

Thomas W. Peterson proposes the following substitute bill:

Utah Commission for Earthquake Preparedness

2025 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Thomas W. Peterson

Senate Sponsor: Todd Weiler

LONG TITLE

General Description:

This bill creates the Utah Commission for Earthquake Preparedness.

Highlighted Provisions:

This bill:

- creates the Utah Commission for Earthquake Preparedness, addressing:
 - membership;
 - quorum requirements;
 - vacancies; and
 - compensation for commission members;
- permits the commission to invite officials from certain state and executive agencies to participate in the commission's meetings as nonvoting members;
- requires the Department of Natural Resources to staff the commission;
- specifies duties and responsibilities of the commission;
- establishes a January 1, 2031, sunset date for the commission;
- subject to an exception, provides that money appropriated to the commission by the Legislature is nonlapsing; and
- makes technical and conforming changes.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

63I-1-253, as last amended by Laws of Utah 2024, Third Special Session, Chapter 5

63I-1-263, as last amended by Laws of Utah 2024, Third Special Session, Chapter 4

29 **63J-1-602.2**, as last amended by Laws of Utah 2024, Chapters 241, 285, 425, and 467

30 ENACTS:

31 **63C-32-101**, Utah Code Annotated 1953

32 **63C-32-102**, Utah Code Annotated 1953

33 **63C-32-103**, Utah Code Annotated 1953

34

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

36 Section 1. Section **63C-32-101** is enacted to read:

37 **CHAPTER 32. UTAH COMMISSION FOR EARTHQUAKE PREPAREDNESS**

38 **63C-32-101 . Definitions.**

39 As used in this chapter, "commission" means the Utah Commission for Earthquake
40 Preparedness.

41 Section 2. Section **63C-32-102** is enacted to read:

42 **63C-32-102 . Creation of commission -- Membership -- Participating entities --**
43 **Vacancies -- Staff support.**

44 (1) There is created the Utah Commission for Earthquake Preparedness consisting of the
45 following members:

- 46 (a) the director of the Utah Geological Survey or the director's designee;
- 47 (b) the director of the Division of Emergency Management or the director's designee;
- 48 (c) the director of the University of Utah Seismograph Stations or the director's designee;
- 49 (d) the director of the Utah State University Earthquake Engineering Center or the
50 director's designee;
- 51 (e) the state Earthquake Program Manager;
- 52 (f) a representative from the American Public Works Association, Utah Chapter;
- 53 (g) a representative from the American Institute of Architects, Utah Section;
- 54 (h) a representative from the American Society of Civil Engineers, Utah Section;
- 55 (i) a representative from the Structural Engineers Association of Utah;
- 56 (j) a representative from the Salt Lake Chamber of Commerce;
- 57 (k) subject to Subsection (2)(a), two individuals jointly appointed by the directors of the
58 Department of Natural Resources and the Division of Emergency Management who
59 have an interest or expertise in reducing earthquake-related loss in the state;
- 60 (l) one member of the Senate appointed by the president of the Senate; and
- 61 (m) one member of the House of Representatives appointed by the speaker of the House
62 of Representatives.

- (2)(a) In making the joint appointments described in Subsection (1)(k), the directors of the Department of Natural Resources and the Division of Emergency Management shall give due consideration to the recommendations of the commission.
- (b) If a vacancy occurs in the membership of the commission appointed under Subsection (1)(k), (l), or (m), the member shall be replaced in the same manner in which the original appointment was made.
- (3)(a) The commission may:
- (i) establish subcommittees to carry out the commission's duties;
 - (ii) invite officials from the following state and executive agencies to participate in the commission's meetings as nonvoting, ex officio members:
 - (A) the Division of Facilities Construction and Management;
 - (B) the Department of Transportation;
 - (C) the Division of Water Resources;
 - (D) the Department of Insurance;
 - (E) the Division of Risk Management;
 - (F) the Department of Environmental Quality;
 - (G) the Office of Energy Development;
 - (H) the Governor's Office of Planning and Budget; and
 - (I) the Governor's Office of Economic Opportunity; and
 - (iii) seek grants or funding from the state, federal government, or other public and private sources for uses relating to earthquake preparedness and response.
- (b) An official of a state or executive agency described in Subsection (3)(a)(ii) is not required to participate in the commission's meetings.
- (4) The commission may collaborate with the following entities and invite the entities to participate in the commission's meetings:
- (a) public and private lifeline infrastructure and utility providers;
 - (b) representatives from the business community;
 - (c) local government;
 - (d) local government associations, including:
 - (i) the Utah League of Cities and Towns;
 - (ii) the Utah Association of Counties; and
 - (iii) the Utah Association of Special Districts;
 - (e) local and higher education agencies;
 - (f) the Federal Emergency Management Agency;

(g) the United States Geological Survey; and

(h) Envision Utah.

(5) The commission shall annually select one of the commission's members to serve as chair of the commission.

(6)(a) A majority of the members of the commission is a quorum.

(b) The action of a majority of a quorum is an action of the commission.

(7)(a) A member of the commission may not receive compensation or benefits for the member's service, but may receive per diem and travel expenses in accordance with:

(i) Section 63A-3-106;

(ii) Section 63A-3-107; and

(iii) rules made by the Division of Finance under Sections 63A-3-106 and 63A-3-107.

(b) A member of the commission who is a legislator may receive compensation and travel expenses in accordance with Section 36-2-2 and Legislative Joint Rules, Title 5, Legislative Compensation and Expenses.

(8) The Department of Natural Resources shall staff the commission.

(9)(a) Except as provided in Subsection (9)(b), money the commission receives from legislative appropriations is nonlapsing.

(b) Any unexpended funds described in Subsection (9)(a) in excess of \$50,000 lapses to the General Fund.

Section 3. Section **63C-32-103** is enacted to read:

63C-32-103 . Meetings -- Duties.

(1) The commission shall meet at the call of the chair, but not less than once each quarter.

(2) The commission shall:

(a) assess earthquake-related hazards and risks to the state that are associated with:

(i) injury and loss of life;

(ii) loss of property;

(iii) damage to infrastructure; and

(iv) economic harm to the state, the state's businesses, and the state's inhabitants;

(b) prepare recommendations to identify and mitigate the hazards and risks described in Subsection (2)(a);

(c) prioritize recommendations and present the recommendations annually to state and local government or other appropriate entities for adoption as policy or loss reduction strategies, including policies or strategies to reduce the time required to return to normalcy and economic recovery after an earthquake event;

- (d) monitor and report on progress towards risk reduction;
(e) maintain and update annually a strategic earthquake loss reduction planning document that:
(i) identifies actionable steps to mitigate the hazards and risks described in Subsection (2)(a);
(ii) identifies short- and long-term risk reduction strategies and milestones; and
(iii) reports on progress in achieving the strategies and milestones described in Subsection (2)(e)(ii); and
(f) act as a source of information for individuals and groups concerned with earthquake safety.
- (3) The planning document described in Subsection (2)(e) shall be submitted annually to:
(a) the governor;
(b) the director of, and the state planning coordinator within, the Governor's Office of Planning and Budget;
(c) the Governor's Office of Economic Opportunity;
(d) the commissioner of public safety;
(e) the director of the Department of Natural Resources; and
(f) the Emergency Management Administration Council.

Section 4. Section **63I-1-253** is amended to read:

63I-1-253 . Repeal dates: Titles 53 through 53G.

- (1) Section 53-1-122, Road Rage Awareness and Prevention Restricted Account, is repealed July 1, 2028.
- (2) Section 53-2a-105, Emergency Management Administration Council created -- Function -- Composition -- Expenses, is repealed July 1, 2029.
- (3) Section 53-2a-1103, Search and Rescue Advisory Board -- Members -- Compensation, is repealed July 1, 2027.
- (4) Section 53-2a-1104, General duties of the Search and Rescue Advisory Board, is repealed July 1, 2027.
- (5) Title 53, Chapter 2a, Part 15, Grid Resilience Committee, is repealed July 1, 2027.
- (6) Section 53-2d-104, State Emergency Medical Services Committee -- Membership -- Expenses, is repealed July 1, 2029.
- (7) Section 53-2d-703, Volunteer Emergency Medical Service Personnel Health Insurance Program -- Creation -- Administration -- Eligibility -- Benefits -- Rulemaking -- Advisory board, is repealed July 1, 2027.

- 165 (8) Section 53-5-703, Board -- Membership -- Compensation -- Terms -- Duties, is repealed
166 July 1, 2029.
- 167 (9) Section 53-11-104, Board, is repealed July 1, 2029.
- 168 (10) Section 53-22-104.1, School Security Task Force -- Membership -- Duties -- Per diem
169 -- Report -- Expiration, is repealed December 31, 2025.
- 170 (11) Section 53-22-104.2, The School Security Task Force -- Education Advisory Board, is
171 repealed December 31, 2025.
- 172 (12) Subsection 53B-1-301(1)(j), regarding the Higher Education and Corrections Council,
173 is repealed July 1, 2027.
- 174 (13) Section 53B-7-709, Five-year performance goals, is repealed July 1, 2027.
- 175 (14) Title 53B, Chapter 8a, Part 3, Education Savings Incentive Program, is repealed July 1,
176 2028.
- 177 (15) Title 53B, Chapter 17, Part 11, USTAR Researchers, is repealed July 1, 2028.
- 178 (16) Section 53B-17-1203, SafeUT and School Safety Commission established -- Members,
179 is repealed January 1, 2030.
- 180 (17) Title 53B, Chapter 18, Part 16, USTAR Researchers, is repealed July 1, 2028.
- 181 (18) Title 53B, Chapter 18, Part 17, Food Security Council, is repealed July 1, 2027.
- 182 (19) Title 53B, Chapter 18, Part 18, Electrification of Transportation Infrastructure
183 Research Center, is repealed July 1, 2028.
- 184 (20) Title 53B, Chapter 35, Higher Education and Corrections Council, is repealed July 1,
185 2027.
- 186 (21) Subsection 53C-3-203(4)(b)(vii), regarding the distribution of money from the Land
187 Exchange Distribution Account to the Geological Survey for test wells and other
188 hydrologic studies in the West Desert, is repealed July 1, 2030.
- 189 (22) Subsection 53E-1-201(1)(q), regarding the Higher Education and Corrections Council,
190 is repealed July 1, 2027.
- 191 (23) Subsection 53E-2-304(6), regarding foreclosing a private right of action or waiver of
192 governmental immunity, is repealed July 1, 2027.
- 193 (24) Subsection 53E-3-503(5), regarding coordinating councils for youth in care, is
194 repealed July 1, 2027.
- 195 (25) Subsection 53E-3-503(6), regarding coordinating councils for youth in care, is
196 repealed July 1, 2027.
- 197 (26) Subsection 53E-4-202(8)(b), regarding a standards review committee, is repealed
198 January 1, 2028.

- 199 (27) Section 53E-4-203, Standards review committee, is repealed January 1, 2028.
- 200 (28) Title 53E, Chapter 6, Part 5, Utah Professional Practices Advisory Commission, is
201 repealed July 1, 2033.
- 202 (29) Subsection 53E-7-207(7), regarding a private right of action or waiver of governmental
203 immunity, is repealed July 1, 2027.
- 204 (30) Section 53F-2-420, Intensive Services Special Education Pilot Program, is repealed
205 July 1, 2024.
- 206 (31) Section 53F-5-214, Grant for professional learning, is repealed July 1, 2025.
- 207 (32) Section 53F-5-215, Elementary teacher preparation grant, is repealed July 1, 2025.
- 208 (33) Section 53F-5-219, Local Innovations Civics Education Pilot Program, is repealed July
209 1, 2025.
- 210 (34) Title 53F, Chapter 10, Part 2, Capital Projects Evaluation Panel, is repealed July 1,
211 2027.
- 212 (35) Subsection 53G-4-608(2)(b), regarding the [~~Utah Seismic Safety Commission, is~~
213 ~~repealed January 1, 2025~~] Utah Commission for Earthquake Preparedness, is repealed
214 January 1, 2031.
- 215 (36) Subsection 53G-4-608(4)(b), regarding the [~~Utah Seismic Safety Commission, is~~
216 ~~repealed January 1, 2025~~] Utah Commission for Earthquake Preparedness, is repealed
217 January 1, 2031.
- 218 (37) Section 53G-9-212, Drinking water quality in schools, is repealed July 1, 2027.
- 219 Section 5. Section **63I-1-263** is amended to read:
- 220 **63I-1-263 . Repeal dates: Titles 63A to 63O.**
- 221 (1) Subsection 63A-5b-405(5), regarding prioritizing and allocating capital improvement
222 funding, is repealed July 1, 2024.
- 223 (2) Title 63C, Chapter 4a, Constitutional and Federalism Defense Act, is repealed July 1,
224 2028.
- 225 (3) Title 63C, Chapter 6, Utah Seismic Safety Commission, is repealed January 1, 2025.
- 226 (4) Title 63C, Chapter 18, Behavioral Health Crisis Response Committee, is repealed
227 December 31, 2026.
- 228 (5) Title 63C, Chapter 23, Education and Mental Health Coordinating Committee, is
229 repealed December 31, 2024.
- 230 (6) Title 63C, Chapter 25, State Finance Review Commission, is repealed July 1, 2027.
- 231 (7) Title 63C, Chapter 27, Cybersecurity Commission, is repealed July 1, 2032.
- 232 (8) Title 63C, Chapter 28, Ethnic Studies Commission, is repealed July 1, 2026.

233 (9) Title 63C, Chapter 31, State Employee Benefits Advisory Commission, is repealed July
234 1, 2028.

235 (10) Title 63C, Chapter 32, Utah Commission for Earthquake Preparedness, is repealed
236 January 1, 2031,

237 ~~[(10)]~~ (11) Section 63G-6a-805, Purchase from community rehabilitation programs, is
238 repealed July 1, 2026.

239 ~~[(11)]~~ (12) Title 63G, Chapter 21, Agreements to Provide State Services, is repealed July 1,
240 2028.

241 ~~[(12)]~~ (13) Title 63H, Chapter 4, Heber Valley Historic Railroad Authority, is repealed July
242 1, 2029.

243 ~~[(13)]~~ (14) Title 63H, Chapter 8, Utah Housing Corporation Act, is repealed July 1, 2026.

244 ~~[(14)]~~ (15) Subsection 63J-1-602.2(16), related to the Communication Habits to reduce
245 Adolescent Threats (CHAT) Pilot Program, is repealed July 1, 2029.

246 ~~[(15)]~~ (16) ~~[Subsection 63J-1-602.2(26), regarding the Utah Seismic Safety Commission, is~~
247 ~~repealed January 1, 2025]~~ Subsection 63J-1-602.2(27), regarding the Utah Commission
248 for Earthquake Preparedness, is repealed January 1, 2031.

249 ~~[(16)]~~ (17) Section 63L-11-204, Canyon resource management plan, is repealed July 1, 2025.

250 ~~[(17)]~~ (18) Title 63L, Chapter 11, Part 4, Resource Development Coordinating Committee,
251 is repealed July 1, 2027.

252 ~~[(18)]~~ (19) Title 63M, Chapter 7, Part 7, Domestic Violence Offender Treatment Board, is
253 repealed July 1, 2027.

254 ~~[(19)]~~ (20) Section 63M-7-902, Creation -- Membership -- Terms -- Vacancies -- Expenses,
255 is repealed July 1, 2029.

256 ~~[(20)]~~ (21) Title 63M, Chapter 11, Utah Commission on Aging, is repealed July 1, 2026.

257 ~~[(21)]~~ (22) Title 63N, Chapter 1b, Part 4, Women in the Economy Subcommittee, is
258 repealed January 1, 2030.

259 ~~[(22)]~~ (23) Title 63N, Chapter 2, Part 2, Enterprise Zone Act, is repealed July 1, 2028.

260 ~~[(23)]~~ (24) Subsection 63N-2-511(1)(b), regarding the Board of Tourism Development, is
261 repealed July 1, 2025.

262 ~~[(24)]~~ (25) Section 63N-2-512, Hotel Impact Mitigation Fund, is repealed July 1, 2028.

263 ~~[(25)]~~ (26) Title 63N, Chapter 3, Part 9, Strategic Innovation Grant Pilot Program, is
264 repealed July 1, 2027.

265 ~~[(26)]~~ (27) Title 63N, Chapter 3, Part 11, Manufacturing Modernization Grant Program, is
266 repealed July 1, 2025.

267 ~~[(27)]~~ (28) Title 63N, Chapter 4, Part 4, Rural Employment Expansion Program, is repealed
268 July 1, 2028.

269 ~~[(28)]~~ (29) Section 63N-4-804, which creates the Rural Opportunity Advisory Committee, is
270 repealed July 1, 2027.

271 ~~[(29)]~~ (30) Subsection 63N-4-805(5)(b), regarding the Rural Employment Expansion
272 Program, is repealed July 1, 2028.

273 ~~[(30)]~~ (31) Subsection 63N-7-101(1), regarding the Board of Tourism Development, is
274 repealed July 1, 2025.

275 ~~[(31)]~~ (32) Subsection 63N-7-102(3)(c), regarding a requirement for the Utah Office of
276 Tourism to receive approval from the Board of Tourism Development, is repealed July
277 1, 2025.

278 ~~[(32)]~~ (33) Title 63N, Chapter 7, Part 2, Board of Tourism Development, is repealed July 1,
279 2025.

280 Section 6. Section **63J-1-602.2** is amended to read:

281 **63J-1-602.2 . List of nonlapsing appropriations to programs.**

282 Appropriations made to the following programs are nonlapsing:

283 (1) The Legislature and the Legislature's committees.

284 (2) The State Board of Education, including all appropriations to agencies, line items, and
285 programs under the jurisdiction of the State Board of Education, in accordance with
286 Section 53F-9-103.

287 (3) The Rangeland Improvement Act created in Section 4-20-101.

288 (4) The Percent-for-Art Program created in Section 9-6-404.

289 (5) The LeRay McAllister Working Farm and Ranch Fund created in Section 4-46-301.

290 (6) The Utah Lake Authority created in Section 11-65-201.

291 (7) Dedicated credits accrued to the Utah Marriage Commission as provided under
292 Subsection 17-16-21(2)(d)(ii).

293 (8) The Wildlife Land and Water Acquisition Program created in Section 23A-6-205.

294 (9) Sanctions collected as dedicated credits from Medicaid providers under Subsection
295 26B-3-108(7).

296 (10) The primary care grant program created in Section 26B-4-310.

297 (11) The Opiate Overdose Outreach Pilot Program created in Section 26B-4-512.

298 (12) The Utah Health Care Workforce Financial Assistance Program created in Section
299 26B-4-702.

300 (13) The Rural Physician Loan Repayment Program created in Section 26B-4-703.

- 301 (14) The Utah Medical Education Council for the:
- 302 (a) administration of the Utah Medical Education Program created in Section 26B-4-707;
- 303 (b) provision of medical residency grants described in Section 26B-4-711; and
- 304 (c) provision of the forensic psychiatric fellowship grant described in Section 26B-4-712.
- 305 (15) The Division of Services for People with Disabilities, as provided in Section 26B-6-402.
- 306 (16) The Communication Habits to reduce Adolescent Threats (CHAT) Pilot Program
- 307 created in Section 26B-7-122.
- 308 (17) Funds that the Department of Alcoholic Beverage Services retains in accordance with
- 309 Subsection 32B-2-301(8)(a) or (b).
- 310 (18) The General Assistance program administered by the Department of Workforce
- 311 Services, as provided in Section 35A-3-401.
- 312 (19) The Utah National Guard, created in Title 39A, National Guard and Militia Act.
- 313 (20) The Search and Rescue Financial Assistance Program, as provided in Section
- 314 53-2a-1102.
- 315 (21) The Emergency Medical Services Grant Program in Section 53-2d-207.
- 316 (22) The Motorcycle Rider Education Program, as provided in Section 53-3-905.
- 317 (23) The Utah Board of Higher Education for teacher preparation programs, as provided in
- 318 Section 53B-6-104.
- 319 (24) Innovation grants under Section 53G-10-608, except as provided in Subsection
- 320 53G-10-608(6).
- 321 (25) The Division of Fleet Operations for the purpose of upgrading underground storage
- 322 tanks under Section 63A-9-401.
- 323 (26) The Division of Technology Services for technology innovation as provided under
- 324 Section 63A-16-903.
- 325 (27) Subject to Subsection 63C-32-102(9)(b), the Utah Commission for Earthquake
- 326 Preparedness, as provided in Subsection 63C-32-102(9)(a).
- 327 ~~[(27)]~~ (28) The State Capitol Preservation Board created by Section 63O-2-201.
- 328 ~~[(28)]~~ (29) The Office of Administrative Rules for publishing, as provided in Section
- 329 63G-3-402.
- 330 ~~[(29)]~~ (30) The Colorado River Authority of Utah, created in Title 63M, Chapter 14,
- 331 Colorado River Authority of Utah Act.
- 332 ~~[(30)]~~ (31) The Governor's Office of Economic Opportunity to fund the Enterprise Zone
- 333 Act, as provided in Title 63N, Chapter 2, Part 2, Enterprise Zone Act.
- 334 ~~[(31)]~~ (32) The Governor's Office of Economic Opportunity's Rural Employment Expansion

335 Program, as described in Title 63N, Chapter 4, Part 4, Rural Employment Expansion
336 Program.

337 ~~[(32)]~~ (33) County correctional facility contracting program for state inmates as described in
338 Section 64-13e-103.

339 ~~[(33)]~~ (34) County correctional facility reimbursement program for state probationary
340 inmates and state parole inmates as described in Section 64-13e-104.

341 ~~[(34)]~~ (35) Programs for the Jordan River Recreation Area as described in Section 65A-2-8.

342 ~~[(35)]~~ (36) The Division of Human Resource Management user training program, as
343 provided in Section 63A-17-106.

344 ~~[(36)]~~ (37) A public safety answering point's emergency telecommunications service fund,
345 as provided in Section 69-2-301.

346 ~~[(37)]~~ (38) The Traffic Noise Abatement Program created in Section 72-6-112.

347 ~~[(38)]~~ (39) The money appropriated from the Navajo Water Rights Negotiation Account to
348 the Division of Water Rights, created in Section 73-2-1.1, for purposes of participating
349 in a settlement of federal reserved water right claims.

350 ~~[(39)]~~ (40) The Judicial Council for compensation for special prosecutors, as provided in
351 Section 77-10a-19.

352 ~~[(40)]~~ (41) A state rehabilitative employment program, as provided in Section 78A-6-210.

353 ~~[(41)]~~ (42) The Utah Geological Survey, as provided in Section 79-3-401.

354 ~~[(42)]~~ (43) The Bonneville Shoreline Trail Program created under Section 79-5-503.

355 ~~[(43)]~~ (44) Adoption document access as provided in Sections 78B-6-141, 78B-6-144, and
356 78B-6-144.5.

357 ~~[(44)]~~ (45) Indigent defense as provided in Title 78B, Chapter 22, Part 4, Utah Indigent
358 Defense Commission.

359 ~~[(45)]~~ (46) The program established by the Division of Facilities Construction and
360 Management under Section 63A-5b-703 under which state agencies receive an
361 appropriation and pay lease payments for the use and occupancy of buildings owned by
362 the Division of Facilities Construction and Management.

363 ~~[(46)]~~ (47) The State Tax Commission for reimbursing counties for deferrals in accordance
364 with Section 59-2-1802.5.

365 ~~[(47)]~~ (48) The Veterinarian Education Loan Repayment Program created in Section 4-2-902.

366 Section 7. **Effective Date.**

367 This bill takes effect on May 7, 2025.