

# HB0319S01 compared with HB0319

~~{Omitted text}~~ shows text that was in HB0319 but was omitted in HB0319S01

inserted text shows text that was not in HB0319 but was inserted into HB0319S01

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## Natural Resources Survey Amendments

2025 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Doug Owens

Senate Sponsor:

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### LONG TITLE

#### General Description:

This bill addresses a ~~{survey and inventory of natural resources}~~ priority list of outdoor recreation infrastructure projects.

#### Highlighted Provisions:

This bill:

▸ ~~{requires the Department of Natural Resources (department) every two years to:}~~

• ~~{survey all state-owned and federally-managed land in this state; and}~~

• ~~{create and maintain an inventory of land that the state may develop as outdoor recreation infrastructure;}~~

▸ defines terms;

▸ requires the ~~{department to identify and recommend federally-managed land that the state may acquire or manage for}~~ Public Lands Policy Coordinating Office to compile a priority list of outdoor recreation infrastructure ~~{;}~~ projects for inclusion in the state resource management plan; and

▸ ~~{allows the department to request assistance from state and federal entities to complete the survey and inventory;}~~

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16       ▶ ~~{requires the department to submit a report to the Natural Resources, Agriculture, and~~  
17       ~~Environmental Interim Committee in each survey year; and }~~

18       ▶ makes technical and conforming changes.

## 13 Money Appropriated in this Bill:

14       None

15       None

## 18 AMENDS:

25       ~~{53C-1-303, as last amended by Laws of Utah 2012, Chapter 224, as last amended by Laws~~  
26       ~~of Utah 2012, Chapter 224}~~

19       **63L-10-102, as last amended by Laws of Utah 2021, Chapter 382, as last amended by Laws**  
20       **of Utah 2021, Chapter 382**

20       **63L-10-103, as last amended by Laws of Utah 2024, Chapter 40, as last amended by Laws**  
21       **of Utah 2024, Chapter 40**

26       ~~{79-2-202, as last amended by Laws of Utah 2022, Chapter 68, as last amended by Laws of~~  
27       ~~Utah 2022, Chapter 68}~~

## . ENACTS:

28       ~~{79-2-409, Utah Code Annotated 1953, Utah Code Annotated 1953}~~

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

31       ~~{Section 1. Section 53C-1-303 is amended to read: }~~

32       **53C-1-303. Responsibilities of director -- Budget review -- Legal counsel -- Contract for**  
33       **services.**

34       (1) In carrying out the policies of the board of trustees and in establishing procedures and rules the  
35       director shall:

36       (a) take an oath of office before assuming any duties as the director;

37       (b) adopt procedures and rules necessary for the proper administration of matters entrusted to the  
38       director by state law and board policy;

39       (c) submit to the board for its review and concurrence on any rules necessary for the proper  
40       management of matters entrusted to the administration;

41       (d) faithfully manage the administration under the policies established by the board;

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- (e) submit to the board for public inspection an annual management budget and financial plan for operations of the administration and, after approval by the board, submit the budget to the governor;
- 45 (f) direct and control the budget expenditures as finally authorized and appropriated;
- 46 (g) establish job descriptions and employ, within the limitation of the budget, staff necessary to accomplish the purposes of the office subject to Section 53C-1-201;
- 48 (h) establish, in accordance with generally accepted principles of fund accounting, a system to identify and account for the assets and vested interests of each beneficiary;
- 50 (i) notify the primary beneficiary representative's designee regarding the trusts listed in Subsection 53C-1-103(7) on major items that the director knows may be useful to the primary beneficiary representative's designee in protecting beneficiary rights;
- 53 (j) permit the primary beneficiary representative's designee regarding a trust listed in Subsection 53C-1-103(7) reasonable access to inspect records, documents, and other trust property pertaining to that trust, provided that the primary beneficiary representative's designee shall maintain confidentiality if confidentiality is required of the director;
- 58 (k) maintain appropriate records of trust activities to enable auditors appointed by appropriate state agencies or the board to conduct periodic audits of trust activities;
- 60 (l) complete a survey of trust lands and submit a description of trust lands to the Department of Natural Resources, as requested, in accordance with Subsection 79-2-409(2)(a);
- 63 [(h)] (m) provide that all leases, contracts, and agreements be submitted to legal counsel for review of compliance with applicable law and fiduciary duties prior to execution and utilize the services of the attorney general as provided in Section 53C-1-305;
- 66 [(m)] (n) keep the board, beneficiaries, governor, Legislature, and the public informed about the work of the director and administration by reporting to the board in a public meeting at least once during each calendar quarter; and
- 69 [(n)] (o) respond in writing within a reasonable time to a request by the board or the primary beneficiary representative's designee regarding a trust listed in Subsection 53C-1-103(7) for responses to questions on policies and practices affecting the management of the trust.
- 73 (2) The administration shall be the named party in substitution of the Division of State Lands and Forestry or its predecessor agencies, with respect to all documents affecting trust lands from the effective date of this act.
- 76 (3) The director may:

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- 77 (a) with the consent of the state risk manager and the board, manage lands or interests in lands held by  
any other public or private party pursuant to policies established by the board and may make rules to  
implement these board policies;
- 80 (b) sue or be sued as the director of school and institutional trust lands;
- 81 (c) contract with other public agencies for personnel management services;
- 82 (d) contract with any public or private entity to make improvements to or upon trust lands and to carry  
out any of the responsibilities of the office, so long as the contract requires strict adherence to trust  
management principles, applicable law and regulation, and is subject to immediate suspension or  
termination for cause; and
- 86 (e) with the approval of the board enter into joint ventures and other business arrangements consistent  
with the purposes of the trust.
- 88 (4) Any application or bid required for the lease, permitting, or sale of lands in a competitive process or  
any request for review pursuant to Section 53C-1-304 shall be considered filed or made on the date  
received by the appropriate administrative office, whether transmitted by United States mail or in  
any other manner.

23 Section 1. Section 63L-10-102 is amended to read:

24 **63L-10-102. Definitions.**

As used in this chapter:

- 26 (1) "Commission" means the Federalism Commission.
- 27 (2) "Office" means the Public Lands Policy Coordinating Office established in Section 63L-11-201.
- 29 (3) "Outdoor recreation infrastructure" means the same as that term is defined in Section 51-9-901.
- 31 [~~3~~] (4) "Plan" means the statewide resource management plan, created pursuant to Section  
63L-11-203 and adopted in Section 63L-10-103.
- 33 [~~4~~] (5) "Public lands" means:
- 34 (a) land other than a national park that is managed by the United States Parks Service;
- 35 (b) land that is managed by the United States Forest Service; and
- 36 (c) land that is managed by the Bureau of Land Management.

37 Section 2. Section 63L-10-103 is amended to read:

38 **63L-10-103. Statewide resource management plan adopted.**

- 39 (1)
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- (a) The statewide resource management plan, dated January 8, 2024, and on file with the office, is adopted.
- 41 (b) The plan described in Subsection (1)(a) replaces and supersedes the plan dated January 9, 2023.
- 43 (2) The office shall, to the extent possible and as funding allows[-] :
- 44 (a) monitor federal, state, and local government compliance with the plan[-] ; and
- 45 (b) identify in the plan at least 10 priority outdoor recreation infrastructure projects for possible further study, planning, or development, in consultation with the following state entities:
- 48 (i) Division of Outdoor Recreation created in Section 79-7-201;
- 49 (ii) Division of State Parks created in Section 79-4-201; and
- 50 (iii) Utah Office of Tourism created in Section 63N-7-102.
- 51 (3)
- . (a) If the office finds the need to modify the plan, the office shall notify the commission of the modification and the office's reasoning for the modification.
- 53 (b) The office shall coordinate with the commission to discuss policy direction and to draft any modifications to the plan.
- 55 (4)
- . (a) The commission may request additional information of the office regarding any modifications to the plan, as described in Subsection (3).
- 57 (b) The office shall promptly respond to any request for additional information, as described in Subsection (4)(a).
- 59 (c) The commission may make a recommendation that the Legislature approve a modification or disapprove a modification, or the commission may decline to take action.
- 62 (5) The office shall annually:
- 63 (a) prepare a report detailing any modifications the office recommends for the plan and deliver the report to the commission before August 31; and
- 65 (b) report on the implementation of the plan at the federal, state, and local levels to the commission before August 31.
- 67 (6)
- . (a) If the commission makes a recommendation that the Legislature approve a modification to the plan, the commission shall prepare a bill in anticipation of the annual general session of the Legislature for approval of the modification.

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70 (b) A modification to the plan does not take effect until approved by the Legislature.

92 ~~{Section 2. Section 79-2-202 is amended to read: }~~

93 **79-2-202. Executive director -- Appointment -- Removal -- Compensation -- Responsibilities.**

95 (1)

. (a) The chief administrative officer of the department is an executive director appointed by the governor with the advice and consent of the Senate.

97 (b) The executive director may be removed at the will of the governor.

98 (c) The executive director shall receive a salary established by the governor within the salary range fixed by the Legislature in Title 67, Chapter 22, State Officer Compensation.

101 (2) The executive director shall:

102 (a) administer and supervise the department and provide for coordination and cooperation among the boards, divisions, councils, and committees of the department;

104 (b) approve the budget of each board and division;

105 (c) participate in regulatory proceedings as appropriate for the functions and duties of the department;

107 (d) report at the end of each fiscal year to the governor on department, board, and division activities;

109 (e) ensure the completion of the survey and inventory of state natural resources required in Section 79-2-409;

111 ~~[(e)]~~ (f) ensure that any training or certification required of a public official or public employee, as those terms are defined in Section 63G-22-102, complies with Title 63G, Chapter 22, State Training and Certification Requirements, if the training or certification is required:

115 (i) under this title;

116 (ii) by the department; or

117 (iii) by an agency or division within the department; and

118 ~~[(f)]~~ (g) perform other duties as provided by statute.

119 (3) By following the procedures and requirements of Title 63J, Chapter 5, Federal Funds Procedures Act, the executive director, may accept an executive or legislative provision that is enacted by the federal government, whereby the state may participate in the distribution, disbursement, or administration of a fund or service from the federal government for purposes consistent with the powers and duties of the department.

124 (4)

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(a) The executive director, in cooperation with the governmental entities having policymaking authority regarding natural resources, may engage in studies and comprehensive planning for the development and conservation of the state's natural resources.

128 (b) The executive director shall submit any plan to the governor for review and approval.

129 (5) The executive director may coordinate and enter agreements with other state agencies regarding state conservation efforts as defined in Section 4-46-102.

131 Section 3. Section 3 is enacted to read:

### 132 **79-2-409. Survey of state natural resources -- Inventory -- Report.**

133 (1) As used in this section:

134 (a) "Outdoor recreation infrastructure" means the same as that term is defined in Section 51-9-901.

136 (b) "Survey year" means a year:

137 (i) in which the department shall complete a survey and update the inventory described in Subsection (2); and

139 (ii) occurring every even numbered year after the year described in Subsection (2).

140 (2) By no later than June 30, 2026, the department shall:

141 (a) complete a survey of all state-owned and federally-managed land in this state; and

142 (b) create and maintain an inventory of land surveyed under Subsection (2)(a) that the state may develop:

144 (i) to improve access to federally-managed lands;

145 (ii) as a visitor center;

146 (iii) as a state park;

147 (iv) as a trail;

148 (v) as a campground;

149 (vi) as a boat marina;

150 (vii) for hunting and fishing; or

151 (viii) for other outdoor recreation infrastructure as determined by the department.

152 (3) For federally-managed land surveyed by the department under Subsection (2)(a), the department may recommend land for the state to:

154 (a) acquire for development as outdoor recreation infrastructure; or

155 (b) manage in agreement with a federal agency as outdoor recreation infrastructure.

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(4) To complete the survey and inventory described in Subsection (2), the department may request assistance from:

158 (a) the School and Institutional Trust Lands Administration, created in Section 53C-1-201, for land owned or managed by the School and Institutional Trust Lands Administration; and

161 (b) a state or federal agency that manages or owns land described in Subsection (2).

162 (5) The department shall complete the survey and update the inventory described in Subsection (2) on or before June 30 of each survey year.

164 (6)

. (a) The department shall submit a report to the Natural Resources, Agriculture, and Environmental Interim Committee on or before October 31 of each survey year.

166 (b) The report described in this Subsection (6) shall include:

167 (i) the results of the survey;

168 (ii) land added to the inventory; and

169 (iii) any development or construction on outdoor recreation or infrastructure on land included in the inventory.

71 Section 3. **Effective date.**

This bill takes effect on May 7, 2025.

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