

1                   **OUTDOOR RECREATION INFRASTRUCTURE AMENDMENTS**

2024 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Jeffrey D. Stenquist**

Senate Sponsor: Ronald M. Winterton

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3   **LONG TITLE**

4   **General Description:**

5       This bill makes changes related to outdoor recreation infrastructure.

6   **Highlighted Provisions:**

7       This bill:

- 8       ▸ clarifies the definition for outdoor recreation infrastructure;
- 9       ▸ includes additional authorized uses for funds in the Outdoor Adventure Infrastructure

10   Restricted Account;

- 11       ▸ allows the division to reimburse itself for costs from the Outdoor Adventure

12   Infrastructure Restricted Account; and

- 13       ▸ makes technical changes.

14   **Money Appropriated in this Bill:**

15       None

16   **Other Special Clauses:**

17       None

18   **Utah Code Sections Affected:**

19   AMENDS:

20       **51-9-901**, as enacted by Laws of Utah 2022, Chapter 77

21       **51-9-902**, as last amended by Laws of Utah 2023, Chapters 183, 471

22       **79-7-501**, as enacted by Laws of Utah 2023, Chapter 145

23       **79-7-503**, as enacted by Laws of Utah 2023, Chapter 145

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

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

27       **51-9-901 . Definitions.**

28 As used in this part:

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

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

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

34 (b) "Outdoor recreation infrastructure" includes:

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

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

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

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

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

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

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

49 **51-9-902 . Outdoor Adventure Infrastructure Restricted Account.**

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

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

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

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

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

56 [~~(2)~~] (1) There is created within the General Fund a restricted account known as the  
57 "Outdoor Adventure Infrastructure Restricted Account."

58 [~~(3)~~] (2) The account shall consist of:

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

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

61 [~~(4)~~] (3) Subject to appropriation from the Legislature, money from the account shall be

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

75 ~~[(5)]~~ (4) For each fiscal year, beginning with fiscal year 2023-2024, the Division of Finance  
76 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  
80 capital 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  
83 Infrastructure grants or Outdoor Recreational Infrastructure grants for outdoor  
84 recreation capital projects and related maintenance expenses, where maintenance  
85 expenses do not exceed 15% of the 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  
88 projects described in Subsection (3) as recommended to the Legislature by the  
89 Outdoor Adventure Commission ~~[described in Subsection (4)]~~.

90 ~~[(6)]~~ (5) If the Legislature appropriates money to the Department of Transportation from the  
91 account, the Transportation Commission, created in Section 72-1-301, shall prioritize  
92 projects and determine funding levels in accordance with Subsection 72-1-303(1)(a)  
93 based on recommendations of the Department of Transportation.

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

95 **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 ~~[(+)]~~ (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.