#### Representative Casey Snider proposes the following substitute bill:

1	FIRE AMENDMENTS
2	2024 GENERAL SESSION
3	STATE OF UTAH
4	Chief Sponsor: Casey Snider
5	Senate Sponsor: Michael K. McKell
6 7	LONG TITLE
8	General Description:
9	This bill modifies provisions concerning control and funding related to fire.
10	Highlighted Provisions:
11	This bill:
12	<ul> <li>modifies provisions related to calculating amounts to be transferred to a Medicaid</li> </ul>
13	fund and the Wildland-urban Interface Prevention, Preparedness, and Mitigation
14	Fund;
15	<ul> <li>modifies definitions related to the State Appropriations and Tax Limitation Act and</li> </ul>
16	the Wildland-urban Interface Prevention, Preparedness, and Mitigation Fund;
17	<ul> <li>addresses timing of transfers related to the Industrial Assistance Account and the</li> </ul>
18	Wildland-urban Interface Prevention, Preparedness, and Mitigation Fund;
19	<ul> <li>modifies provisions related to cooperative fire protection agreements;</li> </ul>
20	<ul> <li>requires the Division of Forestry, Fire, and State Lands to analyze certain issues</li> </ul>
21	related to the wildfire risk assessment mapping tool;
22	<ul> <li>permits adjustments to participation commitments based on the wildfire risk</li> </ul>
23	assessment mapping tool;
24	<ul> <li>adjusts the calculation for billing a county or municipality without a cooperative</li> </ul>
25	agreement;

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26	<ul> <li>addresses the definition of wildfire suppression costs made by rule;</li> </ul>
27	<ul> <li>modifies money to be deposited into the Wildland-urban Interface Prevention,</li> </ul>
28	Preparedness, and Mitigation Fund; and
29	<ul> <li>makes technical changes.</li> </ul>
30	Money Appropriated in this Bill:
31	None
32	Other Special Clauses:
33	None
34	Utah Code Sections Affected:
35	AMENDS:
36	63J-1-315, as last amended by Laws of Utah 2023, Chapter 329
37	63J-3-103, as last amended by Laws of Utah 2022, Chapter 456
38	63N-3-106, as last amended by Laws of Utah 2023, Chapter 499
39	65A-8-203, as last amended by Laws of Utah 2023, Chapter 16
40	65A-8-203.2, as enacted by Laws of Utah 2016, Chapter 174
41	65A-8-204, as last amended by Laws of Utah 2023, Chapter 153
42 43	65A-8-215, as enacted by Laws of Utah 2023, Chapter 153
43 44	Be it enacted by the Legislature of the state of Utah:
45	Section 1. Section 63J-1-315 is amended to read:
46	63J-1-315. Medicaid Growth Reduction and Budget Stabilization Account
47	Transfers of Medicaid growth savings Base budget adjustments.
48	(1) As used in this section:
49	(a) "Department" means the Department of Health and Human Services created in
50	Section 26B-1-201.
51	(b) "Division" means the Division of Integrated Healthcare created in Section
52	26B-3-102.
53	(c) "General Fund revenue surplus" means a situation where actual General Fund
54	revenues collected in a completed fiscal year exceed the estimated revenues for the General
55	Fund for that fiscal year that were adopted by the Executive Appropriations Committee of the
56	Legislature.

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57 (d) "Medicaid growth savings" means the Medicaid growth target minus Medicaid 58 program expenditures, if Medicaid program expenditures are less than the Medicaid growth 59 target. 60 (e) "Medicaid growth target" means Medicaid program expenditures for the previous 61 year multiplied by 1.08. (f) "Medicaid program" is as defined in Section 26B-3-101. 62 (g) "Medicaid program expenditures" means total state revenue expended for the 63 Medicaid program from the General Fund, including restricted accounts within the General 64 65 Fund, during a fiscal year. (h) "Medicaid program expenditures for the previous year" means total state revenue 66 67 expended for the Medicaid program from the General Fund, including restricted accounts 68 within the General Fund, during the fiscal year immediately preceding a fiscal year for which 69 Medicaid program expenditures are calculated. (i) "Operating deficit" means that, at the end of the fiscal year, the unassigned fund 70 71 balance in the General Fund is less than zero. 72 (i) "State revenue" means revenue other than federal revenue. 73 (k) "State revenue expended for the Medicaid program" includes money transferred or 74 appropriated to the Medicaid Growth Reduction and Budget Stabilization Account only to the 75 extent the money is appropriated for the Medicaid program by the Legislature. 76 (2) There is created within the General Fund a restricted account to be known as the 77 Medicaid Growth Reduction and Budget Stabilization Account. 78 (3) (a) (i) Except as provided in Subsection (6), if, at the end of a fiscal year, there is a 79 General Fund revenue surplus, the Division of Finance shall transfer an amount equal to 80 Medicaid growth savings from the General Fund to the Medicaid Growth Reduction and 81 Budget Stabilization Account. 82 (ii) If the amount transferred is reduced to prevent an operating deficit, as provided in 83 Subsection (6), the Legislature shall include, to the extent revenue is available, an amount 84 equal to the reduction as an appropriation from the General Fund to the account in the base 85 budget for the second fiscal year following the fiscal year for which the reduction was made. 86 (b) If, at the end of a fiscal year, there is not a General Fund revenue surplus, the 87 Legislature shall include, to the extent revenue is available, an amount equal to Medicaid

88	growth savings as an appropriation from the General Fund to the account in the base budget for
89	the second fiscal year following the fiscal year for which the reduction was made.
90	(c) Subsections (3)(a) and (3)(b) apply only to the fiscal year in which the department
91	implements the proposal developed under Section 26B-3-202 to reduce the long-term growth in
92	state expenditures for the Medicaid program, and to each fiscal year after that year.
93	(4) The Division of Finance shall calculate the amount to be transferred under
94	Subsection (3):
95	(a) before transferring revenue from the General Fund revenue surplus to:
96	(i) the General Fund Budget Reserve Account under Section 63J-1-312;
97	(ii) (A) the Wildland Fire Suppression Fund created in Section $65A-8-204$ , as
98	described in Section 63J-1-314; [and] or
99	(B) the Wildland-urban Interface Prevention, Preparedness, and Mitigation Fund under
100	Section 63J-1-314; and
101	(iii) the State Disaster Recovery Restricted Account under Section 63J-1-314;
102	(b) before earmarking revenue from the General Fund revenue surplus to the Industrial
103	Assistance Account under Section 63N-3-106; and
104	(c) before making any other year-end contingency appropriations, year-end set-asides,
105	or other year-end transfers required by law.
106	(5) (a) If, at the close of any fiscal year, there appears to be insufficient money to pay
107	additional debt service for any bonded debt authorized by the Legislature, the Division of
108	Finance may hold back from any General Fund revenue surplus money sufficient to pay the
109	additional debt service requirements resulting from issuance of bonded debt that was
110	authorized by the Legislature.
111	(b) The Division of Finance may not spend the hold back amount for debt service
112	under Subsection (5)(a) unless and until it is appropriated by the Legislature.
113	(c) If, after calculating the amount for transfer under Subsection (3), the remaining
114	General Fund revenue surplus is insufficient to cover the hold back for debt service required by
115	Subsection (5)(a), the Division of Finance shall reduce the transfer to the Medicaid Growth
116	Reduction and Budget Stabilization Account by the amount necessary to cover the debt service
117	hold back.
118	(d) Notwithstanding Subsections (3) and (4), the Division of Finance shall hold back

119	the General Fund balance for debt service authorized by this Subsection (5) before making any
120	transfers to the Medicaid Growth Reduction and Budget Stabilization Account or any other
121	designation or allocation of General Fund revenue surplus.
122	(6) Notwithstanding Subsections (3) and (4), if, at the end of a fiscal year, the Division
123	of Finance determines that an operating deficit exists and that holding back earmarks to the
124	Industrial Assistance Account under Section 63N-3-106, transfers to the Wildland Fire
125	Suppression Fund and State Disaster Recovery Restricted Account under Section 63J-1-314,
126	transfers to the General Fund Budget Reserve Account under Section 63J-1-312, or earmarks
127	and transfers to more than one of those accounts, in that order, does not eliminate the operating
128	deficit, the Division of Finance may reduce the transfer to the Medicaid Growth Reduction and
129	Budget Stabilization Account by the amount necessary to eliminate the operating deficit.
130	(7) The Legislature may appropriate money from the Medicaid Growth Reduction and
131	Budget Stabilization Account only:
132	(a) if Medicaid program expenditures for the fiscal year for which the appropriation is
133	made are estimated to be 108% or more of Medicaid program expenditures for the previous
134	year; and
135	(b) for the Medicaid program.
136	(8) The Division of Finance shall deposit interest or other earnings derived from
137	investment of Medicaid Growth Reduction and Budget Stabilization Account money into the
138	General Fund.
139	Section 2. Section <b>63J-3-103</b> is amended to read:
140	63J-3-103. Definitions.
141	As used in this chapter:
142	(1) (a) "Appropriations" means actual unrestricted capital and operating appropriations
143	from unrestricted General Fund and Income Tax Fund sources.
144	(b) "Appropriations" includes appropriations that are contingent upon available
145	surpluses in the General Fund and Income Tax Fund.
146	(c) "Appropriations" does not mean:
147	(i) public education expenditures;
148	(ii) Utah Education and Telehealth Network expenditures in support of public
149	education;

150	(iii) Utah Board of Higher Education expenditures in support of public education;
151	(iv) State Tax Commission expenditures related to collection of income taxes in
152	support of public education;
153	(v) debt service expenditures;
154	(vi) emergency expenditures;
155	(vii) expenditures from all other fund or subfund sources;
156	(viii) transfers or appropriations from the Income Tax Fund to the Uniform School
157	Fund;
158	(ix) transfers into, or appropriations made to, the General Fund Budget Reserve
159	Account established in Section 63J-1-312;
160	(x) transfers into, or appropriations made to, the Income Tax Fund Budget Reserve
161	Account established in Section 63J-1-313;
162	(xi) transfers in accordance with Section 63J-1-314 into, or appropriations made to the
163	Wildland Fire Suppression Fund created in Section 65A-8-204 [or], the Wildland-urban
164	Interface Prevention, Preparedness, and Mitigation Fund created in Section 65A-8-215, or the
165	State Disaster Recovery Restricted Account created in Section 53-2a-603;
166	(xii) money appropriated to fund the total one-time project costs for the construction of
167	capital development projects as defined in Section 63A-5b-401;
168	(xiii) transfers or deposits into or appropriations made to the Centennial Highway Fund
169	created by Section 72-2-118;
170	(xiv) transfers or deposits into or appropriations made to the Transportation Investment
171	Fund of 2005 created by Section 72-2-124;
172	(xv) transfers or deposits into or appropriations made to:
173	(A) the Department of Transportation from any source; or
174	(B) any transportation-related account or fund from any source; or
175	(xvi) supplemental appropriations from the General Fund to the Division of Forestry,
176	Fire, and State Lands to provide money for wildland fire control expenses incurred during the
177	current or previous fire years.
178	(2) "Base year real per capita appropriations" means the result obtained for the state by
179	dividing the fiscal year 1985 actual appropriations of the state less debt money by:
180	(a) the state's July 1, 1983 population; and

181 (b) the fiscal year 1983 inflation index divided by 100.

(3) "Calendar year" means the time period beginning on January 1 of any given yearand ending on December 31 of the same year.

(4) "Fiscal emergency" means an extraordinary occurrence requiring immediate
expenditures and includes the settlement under Laws of Utah 1988, Fourth Special Session,
Chapter 4.

187 (5) "Fiscal year" means the time period beginning on July 1 of any given year and188 ending on June 30 of the subsequent year.

(6) "Fiscal year 1985 actual base year appropriations" means fiscal year 1985 actual
capital and operations appropriations from General Fund and non-Uniform School Fund
income tax revenue sources, less debt money.

(7) "Inflation index" means the change in the general price level of goods and services
as measured by the Gross National Product Implicit Price Deflator of the Bureau of Economic
Analysis, U.S. Department of Commerce calculated as provided in Section 63J-3-202.

(8) (a) "Maximum allowable appropriations limit" means the appropriations that could
be, or could have been, spent in any given year under the limitations of this chapter.

(b) "Maximum allowable appropriations limit" does not mean actual appropriationsspent or actual expenditures.

(9) "Most recent fiscal year's inflation index" means the fiscal year inflation index two
 fiscal years previous to the fiscal year for which the maximum allowable inflation and
 population appropriations limit is being computed under this chapter.

(10) "Most recent fiscal year's population" means the fiscal year population two fiscal
 years previous to the fiscal year for which the maximum allowable inflation and population
 appropriations limit is being computed under this chapter.

(11) "Population" means the number of residents of the state as of July 1 of each year
as calculated by the Governor's Office of Planning and Budget according to the procedures and
requirements of Section 63J-3-202.

(12) "Revenues" means the revenues of the state from every tax, penalty, receipt, and
 other monetary exaction and interest connected with it that are recorded as unrestricted revenue
 of the General Fund and from non-Uniform School Fund income tax revenues, except as
 specifically exempted by this chapter.

212	(13) "Security" means any bond, note, warrant, or other evidence of indebtedness,
213	whether or not the bond, note, warrant, or other evidence of indebtedness is or constitutes an
214	"indebtedness" within the meaning of any provision of the constitution or laws of this state.
215	Section 3. Section 63N-3-106 is amended to read:
216	63N-3-106. Structure of loans, grants, and assistance Repayment Earned
217	credits.
218	(1) (a) Subject to Subsection (1)(b), the administrator has authority to determine the
219	structure, amount, and nature of any loan, grant, or other financial assistance from the restricted
220	account.
221	(b) Loans made under this part shall be structured so the intended repayment or return
222	to the state, including cash or credit, equals at least the amount of the assistance together with
223	an annual interest charge as negotiated by the administrator.
224	(c) Payments resulting from grants awarded from the restricted account shall be made
225	only after the administrator has determined that the company has satisfied the conditions upon
226	which the payment or earned credit was based.
227	(2) (a) The administrator may provide for a system of earned credits that may be used
228	to support grant payments or in lieu of cash repayment of a restricted account loan obligation.
229	(b) The value of the credits described in Subsection (2)(a) shall be based on factors
230	determined by the administrator, including:
231	(i) the number of Utah jobs created;
232	(ii) the increased economic activity in Utah; or
233	(iii) other events and activities that occur as a result of the restricted account assistance.
234	(3) (a) A cash loan repayment or other cash recovery from a company receiving
235	assistance under this section, including interest, shall be deposited into the restricted account.
236	(b) The administrator and the Division of Finance shall determine the manner of
237	recognizing and accounting for the earned credits used in lieu of loan repayments or to support
238	grant payments as provided in Subsection (2).
239	(4) (a) (i) At the end of each fiscal year, the Division of Finance shall set aside the
240	balance of the General Fund revenue surplus as defined in Section 63J-1-312 after the transfers
241	of General Fund revenue surplus described in Subsection (4)(b) to the Industrial Assistance
242	Account in an amount equal to any credit that has accrued under this part.

243	(ii) The set aside under Subsection (4)(a)(i) shall be capped at \$50,000,000, at which
244	time no subsequent contributions may be made and any interest accrued above the \$50,000,000
245	cap shall be deposited into the General Fund.
246	(b) The set aside required by Subsection (4)(a) shall be made after the transfer of
247	surplus General Fund revenue surplus is made to:
248	(i) [to] the Medicaid Growth Reduction and Budget Stabilization Restricted Account,
249	as provided in Section 63J-1-315;
250	(ii) [to] the General Fund Budget Reserve Account, as provided in Section 63J-1-312;
251	and
252	(iii) as provided in Section 63J-1-314:
253	(A) the Wildland Fire Suppression Fund or the Wildland-urban Interface Prevention,
254	Preparedness, and Mitigation Fund; and
255	(B) the State Disaster Recovery Restricted Account.
256	[(iii) to the Wildland Fire Suppression Fund or State Disaster Recovery Restricted
257	Account, as provided in Section 63J-1-314.]
258	(c) These credit amounts may not be used for purposes of the restricted account as
259	provided in this part until appropriated by the Legislature.
260	Section 4. Section 65A-8-203 is amended to read:
261	65A-8-203. Cooperative fire protection agreements with counties, cities, towns, or
262	special service districts.
263	(1) As used in this section:
264	(a) "Eligible entity" means:
265	(i) a county, a municipality, or a special service district, special district, or service area
266	with:
267	(A) wildland fire suppression responsibility as described in Section 11-7-1; and
268	(B) wildland fire suppression cost responsibility and taxing authority for a specific
269	geographic jurisdiction; or
270	(ii) upon approval by the director, a political subdivision established by a county,
271	municipality, special service district, special district, or service area that is responsible for:
272	(A) providing wildland fire suppression services; and
273	(B) paying for the cost of wildland fire suppression services.

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274 (b) "Fire service provider" means a public or private entity that fulfills the duties of 275 Subsection 11-7-1(1). 276 (2) (a) The governing body of any eligible entity may enter into a cooperative 277 agreement with the division to receive financial and wildfire management cooperation and 278 assistance from the division, as described in this part. 279 (b) A cooperative agreement shall last for a term of no more than five years and be 280 renewable if the eligible entity continues to meet the requirements of this chapter. 281 (3) (a) An eligible entity may not receive financial cooperation or financial assistance 282 under Subsection (2)(a) until a cooperative agreement is executed by the eligible entity and the 283 division.] 284 [(b)] (3) (a) The state shall assume an eligible entity's cost of suppressing catastrophic 285 wildfire as defined in the cooperative agreement if the eligible entity has entered into, and is in 286 full compliance with, a cooperative agreement with the division, as described in this section. 287 [(c)] (b) A county or municipality that is not covered by a cooperative agreement with 288 the division, as described in this section, shall be responsible for wildland fire costs within the 289 county or municipality's jurisdiction, as described in Section 65A-8-203.2. 290 (4) [In order to] To enter into a cooperative agreement with the division, the eligible 291 entity shall: 292 (a) if the eligible entity is a county, adopt and enforce on unincorporated land a 293 wildland fire ordinance based upon minimum standards established by the division or Uniform 294 Building Code Commission; 295 (b) require that the fire department or equivalent fire service provider under contract 296 with, or delegated by, the eligible entity on unincorporated land meet minimum standards for 297 wildland fire training, certification, and suppression equipment based upon nationally accepted 298 standards as specified by the division; 299 (c) invest in prevention, preparedness, and mitigation efforts, as agreed to with the 300 division, that will reduce the eligible entity's risk of catastrophic wildfire; 301 (d) (i) file with the division an annual accounting of wildfire prevention, preparedness, 302 mitigation actions, and associated costs; 303 (ii) meet the eligibility entity's participation commitment by making direct payments to 304 the division; or

305	(iii) do a combination of Subsections (4)(d)(i) and (ii);
306	(e) return the financial statement described in Subsection (6), signed by the chief
307	executive of the eligible entity, to the division on or before the date set by the division; and
308	(f) if the eligible entity is a county, have a designated fire warden as described in
309	Section 65A-8-209.1.
310	(5) (a) The state forester may execute a cooperative agreement with the eligible entity.
311	(b) The division shall make rules, in accordance with Title 63G, Chapter 3, Utah
312	Administrative Rulemaking Act, governing the:
313	(i) cooperative agreements described in this section;
314	(ii) manner in which an eligible entity shall provide proof of compliance with
315	Subsection (4);
316	(iii) manner by which the division may revoke a cooperative agreement if an eligible
317	entity ceases to meet the requirements described in this section;
318	(iv) accounting system for determining suppression costs;
319	(v) manner in which the division shall determine the eligible entity's participation
320	commitment; and
321	(vi) manner in which an eligible entity may appeal a division determination.
322	(6) (a) The division shall send a financial statement to each eligible entity participating
323	in a cooperative agreement that details the eligible entity's participation commitment for the
324	coming fiscal year, including the prevention, preparedness, and mitigation actions agreed to
325	under Subsection (4)(c).
326	(b) Each eligible entity participating in a cooperative agreement shall:
327	(i) have the chief executive of the eligible entity sign the financial statement, or the
328	legislative body of the eligible entity approve the financial statement by resolution, confirming
329	the eligible entity's participation for the upcoming year; and
330	(ii) return the financial statement to the division, on or before a date set by the division.
331	(c) A financial statement shall be effective for one calendar year, beginning on the date
332	set by the division, as described in Subsection (6)(b).
333	(7) (a) An eligible entity may revoke a cooperative agreement before the end of the
334	cooperative agreement's term by:
335	(i) informing the division, in writing, of the eligible entity's intention to revoke the

336	cooperative agreement; or
337	(ii) failing to sign and return its annual financial statement, as described in Subsection
338	(6)(b), unless the director grants an extension.
339	(b) An eligible entity may not revoke a cooperative agreement before the end of the
340	term of a signed annual financial statement, as described in Subsection (6)(c).
341	(8) (a) The division shall develop and maintain a wildfire risk assessment mapping tool
342	that is online and publicly accessible.
343	(b) (i) The division shall analyze adding an additional high-risk category within the
344	wildfire risk assessment mapping tool described in Subsection (8)(a):
345	(A) using a scientific assessment; and
346	(B) that is focused on the risk to dwellings within the wildland-urban interface area.
347	(ii) The division shall report the results of the division's analysis under this Subsection
348	(8)(b) to the Natural Resources, Agriculture, and Environment Interim Committee by no later
349	than the 2024 November interim meeting of that committee.
350	(c) With regard to the categories used within the wildfire risk assessment mapping tool
351	described in Subsection (8)(a), the division may adjust the assessment for participation
352	commitments if the adjustment is based on the Consumer Price Index for All Urban Consumers
353	as published by the Bureau of Labor Statistics of the United States Department of Labor, in
354	accordance with a formula established by the division by rule made in accordance with Title
355	63G, Chapter 3, Utah Administrative Rulemaking Act.
356	[(9) By no later than the 2021 November interim meeting of the Natural Resources,
357	Agriculture, and Environment Interim Committee, the division shall report on the eligible
358	entities' adherence to and implementation of their participation commitment under this
359	chapter.]
360	Section 5. Section 65A-8-203.2 is amended to read:
361	65A-8-203.2. Billing a county or municipality not covered by a cooperative
362	agreement Calculating cost of wildfire suppression.
363	(1) The division shall bill a county that is not covered by a cooperative agreement with
364	the division, as described in Section 65A-8-203, for the cost of wildfire suppression within the
365	jurisdiction of that county accrued by the state.
366	(2) The division shall bill a municipality that is not covered by a cooperative agreement

367	with the division, as described in Section 65A-8-203, for the cost of wildfire suppression
368	within the jurisdiction of that municipality accrued by the state.
369	(3) The cost of wildfire suppression to a county or municipality that is not covered by a
370	cooperative agreement with the division, as described in Section 65A-8-203, shall be calculated
371	by determining the number of acres burned within the borders of a county or municipality,
372	dividing that number by the total number of nonfederal acres burned by a wildfire, and
373	multiplying the resulting percentage by the state's total cost of wildfire suppression for that
374	wildfire.
375	(4) A county or municipality that receives a bill from the division, pursuant to this
376	section, shall pay the bill, or make arrangements to pay the bill, within 90 days of receipt of the
377	bill, subject to the county or municipality's right to appeal, as described in Subsection
378	65A-8-203(5)(b)(vi).
379	Section 6. Section 65A-8-204 is amended to read:
380	65A-8-204. Wildland Fire Suppression Fund created.
381	(1) There is created an expendable special revenue fund known as the "Wildland Fire
382	Suppression Fund."
383	(2) The Wildland Fire Suppression Fund shall be administered by the division to pay
384	wildfire suppression costs on eligible lands, [as wildfire suppression costs are defined by the
385	division by rule made in accordance with Title 63G, Chapter 3, Utah Administrative
386	Rulemaking Act,] including for an eligible entity that has entered into a cooperative agreement,
387	as described in Section 65A-8-203.
388	(3) Subject to Section 65A-8-213, the contents of the Wildland Fire Suppression Fund
389	shall include:
390	(a) interest and earnings from the investment of fund money;
391	(b) money appropriated by the Legislature;
392	(c) federal funds received by the division for wildfire management costs;
393	(d) suppression costs billed to an eligible entity that does not participate in a
394	cooperative agreement;
395	(e) suppression costs paid to the division by another state agency;
396	(f) costs recovered from settlements and civil or administrative actions related to
397	wildfire suppression;

398	(g) restitution payments ordered by a court following a criminal adjudication;
399	(h) the balance of the fund as of July 1, 2016;
400	(i) money deposited by the Division of Finance, pursuant to Section 59-21-2; and
401	(j) money transferred by the Division of Finance, pursuant to Section 63J-1-314.
402	(4) Fund money shall be invested by the state treasurer with the earnings and interest
403	accruing to the Wildland Fire Suppression Fund.
404	(5) The division shall define "wildfire suppression costs" by rule made in accordance
405	with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, which shall include:
406	(a) pre-fire treatment; and
407	(b) post-fire restoration.
408	Section 7. Section 65A-8-215 is amended to read:
409	65A-8-215. Wildland-urban interface fire prevention, preparedness, and
410	mitigation.
411	(1) As used in this section:
412	(a) "Prevention, preparedness, and mitigation fund" means the Wildland-urban
413	Interface Prevention, Preparedness, and Mitigation Fund created in this section.
414	(b) "Suppression fund" means the Wildland Fire Suppression Fund created in Section
415	65A-8-204.
416	(c) "Wildland-urban interface" means the zone where structures and other human
417	development meets, or intermingles with, undeveloped wildland.
418	(2) (a) There is created an expendable special revenue fund known as the
419	"Wildland-urban Interface Prevention, Preparedness, and Mitigation Fund."
420	(b) The prevention, preparedness, and mitigation fund shall consist of:
421	(i) interest and earnings from the investment of money from the prevention,
422	preparedness, and mitigation fund;
423	(ii) money received as direct payment from cooperative wildfire system participation
424	commitments;
425	[(iii) money appropriated by the Legislature; and
426	[(iii)] (iv) money transferred to the prevention, preparedness, and mitigation fund
427	under Section 63J-1-314.
428	(c) The division shall administer the prevention, preparedness, and mitigation fund to:

429	(i) pay costs of prevention and preparedness efforts on wildland-urban interface within
430	the state, as defined by the division by rule made in accordance with Title 63G, Chapter 3, Utah
431	Administrative Rulemaking Act, including costs of an eligible entity that has entered into a
432	cooperative agreement, as described in Section 65A-8-203;
433	(ii) issue fire department assistance grants, which in the aggregate may not exceed $10\%$
434	of the money in the prevention, preparedness, and mitigation fund each fiscal year; and
435	(iii) in cases of catastrophic need as determined by the state forester, pay costs that
436	could be paid from the suppression fund under Section 65A-8-204.
437	(d) Disbursements from the prevention, preparedness, and mitigation fund may only be
438	made upon written order of the state forester or the state forester's authorized representative.
439	(3) (a) The division may by rule, made in accordance with Title 63G, Chapter 3, Utah
440	Administrative Rulemaking Act, establish criteria for community wildfire preparedness plans
441	addressing wildland-urban interface. The criteria shall require action that is:
442	(i) qualitative and quantitative; and
443	(ii) leads to reduced wildfire risk.
444	(b) An eligible entity, as defined in Section 65A-8-203, shall agree to implement
445	prevention, preparedness, and mitigation actions identified in a community wildfire
446	preparedness plan addressing wildland-urban interface that is approved by the division.
447	Section 8. Effective date.
448	This bill takes effect on May 1, 2024.