

Candice B. Pierucci proposes the following substitute bill:

Security and Land Restriction Amendments

2025 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Candice B. Pierucci

Senate Sponsor:

LONG TITLE

General Description:

This bill amends provisions relating to security.

Highlighted Provisions:

This bill:

- defines terms;
 - requires that a food delivery company mark military land as a food delivery dead zone;
 - authorizes delivery drivers and staff on military land to report a violation of a food delivery dead zone;
 - authorizes the Department of Veterans and Military Affairs to enforce a food delivery dead zone;
 - requires that a county recorder make a form available for an individual to disclose the individual's connection to a restriction foreign entity;
 - 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
- creates a criminal offense for:
 - a person purchasing land on behalf of a restricted foreign entity; and
 - an individual who fails to disclose to a county recorder the individual's connection to a restricted foreign entity.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

29 **63L-13-201**, as last amended by Laws of Utah 2024, Chapter 504
30 **71A-1-201**, as enacted by Laws of Utah 2023, Chapter 44 and last amended by
31 Coordination Clause, Laws of Utah 2023, Chapter 154

32 ENACTS:

33 **13-75-101**, Utah Code Annotated 1953
34 **13-75-201**, Utah Code Annotated 1953
35 **63L-13-204**, Utah Code Annotated 1953



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

38 Section 1. Section **13-75-101** is enacted to read:

39 **CHAPTER 75. FOOD DELIVERY ACT**

40 **Part 1. Definitions**

41 **13-75-101 . Definitions.**

42 As used in this chapter:

- 43 (1) "Delivery driver" means an individual working for a food delivery service.
- 44 (2) "Department" means the Department of Veterans and Military Affairs established in
45 Section 71A-1-201.
- 46 (3) "Food delivery company" means an entity that operates a food delivery service.
- 47 (4) "Food delivery dead zone" means a defined geographic area in which a food delivery
48 service may not:
 - 49 (a) permit the delivery or pickup of food; or
 - 50 (b) allow an individual delivering food on behalf of the food delivery service to enter.
- 51 (5) "Food delivery service" means a service that:
 - 52 (a) facilitates the delivery of food from a restaurant or other food establishment to a
53 consumer; and
 - 54 (b) conducts operations online or through a mobile application.
- 55 (6) "Military land" means the same as that term is defined in Section 10-9a-537.

56 Section 2. Section **13-75-201** is enacted to read:

57 **Part 2. Food delivery dead zone.**

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

- 59 (1) A food delivery company shall ensure that the physical boundaries of military land are
60 marked as a food delivery dead zone.
- 61 (2) A delivery driver may report to the department a food delivery company's failure to

62 mark the physical boundaries of military land as a food delivery dead zone.

63 (3) Staff employed on military land may report to the department any deliveries made by a
64 delivery driver.

65 (4) The department shall:

66 (a) create a process by which a delivery driver or staff employed on military land may
67 make a report described in Subsection (2);

68 (b) upon receiving a report described in Subsection (2), investigate whether the food
69 delivery company has marked the physical boundaries of military land as a food
70 delivery dead zone; and

71 (c) if the investigation demonstrates that a food delivery company has not marked the
72 physical boundaries of military land as a food delivery dead zone, the department
73 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.**

76 (1) As used in this section, "department" means the Department of Public Safety created
77 under Section 53-1-103.

78 (2) Subject to Subsection (3) and Section 63L-13-202, a restricted foreign entity may not
79 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
81 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
85 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
89 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
92 section;

93 (e) when, after investigation, the department determines that a land conveyance violates
94 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
 98 restricted foreign entity's interest in the land within one year or the Division of
 99 Facilities Construction and Management will sell the interest in accordance
 100 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
 102 conveyance; and
 103 (f) coordinate with the Division of Facilities Construction and Management to facilitate
 104 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
 108 record of each violation of this section ~~[-]~~ ;
 109 (c) shall make available a form on which an individual purchasing an interest in land
 110 may disclose that the individual served in the military of a restricted foreign entity;
 111 and
 112 (d) shall send a form on which an individual makes a disclosure as described in
 113 Subsection (5)(c) to the department.

114 Section 4. Section **63L-13-204** is enacted to read:

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

- 117 (1) A person may not purchase an interest in land on behalf of a restricted foreign entity.
 118 (2) A person violates Subsection (1) if the person knowingly purchases an interest in land:
 119 (a) using funds provided by a restricted foreign entity; or
 120 (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
 122 military of a restricted foreign entity.
 123 (4) An individual violates Subsection (3) if the individual fails to disclose to the county
 124 recorder of the county in which the interest in land is located, on a form described in
 125 Subsection 63L-13-201(5), that the individual served in the military of restricted foreign
 126 entity.
 127 (5) A person that violates Subsection (1) is guilty of a 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 --**
131 **Appointment of executive director -- Department responsibilities.**
- 132 (1) There is created the Department of Veterans and Military Affairs.
133 (2) The governor shall appoint an executive director for the department who is subject to
134 Senate confirmation.
135 (3) The executive director shall be a veteran.
136 (4) The department shall:
- 137 (a) conduct and supervise all veteran and military affairs activities as provided in this
138 title;
139 (b) adopt rules in accordance with Title 63G, Chapter 3, Utah Administrative
140 Rulemaking Act, to carry out the provisions of this title;
141 (c) in accordance with Section 41-1a-418:
142 (i) determine which campaign or combat theater awards are eligible for a special
143 group license plate;
144 (ii) verify that an applicant for a campaign or combat theater award special group
145 license plate is qualified to receive it; and
146 (iii) provide an applicant that qualifies a form indicating the campaign or combat
147 theater award special group license plate for which the applicant qualifies;
148 (d) maintain liaison with local, state, and federal veterans agencies and with Utah
149 veterans organizations;
150 (e) provide current information to veterans, service members, their surviving spouses
151 and family members, and Utah veterans and military organizations on benefits they
152 are entitled to;
153 (f) assist veterans, service members, and their families in applying for benefits and
154 services;
155 (g) cooperate with other state entities in the receipt of information to create and maintain
156 a record of veterans in Utah;
157 (h) create and administer a veterans assistance registry in accordance with Chapter 5,
158 Veterans Assistance Registry, with recommendations from the council, that provides
159 contact information to the qualified donors of materials and labor for certain qualified
160 recipients;
161 (i) identify military-related issues, challenges, and opportunities, and develop plans for
162 addressing them;
163 (j) develop, coordinate, and maintain relationships with military leaders of Utah military

- 164 installations, including the Utah National Guard;
- 165 (k) develop and maintain relationships with military-related organizations in Utah;[-and]
- 166 (l) consult with municipalities and counties regarding compatible use plans as described
- 167 in Sections 10-9a-537 and 17-27a-533[-] ; and
- 168 (m) enforce a food delivery dead zone as described in Section 13-75-201.
- 169 (5)(a) The department may award grants for the purpose of supporting veteran and
- 170 military outreach, employment, education, healthcare, homelessness prevention, and
- 171 recognition events.
- 172 (b) The department may award a grant described in Subsection (5)(a) to:
- 173 (i) an institution of higher education listed in Section 53B-1-102;
- 174 (ii) a nonprofit organization involved in veterans or military-related activities; or
- 175 (iii) a political subdivision of the state.
- 176 (c) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the
- 177 department shall make rules for the administration of grants, including establishing:
- 178 (i) the form and process for submitting an application to the department;
- 179 (ii) the method and criteria for selecting a grant recipient;
- 180 (iii) the method and formula for determining a grant amount; and
- 181 (iv) the reporting requirements of a grant recipient.
- 182 (6) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the
- 183 department may make rules related to:
- 184 (a) the consultation with municipalities and counties regarding compatible use plans as
- 185 required in Subsection (4)(l); and
- 186 (b) criteria to evaluate whether a proposed land use is compatible with military
- 187 operations.
- 188 (7) Nothing in this chapter shall be construed as altering or preempting any provisions of
- 189 Title 39A, National Guard and Militia Act, as specifically related to the Utah National
- 190 Guard.

191 Section 6. **Effective Date.**

192 This bill takes effect on May 7, 2025.