

HB0430S01 compared with HB0430

{Omitted text} shows text that was in HB0430 but was omitted in HB0430S01

inserted text shows text that was not in HB0430 but was inserted into HB0430S01

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1 Security and Land Restriction Amendments

2025 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Candice B. Pierucci

Senate Sponsor:

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- 2
- 3 **LONG TITLE**
- 4 **General Description:**
- 5 This bill amends provisions relating to security.
- 6 **Highlighted Provisions:**
- 7 This bill:
- 8 ▶ defines terms;
- 9 ▶ requires that a food delivery company mark {~~a Utah National Guard base~~} military land as a
food delivery dead zone;
- 11 ▶ authorizes delivery drivers and staff {~~at a Utah National Guard base~~} on military land to report a
violation of a food delivery dead zone;
- 13 ▶ authorizes the Department of Veterans and Military Affairs to enforce a food delivery dead zone;
- 14 ▶ requires that a county recorder make a form available for an individual to disclose the
individual's connection to a restriction foreign entity;
- 16 ▶ requires that a county recorder send a form upon which an individual has disclose the
individual's connection to a restricted foreign entity to the Department of Public Safety; and
- 19 ▶ creates a criminal offense for:

HB0430 compared with HB0430S01

(4) "Food delivery dead zone" means a defined geographic area in which a food delivery service may not:

44 (a) permit the delivery or pickup of food; or

45 (b) allow an individual delivering food on behalf of the food delivery service to enter.

46 (5) "Food delivery service" means a service that:

47 (a) facilitates the delivery of food from a restaurant or other food establishment to a consumer; and

49 (b) conducts operations online or through a mobile application.

50 ~~{(6) {"Utah National Guard base" means all real property associated with:} }~~

51 ~~{(a) {Camp W. G. Williams; or} }~~

52 ~~{(b) {the Ronald R. Wright Air National Guard base.} }~~

55 (6) "Military land" means the same as that term is defined in Section 10-9a-537.

56 Section 2. Section 2 is enacted to read:

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Part 2. Food delivery dead zone.

58 **13-75-201. Department to enforce food delivery dead zone.**

55 (1) A food delivery company shall ensure that the physical boundaries of {a Utah National Guard base
} military land are marked as a food delivery dead zone.

57 (2) A delivery driver may report to the department a food delivery company's failure to mark the
physical boundaries of {a Utah National Guard base} military land as a food delivery dead zone.

60 (3) Staff {at a Utah National Guard base} employed on military land may report to the department any
deliveries made by a delivery driver.

62 (4) The department shall:

63 (a) create a {readily apparent} process by which a delivery driver or staff {at a Utah National Guard
base} employed on military land may make a report described in Subsection (2);

65 (b) upon receiving a report described in Subsection (2), investigate whether the food delivery company
has marked the physical boundaries of {a Utah National Guard base} military land as a food
delivery dead zone; and

68 (c) if the investigation demonstrates that a food delivery company has not marked the physical
boundaries of {a Utah National Guard base} military land as a food delivery dead zone, the
{division} department shall impose a fine on the food delivery company of \$1,000.

74 Section 3. Section 63L-13-201 is amended to read:

75 **63L-13-201. Acquisition of land prohibited -- Exceptions -- Enforcement.**

HB0430 compared with HB0430S01

- 76 (1) As used in this section, "department" means the Department of Public Safety created under Section
53-1-103.
- 78 (2) Subject to Subsection (3) and Section 63L-13-202, a restricted foreign entity may not acquire an
interest in land in this state.
- 80 (3) A restricted foreign entity that, in violation of Subsection (2), obtains an interest in land shall
alienate the interest in accordance with Section 63L-13-202.
- 82 (4) The department shall:
- 83 (a) maintain a publicly available list of restricted foreign entities;
- 84 (b) create a process by which a county recorder may report a land conveyance the county recorder
suspects is prohibited under this section;
- 86 (c) provide an annual notice to each county recorder in the state that includes:
- 87 (i) instruction on how to identify a restricted foreign entity;
- 88 (ii) the process by which a county recorder may report to the department a land conveyance the county
recorder suspects is prohibited under this section; and
- 90 (iii) any additional information the department deems necessary;
- 91 (d) investigate the validity of each land conveyance a county recorder reports under this section;
- 93 (e) when, after investigation, the department determines that a land conveyance violates this section:
- 95 (i) give notice to the restricted foreign entity that:
- 96 (A) the land conveyance violates this section; and
- 97 (B) Section 63L-13-202 requires the restricted foreign entity to alienate the restricted foreign entity's
interest in the land within one year or the Division of Facilities Construction and Management will
sell the interest in accordance with Subsection 63L-13-202(3); and
- 101 (ii) notify the county recorder of the county in which the land is located of the land conveyance; and
- 103 (f) coordinate with the Division of Facilities Construction and Management to facilitate a sale of the
interest in land as described in Section 63L-13-202.
- 105 (5) A county recorder:
- 106 (a) is not liable for a conveyance to a restricted foreign entity;[-and]
- 107 (b) shall, upon notice from the department under Subsection (4)(e)(ii), create a public record of each
violation of this section[-:] ;
- 109 (c) shall make available a form on which an individual purchasing an interest in land may disclose that
the individual served in the military of a restricted foreign entity; and

HB0430 compared with HB0430S01

112 (d) shall send a form on which an individual makes a disclosure as described in Subsection (5)(c) to the
113 department.

114 Section 4. Section 4 is enacted to read:

115 **63L-13-204. Purchase of interest of land on behalf of restricted foreign entity prohibited--**
Disclosure required.

74 (1) A person may not purchase an interest in land on behalf of a restricted foreign entity.

75 (2) A person violates Subsection (1) if the person knowingly purchases an interest in land:

76 (a) using funds provided by a restricted foreign entity; or

77 (b) under the direction of a restricted foreign entity.

121 (3) An individual purchasing an interest in land shall disclose if the individual served in the military of
a restricted foreign entity.

123 (4) An individual violates Subsection (3) if the individual fails to disclose to the county recorder of the
county in which the interest in land is located, on a form described in Subsection 63L-13-201(5),
that the individual served in the military of restricted foreign entity.

78 ~~{(3)}~~ (5) A person {who} that violates Subsection (1) is guilty of a {class A misdemeanor} third-
degree felony.

128 (6) An individual who violates Subsection (3) is guilty of a third-degree felony.

129 Section 5. Section 71A-1-201 is amended to read:

130 **71A-1-201. Department of Veterans and Military Affairs -- Creation -- Appointment of**
executive director -- Department responsibilities.

82 (1) There is created the Department of Veterans and Military Affairs.

83 (2) The governor shall appoint an executive director for the department who is subject to Senate
confirmation.

85 (3) The executive director shall be a veteran.

86 (4) The department shall:

87 (a) conduct and supervise all veteran and military affairs activities as provided in this title;

89 (b) adopt rules in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, to carry
out the provisions of this title;

91 (c) in accordance with Section 41-1a-418:

92 (i) determine which campaign or combat theater awards are eligible for a special group license plate;

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HB0430 compared with HB0430S01

- (ii) verify that an applicant for a campaign or combat theater award special group license plate is qualified to receive it; and
- 96 (iii) provide an applicant that qualifies a form indicating the campaign or combat theater award special group license plate for which the applicant qualifies;
- 98 (d) maintain liaison with local, state, and federal veterans agencies and with Utah veterans organizations;
- 100 (e) provide current information to veterans, service members, their surviving spouses and family members, and Utah veterans and military organizations on benefits they are entitled to;
- 103 (f) assist veterans, service members, and their families in applying for benefits and services;
- 105 (g) cooperate with other state entities in the receipt of information to create and maintain a record of veterans in Utah;
- 107 (h) create and administer a veterans assistance registry in accordance with Chapter 5, Veterans Assistance Registry, with recommendations from the council, that provides contact information to the qualified donors of materials and labor for certain qualified recipients;
- 111 (i) identify military-related issues, challenges, and opportunities, and develop plans for addressing them;
- 113 (j) develop, coordinate, and maintain relationships with military leaders of Utah military installations, including the Utah National Guard;
- 115 (k) develop and maintain relationships with military-related organizations in Utah; ~~and~~
- 116 (l) consult with municipalities and counties regarding compatible use plans as described in Sections 10-9a-537 and 17-27a-533[-] ; and
- 118 (m) enforce a food delivery dead zone as described in Section {~~13-75-202~~} 13-75-201.
- 119 (5)
 - (a) The department may award grants for the purpose of supporting veteran and military outreach, employment, education, healthcare, homelessness prevention, and recognition events.
 - 122 (b) The department may award a grant described in Subsection (5)(a) to:
 - 123 (i) an institution of higher education listed in Section 53B-1-102;
 - 124 (ii) a nonprofit organization involved in veterans or military-related activities; or
 - 125 (iii) a political subdivision of the state.
 - 126 (c) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the department shall make rules for the administration of grants, including establishing:

HB0430 compared with HB0430S01

- 128 (i) the form and process for submitting an application to the department;
129 (ii) the method and criteria for selecting a grant recipient;
130 (iii) the method and formula for determining a grant amount; and
131 (iv) the reporting requirements of a grant recipient.
- 132 (6) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the department may
make rules related to:
- 134 (a) the consultation with municipalities and counties regarding compatible use plans as required in
Subsection (4)(l); and
- 136 (b) criteria to evaluate whether a proposed land use is compatible with military operations.
- 138 (7) Nothing in this chapter shall be construed as altering or preempting any provisions of Title 39A,
National Guard and Militia Act, as specifically related to the Utah National Guard.

191 Section 6. **Effective date.**

This bill takes effect on May 7, 2025.

2-19-25 7:13 AM