

HB0411S02 compared with HB0411

~~{Omitted text}~~ shows text that was in HB0411 but was omitted in HB0411S02

inserted text shows text that was not in HB0411 but was inserted into HB0411S02

DISCLAIMER: This document is provided to assist you in your comparison of the two bills. Sometimes this automated comparison will NOT be completely accurate. Therefore, you need to read the actual bills. This automatically generated document could contain inaccuracies caused by: limitations of the compare program; bad input data; or other causes.

1 **Public Asset Ownership Amendments**
2025 GENERAL SESSION
STATE OF UTAH
Chief Sponsor: Troy Shelley
Senate Sponsor:Derrin R. Owens



2
3 **LONG TITLE**

4 **General Description:**

5 This bill addresses the state ownership of certain environmental assets.

6 **Highlighted Provisions:**

7 This bill:

- 8 ▶ defines terms;
- 9 ▶ requires a ~~{person}~~ state entity selling or exchanging an environmental commodity ~~{in this state}~~
10 } to report a digital identification number ~~{for the environmental commodity}~~ to the Office of Energy
11 Development;
- 12 ▶ ~~{voids}~~ exempts from reporting requirements an environmental commodity ~~{transaction that~~
13 does not comply with certain requirements} created from activities on school and institutional trust
14 lands;
- 14 ▶ declares that an environmental commodity ~~{generated or developed}~~ created from activities
15 receiving state funds is the property of the state in proportion to the state funds contributed to create the
16 environmental commodity; ~~{and}~~
- 16 ▶

HB0411 compared with HB0411S02

clarifies that an environmental commodity created or purchased by a state entity remains under the control of the state entity; and

16 ▶ establishes duties for the state treasurer in managing an environmental commodity.

19 **Money Appropriated in this Bill:**

20 None

21 **Other Special Clauses:**

22 None

24 ENACTS:

25 **79-6-1101** , Utah Code Annotated 1953 , Utah Code Annotated 1953

26 **79-6-1102** , Utah Code Annotated 1953 , Utah Code Annotated 1953

27 **79-6-1103** , Utah Code Annotated 1953 , Utah Code Annotated 1953

28

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

30 Section 1. Section 1 is enacted to read:

29

Part 11. Environmental Commodities

32 **79-6-1101. Definitions for part.**

As used in this part:

32 (1) "Digital identification number" means an identification number assigned to an environmental commodity by {any} a governmental or accredited third-party verification entity that certifies or registers an environmental commodity for sale or exchange.

37 (2)

35 {(2)} (a) "Environmental commodity" means a representation of the financial value of {a physical asset.} :

38 (i) a reduction in the amount of greenhouse gas present in the atmosphere; or

39 (ii) an amount of greenhouse gas prevented from entering the atmosphere.

40 (b) "Environmental commodity" does not include a right or interest associated with a regulated pollutant, as that term is defined in Title V of the 1990 Clean Air Act.

36 (3) {~~"Physical asset"~~} "Greenhouse gas" means{:} carbon dioxide or methane.

37 {(a) {a building, land, or natural resource; and} }

38 {(b) {the revenue derived from the lease, use, or cessation of use of a building, land, or natural resource.} }

HB0411 compared with HB0411S02

43 (4) "State entity" means a department, commission, board, council, agency, institution of higher
education, officer, corporation, fund, division, office, committee, authority, laboratory, library, unit,
bureau, panel, or other administrative unit of the state.

46 (5)

40 ~~{(4)}~~ (a) "State funds" means money appropriated by the Legislature.

47 (b) "State funds" does not include money or financial benefit in the form of:

48 (i) a tax incentive;

49 (ii) a permit or an activity related to the development of a permit issued by a state entity; or

51 (iii) a federal grant administered by a state entity.

52 Section 2. Section 2 is enacted to read:

53 **79-6-1102. Reporting requirement -- Waiting period.**

43 (1) ~~{Before}~~ Except as provided in Subsection (2), before a ~~{person}~~ state entity may sell or exchange
an environmental commodity ~~{in this state}~~ , the ~~{person}~~ state entity shall:

45 (a) obtain a digital identification number for the environmental commodity;

46 (b) report a digital identification number for the environmental commodity to the office;and

47 (c) report to the office any state funds that the ~~{person receives}~~ state entity used for ~~{activities related~~
~~to the development}~~ the creation of the environmental commodity~~{; and}~~ .

49 ~~{(d)}~~ }

~~{(i) {wait 90 days from the day on which the person reports a digital identification number to the office~~
~~before completing the sale or exchange of the environmental commodity; or}~~ }

52 ~~{(ii) {relinquish control of the environmental commodity to the state treasurer if the environmental~~
~~commodity meets the requirements Subsection 79-6-1103(1).}~~ }

54 (2) ~~{Any transaction involving}~~ This section does not apply to an environmental commodity
created from an activity on school and institutional trust lands, as that ~~{does not comply with the~~
~~requirements of Subsection (1)}~~ term is ~~{void}~~ defined in Section 53C-1-103.

63 Section 3. Section 3 is enacted to read:

64 **79-6-1103. Property of the state -- Management.**

58 (1) ~~{Any}~~ If the state or a state entity appropriates or expends state funds for the creation of an
environmental commodity ~~{developed or generated from activities receiving}~~ , the state ~~{funds}~~
owns a portion of an environmental commodity that is ~~{the property}~~ proportional to the amount of
~~{this}~~ state funds appropriated or expended for the creation of the environmental commodity.

HB0411 compared with HB0411S02

60 (2)

(a) ~~{The}~~ Except as provided in Subsection (3), the state treasurer may sell, exchange, or hold an environmental commodity , or any portion thereof, owned by ~~{this}~~ the state in accordance with Subsection (2)(b).

62 (b) The state treasurer shall ensure that an environmental commodity owned by ~~{this}~~ the state is sold, exchanged, or held:

64 (i) for the benefit of the citizens of ~~{this}~~ the state;

65 (ii) to promote energy independence for ~~{this}~~ the state;

66 (iii) to maximize the natural resources of ~~{this}~~ the state; and

67 (iv) consistent with ~~{Title 79, Chapter 6,}~~ Part 3, State Energy Policy.

78 (3) An environmental commodity created or purchased by a state entity shall remain under the control of the state entity.

80 Section 4. **Effective date.**

This bill takes effect on May 7, 2025.

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