

Daniel McCay proposes the following substitute bill:

Golf Course Amendments

2025 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Daniel McCay

House Sponsor: Jon Hawkins

LONG TITLE

General Description:

This bill addresses water use by and management of golf courses.

Highlighted Provisions:

This bill:

- makes a record of water data regarding golf courses prepared for and provided to the

Janet Quinney Lawson Institute for Land, Water and Air at Utah State University

pursuant to statute a protected record under the Government Records Access and

Management Act;

- defines terms;

- requires a study of water use by golf courses;

- outlines a process to be followed in conducting and reporting on the study;

- requires the Division of State Parks to develop a master plan for state-owned golf courses

and to report on the master plan; and

- makes technical and conforming changes.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

63G-2-305, as last amended by Laws of Utah 2024, Chapters 18, 101, 135, 267, 344, and

522

ENACTS:

79-4-207, Utah Code Annotated 1953

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

30 Section 1. Section **63G-2-305** is amended to read:

31 **63G-2-305 . Protected records.**

32 The following records are protected if properly classified by a governmental entity:

- 33 (1) trade secrets as defined in Section 13-24-2 if the person submitting the trade secret has
34 provided the governmental entity with the information specified in Section 63G-2-309;
- 35 (2) commercial information or nonindividual financial information obtained from a person
36 if:
- 37 (a) disclosure of the information could reasonably be expected to result in unfair
38 competitive injury to the person submitting the information or would impair the
39 ability of the governmental entity to obtain necessary information in the future;
- 40 (b) the person submitting the information has a greater interest in prohibiting access than
41 the public in obtaining access; and
- 42 (c) the person submitting the information has provided the governmental entity with the
43 information specified in Section 63G-2-309;
- 44 (3) commercial or financial information acquired or prepared by a governmental entity to
45 the extent that disclosure would lead to financial speculations in currencies, securities, or
46 commodities that will interfere with a planned transaction by the governmental entity or
47 cause substantial financial injury to the governmental entity or state economy;
- 48 (4) records, the disclosure of which could cause commercial injury to, or confer a
49 competitive advantage upon a potential or actual competitor of, a commercial project
50 entity as defined in Subsection 11-13-103(4);
- 51 (5) test questions and answers to be used in future license, certification, registration,
52 employment, or academic examinations;
- 53 (6) records, the disclosure of which would impair governmental procurement proceedings
54 or give an unfair advantage to any person proposing to enter into a contract or agreement
55 with a governmental entity, except, subject to Subsections (1) and (2), that this
56 Subsection (6) does not restrict the right of a person to have access to, after the contract
57 or grant has been awarded and signed by all parties:
- 58 (a) a bid, proposal, application, or other information submitted to or by a governmental
59 entity in response to:
- 60 (i) an invitation for bids;
- 61 (ii) a request for proposals;
- 62 (iii) a request for quotes;

- 63 (iv) a grant; or
64 (v) other similar document; or
65 (b) an unsolicited proposal, as defined in Section 63G-6a-712;
66 (7) information submitted to or by a governmental entity in response to a request for
67 information, except, subject to Subsections (1) and (2), that this Subsection (7) does not
68 restrict the right of a person to have access to the information, after:
69 (a) a contract directly relating to the subject of the request for information has been
70 awarded and signed by all parties; or
71 (b)(i) a final determination is made not to enter into a contract that relates to the
72 subject of the request for information; and
73 (ii) at least two years have passed after the day on which the request for information
74 is issued;
75 (8) records that would identify real property or the appraisal or estimated value of real or
76 personal property, including intellectual property, under consideration for public
77 acquisition before any rights to the property are acquired unless:
78 (a) public interest in obtaining access to the information is greater than or equal to the
79 governmental entity's need to acquire the property on the best terms possible;
80 (b) the information has already been disclosed to persons not employed by or under a
81 duty of confidentiality to the entity;
82 (c) in the case of records that would identify property, potential sellers of the described
83 property have already learned of the governmental entity's plans to acquire the
84 property;
85 (d) in the case of records that would identify the appraisal or estimated value of
86 property, the potential sellers have already learned of the governmental entity's
87 estimated value of the property; or
88 (e) the property under consideration for public acquisition is a single family residence
89 and the governmental entity seeking to acquire the property has initiated negotiations
90 to acquire the property as required under Section 78B-6-505;
91 (9) records prepared in contemplation of sale, exchange, lease, rental, or other compensated
92 transaction of real or personal property including intellectual property, which, if
93 disclosed prior to completion of the transaction, would reveal the appraisal or estimated
94 value of the subject property, unless:
95 (a) the public interest in access is greater than or equal to the interests in restricting
96 access, including the governmental entity's interest in maximizing the financial

- benefit of the transaction; or
- (b) when prepared by or on behalf of a governmental entity, appraisals or estimates of the value of the subject property have already been disclosed to persons not employed by or under a duty of confidentiality to the entity;
- (10) records created or maintained for civil, criminal, or administrative enforcement purposes or audit purposes, or for discipline, licensing, certification, or registration purposes, if release of the records:
- (a) reasonably could be expected to interfere with investigations undertaken for enforcement, discipline, licensing, certification, or registration purposes;
- (b) reasonably could be expected to interfere with audits, disciplinary, or enforcement proceedings;
- (c) would create a danger of depriving a person of a right to a fair trial or impartial hearing;
- (d) reasonably could be expected to disclose the identity of a source who is not generally known outside of government and, in the case of a record compiled in the course of an investigation, disclose information furnished by a source not generally known outside of government if disclosure would compromise the source; or
- (e) reasonably could be expected to disclose investigative or audit techniques, procedures, policies, or orders not generally known outside of government if disclosure would interfere with enforcement or audit efforts;
- (11) records the disclosure of which would jeopardize the life or safety of an individual;
- (12) records the disclosure of which would jeopardize the security of governmental property, governmental programs, or governmental recordkeeping systems from damage, theft, or other appropriation or use contrary to law or public policy;
- (13) records that, if disclosed, would jeopardize the security or safety of a correctional facility, or records relating to incarceration, treatment, probation, or parole, that would interfere with the control and supervision of an offender's incarceration, treatment, probation, or parole;
- (14) records that, if disclosed, would reveal recommendations made to the Board of Pardons and Parole by an employee of or contractor for the Department of Corrections, the Board of Pardons and Parole, or the Department of Health and Human Services that are based on the employee's or contractor's supervision, diagnosis, or treatment of any person within the board's jurisdiction;
- (15) records and audit workpapers that identify audit, collection, and operational procedures

- 131 and methods used by the State Tax Commission, if disclosure would interfere with
132 audits or collections;
- 133 (16) records of a governmental audit agency relating to an ongoing or planned audit until
134 the final audit is released;
- 135 (17) records that are subject to the attorney client privilege;
- 136 (18) records prepared for or by an attorney, consultant, surety, indemnitor, insurer,
137 employee, or agent of a governmental entity for, or in anticipation of, litigation or a
138 judicial, quasi-judicial, or administrative proceeding;
- 139 (19)(a)(i) personal files of a state legislator, including personal correspondence to or
140 from a member of the Legislature; and
- 141 (ii) notwithstanding Subsection (19)(a)(i), correspondence that gives notice of
142 legislative action or policy may not be classified as protected under this section;
143 and
- 144 (b)(i) an internal communication that is part of the deliberative process in connection
145 with the preparation of legislation between:
- 146 (A) members of a legislative body;
- 147 (B) a member of a legislative body and a member of the legislative body's staff; or
- 148 (C) members of a legislative body's staff; and
- 149 (ii) notwithstanding Subsection (19)(b)(i), a communication that gives notice of
150 legislative action or policy may not be classified as protected under this section;
- 151 (20)(a) records in the custody or control of the Office of Legislative Research and
152 General Counsel, that, if disclosed, would reveal a particular legislator's
153 contemplated legislation or contemplated course of action before the legislator has
154 elected to support the legislation or course of action, or made the legislation or course
155 of action public; and
- 156 (b) notwithstanding Subsection (20)(a), the form to request legislation submitted to the
157 Office of Legislative Research and General Counsel is a public document unless a
158 legislator asks that the records requesting the legislation be maintained as protected
159 records until such time as the legislator elects to make the legislation or course of
160 action public;
- 161 (21) a research request from a legislator to a legislative staff member and research findings
162 prepared in response to the request;
- 163 (22) drafts, unless otherwise classified as public;
- 164 (23) records concerning a governmental entity's strategy about:

- 165 (a) collective bargaining; or
166 (b) imminent or pending litigation;
- 167 (24) records of investigations of loss occurrences and analyses of loss occurrences that may
168 be covered by the Risk Management Fund, the Employers' Reinsurance Fund, the
169 Uninsured Employers' Fund, or similar divisions in other governmental entities;
- 170 (25) records, other than personnel evaluations, that contain a personal recommendation
171 concerning an individual if disclosure would constitute a clearly unwarranted invasion
172 of personal privacy, or disclosure is not in the public interest;
- 173 (26) records that reveal the location of historic, prehistoric, paleontological, or biological
174 resources that if known would jeopardize the security of those resources or of valuable
175 historic, scientific, educational, or cultural information;
- 176 (27) records of independent state agencies if the disclosure of the records would conflict
177 with the fiduciary obligations of the agency;
- 178 (28) records of an institution within the state system of higher education defined in Section
179 53B-1-102 regarding tenure evaluations, appointments, applications for admissions,
180 retention decisions, and promotions, which could be properly discussed in a meeting
181 closed in accordance with Title 52, Chapter 4, Open and Public Meetings Act, provided
182 that records of the final decisions about tenure, appointments, retention, promotions, or
183 those students admitted, may not be classified as protected under this section;
- 184 (29) records of the governor's office, including budget recommendations, legislative
185 proposals, and policy statements, that if disclosed would reveal the governor's
186 contemplated policies or contemplated courses of action before the governor has
187 implemented or rejected those policies or courses of action or made them public;
- 188 (30) records of the Office of the Legislative Fiscal Analyst relating to budget analysis,
189 revenue estimates, and fiscal notes of proposed legislation before issuance of the final
190 recommendations in these areas;
- 191 (31) records provided by the United States or by a government entity outside the state that
192 are given to the governmental entity with a requirement that they be managed as
193 protected records if the providing entity certifies that the record would not be subject to
194 public disclosure if retained by it;
- 195 (32) transcripts, minutes, recordings, or reports of the closed portion of a meeting of a
196 public body except as provided in Section 52-4-206;
- 197 (33) records that would reveal the contents of settlement negotiations but not including final
198 settlements or empirical data to the extent that they are not otherwise exempt from

disclosure;

(34) memoranda prepared by staff and used in the decision-making process by an administrative law judge, a member of the Board of Pardons and Parole, or a member of any other body charged by law with performing a quasi-judicial function;

(35) records that would reveal negotiations regarding assistance or incentives offered by or requested from a governmental entity for the purpose of encouraging a person to expand or locate a business in Utah, but only if disclosure would result in actual economic harm to the person or place the governmental entity at a competitive disadvantage, but this section may not be used to restrict access to a record evidencing a final contract;

(36) materials to which access must be limited for purposes of securing or maintaining the governmental entity's proprietary protection of intellectual property rights including patents, copyrights, and trade secrets;

(37) the name of a donor or a prospective donor to a governmental entity, including an institution within the state system of higher education defined in Section 53B-1-102, and other information concerning the donation that could reasonably be expected to reveal the identity of the donor, provided that:

(a) the donor requests anonymity in writing;

(b) any terms, conditions, restrictions, or privileges relating to the donation may not be classified protected by the governmental entity under this Subsection (37); and

(c) except for an institution within the state system of higher education defined in Section 53B-1-102, the governmental unit to which the donation is made is primarily engaged in educational, charitable, or artistic endeavors, and has no regulatory or legislative authority over the donor, a member of the donor's immediate family, or any entity owned or controlled by the donor or the donor's immediate family;

(38) accident reports, except as provided in Sections 41-6a-404, 41-12a-202, and 73-18-13;

(39) a notification of workers' compensation insurance coverage described in Section 34A-2-205;

(40)(a) the following records of an institution within the state system of higher education defined in Section 53B-1-102, which have been developed, discovered, disclosed to, or received by or on behalf of faculty, staff, employees, or students of the institution:

(i) unpublished lecture notes;

(ii) unpublished notes, data, and information:

(A) relating to research; and

(B) of:

233 (I) the institution within the state system of higher education defined in Section
234 53B-1-102; or

235 (II) a sponsor of sponsored research;

236 (iii) unpublished manuscripts;

237 (iv) creative works in process;

238 (v) scholarly correspondence; and

239 (vi) confidential information contained in research proposals;

240 (b) Subsection (40)(a) may not be construed to prohibit disclosure of public information
241 required pursuant to Subsection 53B-16-302(2)(a) or (b); and

242 (c) Subsection (40)(a) may not be construed to affect the ownership of a record;

243 (41)(a) records in the custody or control of the Office of the Legislative Auditor General
244 that would reveal the name of a particular legislator who requests a legislative audit
245 prior to the date that audit is completed and made public; and

246 (b) notwithstanding Subsection (41)(a), a request for a legislative audit submitted to the
247 Office of the Legislative Auditor General is a public document unless the legislator
248 asks that the records in the custody or control of the Office of the Legislative Auditor
249 General that would reveal the name of a particular legislator who requests a
250 legislative audit be maintained as protected records until the audit is completed and
251 made public;

252 (42) records that provide detail as to the location of an explosive, including a map or other
253 document that indicates the location of:

254 (a) a production facility; or

255 (b) a magazine;

256 (43) information contained in the statewide database of the Division of Aging and Adult
257 Services created by Section 26B-6-210;

258 (44) information contained in the Licensing Information System described in Title 80,
259 Chapter 2, Child Welfare Services;

260 (45) information regarding National Guard operations or activities in support of the
261 National Guard's federal mission;

262 (46) records provided by any pawn or secondhand business to a law enforcement agency or
263 to the central database in compliance with Title 13, Chapter 32a, Pawnshop, Secondhand
264 Merchandise, and Catalytic Converter Transaction Information Act;

265 (47) information regarding food security, risk, and vulnerability assessments performed by
266 the Department of Agriculture and Food;

- (48) except to the extent that the record is exempt from this chapter pursuant to Section 63G-2-106, records related to an emergency plan or program, a copy of which is provided to or prepared or maintained by the Division of Emergency Management, and the disclosure of which would jeopardize:
- (a) the safety of the general public; or
 - (b) the security of:
 - (i) governmental property;
 - (ii) governmental programs; or
 - (iii) the property of a private person who provides the Division of Emergency Management information;
- (49) records of the Department of Agriculture and Food that provides for the identification, tracing, or control of livestock diseases, including any program established under Title 4, Chapter 24, Utah Livestock Brand and Anti-Theft Act, or Title 4, Chapter 31, Control of Animal Disease;
- (50) as provided in Section 26B-2-709:
- (a) information or records held by the Department of Health and Human Services related to a complaint regarding a provider, program, or facility which the department is unable to substantiate; and
 - (b) information or records related to a complaint received by the Department of Health and Human Services from an anonymous complainant regarding a provider, program, or facility;
- (51) unless otherwise classified as public under Section 63G-2-301 and except as provided under Section 41-1a-116, an individual's home address, home telephone number, or personal mobile phone number, if:
- (a) the individual is required to provide the information in order to comply with a law, ordinance, rule, or order of a government entity; and
 - (b) the subject of the record has a reasonable expectation that this information will be kept confidential due to:
 - (i) the nature of the law, ordinance, rule, or order; and
 - (ii) the individual complying with the law, ordinance, rule, or order;
- (52) the portion of the following documents that contains a candidate's residential or mailing address, if the candidate provides to the filing officer another address or phone number where the candidate may be contacted:
- (a) a declaration of candidacy, a nomination petition, or a certificate of nomination,

described in Section 20A-9-201, 20A-9-202, 20A-9-203, 20A-9-404, 20A-9-405, 20A-9-408, 20A-9-408.5, 20A-9-502, or 20A-9-601;

(b) an affidavit of impecuniosity, described in Section 20A-9-201; or

(c) a notice of intent to gather signatures for candidacy, described in Section 20A-9-408;

(53) the name, home address, work addresses, and telephone numbers of an individual that is engaged in, or that provides goods or services for, medical or scientific research that is:

(a) conducted within the state system of higher education, as defined in Section 53B-1-102; and

(b) conducted using animals;

(54) in accordance with Section 78A-12-203, any record of the Judicial Performance Evaluation Commission concerning an individual commissioner's vote, in relation to whether a judge meets or exceeds minimum performance standards under Subsection 78A-12-203(4), and information disclosed under Subsection 78A-12-203(5)(e);

(55) information collected and a report prepared by the Judicial Performance Evaluation Commission concerning a judge, unless Section 20A-7-702 or Title 78A, Chapter 12, Judicial Performance Evaluation Commission Act, requires disclosure of, or makes public, the information or report;

(56) records provided or received by the Public Lands Policy Coordinating Office in furtherance of any contract or other agreement made in accordance with Section 63L-11-202;

(57) information requested by and provided to the 911 Division under Section 63H-7a-302;

(58) in accordance with Section 73-10-33:

(a) a management plan for a water conveyance facility in the possession of the Division of Water Resources or the Board of Water Resources; or

(b) an outline of an emergency response plan in possession of the state or a county or municipality;

(59) the following records in the custody or control of the Office of Inspector General of Medicaid Services, created in Section 63A-13-201:

(a) records that would disclose information relating to allegations of personal misconduct, gross mismanagement, or illegal activity of a person if the information or allegation cannot be corroborated by the Office of Inspector General of Medicaid Services through other documents or evidence, and the records relating to the allegation are not relied upon by the Office of Inspector General of Medicaid Services in preparing a final investigation report or final audit report;

- (b) records and audit workpapers to the extent they would disclose the identity of a person who, during the course of an investigation or audit, communicated the existence of any Medicaid fraud, waste, or abuse, or a violation or suspected violation of a law, rule, or regulation adopted under the laws of this state, a political subdivision of the state, or any recognized entity of the United States, if the information was disclosed on the condition that the identity of the person be protected;
- (c) before the time that an investigation or audit is completed and the final investigation or final audit report is released, records or drafts circulated to a person who is not an employee or head of a governmental entity for the person's response or information;
- (d) records that would disclose an outline or part of any investigation, audit survey plan, or audit program; or
- (e) requests for an investigation or audit, if disclosure would risk circumvention of an investigation or audit;
- (60) records that reveal methods used by the Office of Inspector General of Medicaid Services, the fraud unit, or the Department of Health and Human Services, to discover Medicaid fraud, waste, or abuse;
- (61) information provided to the Department of Health and Human Services or the Division of Professional Licensing under Subsections 58-67-304(3) and (4) and Subsections 58-68-304(3) and (4);
- (62) a record described in Section 63G-12-210;
- (63) captured plate data that is obtained through an automatic license plate reader system used by a governmental entity as authorized in Section 41-6a-2003;
- (64) an audio or video recording created by a body-worn camera, as that term is defined in Section 77-7a-103, that records sound or images inside a hospital or health care facility as those terms are defined in Section 78B-3-403, inside a clinic of a health care provider, as that term is defined in Section 78B-3-403, or inside a human service program as that term is defined in Section 26B-2-101, except for recordings that:
- (a) depict the commission of an alleged crime;
- (b) record any encounter between a law enforcement officer and a person that results in death or bodily injury, or includes an instance when an officer fires a weapon;
- (c) record any encounter that is the subject of a complaint or a legal proceeding against a law enforcement officer or law enforcement agency;
- (d) contain an officer involved critical incident as defined in Subsection 76-2-408(1)(f);

369 or

370 (e) have been requested for reclassification as a public record by a subject or authorized
371 agent of a subject featured in the recording;

372 (65) a record pertaining to the search process for a president of an institution of higher
373 education described in Section 53B-2-102, except for application materials for a publicly
374 announced finalist;

375 (66) an audio recording that is:

376 (a) produced by an audio recording device that is used in conjunction with a device or
377 piece of equipment designed or intended for resuscitating an individual or for treating
378 an individual with a life-threatening condition;

379 (b) produced during an emergency event when an individual employed to provide law
380 enforcement, fire protection, paramedic, emergency medical, or other first responder
381 service:

382 (i) is responding to an individual needing resuscitation or with a life-threatening
383 condition; and

384 (ii) uses a device or piece of equipment designed or intended for resuscitating an
385 individual or for treating an individual with a life-threatening condition; and

386 (c) intended and used for purposes of training emergency responders how to improve
387 their response to an emergency situation;

388 (67) records submitted by or prepared in relation to an applicant seeking a recommendation
389 by the Research and General Counsel Subcommittee, the Budget Subcommittee, or the
390 Audit Subcommittee, established under Section 36-12-8, for an employment position
391 with the Legislature;

392 (68) work papers as defined in Section 31A-2-204;

393 (69) a record made available to Adult Protective Services or a law enforcement agency
394 under Section 61-1-206;

395 (70) a record submitted to the Insurance Department in accordance with Section
396 31A-37-201;

397 (71) a record described in Section 31A-37-503;

398 (72) any record created by the Division of Professional Licensing as a result of Subsection
399 58-37f-304(5) or 58-37f-702(2)(a)(ii);

400 (73) a record described in Section 72-16-306 that relates to the reporting of an injury
401 involving an amusement ride;

402 (74) except as provided in Subsection 63G-2-305.5(1), the signature of an individual on a

political petition, or on a request to withdraw a signature from a political petition,
including a petition or request described in the following titles:

- (a) Title 10, Utah Municipal Code;
- (b) Title 17, Counties;
- (c) Title 17B, Limited Purpose Local Government Entities - Special Districts;
- (d) Title 17D, Limited Purpose Local Government Entities - Other Entities; and
- (e) Title 20A, Election Code;

(75) except as provided in Subsection 63G-2-305.5(2), the signature of an individual in a
voter registration record;

(76) except as provided in Subsection 63G-2-305.5(3), any signature, other than a signature
described in Subsection (74) or (75), in the custody of the lieutenant governor or a local
political subdivision collected or held under, or in relation to, Title 20A, Election Code;

(77) a Form I-918 Supplement B certification as described in Title 77, Chapter 38, Part 5,
Victims Guidelines for Prosecutors Act;

(78) a record submitted to the Insurance Department under Section 31A-48-103;

(79) personal information, as defined in Section 63G-26-102, to the extent disclosure is
prohibited under Section 63G-26-103;

(80) an image taken of an individual during the process of booking the individual into jail,
unless:

- (a) the individual is convicted of a criminal offense based upon the conduct for which
the individual was incarcerated at the time the image was taken;
 - (b) a law enforcement agency releases or disseminates the image:
 - (i) after determining that the individual is a fugitive or an imminent threat to an
individual or to public safety and releasing or disseminating the image will assist
in apprehending the individual or reducing or eliminating the threat; or
 - (ii) to a potential witness or other individual with direct knowledge of events relevant
to a criminal investigation or criminal proceeding for the purpose of identifying or
locating an individual in connection with the criminal investigation or criminal
proceeding;
 - (c) a judge orders the release or dissemination of the image based on a finding that the
release or dissemination is in furtherance of a legitimate law enforcement interest; or
 - (d) the image is displayed to a person who is permitted to view the image under Section
17-22-30[-] ;
- (81) a record:

- (a) concerning an interstate claim to the use of waters in the Colorado River system;
- (b) relating to a judicial proceeding, administrative proceeding, or negotiation with a representative from another state or the federal government as provided in Section 63M-14-205; and
- (c) the disclosure of which would:
 - (i) reveal a legal strategy relating to the state's claim to the use of the water in the Colorado River system;
 - (ii) harm the ability of the Colorado River Authority of Utah or river commissioner to negotiate the best terms and conditions regarding the use of water in the Colorado River system; or
 - (iii) give an advantage to another state or to the federal government in negotiations regarding the use of water in the Colorado River system;
- (82) any part of an application described in Section 63N-16-201 that the Governor's Office of Economic Opportunity determines is nonpublic, confidential information that if disclosed would result in actual economic harm to the applicant, but this Subsection (82) may not be used to restrict access to a record evidencing a final contract or approval decision;
- (83) the following records of a drinking water or wastewater facility:
 - (a) an engineering or architectural drawing of the drinking water or wastewater facility; and
 - (b) except as provided in Section 63G-2-106, a record detailing tools or processes the drinking water or wastewater facility uses to secure, or prohibit access to, the records described in Subsection (83)(a);
- (84) a statement that an employee of a governmental entity provides to the governmental entity as part of the governmental entity's personnel or administrative investigation into potential misconduct involving the employee if the governmental entity:
 - (a) requires the statement under threat of employment disciplinary action, including possible termination of employment, for the employee's refusal to provide the statement; and
 - (b) provides the employee assurance that the statement cannot be used against the employee in any criminal proceeding;
- (85) any part of an application for a Utah Fits All Scholarship account described in Section 53F-6-402 or other information identifying a scholarship student as defined in Section 53F-6-401;

(86) a record:

- (a) concerning a claim to the use of waters in the Great Salt Lake;
- (b) relating to a judicial proceeding, administrative proceeding, or negotiation with a person concerning the claim, including a representative from another state or the federal government; and
- (c) the disclosure of which would:
 - (i) reveal a legal strategy relating to the state's claim to the use of the water in the Great Salt Lake;
 - (ii) harm the ability of the Great Salt Lake commissioner to negotiate the best terms and conditions regarding the use of water in the Great Salt Lake; or
 - (iii) give an advantage to another person including another state or to the federal government in negotiations regarding the use of water in the Great Salt Lake; [and]

(87) a consumer complaint described in Section 13-2-11, unless the consumer complaint is reclassified as public as described in Subsection 13-2-11(4)[-] ;

(88) a record of the Utah water agent, appointed under Section 73-10g-702:

- (a) concerning a claim to the use of waters;
- (b) relating to a judicial proceeding, administrative proceeding, or negotiation with a representative from another state, a tribe, the federal government, or other government entity as provided in Title 73, Chapter 10g, Part 6, Utah Water Agent; and
- (c) the disclosure of which would:
 - (i) reveal a legal strategy relating to the state's claim to the use of the water;
 - (ii) harm the ability of the Utah water agent to negotiate the best terms and conditions regarding the use of water; or
 - (iii) give an advantage to another state, a tribe, the federal government, or other government entity in negotiations regarding the use of water[-] ; and

(89) a record of water data prepared for and provided to the Janet Quinney Lawson Institute for Land, Water and Air at Utah State University under Section 79-4-207.

Section 2. Section **79-4-207** is enacted to read:

79-4-207 . Water use by golf courses -- Master plan for state-owned golf courses.

(1) As used in this section:

- (a) "Division" means the Division of State Parks.
- (b) "Golf course" means:
 - (i) real property that may be used for golf, golf practice areas, or a driving range by

- 505 the public or by the members and guests of a private club; and
- 506 (ii) improvements to the real property described in Subsection (1)(b)(i), including
- 507 turf, bunkers, trees, irrigation, lakes, lake liners, bridges, practice ranges, golf
- 508 greens, golf tees, paths, and trails.
- 509 (c) "Institute" means the Janet Quinney Lawson Institute for Land, Water and Air at
- 510 Utah State University.
- 511 (2)(a) The institute shall study the use of water on golf courses in the state.
- 512 (b) As part of the study under this Subsection (2), the institute shall identify best
- 513 practices for water use for the unique elements of Utah's diverse geography and
- 514 topography, including:
- 515 (i) surveying practices in similar climate states;
- 516 (ii) determining how much water is used by golf courses;
- 517 (iii) determining how much irrigable acreage is playing versus non-playing areas; and
- 518 (iv) recommending methods for capturing possible water savings.
- 519 (c) The institute shall work with owners and operators of golf courses to identify
- 520 strategic water saving opportunities.
- 521 (d) Notwithstanding Section 63G-2-305, in preparing the report described in Subsection
- 522 (2)(e), the institute shall consult and share data with the following stakeholders:
- 523 (i) two individuals selected by the Golf Alliance Utah;
- 524 (ii) one individual selected by the Utah Section of the Professional Golfers'
- 525 Association of America;
- 526 (iii) one individual selected by the Utah Golf Association; and
- 527 (iv) three individuals selected by the Utah Golf Course Superintendents Association.
- 528 (e) The institute shall report the findings of the study, in a manner that does not identify
- 529 golf courses, by no later than June 30, 2028, to the Legislative Water Development
- 530 Commission created in Section 73-27-102.
- 531 (3)(a) For a golf course owned by the state or a political subdivision of the state, the
- 532 owner or operator of the golf course in the state shall work with the institute as part
- 533 of the study under Subsection (2).
- 534 (b) For a golf course that is privately owned, the owner or operator of the golf course in
- 535 the state may cooperate with the institute as part of the study under Subsection (2).
- 536 (4)(a) The division shall develop a master plan for state-owned golf courses, including
- 537 addressing capital facilities and water use and conservation.
- 538 (b) The division shall report to the following committees regarding the division's master

539 plan by no later than the November 2026 interim meetings of the Legislature:

540 (i) Natural Resources, Agriculture, and Environment Interim Committee; and

541 (ii) Revenue and Taxation Interim Committee.

542 Section 3. **Effective date.**

543 This bill takes effect on May 7, 2025.