

**23-21-1.5 Acquisition of real property held in private ownership -- Published notice and governor's approval required.**

- (1) The Division of Wildlife Resources may not acquire title to real property held in private ownership without first:
  - (a) publishing a notice of the proposed acquisition:
    - (i) in a newspaper of general circulation in the county in which the property is located; and
    - (ii) as required in Section 45-1-101; and
  - (b) obtaining the approval of the governor.
- (2) The requirements of Subsection (1) apply whether title to real property held in private ownership is acquired through a purchase, donation, or other means.
- (3) In the case of a proposed purchase of private property, the notice may be published after earnest money is paid.
- (4) The published notice shall inform the public regarding:
  - (a) the proposed use of the land;
  - (b) any conditions on the acquisition of the land placed by donors, the federal government, sellers, or others specifying how the land must be used;
  - (c) any changes to existing land uses that are anticipated; and
  - (d) the public comment submission process for comments on the proposed acquisition.
- (5) The governor shall:
  - (a) submit a notification of the proposed acquisition to:
    - (i) the county executive of the county in which the property is located;
    - (ii) the legislators of the legislative districts in which the lands are located; and
    - (iii) the School and Institutional Trust Lands Administration; and
  - (b) invite those notified to submit any comments on the proposed acquisition.
- (6) After considering comments on the proposed acquisition, the governor may approve the acquisition in whole or in part or disapprove the acquisition.

Amended by Chapter 388, 2009 General Session