

STATE OLYMPIC COORDINATION AMENDMENTS

2024 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Jon Hawkins

Senate Sponsor: Michael K. McKell

LONG TITLE

General Description:

This bill modifies provisions related to the Olympic and Paralympic Winter Games Coordination Committee and the Olympic and Paralympic Venues Grant Fund.

Highlighted Provisions:

This bill:

- amends provisions related to the duties of the Division of Facilities Construction and Management;
- modifies definitions;
- permits the Division of Facilities Construction and Management to seek non-binding recommendations from the Olympic and Paralympic Winter Games Coordination Committee regarding the Olympic and Paralympic Venues Grant Fund and grants from the fund; and
- requires the division to provide reports to the committee regarding the fund and its activities.

Money Appropriated in this Bill:

None

Other Special Clauses:

This bill provides a special effective date.

Utah Code Sections Affected:

AMENDS:

- 63A-5b-303 (Effective 05/01/24) (Superseded 07/01/24)**, as last amended by Laws of Utah 2023, Chapter 329
- 63A-5b-303 (Effective 07/01/24)**, as last amended by Laws of Utah 2023, Chapters 329, 394
- 63G-28-101 (Effective 05/01/24)**, as enacted by Laws of Utah 2023, Chapter 14
- 63G-28-202 (Effective 05/01/24)**, as enacted by Laws of Utah 2023, Chapter 14

28 **63G-28-302 (Effective 05/01/24)**, as renumbered and amended by Laws of Utah 2023,
29 Chapter 14

30 ENACTS:

31 **63G-28-204 (Effective 05/01/24)**, Utah Code Annotated 1953

32
33 *Be it enacted by the Legislature of the state of Utah:*

34 Section 1. Section **63A-5b-303** is amended to read:

35 **63A-5b-303 (Effective 05/01/24) (Superseded 07/01/24). Duties and authority of**
36 **division.**

37 (1) (a) The division shall:

- 38 (i) subject to Subsection (1)(b), supervise and control the allocation of space, in
39 accordance with legislative directive through annual appropriations acts, other
40 legislation, or statute, to agencies in all buildings or space owned, leased, or
41 rented by or to the state, except as provided in Subsection (3) or as otherwise
42 provided by statute;
- 43 (ii) assure the efficient use of all building space under the division's supervision and
44 control;
- 45 (iii) acquire title to all real property, buildings, fixtures, and appurtenances for use by
46 the state or an agency, as authorized by the Legislature through an appropriation
47 act, other legislation, or statute, subject to Subsection (1)(c);
- 48 (iv) except as otherwise provided by statute, hold title to all real property, buildings,
49 fixtures, and appurtenances owned by the state or an agency;
- 50 (v) collect and maintain all deeds, abstracts of title, and all other documents
51 evidencing title to or an interest in property belonging to the state or to the state's
52 departments, except institutions of higher education and the trust lands
53 administration;
- 54 (vi) (A) periodically conduct a market analysis of proposed rates and fees; and
55 (B) include in a market analysis a comparison of the division's rates and fees with
56 the rates and fees of other public or private sector providers of comparable
57 services, if rates and fees for comparable services are reasonably available;
- 58 (vii) fulfill the division's responsibilities under Part 10, Energy Conservation and
59 Efficiency, including responsibilities:
- 60 (A) to implement the state building energy efficiency program under Section
61 63A-5b-1002; and

- 62 (B) related to the approval of loans from the State Facility Energy Efficiency Fund
63 under Section 63A-5b-1003;
- 64 (viii) administer grants from the Olympic and Paralympic Venues Grant Fund created
65 in Section 63G-28-302 and provide reports to the Olympic and Paralympic Winter
66 Games Coordination Committee as provided in Section 63G-28-202 and Section
67 63G-28-204;
- 68 [~~viii~~] (ix) convey, lease, or dispose of the real property, water rights, or water shares
69 associated with the Utah State Developmental Center if directed to do so by the
70 Utah State Developmental Center board, as provided in Subsection 26B-6-507(2);
71 and
- 72 [~~ix~~] (x) take all other action that the division is required to do under this chapter or
73 other applicable statute.
- 74 (b) In making an allocation of space under Subsection (1)(a)(i), the division shall
75 conduct one or more studies to determine the actual needs of each agency.
- 76 (c) The division may, without legislative approval, acquire title to real property for use
77 by the state or an agency if the acquisition cost does not exceed \$500,000.
- 78 (2) The division may:
- 79 (a) sue and be sued;
- 80 (b) as authorized by the Legislature, buy, lease, or otherwise acquire, by exchange or
81 otherwise, and hold real or personal property necessary for the discharge of the
82 division's duties; and
- 83 (c) take all other action necessary for carrying out the purposes of this chapter.
- 84 (3) (a) The division may not supervise or control the allocation of space for an entity in
85 the public education system.
- 86 (b) The supervision and control of the legislative area is reserved to the Legislature.
- 87 (c) The supervision and control of capitol hill facilities and capitol hill grounds is
88 reserved to the State Capitol Preservation Board.
- 89 (d) (i) Subject to Subsection (3)(d)(ii), the supervision and control of the allocation of
90 space for an institution of higher education is reserved to the Utah Board of
91 Higher Education.
- 92 (ii) The Utah Board of Higher Education shall consult and cooperate with the
93 division in the establishment and enforcement of standards for the supervision and
94 control of the allocation of space for an institution of higher education.
- 95 (e) (i) Subject to Subsection (3)(e)(ii), the supervision and control of the allocation of

space for the courts of record listed in Subsection 78A-1-101(1) is reserved to the Administrative Office of the Courts referred to in Subsection 78A-2-108(3).

(ii) The Administrative Office of the Courts shall consult and cooperate with the division in the establishment and enforcement of standards for the supervision and control of the allocation of space for the courts of record listed in Subsection 78A-1-101(1).

(4) Before the division charges a rate, fee, or other amount for a service provided by the division's internal service fund to an executive branch agency, or to a service subscriber other than an executive branch agency, the division shall:

(a) submit an analysis of the proposed rate, fee, or other amount to the rate committee created in Section 63A-1-114; and

(b) obtain the approval of the Legislature as required by Section 63J-1-410 or 63J-1-504.

Section 2. Section **63A-5b-303** is amended to read:

63A-5b-303 (Effective 07/01/24). Duties and authority of division.

(1) (a) The division shall:

(i) subject to Subsection (1)(b), supervise and control the allocation of space, in accordance with legislative directive through annual appropriations acts, other legislation, or statute, to agencies in all buildings or space owned, leased, or rented by or to the state, except as provided in Subsection (3) or as otherwise provided by statute;

(ii) assure the efficient use of all building space under the division's supervision and control;

(iii) acquire title to all real property, buildings, fixtures, and appurtenances for use by the state or an agency, as authorized by the Legislature through an appropriation act, other legislation, or statute, subject to Subsection (1)(c);

(iv) except as otherwise provided by statute, hold title to all real property, buildings, fixtures, and appurtenances owned by the state or an agency;

(v) collect and maintain all deeds, abstracts of title, and all other documents evidencing title to or an interest in property belonging to the state or to the state's departments, except institutions of higher education and the trust lands administration;

(vi) (A) periodically conduct a market analysis of proposed rates and fees; and

(B) include in a market analysis a comparison of the division's rates and fees with the rates and fees of other public or private sector providers of comparable

- 130 services, if rates and fees for comparable services are reasonably available;
- 131 (vii) fulfill the division's responsibilities under Part 10, Energy Conservation and
- 132 Efficiency, including responsibilities:
- 133 (A) to implement the state building energy efficiency program under Section
- 134 63A-5b-1002; and
- 135 (B) related to the approval of loans from the State Facility Energy Efficiency Fund
- 136 under Section 63A-5b-1003;
- 137 (viii) administer grants from the Olympic and Paralympic Venues Grant Fund created
- 138 in Section 63G-28-302 and provide reports to the Olympic and Paralympic Winter
- 139 Games Coordination Committee as provided in Section 63G-28-202 and Section
- 140 63G-28-204;
- 141 [~~(viii)~~] (ix) convey, lease, or dispose of the real property, water rights, or water shares
- 142 associated with the Utah State Developmental Center if directed to do so by the
- 143 Utah State Developmental Center board, as provided in Subsection 26B-6-507(2);
- 144 and
- 145 [~~(ix)~~] (x) take all other action that the division is required to do under this chapter or
- 146 other applicable statute.
- 147 (b) In making an allocation of space under Subsection (1)(a)(i), the division shall
- 148 conduct one or more studies to determine the actual needs of each agency.
- 149 (c) The division may, without legislative approval, acquire title to real property for use
- 150 by the state or an agency if the acquisition cost does not exceed \$500,000.
- 151 (2) The division may:
- 152 (a) sue and be sued;
- 153 (b) as authorized by the Legislature, buy, lease, or otherwise acquire, by exchange or
- 154 otherwise, and hold real or personal property necessary for the discharge of the
- 155 division's duties; and
- 156 (c) take all other action necessary for carrying out the purposes of this chapter.
- 157 (3) (a) The division may not supervise or control the allocation of space for an entity in
- 158 the public education system.
- 159 (b) The supervision and control of the legislative area is reserved to the Legislature.
- 160 (c) The supervision and control of capitol hill facilities and capitol hill grounds is
- 161 reserved to the State Capitol Preservation Board.
- 162 (d) (i) Subject to Subsection (3)(d)(ii), the supervision and control of the allocation of
- 163 space for an institution of higher education is reserved to the Utah Board of

Higher Education.

(ii) The Utah Board of Higher Education shall consult and cooperate with the division in the establishment and enforcement of standards for the supervision and control of the allocation of space for an institution of higher education.

(e) (i) Subject to Subsection (3)(e)(ii), the supervision and control of the allocation of space for the courts of record listed in Subsection 78A-1-101(1) is reserved to the Administrative Office of the Courts described in Section 78A-2-108.

(ii) The Administrative Office of the Courts shall consult and cooperate with the division in the establishment and enforcement of standards for the supervision and control of the allocation of space for the courts of record listed in Subsection 78A-1-101(1).

(4) Before the division charges a rate, fee, or other amount for a service provided by the division's internal service fund to an executive branch agency, or to a service subscriber other than an executive branch agency, the division shall:

(a) submit an analysis of the proposed rate, fee, or other amount to the rate committee created in Section 63A-1-114; and

(b) obtain the approval of the Legislature as required by Section 63J-1-410 or 63J-1-504.

Section 3. Section **63G-28-101** is amended to read:

63G-28-101 (Effective 05/01/24). Definitions.

As used in this chapter:

(1) "Division" means the Division of Facilities Construction and Management created in Section 63A-5b-301.

(2) "Fund" means the Olympic and Paralympic Venues Grant Fund.

(3) "Games" means the 2030 or 2034 Olympic and Paralympic Winter Games.

~~[(2)]~~ (4) "Games committee" means the Olympic and Paralympic Winter Games Coordination Committee created in Section 63G-28-201.

~~[(3)]~~ (5) "Host agreement" means an agreement with a site selection committee that is made in connection with the selection of the state for the location of the games.

~~[(4)]~~ (6) "Host assurance" means a written assurance to a site selection committee that is made in connection with the selection of the state for the location of the games.

~~[(5)]~~ (7) "Host committee" means a nonprofit corporation, including a successor in interest, that may:

(a) provide an application and bid to a site selection committee for selection of the state as the location of the games; and

(b) execute an agreement with the United States Olympic and Paralympic Committee regarding a bid and the bid process to host the games.

~~[(6)]~~ (8) "Site selection committee" means the International Olympic Committee or the International Paralympic Committee.

~~[(7)]~~ (9) "State security" means a financial obligation undertaken by the state under a host agreement.

Section 4. Section **63G-28-202** is amended to read:

63G-28-202 (Effective 05/01/24). Games committee duties.

(1) The games committee shall:

~~[(+)]~~ (a) review issues related to:

~~[(a)]~~ (i) the state's bid to host or hosting of the games;

~~[(b)]~~ (ii) the impact of hosting the games on the state; and

~~[(c)]~~ (iii) any state security;

~~[(2)]~~ (b) review a report provided to the games committee under Section 63G-28-203;

~~[(3)]~~ (c) review a host agreement or host assurance provided to the games committee under Section 63G-28-401; and

~~[(4)]~~ (d) make recommendations to the Legislature regarding a host agreement, a host assurance, and the state's role in hosting the games.

(2) The games committee may, during a regular meeting of the games committee, or a meeting scheduled by the games committee at the request of the division, provide recommendations regarding the fund and grants from the fund.

Section 5. Section **63G-28-204** is enacted to read:

63G-28-204 (Effective 05/01/24). Olympic and Paralympic Venues Grant Fund reports to games committee.

(1) At least once a year and at the request of the games committee, the division shall provide a report to the games committee that:

(a) provides an update on the balances and condition of the fund;

(b) provides a summary of all grants being considered and grants awarded from the fund since the last report;

(c) lists in detail, for each grant awarded since the last report, the grant recipient, the amount of the grant, the purpose of the grant, and the terms of the grant; and

(d) discusses other matters related to the fund.

(2) At the request of the division, the games committee may meet to review or provide recommendations to the division in relation to a potential grantee or other matters

relating to the fund.

Section 6. Section **63G-28-302** is amended to read:

63G-28-302 (Effective 05/01/24). Olympic and Paralympic Venues Grant Fund.

~~[(1)]~~ ~~(a)~~

~~[(1)]~~ (1) ~~(a)~~ There is created an expendable special revenue fund known as the "Olympic and Paralympic Venues Grant Fund."

~~[(1)]~~ (b) The fund shall consist of:

~~[(A)]~~ (i) money appropriated to the fund by the Legislature;

~~[(B)]~~ (ii) money donated to the fund from public or private individuals or entities; and

~~[(C)]~~ (iii) interest on fund money.

(2) (a) The division shall award grants from the fund to a venue operator to provide funding for construction, improvements, and repairs to a venue.

(b) The division may request or consider recommendations from the games committee when considering a grant as provided in Section 63G-28-202 and Section 63G-28-204.

(3) A venue operator's application for a grant award under this section shall include:

(a) the number of venues the venue operator plans to construct, improve, or repair;

(b) the venue operator's proposed improvements, repairs, or construction plans for a venue;

(c) the estimated cost of the venue operator's proposed improvements, repairs, or construction plans for a venue;

(d) any plan to use funding sources in addition to a grant award under this section to construct, improve, or repair a venue;

(e) the amount of the requested grant award to fund the construction, improvements, or repairs for each venue; and

(f) existing or planned contracts or partnerships between the venue operator and other individuals or entities to complete venue construction, improvements, or repairs.

(4) The division may only award and distribute a grant award to a venue operator that submits an application in accordance with Subsection (3).

(5) (a) As a condition of an award of a grant, the venue operator shall sign an agreement with the division governing:

(i) the venue operator's responsibilities for expending the grant award; and

(ii) the division's and the state's right to review and audit the venue operator's use of the grant award and the venue operator's performance under the grant award.

(b) The division shall ensure that the agreement contains:

- (i) a requirement for an annual report and the required contents of the report in accordance with Subsection (6)(b);
- (ii) a right for the division or the division's designee to visit and inspect the venue as often as needed before, during, and after construction or improvements, or repairs begin or are complete; and
- (iii) an absolute right for the division, the state auditor, and the legislative auditor to access and audit the financial records relevant to the grant award.
- (6) (a) A venue operator that receives a grant award under this section may only use the grant award to construct, improve, or repair a venue.
- (b) A venue operator that receives a grant award under this section shall annually file a report with the division that details for the immediately preceding calendar year:
- (i) the construction, improvements, and repairs, in process or completed, that were wholly or partially funded by a grant award under this section;
- (ii) the total dollar amount expended from the grant award;
- (iii) an itemized accounting that describes how the venue operator expended the grant award;
- (iv) the intended use for a grant award that has not been expended; and
- (v) the results of any evaluations of venue construction, improvements, or repairs.

Section 7. Effective date.

- (1) Except as provided in Subsection (2), this bill takes effect on May 1, 2024.
- (2) The actions affecting Section 63A-5b-303 (Effective 07/01/24) take effect on July 1, 2024.