

1 **Utah Schools for the Deaf and Blind Facilities Amendments**

2025 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Stephanie Pitcher

House Sponsor:

2 **LONG TITLE**

3 **General Description:**

4 This bill addresses capital development for the Utah Schools for the Deaf and the Blind.

5 **Highlighted Provisions:**

6 This bill:

7 ▶ clarifies that the Utah Schools for the Deaf and the Blind are subject to Title 63A,
8 Chapter 5b, Part 4, Development of Capital Facilities; and

9 ▶ makes technical and conforming changes.

10 **Money Appropriated in this Bill:**

11 None

12 **Other Special Clauses:**

13 None

14 **Utah Code Sections Affected:**

15 AMENDS:

16 **53E-8-203**, as last amended by Laws of Utah 2021, Chapter 345

17 **63A-5b-401**, as enacted by Laws of Utah 2020, Chapter 152

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

19 Section 1. Section **53E-8-203** is amended to read:

20 **53E-8-203 . Applicability of statutes to the Utah Schools for the Deaf and the**
21 **Blind.**

22 (1) The Utah Schools for the Deaf and the Blind is subject to this public education code and
23 other state laws applicable to public schools, except as otherwise provided by this
24 chapter.

25 (2) [~~The following provisions of this public education code-~~] Provisions governing the
26 budgets, funding, or finances of school districts or charter schools do not apply to the
27 Utah Schools for the Deaf and the Blind[;] .

28 [~~(a) provisions governing the budgets, funding, or finances of school districts or charter~~
29

31 schools; and]

32 [~~(b) provisions governing school construction.~~]

33 (3) Except as provided in this chapter, the Utah Schools for the Deaf and the Blind is

34 subject to state laws governing state agencies, including:

35 (a) Title 51, Chapter 5, Funds Consolidation Act;

36 (b) Title 51, Chapter 7, State Money Management Act;

37 (c) Title 52, Chapter 4, Open and Public Meetings Act;

38 (d) Title 63A, Utah Government Operations Code;

39 (e) Title 63G, Chapter 2, Government Records Access and Management Act;

40 (f) Title 63G, Chapter 4, Administrative Procedures Act;

41 (g) Title 63G, Chapter 6a, Utah Procurement Code;

42 (h) Title 63J, Chapter 1, Budgetary Procedures Act;

43 (i) Title 63J, Chapter 2, Revenue Procedures and Control Act; and

44 (j) Title 63A, Chapter 17, Utah State Personnel Management Act.

45 Section 2. Section **63A-5b-401** is amended to read:

46 **63A-5b-401 . Definitions.**

47 As used in this part:

48 (1)(a) "Agency" means the same as that term is defined in Section 63A-1-103.

49 (b) "Agency" includes the Utah Schools for the Deaf and the Blind created in Section
50 53E-8-201.

51 [(+) (2)(a) "Capital development project" means:

52 (i) a remodeling or site or utility improvement project with a total cost of \$3,500,000
53 or more;

54 (ii) a new facility with a construction cost of \$500,000 or more; or

55 (iii) a purchase of real property if an appropriation is requested and made for the
56 purchase.

57 (b) "Capital development project" does not include a capital improvement project.

58 [(2)] (3) "Capital improvement project" means:

59 (a) a remodeling, alteration, replacement, repair, or site or utility improvement project:

60 (i) with a total cost of less than \$3,500,000; or

61 (ii)(A) with a total cost of \$3,500,000 or more; and

62 (B) that will be paid for with funds that are not state funds;

63 (b) a utility infrastructure improvement project that:

64 (i) has a total cost of less than \$7,000,000;

65 (ii) consists of two or more projects that, if done separately, would each cost less than
66 \$3,500,000; and

67 (iii) the division determines is more cost effective or feasible to be completed as a
68 single project; or

69 (c) a new facility with a total construction cost of less than \$500,000.

70 [~~3~~] (4)(a) "New facility" means a new building constructed on state property regardless
71 of the source of the funding that pays for construction of the new building.

72 (b) "New facility" includes:

73 (i) an addition to an existing building; and

74 (ii) the enclosure of space that was not previously fully enclosed.

75 (c) "New facility" does not include:

76 (i) the replacement of state-owned space that is demolished or that is otherwise
77 removed from state use, if the total construction cost of the replacement space is
78 less than \$3,500,000; or

79 (ii) the construction of facilities that do not fully enclose a space.

80 [~~4~~] (5) "Replacement cost" means, as determined by the Division of Risk Management:

81 (a) for state facilities, excluding auxiliary facilities as defined by the director, the cost to
82 replace those facilities; and

83 (b) for infrastructure, as defined by the director, the cost to replace the infrastructure.

84 [~~5~~] (6) "State funds" means public money appropriated by the Legislature.

85 Section 3. **Effective Date.**

86 This bill takes effect on May 7, 2025.