Utah 2023, Chapter 145

30

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

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

33 **51-9-901. Definitions.**

34 As used in this part:

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

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

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

41 (b) "Outdoor recreation infrastructure" includes:

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

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

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

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

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

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

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

54 **51-9-902. Outdoor Adventure Infrastructure Restricted Account.**

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

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

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

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

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

61 ~~[(2)]~~ (1) There is created within the General Fund a restricted account known as the
62 "Outdoor Adventure Infrastructure Restricted Account."

63 ~~[(3)]~~ (2) The account shall consist of:

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

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

66 ~~[(4)]~~ (3) Subject to appropriation from the Legislature, money from the account shall
67 be used for:

68 (a) new construction of outdoor recreation infrastructure;

69 (b) upgrades of outdoor recreation infrastructure;

70 (c) the replacement of or structural improvements to outdoor recreation infrastructure;

71 (d) the acquisition of land, a right-of-way, or easement used in relationship to outdoor
72 recreation infrastructure; or

73 (e) providing access from state highways, as defined in Section 72-1-102, to outdoor
74 recreation infrastructure.

75 ~~[(5)]~~ (4) For each fiscal year, beginning with fiscal year 2023-2024, the Division of
76 Finance shall, subject to appropriation by the Legislature, distribute money from the Outdoor
77 Adventure Infrastructure Restricted Account as follows:

78 (a) at least 15% to the Department of Natural Resources - Division of State Parks -
79 Capital, to be expended using the department's existing prioritization process for capital
80 projects in state parks described in Subsection ~~[(4)]~~ (3);

81 (b) at least 22% to the Department of Natural Resources - Division of Outdoor
82 Recreation - Capital, to be expended for competitive Recreation Restoration Infrastructure
83 grants or Outdoor Recreational Infrastructure grants for outdoor recreation capital projects and
84 related maintenance expenses, where maintenance expenses do not exceed 15% of the
85 appropriation; and

86 (c) at least 53% to the Department of Natural Resources - Division of Outdoor
87 Recreation - Capital, to be expended for larger outdoor recreation infrastructure projects
88 described in Subsection 3 as recommended to the Legislature by the Outdoor Adventure
89 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.

As used in this part:

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

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

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

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

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

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

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

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

79-7-503. Funding of initiative.

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

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

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

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

Section 5. **Effective date.**

This bill takes effect on May 1, 2024.