

HB0411 compared with HB0411S01

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

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

30 Section 1. Section 1 is enacted to read:

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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 value of a physical asset that is traded using a digital identification number.

39 (b) "Environmental commodity" does not include a right or interest associated with:

40 (i) the use or appropriation of water; and

41 (ii) a regulated pollutant, as that term is defined in Title V of the 1990 Clean Air Act.

36 (3) "Physical asset" means:

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.

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(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.

40 ~~{(4)}~~ (5) "State funds" means money appropriated by the Legislature.

50 Section 2. Section 2 is enacted to read:

51 **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)}~~ (2) {relinquish control of the environmental commodity} This section does not apply to {the state treasurer if the} an environmental commodity {meets the requirements Subsection 79-6-1103(1)} created from activities on school and institutional trust lands, as that term is defined in Section 53C-1-103.

54 ~~{(2) {Any transaction involving an environmental commodity that does not comply with the requirements of Subsection (1) is void.}}~~

61 Section 3. Section 3 is enacted to read:

62 **79-6-1103. Property of the state -- Management.**

58 ~~{(1) {Any environmental commodity developed or generated from activities receiving state funds is the property of this state.}}~~

60 ~~{(2)}~~ }

63 (1) If the state or a state entity contributes any state funds to the creation of an environmental commodity, the state owns a portion of an environmental commodity that is proportional to the amount of state funds contributed to the creation of the environmental commodity.

67 (2)

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

78 Section 4. **Effective date.**

This bill takes effect on May 7, 2025.

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