

Troy Shelley proposes the following substitute bill:

**Public Asset Ownership Amendments**

2025 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Troy Shelley**

Senate Sponsor: Derrin R. Owens

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**LONG TITLE**

**General Description:**

This bill addresses the state ownership of certain environmental assets.

**Highlighted Provisions:**

This bill:

- defines terms;
- requires a state entity selling or exchanging an environmental commodity to report a digital identification number to the Office of Energy Development;
- exempts from reporting requirements an environmental commodity created from activities on school and institutional trust lands;
- declares that an environmental commodity created from activities receiving state funds is the property of the state in proportion to the state funds contributed to create the environmental commodity;
- clarifies that an environmental commodity created or purchased by a state entity remains under the control of the state entity; and
- establishes duties for the state treasurer in managing an environmental commodity.

**Money Appropriated in this Bill:**

None

**Other Special Clauses:**

None

**Utah Code Sections Affected:**

ENACTS:

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

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

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

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

30 Section 1. Section **79-6-1101** is enacted to read:

31 **Part 11. Environmental Commodities**

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

33 *As used in this part:*

- 34 (1) "Digital identification number" means an identification number assigned to an  
 35 environmental commodity by a governmental or accredited third-party verification  
 36 entity that certifies or registers an environmental commodity for sale or exchange.
- 37 (2)(a) "Environmental commodity" means a representation of the value of a physical  
 38 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.
- 42 (3) "Physical asset" means:  
 43 (a) a building, land, or natural resource; and  
 44 (b) the revenue derived from the lease, use, or cessation of use of a building, land, or  
 45 natural resource.
- 46 (4) "State entity" means a department, commission, board, council, agency, institution of  
 47 higher education, officer, corporation, fund, division, office, committee, authority,  
 48 laboratory, library, unit, bureau, panel, or other administrative unit of the state.
- 49 (5) "State funds" means money appropriated by the Legislature.

50 Section 2. Section **79-6-1102** is enacted to read:

51 **79-6-1102 . Reporting requirement -- Waiting period.**

- 52 (1) Except as provided in Subsection (2), before a state entity may sell or exchange an  
 53 environmental commodity, the state entity shall:  
 54 (a) obtain a digital identification number for the environmental commodity;  
 55 (b) report a digital identification number for the environmental commodity to the office;  
 56 and  
 57 (c) report to the office any state funds that the state entity used for the creation of the  
 58 environmental commodity.
- 59 (2) This section does not apply to an environmental commodity created from activities on  
 60 school and institutional trust lands, as that term is defined in Section 53C-1-103.

61 Section 3. Section **79-6-1103** is enacted to read:

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

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

67 (2)(a) Except as provided in Subsection (3), the state treasurer may sell, exchange, or  
68 hold an environmental commodity, or any portion thereof, owned by the state in  
69 accordance with Subsection (2)(b).

70 (b) The state treasurer shall ensure that an environmental commodity owned by the state  
71 is sold, exchanged, or held:

72 (i) for the benefit of the citizens of the state;

73 (ii) to promote energy independence for the state;

74 (iii) to maximize the natural resources of the state; and

75 (iv) consistent with Part 3, State Energy Policy.

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

78 Section 4. **Effective Date.**

79 This bill takes effect on May 7, 2025.