

**Natural Resources, Agriculture, and Environment Technical Changes**

2026 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Keven J. Stratton**

House Sponsor: Carl R. Albrecht

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**LONG TITLE**

**General Description:**

This bill addresses obsolete programs and makes other technical changes to statutes within the purview of natural resources, agriculture, and environment or related legislative committees.

**Highlighted Provisions:**

This bill:

- ▶ repeals language related to outdated authorizations to borrow or lend money from the Agricultural Water Optimization Account;
- ▶ repeals sections codifying the titles of a title, chapter, or part;
- ▶ requires certain annual reports to legislative committees be submitted by no later than October 1;
- ▶ repeals outdated reviews, reports, or studies;
- ▶ repeals outdated transitional language related to membership of boards;
- ▶ repeals outdated language regarding fees;
- ▶ corrects typographical errors;
- ▶ makes conforming amendments to sunset provisions;
- ▶ clarifies language regarding the federal Recreation and Public Purposes Act;
- ▶ repeals outdated deadlines for required management plans for water conveyance facilities;
- ▶ clarifies the procedure for the Great Salt Lake commissioner's submission of a strategic plan;
- ▶ repeals obsolete provisions related to mercury switch removal;
- ▶ repeals outdated provisions related to presenting rules for carbon capture and geological storage;
- ▶ repeals completed study of transportation, heating, and electricity-generating fuel storage

28 reserves;

- 29       ▸ repeals outdated provisions related to regulatory certainty;
- 30       ▸ repeals outdated requirement to participate in a survey;
- 31       ▸ repeals outdated emergency water resources chapter; and
- 32       ▸ makes technical and conforming amendments.

33 **Money Appropriated in this Bill:**

34       None

35 **Other Special Clauses:**

36       None

37 **Utah Code Sections Affected:**

38 AMENDS:

39       **4-18-106 (Effective 05/06/26)**, as last amended by Laws of Utah 2025, Chapter 91

40       **4-18-201 (Effective 05/06/26)**, as enacted by Laws of Utah 2017, Chapter 345

41       **4-26-101 (Effective 05/06/26)**, as last amended by Laws of Utah 2017, Chapter 345

42       **4-46-303 (Effective 05/06/26)**, as last amended by Laws of Utah 2025, Chapter 271

43       **11-13-228 (Effective 05/06/26)**, as enacted by Laws of Utah 2024, Chapter 522

44       **11-65-202 (Effective 05/06/26)**, as enacted by Laws of Utah 2022, Chapter 59

45       **19-1-105 (Effective 05/06/26)**, as last amended by Laws of Utah 2025, Chapter 14

46       **19-1-108 (Effective 05/06/26)**, as last amended by Laws of Utah 2022, Chapter 336

47       **19-1-403.3 (Effective 05/06/26)**, as enacted by Laws of Utah 2016, Chapter 369

48       **19-2-101 (Effective 05/06/26) (Repealed 07/01/29)**, as renumbered and amended by  
49 Laws of Utah 1991, Chapter 112

50       **19-4-103 (Effective 05/06/26) (Repealed 07/01/29)**, as last amended by Laws of Utah  
51 2025, Chapter 57

52       **19-4-106 (Effective 05/06/26) (Repealed 07/01/29)**, as last amended by Laws of Utah  
53 2023, Chapter 238

54       **19-5-122 (Effective 05/06/26) (Repealed 07/01/29)**, as last amended by Laws of Utah  
55 2009, Chapter 183

56       **19-6-102.1 (Effective 05/06/26) (Repealed 07/01/29)**, as last amended by Laws of Utah  
57 2020, Chapters 256, 354

58       **19-6-118.5 (Effective 05/06/26) (Repealed 07/01/29)**, as last amended by Laws of Utah  
59 2010, Chapter 17

60       **19-6-119 (Effective 05/06/26) (Repealed 07/01/29)**, as last amended by Laws of Utah  
61 2025, First Special Session, Chapter 16

62        **19-10-101 (Effective 05/06/26)**, as last amended by Laws of Utah 2006, Chapter 51  
63        **19-10-102 (Effective 05/06/26)**, as enacted by Laws of Utah 2003, Chapter 44  
64        **23A-3-205 (Effective 05/06/26)**, as last amended by Laws of Utah 2025, First Special  
65        Session, Chapter 15  
66        **23A-4-702 (Effective 05/06/26)**, as last amended by Laws of Utah 2023, Chapter 345  
67        and renumbered and amended by Laws of Utah 2023, Chapter 103  
68        **23A-6-205 (Effective 05/06/26)**, as enacted by Laws of Utah 2023, Chapter 345  
69        **23A-11-302 (Effective 05/06/26)**, as last amended by Laws of Utah 2025, Chapter 116  
70        **23A-12-303 (Effective 05/06/26)**, as last amended by Laws of Utah 2025, Chapter 140  
71        **63A-1-116 (Effective 05/06/26)**, as last amended by Laws of Utah 2016, Chapter 187  
72        **63A-9-401 (Effective 05/06/26)**, as last amended by Laws of Utah 2023, Chapter 16  
73        **63G-4-102 (Effective 05/06/26)**, as last amended by Laws of Utah 2025, Chapters 14,  
74        260 and 340  
75        **63I-1-219 (Effective 05/06/26)**, as last amended by Laws of Utah 2025, Chapters 14, 121  
76        and 522  
77        **63I-1-265 (Effective 05/06/26)**, as last amended by Laws of Utah 2024, Third Special  
78        Session, Chapter 5  
79        **63J-1-602.2 (Effective 05/06/26) (Partially Repealed 07/01/29)**, as last amended by Laws  
80        of Utah 2025, First Special Session, Chapter 17  
81        **63J-8-106 (Effective 05/06/26)**, as last amended by Laws of Utah 2021, Chapter 382  
82        **63L-11-305 (Effective 05/06/26)**, as last amended by Laws of Utah 2025, Chapters 140,  
83        148  
84        **65A-6-4 (Effective 05/06/26)**, as last amended by Laws of Utah 2025, Chapter 151  
85        **65A-16-301 (Effective 05/06/26)**, as last amended by Laws of Utah 2025, Chapter 93  
86        **73-10-33 (Effective 05/06/26)**, as last amended by Laws of Utah 2014, Chapter 355  
87        **73-10g-204 (Effective 05/06/26) (Repealed 07/01/28)**, as last amended by Laws of Utah  
88        2025, Chapter 99  
89        **73-10g-305 (Effective 05/06/26)**, as last amended by Laws of Utah 2024, Chapter 335  
90        **73-10g-703 (Effective 05/06/26) (Repealed 07/01/34)**, as last amended by Laws of Utah  
91        2025, Chapter 93  
92        **73-32-202 (Effective 05/06/26)**, as last amended by Laws of Utah 2025, Chapter 93  
93        **73-32-204 (Effective 05/06/26)**, as last amended by Laws of Utah 2024, Chapter 25  
94        **73-32-303 (Effective 05/06/26) (Repealed 07/01/27)**, as last amended by Laws of Utah  
95        2025, Chapter 93

96 **76-17-401 (Effective 05/06/26)**, as renumbered and amended by Laws of Utah 2025,  
97 Chapter 173  
98 **79-2-406 (Effective 05/06/26)**, as last amended by Laws of Utah 2024, Chapter 88  
99 **79-2-408 (Effective 05/06/26)**, as last amended by Laws of Utah 2024, Chapter 38  
100 **79-2-504 (Effective 05/06/26)**, as enacted by Laws of Utah 2016, Chapter 358  
101 **79-8-203 (Effective 05/06/26)**, as last amended by Laws of Utah 2025, Chapters 83, 271

## REPEALS:

103 **4-1-101 (Effective 05/06/26)**, as renumbered and amended by Laws of Utah 2017,  
104 Chapter 345  
105 **4-2-101 (Effective 05/06/26)**, as enacted by Laws of Utah 2017, Chapter 345  
106 **4-2-501 (Effective 05/06/26)**, as enacted by Laws of Utah 2015, Chapter 128  
107 **4-3-101 (Effective 05/06/26)**, as enacted by Laws of Utah 2017, Chapter 345  
108 **4-4-101 (Effective 05/06/26)**, as renumbered and amended by Laws of Utah 2017,  
109 Chapter 345  
110 **4-4a-101 (Effective 05/06/26)**, as enacted by Laws of Utah 2021, Chapter 323  
111 **4-5-101 (Effective 05/06/26)**, as renumbered and amended by Laws of Utah 2017,  
112 Chapter 345  
113 **4-5a-101 (Effective 05/06/26)**, as enacted by Laws of Utah 2018, Chapter 377  
114 **4-7-101 (Effective 05/06/26)**, as renumbered and amended by Laws of Utah 2017,  
115 Chapter 345  
116 **4-8-101 (Effective 05/06/26)**, as renumbered and amended by Laws of Utah 2017,  
117 Chapter 345  
118 **4-9-101 (Effective 05/06/26)**, as enacted by Laws of Utah 2017, Chapter 345  
119 **4-10-101 (Effective 05/06/26)**, as renumbered and amended by Laws of Utah 2017,  
120 Chapter 345  
121 **4-11-101 (Effective 05/06/26)**, as renumbered and amended by Laws of Utah 2017,  
122 Chapter 345  
123 **4-12-101 (Effective 05/06/26)**, as renumbered and amended by Laws of Utah 2018,  
124 Chapter 355  
125 **4-14-101 (Effective 05/06/26)**, as renumbered and amended by Laws of Utah 2017,  
126 Chapter 345  
127 **4-15-101 (Effective 05/06/26)**, as renumbered and amended by Laws of Utah 2017,  
128 Chapter 345  
129 **4-16-101 (Effective 05/06/26)**, as renumbered and amended by Laws of Utah 2017,

130 Chapter 345  
131 **4-17-101 (Effective 05/06/26)**, as renumbered and amended by Laws of Utah 2017,  
132 Chapter 345  
133 **4-18-101 (Effective 05/06/26)**, as renumbered and amended by Laws of Utah 2013,  
134 Chapter 227  
135 **4-18-301 (Effective 05/06/26) (Repealed 07/01/26)**, as enacted by Laws of Utah 2021,  
136 Chapter 178  
137 **4-19-101 (Effective 05/06/26)**, as enacted by Laws of Utah 2017, Chapter 345  
138 **4-20-101 (Effective 05/06/26)**, as renumbered and amended by Laws of Utah 2017,  
139 Chapter 345  
140 **4-21-101 (Effective 05/06/26)**, as enacted by Laws of Utah 2018, Chapter 393  
141 **4-22-101 (Effective 05/06/26)**, as enacted by Laws of Utah 2017, Chapter 345  
142 **4-23-101 (Effective 05/06/26)**, as renumbered and amended by Laws of Utah 2017,  
143 Chapter 345  
144 **4-24-101 (Effective 05/06/26)**, as renumbered and amended by Laws of Utah 2017,  
145 Chapter 345  
146 **4-25-101 (Effective 05/06/26)**, as enacted by Laws of Utah 2017, Chapter 345  
147 **4-30-101 (Effective 05/06/26)**, as enacted by Laws of Utah 2017, Chapter 345  
148 **4-31-101 (Effective 05/06/26)**, as enacted by Laws of Utah 2012, Chapter 331  
149 **4-32-101 (Effective 05/06/26)**, as renumbered and amended by Laws of Utah 2017,  
150 Chapter 345  
151 **4-32a-101 (Effective 05/06/26)**, as enacted by Laws of Utah 2019, Chapter 315  
152 **4-34-101 (Effective 05/06/26)**, as enacted by Laws of Utah 2017, Chapter 345  
153 **4-35-101 (Effective 05/06/26)**, as last amended by Laws of Utah 2020, Chapter 326  
154 **4-37-101 (Effective 05/06/26)**, as enacted by Laws of Utah 1994, Chapter 153  
155 **4-38-101 (Effective 05/06/26)**, as renumbered and amended by Laws of Utah 2017,  
156 Chapter 345  
157 **4-39-101 (Effective 05/06/26)**, as enacted by Laws of Utah 1997, Chapter 302  
158 **4-41-101 (Effective 05/06/26)**, as last amended by Laws of Utah 2020, Chapter 14  
159 **4-41-401 (Effective 05/06/26)**, as last amended by Laws of Utah 2019, Chapter 23  
160 **4-41a-101 (Effective 05/06/26)**, as renumbered and amended by Laws of Utah 2018,  
161 Third Special Session, Chapter 1  
162 **4-44-101 (Effective 05/06/26)**, as enacted by Laws of Utah 2019, Chapter 81  
163 **4-45-101 (Effective 05/06/26)**, as enacted by Laws of Utah 2019, Chapter 329

164 **19-1-101 (Effective 05/06/26)**, as enacted by Laws of Utah 1991, Chapter 112  
165 **19-1-207 (Effective 05/06/26)**, as last amended by Laws of Utah 2024, Chapter 178  
166 **19-1-501 (Effective 05/06/26)**, as enacted by Laws of Utah 2010, Chapter 170  
167 **19-1-601 (Effective 05/06/26)**, as last amended by Laws of Utah 2018, Chapter 281  
168 **19-2-201 (Effective 05/06/26) (Repealed 07/01/29)**, as enacted by Laws of Utah 2014,  
169 Chapter 295  
170 **19-2-301 (Effective 05/06/26) (Repealed 07/01/29)**, as enacted by Laws of Utah 2015,  
171 Chapter 381  
172 **19-2a-101 (Effective 05/06/26)**, as enacted by Laws of Utah 2018, Chapter 120  
173 **19-3-101 (Effective 05/06/26)**, as enacted by Laws of Utah 1991, Chapter 112  
174 **19-3-320 (Effective 05/06/26)**, as last amended by Laws of Utah 2021, Chapter 184  
175 **19-4-101 (Effective 05/06/26) (Repealed 07/01/29)**, as renumbered and amended by  
176 Laws of Utah 1991, Chapter 112  
177 **19-5-101 (Effective 05/06/26) (Repealed 07/01/29)**, as renumbered and amended by  
178 Laws of Utah 1991, Chapter 112  
179 **19-5-203 (Effective 05/06/26) (Repealed 07/01/29)**, as enacted by Laws of Utah 2022,  
180 Chapter 66  
181 **19-6-101 (Effective 05/06/26) (Repealed 07/01/29)**, as renumbered and amended by  
182 Laws of Utah 1991, Chapter 112  
183 **19-6-201 (Effective 05/06/26)**, as renumbered and amended by Laws of Utah 1991,  
184 Chapter 112  
185 **19-6-301 (Effective 05/06/26) (Repealed 07/01/30)**, as renumbered and amended by  
186 Laws of Utah 1991, Chapter 112  
187 **19-6-501 (Effective 05/06/26)**, as renumbered and amended by Laws of Utah 1991,  
188 Chapter 112  
189 **19-6-701 (Effective 05/06/26) (Repealed 07/01/29)**, as enacted by Laws of Utah 1993,  
190 Chapter 283  
191 **19-6-801 (Effective 05/06/26) (Repealed 07/01/30)**, as renumbered and amended by  
192 Laws of Utah 2000, Chapter 51  
193 **19-6-901 (Effective 05/06/26)**, as enacted by Laws of Utah 2004, Chapter 249  
194 **19-6-1001 (Effective 05/06/26) (Repealed 07/01/27)**, as enacted by Laws of Utah 2006,  
195 Chapter 187  
196 **19-6-1002 (Effective 05/06/26) (Repealed 07/01/27)**, as last amended by Laws of Utah  
197 2015, Chapter 451

198 **19-6-1003 (Effective 05/06/26) (Repealed 07/01/27)**, as last amended by Laws of Utah  
199 2012, Chapter 360  
200 **19-6-1004 (Effective 05/06/26) (Repealed 07/01/27)**, as last amended by Laws of Utah  
201 2012, Chapter 360  
202 **19-6-1005 (Effective 05/06/26) (Repealed 07/01/27)**, as last amended by Laws of Utah  
203 2012, Chapter 360  
204 **19-6-1006 (Effective 05/06/26) (Repealed 07/01/27)**, as enacted by Laws of Utah 2006,  
205 Chapter 187  
206 **19-6-1101 (Effective 05/06/26)**, as enacted by Laws of Utah 2009, Chapter 340  
207 **19-6-1201 (Effective 05/06/26)**, as enacted by Laws of Utah 2011, Chapter 213  
208 **19-7-101 (Effective 05/06/26)**, as enacted by Laws of Utah 1995, Chapter 304  
209 **19-8-101 (Effective 05/06/26)**, as enacted by Laws of Utah 1997, Chapter 247  
210 **19-12-101 (Effective 05/06/26)**, as enacted by Laws of Utah 2014, Chapter 24  
211 **19-13-101 (Effective 05/06/26)**, as renumbered and amended by Laws of Utah 2020,  
212 Chapter 360  
213 **40-2-101 (Effective 05/06/26)**, as enacted by Laws of Utah 2008, Chapter 113  
214 **54-17-701 (Effective 05/06/26)**, as last amended by Laws of Utah 2024, Chapter 178  
215 **65A-8a-101 (Effective 05/06/26)**, as enacted by Laws of Utah 2001, Chapter 80  
216 **65A-10-5 (Effective 05/06/26) (Repealed 07/01/27)**, as enacted by Laws of Utah 2024,  
217 Chapter 384  
218 **65A-14-101 (Effective 05/06/26)**, as enacted by Laws of Utah 2010, Chapter 21  
219 **73-2-1.7 (Effective 05/06/26)**, as enacted by Laws of Utah 2022, Chapter 75  
220 **73-3b-101 (Effective 05/06/26)**, as enacted by Laws of Utah 1991, Chapter 146  
221 **73-3c-101 (Effective 05/06/26)**, as enacted by Laws of Utah 2006, Chapter 179  
222 **73-10-35 (Effective 05/06/26)**, as enacted by Laws of Utah 2020, Chapter 204  
223 **73-10g-101 (Effective 05/06/26)**, as last amended by Laws of Utah 2018, Chapter 143  
224 **73-10g-201 (Effective 05/06/26) (Repealed 07/01/28)**, as enacted by Laws of Utah 2018,  
225 Chapter 143  
226 **73-10g-309 (Effective 05/06/26)**, as enacted by Laws of Utah 2020, Chapter 309  
227 **73-10g-405 (Effective 05/06/26)**, as enacted by Laws of Utah 2022, Chapter 81  
228 **73-18c-101 (Effective 05/06/26)**, as last amended by Laws of Utah 2006, Chapter 211  
229 **73-20-1 (Effective 05/06/26)**, as enacted by Laws of Utah 1977, First Special Session,  
230 Chapters 6, 6  
231 **73-20-2 (Effective 05/06/26)**, as last amended by Laws of Utah 2021, Chapter 126

232 **73-20-3 (Effective 05/06/26)**, as enacted by Laws of Utah 1977, First Special Session,  
233 Chapters 6, 6  
234 **73-20-4 (Effective 05/06/26)**, as last amended by Laws of Utah 2021, Chapter 126  
235 **73-20-5 (Effective 05/06/26)**, as last amended by Laws of Utah 2021, Chapter 126  
236 **73-20-6 (Effective 05/06/26)**, as enacted by Laws of Utah 1977, First Special Session,  
237 Chapters 6, 6  
238 **73-20-7 (Effective 05/06/26)**, as enacted by Laws of Utah 1977, First Special Session,  
239 Chapters 6, 6  
240 **73-20-8 (Effective 05/06/26)**, as last amended by Laws of Utah 1988, Chapter 169  
241 **73-20-9 (Effective 05/06/26)**, as enacted by Laws of Utah 1977, First Special Session,  
242 Chapters 6, 6  
243 **73-20-10 (Effective 05/06/26)**, as last amended by Laws of Utah 1988, Chapter 169  
244 **73-20-11 (Effective 05/06/26)**, as enacted by Laws of Utah 1978, Chapter 37  
245 **73-26-101 (Effective 05/06/26)**, as enacted by Laws of Utah 1991, Chapter 251  
246 **73-28-101 (Effective 05/06/26)**, as enacted by Laws of Utah 2006, Chapter 216  
247 **73-29-101 (Effective 05/06/26)**, as enacted by Laws of Utah 2010, Chapter 410  
248 **73-31-101 (Effective 05/06/26) (Repealed 12/31/30)**, as enacted by Laws of Utah 2020,  
249 Chapter 342  
250 **79-1-101 (Effective 05/06/26)**, as enacted by Laws of Utah 2009, Chapter 344  
251 **79-2-101 (Effective 05/06/26)**, as enacted by Laws of Utah 2009, Chapter 344  
252 **79-2-405 (Effective 05/06/26)**, as enacted by Laws of Utah 2021, Chapter 87  
253 **79-2-501 (Effective 05/06/26)**, as enacted by Laws of Utah 2016, Chapter 358  
254 **79-3-101 (Effective 05/06/26)**, as enacted by Laws of Utah 2009, Chapter 344  
255 **79-4-1201 (Effective 05/06/26)**, as enacted by Laws of Utah 2019, Chapter 360  
256 **79-5-101 (Effective 05/06/26)**, as enacted by Laws of Utah 2009, Chapter 344  
257 **79-6-101 (Effective 05/06/26)**, as renumbered and amended by Laws of Utah 2021,  
258 Chapter 280  
259 **79-6-406 (Effective 05/06/26)**, as enacted by Laws of Utah 2024, Chapter 62  
260 **79-6-501 (Effective 05/06/26)**, as renumbered and amended by Laws of Utah 2021,  
261 Chapter 280  
262 **79-6-601 (Effective 05/06/26)**, as renumbered and amended by Laws of Utah 2021,  
263 Chapter 280  
264 **79-8-101 (Effective 05/06/26)**, as enacted by Laws of Utah 2021, Chapter 280  
265 **79-8-301 (Effective 05/06/26)**, as renumbered and amended by Laws of Utah 2021,

266 Chapter 280

267

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

269 Section 1. Section **4-18-106** is amended to read:

270 **4-18-106 (Effective 05/06/26). Agriculture Resource Development Fund --**  
271 **Contents -- Use of fund money -- Advisory board.**

272 (1) As used in this section:

273 (a) "Disaster" means an extraordinary circumstance, including a flood, drought, or fire,  
274 that results in:

275 (i) the president of the United States declaring an emergency or major disaster in the  
276 state;

277 (ii) the governor declaring a state of emergency under Title 53, Chapter 2a, Part 2,  
278 Disaster Response and Recovery Act; or

279 (iii) the chief executive officer of a local government declaring a local emergency  
280 under Title 53, Chapter 2a, Part 2, Disaster Response and Recovery Act.

281 (b) "Fund" means the Agriculture Resource Development Fund created in this section.

282 (c) "Local government" means the same as that term is defined in Section 53-2a-602.

283 (2) There is created a revolving loan fund known as the "Agriculture Resource  
284 Development Fund."

285 (3) The fund shall consist of:

286 (a) money appropriated to the fund by the Legislature;

287 (b) money received for the repayment of loans made from the fund;

288 (c) money from a preferential user to reimburse the commission for loans made from the  
289 fund in accordance with Title 73, Chapter 3d, Part 4, Compensation;

290 (d) money made available to the state for agriculture resource development or for a  
291 temporary water shortage emergency, as defined in Section 73-3d-101, from any  
292 source; and

293 (e) interest earned on the fund.

294 (4) The commission may make loans from the fund for:

295 (a) a rangeland improvement and management project;

296 (b) a watershed protection or flood prevention project;

297 (c) a soil and water conservation project;

298 (d) a program designed to promote energy efficient farming practices;

299 (e) an improvement program for agriculture product storage or program designed to

- 300 protect a crop or animal resource;
- 301 (f) a hydroponic or aquaponic system, including a hydroponic fodder production system;
- 302 (g) a project or program to improve water quality;
- 303 (h) a project to address other environmental issues;
- 304 (i) subject to Subsection (5), a disaster relief program designed to aid the sustainability
- 305 of agriculture during and immediately following a disaster; or
- 306 (j) subject to Subsection (6), authorized for temporary water shortage emergencies as
- 307 provided in Title 73, Chapter 3d, Part 4, Compensation.
- 308 (5)(a) Loans made through a disaster relief program described in Subsection (4)(i) may
- 309 not comprise more than 10% of the funds appropriated by the Legislature to the fund.
- 310 (b) Notwithstanding Subsection (5)(a), the department may use the money appropriated
- 311 to the fund by the Legislature or another source, without limitation, if the money is
- 312 appropriated specifically for use in a disaster relief program.
- 313 ~~[(c)(i) Until December 31, 2024, the department is authorized to borrow up to~~
- 314 ~~\$3,000,000 of General Fund appropriations from the Agricultural Water~~
- 315 ~~Optimization Account created in Section 73-10g-204 to be used in making loans~~
- 316 ~~through a disaster relief program described in Subsection (4)(i).]~~
- 317 ~~[(ii) If the department borrows from the Agricultural Water Optimization Account~~
- 318 ~~under Subsection (5)(c)(i), the department shall deposit the repayment of principal~~
- 319 ~~and interest on loans made through a disaster relief program, regardless of the~~
- 320 ~~source of the funds used to make those loans, into the Agricultural Water~~
- 321 ~~Optimization Account, with preference over the repayment of any other source of~~
- 322 ~~funds, until the Agricultural Water Optimization Account is repaid in full.]~~
- 323 (6) The commission may not have at one time an aggregate amount of loans made under
- 324 Subsection (4)(j) that exceeds \$5,000,000.
- 325 (7) The commission may appoint an advisory board to:
- 326 (a) oversee the award process for loans, as described in this section;
- 327 (b) approve loans; and
- 328 (c) recommend policies and procedures for the fund that are consistent with statute.
- 329 (8) The department shall obtain an approved annual budget from the commission to use
- 330 money from the fund to pay for the costs of administering the fund and loans made from
- 331 the fund.

332 Section 2. Section **4-18-201** is amended to read:

333 **4-18-201 (Effective 05/06/26). Definitions.**

334 [(1) This part is known as "Salinity Offset Fund."]

335 [(2)] As used in this part, "Colorado River Salinity Offset Program" means a program,  
336 administered by the Division of Water Quality, allowing oil, gas, or mining companies  
337 and other entities to provide [~~unds~~] money to finance salinity reduction projects in the  
338 Colorado River Basin by purchasing salinity credits as offsets against discharges made  
339 by the company under permits issued by the Division of Water Quality.

340 Section 3. Section **4-26-101** is amended to read:

341 **4-26-101 (Effective 05/06/26). Failure to close entrance to enclosure -- Class C**  
342 **misdemeanor -- Damages.**

343 [(1) This chapter is known as "Enclosures and Fences."]

344 [(2)] A person who willfully throws down a fence or opens bars or gates into [~~any~~] an  
345 enclosure other than the person's own enclosure or into [~~any~~] an enclosure jointly owned  
346 or occupied by [~~such~~] the person and others, and leaves the enclosure open:

347 [(a)] (1) is guilty of a class C misdemeanor; and

348 [(b)] (2) is liable in damage for [~~any~~] an injury sustained by [~~any~~] a person as a result of [~~such~~  
349 an] the act.

350 Section 4. Section **4-46-303** is amended to read:

351 **4-46-303 (Effective 05/06/26). Board to report annually.**

352 The board shall submit, by no later than October 1, an annual report to the  
353 Transportation and Infrastructure and Natural Resources, Agriculture, and Environmental  
354 Quality Appropriations Subcommittees:

355 (1) specifying the amount of each disbursement from the fund;

356 (2) identifying the recipient of each disbursement and describing the project for which  
357 money was disbursed; and

358 (3) detailing the conditions, if any, placed by the board on disbursements from the fund.

359 Section 5. Section **11-13-228** is amended to read:

360 **11-13-228 (Effective 05/06/26). Water District Water Development Council.**

361 (1) As used in this section:

362 (a) "Council" means the Water District Water Development Council created pursuant to  
363 this section.

364 (b) "Division" means the Division of Water Resources.

365 (c) "Generational" means sufficient to meet anticipated demand for 50 to 75 years.

366 (d) "Generational water infrastructure" means physical facilities or other physical assets  
367 designed to meet generational demands for water.

- 368 (e) "State or local entity" means:
- 369 (i) a department, division, commission, agency, or other instrumentality of state
- 370 government; or
- 371 (ii) a political subdivision or the political subdivision's instrumentalities.
- 372 (f) "Water agent" means the Utah water agent appointed by the governor under Section
- 373 73-10g-702.
- 374 (g) "Water conservancy district" means an entity formed under Title 17B, Chapter 2a,
- 375 Part 10, Water Conservancy District Act.
- 376 (2)(a) Subject to ~~[the provisions of]~~this part, the four largest water conservancy districts
- 377 in the state based on operating budgets shall enter into an agreement with one another
- 378 and the division to form the Water District Water Development Council as a joint
- 379 administrator of a joint or cooperative undertaking.
- 380 (b) The members of the council shall consist of:
- 381 (i) the general manager or the general manager's designee for each of the water
- 382 conservancy districts described in Subsection (2)(a); and
- 383 (ii) the director of the division, who will represent the needs of the portions of the
- 384 state that are not served by the water conservancy districts in the agreement.
- 385 (c) ~~[Members]~~ A member of the council may not receive compensation, per diem, or
- 386 expenses for service on the council.
- 387 (d) The council shall appoint a director to manage operations of the council. The council
- 388 shall set the salary for the director and the director serves at the pleasure of the
- 389 council.
- 390 (e) The council shall establish and maintain office space and staff for the council and the
- 391 water agent. The water conservancy districts that enter into the agreement shall pay
- 392 the costs of the office space and staff that are directly related to the activities of the
- 393 council, including staff from a water conservancy district that is assigned to work
- 394 with the council, except that, to the extent appropriated by the Legislature, the state
- 395 shall pay the costs of the water agent and ~~[any]~~costs for non-district staff hired to
- 396 solely work for the council or water agent.
- 397 (3)(a) The council may not own or operate water infrastructure, but may advise a water
- 398 conservancy district that enters into the agreement about the development of
- 399 generational water infrastructure by a water conservancy district.
- 400 (b) For the generational water needs of the citizens of Utah and within the authorities
- 401 given to the water conservancy districts represented on the council in Title 17B,

- 402 Chapter 2a, Part 10, Water Conservancy District Act, the council shall jointly plan  
403 for generational water infrastructure and advance the responsible development of  
404 water within the jurisdiction of the water conservancy districts represented on the  
405 council to address water users' generational need for adequate and reliable water  
406 supplies, including:
- 407 (i) assessing generational water needs based on population growth and economic  
408 development;
  - 409 (ii) identifying possible sources to meet the generational water needs;
  - 410 (iii) exploring physical interconnections and joint operations of generational water  
411 infrastructure that exist as of May 1, 2024, and into the future;
  - 412 (iv) assessing water conservation as a component of generational water supplies and  
413 environmental conservation efforts;
  - 414 (v) scoping solutions to determine the most viable pathways for meeting generational  
415 water needs;
  - 416 (vi) collecting and analyzing data necessary to make informed decisions regarding  
417 generational water needs;
  - 418 (vii) coordinating with other water suppliers within the state as needed;
  - 419 (viii) making recommendations to the Legislature regarding projects, funding, and  
420 policy changes to provide for generational water needs; and
  - 421 (ix) annually reporting findings and recommendations, by no later than October 1, to:
    - 422 (A) the governor;
    - 423 (B) the president of the Senate;
    - 424 (C) the speaker of the House of Representatives;
    - 425 (D) the Legislative Water Development Commission created by Section 73-27-102;
    - 426 (E) the Natural Resources, Agriculture, and Environment Interim Committee; and
    - 427 (F) the Water Development Coordinating Council created by Sections 79-2-201  
428 and 73-10c-3.
- 429 (c) The council shall coordinate with the division regarding the need for generational  
430 water infrastructure and how to meet that need and, as part of this coordination the  
431 council shall assist the division in the division's development of a state water plan  
432 under Section 73-10-15.
- 433 (d) The council shall receive input from and coordinate with the water agent.
- 434 (e) The council may not levy, assess, or collect ad valorem property taxes or issue bonds.
- 435 (f) The council shall adopt policies for procurement that enable the council to efficiently

- 436 fulfill the council's responsibilities under the agreement.
- 437 (g) The council is advisory and may not establish policy for the state.
- 438 (h) The council does not control money used to fund water infrastructure.
- 439 (4) Subject to Title 63G, Chapter 2, Government Records Access and Management Act,  
440 upon request of the council, a state or local entity shall provide to the water agent a  
441 document, report, or information available within the state or local entity.
- 442 (5) Nothing in this section restricts the ability of a water conservancy district to contract  
443 under Subsection 17B-2a-1004(2).

444 Section 6. Section **11-65-202** is amended to read:

445 **11-65-202 (Effective 05/06/26). Lake authority powers and duties.**

- 446 (1)(a) The lake authority has land use authority over publicly owned land within the lake  
447 authority boundary.
- 448 (b) The lake authority shall work with other government entities with jurisdiction over  
449 sovereign land and the watershed affecting Utah Lake water to improve the quality of  
450 water flowing into and out of Utah Lake, subject to and consistent with Title 19,  
451 Environmental Quality Code, and Title 73, Water and Irrigation.
- 452 (c) The lake authority may make recommendations and provide advice to an adjacent  
453 political subdivision relating to issues affecting both the lake authority and the  
454 adjacent political subdivision.
- 455 (d) The lake authority has no jurisdictional control or power over:
- 456 (i) another political subdivision, except as provided in an agreement between the lake  
457 authority and the other political subdivision;
- 458 (ii) the regulation of water quality;
- 459 (iii) water rights;
- 460 (iv) water collection, storage, or delivery;
- 461 (v) a project for water collection, storage, or delivery; and
- 462 (vi) water facilities that the lake authority does not own.
- 463 (2) The lake authority may coordinate the efforts of all applicable state and local  
464 government entities, property owners, owners of water rights, and other private parties,  
465 and other stakeholders to:
- 466 (a) develop and implement a management plan for Utah Lake, including:
- 467 (i) an environmental sustainability component, developed in conjunction with the  
468 Department of Environmental Quality and the Division of Wildlife Resources  
469 incorporating strategies and best management practices to meet applicable federal

- 470 and state standards, including:
- 471 (A) water quality monitoring and reporting; and
- 472 (B) strategies that use the best available technology and practices to mitigate
- 473 environmental impacts from management and uses on Utah Lake;
- 474 (ii) strategies that enhance the aesthetic qualities and recreational use and enjoyment
- 475 of Utah Lake; and
- 476 (iii) strategies that enhance economic development in communities adjacent to Utah
- 477 Lake;
- 478 (b) plan and facilitate the management of Utah Lake uses; and
- 479 (c) manage [~~any~~]land owned or leased by the lake authority that is not sovereign land.
- 480 (3) The lake authority has primary responsibility and authority for the management of Utah
- 481 Lake, subject to and in accordance with this chapter.
- 482 (4) The lake authority may:
- 483 (a) engage in education efforts to encourage and facilitate:
- 484 (i) the improvement of water and environmental quality;
- 485 (ii) the use of Utah Lake for recreation;
- 486 (iii) the improvement of economic development on Utah Lake; and
- 487 (iv) other management of Utah Lake consistent with the policies and objectives
- 488 described in Subsection (2);
- 489 (b) facilitate and provide funding for the management of Utah Lake, including the
- 490 development of publicly owned infrastructure and improvements and other
- 491 infrastructure and improvements on or related to Utah Lake;
- 492 (c) engage in marketing activities and efforts to encourage and facilitate management of
- 493 Utah Lake;
- 494 (d) as determined by the board appropriate to accomplish or further the policies and
- 495 objectives described in Subsection (2):
- 496 (i) take all necessary actions to acquire [~~any~~]grants or other available funds from
- 497 federal or other governmental or private entities, including providing matching
- 498 funds;
- 499 (ii) award grants of lake authority funds; or
- 500 (iii) provide waivers of financial obligations to the lake authority;
- 501 (e) as the lake authority considers necessary or advisable to carry out [~~any of~~]the lake
- 502 authority's duties or responsibilities under this chapter:
- 503 (i) buy, obtain an option upon, or otherwise acquire [~~any~~] an interest in real or

- 504 personal property;
- 505 (ii) sell, convey, grant, dispose of by gift, or otherwise dispose of [~~any~~] an interest in  
506 real property that is not sovereign land or [~~any~~] an interest in personal property; or
- 507 (iii) enter into a lease agreement on real or personal property, either as lessee or  
508 lessor;
- 509 (f) sue and be sued;
- 510 (g) enter into contracts generally;
- 511 (h) provide funding for the development of publicly owned infrastructure and  
512 improvements or other infrastructure and improvements on or related to Utah Lake;
- 513 (i) exercise powers and perform functions under a contract, as authorized in the contract;
- 514 (j) accept financial or other assistance from [~~any~~] a public or private source for the lake  
515 authority's activities, powers, and duties, and expend [~~any~~]-funds [~~so~~]-received for  
516 any of the purposes of this chapter;
- 517 (k) borrow money, contract with, or accept financial or other assistance from the federal  
518 government, a public entity, or any other source for any of the purposes of this  
519 chapter and comply with any conditions of the loan, contract, or assistance;
- 520 (l) issue bonds to finance the undertaking of any management objectives of the lake  
521 authority, including bonds under this chapter, bonds under Chapter 17, Utah  
522 Industrial Facilities and Development Act, bonds under Chapter 42, Assessment Area  
523 Act, and bonds under Chapter 42a, Commercial Property Assessed Clean Energy Act;
- 524 (m) hire employees, including contract employees;
- 525 (n) transact other business and exercise all other powers provided for in this chapter;
- 526 (o) engage one or more consultants to advise or assist the lake authority in the  
527 performance of the lake authority's duties and responsibilities;
- 528 (p) work with adjacent political subdivisions and neighboring property owners and  
529 communities to mitigate potential negative impacts from the management of Utah  
530 Lake;
- 531 (q) help to facilitate development in a municipality or community reinvestment agency  
532 whose boundary abuts the lake authority boundary if the development also benefits  
533 the lake authority or the management of Utah Lake;
- 534 (r) subject to Subsection (5)(a), manage one or more marina facilities if the lake  
535 authority considers the lake authority managing the marina facility to be necessary or  
536 desirable;
- 537 (s) subject to Subsection (5)(b), own and operate publicly owned infrastructure and

- 538 improvements in a project area outside the lake authority land; and
- 539 (t) exercise powers and perform functions that the lake authority is authorized by statute
- 540 to exercise or perform.
- 541 (5)(a) Notwithstanding Subsection (4)(r), the lake authority may not interfere with or
- 542 replace the management of a privately operated marina.
- 543 (b) Notwithstanding Subsection (4)(s), the lake authority may not provide service
- 544 through publicly owned infrastructure and improvements to an area outside the lake
- 545 authority boundary.
- 546 (c) The lake authority may not impair or affect:
- 547 (i) a right to store, use, exchange, release, or deliver water under a water right and
- 548 associated contract; or
- 549 (ii) a project or facility to store, release, and deliver water.
- 550 (6) The lake authority may consult, coordinate, enter into agreements, or engage in
- 551 mutually beneficial projects or other activities with a municipality, community
- 552 reinvestment agency, or adjacent political subdivision, as the board considers
- 553 appropriate.
- 554 (7) The lake authority shall:
- 555 (a) no later than December 31, 2022, prepare an accurate digital map of the lake
- 556 authority boundary, subject to any later changes to the boundary enacted by the
- 557 Legislature; and
- 558 (b) maintain the digital map of the lake authority boundary that is easily accessible by
- 559 the public.
- 560 (8)(a) The lake authority may establish a community enhancement program designed to
- 561 address the impacts that management or uses within the lake authority boundary have
- 562 on adjacent communities.
- 563 (b)(i) The lake authority may use lake authority money to support the community
- 564 enhancement program and to pay for efforts to address the impacts described in
- 565 Subsection (8)(a).
- 566 (ii) Lake authority money designated for use under Subsection (8)(b)(i) is exempt
- 567 from execution or any other process in the collection of a judgment against or debt
- 568 or other obligation of the lake authority arising out of the lake authority's activities
- 569 with respect to the community enhancement program.
- 570 [~~(c) On or before October 31, 2023, the lake authority shall report on the lake authority's~~
- 571 ~~actions under this Subsection (8) to the Natural Resources, Agriculture, and~~

572 Environment Interim Committee of the Legislature.]

573 Section 7. Section **19-1-105** is amended to read:

574 **19-1-105 (Effective 05/06/26). Divisions of department -- Control by division**  
 575 **directors.**

576 (1) The following divisions are created within the department:

577 (a) the Division of Air Quality, to administer Chapter 2, Air Conservation Act;

578 (b) the Division of Drinking Water, to administer Chapter 4, Safe Drinking Water Act;

579 (c) the Division of Environmental Response and Remediation, to administer:

580 (i) Chapter 6, Part 3, Hazardous Substances Mitigation Act; and

581 (ii) Chapter 6, Part 4, Petroleum Storage Tank Act;

582 (d) the Division of Waste Management and Radiation Control, to administer:

583 (i) Chapter 3, Radiation Control Act;

584 (ii) Chapter 6, Part 1, Solid and Hazardous Waste Act;

585 (iii) Chapter 6, Part 2, Hazardous Waste Facility Siting Act;

586 (iv) Chapter 6, Part 5, Solid Waste Management Act;

587 (v) Chapter 6, Part 6, Lead Acid Battery Disposal;

588 (vi) Chapter 6, Part 7, Used Oil Management Act;

589 (vii) Chapter 6, Part 8, Waste Tire Recycling Act;

590 [~~viii~~] Chapter 6, Part 10, Mercury Switch Removal Act;]

591 [~~ix~~] viii Chapter 6, Part 11, Industrial Byproduct Reuse; and

592 [~~x~~] ix Chapter 6, Part 12, Disposal of Electronic Waste Program; and

593 (e) the Division of Water Quality, to administer Chapter 5, Water Quality Act.

594 (2) Each division is under the immediate direction and control of a division director  
 595 appointed by the executive director.

596 (3)(a) A division director shall possess the administrative skills and training necessary to  
 597 perform the duties of division director.

598 (b) A division director shall hold one of the following degrees from an accredited  
 599 college or university:

600 (i) a four-year degree in physical or biological science or engineering;

601 (ii) a related degree; or

602 (iii) a degree in law.

603 (4) The executive director may remove a division director at will.

604 (5) A division director shall serve as the executive secretary to the policymaking board,  
 605 created in Section 19-1-106, that has rulemaking authority over the division director's

606 division.

607 Section 8. Section **19-1-108** is amended to read:

608 **19-1-108 (Effective 05/06/26). Environmental Quality Restricted Account.**

609 (1) There is created the Environmental Quality Restricted Account.

610 (2) The sources of money for the Environmental Quality Restricted Account are:

611 (a) radioactive waste disposal fees collected under Sections 19-3-106 and 19-3-106.4

612 and other fees collected under Subsection 19-3-104(5) or 19-3-104(6);

613 (b) hazardous waste disposal fees collected under Section 19-6-118;

614 (c) PCB waste disposal fees collected under Section 19-6-118.5;

615 (d) nonhazardous solid waste [~~disposal~~]fees collected under Section 19-6-119; and

616 (e) the investment income derived from money in the Environmental Quality Restricted  
617 Account.

618 (3) In each fiscal year the balance of the money collected from the waste disposal fees listed  
619 in Subsection (2), collectively, shall be deposited into the Environmental Quality  
620 Restricted Account.

621 (4) The Legislature may annually appropriate money from the Environmental Quality  
622 Restricted Account to the department for the costs of administering:

623 (a) radiation control programs; and

624 (b) solid and hazardous waste programs.

625 (5) Each fiscal year beginning on or after July 1, 2018, and ending on or before June 30,  
626 2022, the Division of Finance shall transfer \$200,000 from the Environmental Quality  
627 Restricted Account to the Hazardous Substances Mitigation Fund, to provide money to:

628 (a) meet the state's cost share requirements for cleanup under the Comprehensive  
629 Environmental Response, Compensation and Liability Act of 1980, 42 U.S.C. Sec.

630 9601 et seq. as amended; and

631 (b) respond to an emergency as provided in Section 19-6-309.

632 (6) After the requirements of Subsection (3) are met, sources of money for the  
633 Environmental Quality Restricted Account described in Subsection (2)(a) may only be  
634 used for the purpose described in Subsection (4)(a).

635 (7) To stabilize funding for the radiation control programs and the solid and hazardous  
636 waste programs, the Legislature shall in years of excess revenues reserve in the  
637 Environmental Quality Restricted Account sufficient money to meet departmental needs  
638 in years of projected shortages.

639 (8) The Legislature may not appropriate money from the General Fund to the department as

640 a supplemental appropriation to cover the costs of the radiation control programs and the  
 641 solid and hazardous waste programs in an amount exceeding 25% of the amount of  
 642 waste disposal fees collected during the most recent prior fiscal year.

643 (9) Money appropriated under this part that is not expended at the end of the fiscal year  
 644 lapses into the Environmental Quality Restricted Account.

645 (10)(a) The balance in the Environmental Quality Restricted Account may not exceed  
 646 \$4,000,000 above the anticipated revenue need for the money in the Environmental  
 647 Quality Restricted Account for the fiscal year.

648 (b) Excess funds under Subsection (10)(a) shall be credited on a proportionate basis to  
 649 each person who paid money to the Environmental Quality Restricted Account in the  
 650 previous fiscal year.

651 Section 9. Section **19-1-403.3** is amended to read:

652 **19-1-403.3 (Effective 05/06/26). Conversion to Alternative Fuel Grant Program**  
 653 **Fund -- Contents -- Grants made with fund money.**

654 (1)(a) There is created an expendable special revenue fund known as the "Conversion to  
 655 Alternative Fuel Grant Program Fund."

656 (b) The fund consists of:

657 (i) appropriations to the fund;

658 (ii) other public and private contributions made under Subsection (1)(c);

659 (iii) fees established by the department, as described in Subsection (3)(a), and  
 660 deposited into the fund; and

661 (iv) interest earnings on cash balances.

662 (c) The department may accept contributions from other public and private sources for  
 663 deposit into the fund.

664 (2) The department may make a grant with money available in the fund to a person who  
 665 installs conversion equipment on an eligible vehicle, as described in Sections [~~19-2-301~~]  
 666 19-2-302 through 19-2-304.

667 (3) The department may:

668 (a) establish an application fee for a grant from the fund by following the procedures and  
 669 requirements of Section 63J-1-504; and

670 (b) reimburse [~~itself~~] the department for the costs incurred in administering the fund from:

671 (i) the fund; or

672 (ii) application fees established under Subsection (3)(a).

673 (4)(a) The fund balance may not exceed \$10,000,000.

674 (b) Interest on cash balances in excess of the amount necessary to maintain the fund  
675 balance at \$10,000,000 shall be deposited into the General Fund.

676 Section 10. Section **19-2-101** is amended to read:

677 **19-2-101 (Effective 05/06/26) (Repealed 07/01/29). Policy of state and purpose of**  
678 **chapter -- Support of local and regional programs -- Provision of coordinated statewide**  
679 **program.**

680 [~~(1)~~ This chapter is known as the "Air Conservation Act."]

681 [~~(2)~~] (1) It is the policy of this state and the purpose of this chapter to achieve and maintain  
682 levels of air quality which will protect human health and safety, and to the greatest  
683 degree practicable, prevent injury to plant and animal life and property, foster the  
684 comfort and convenience of the people, promote the economic and social development  
685 of this state, and facilitate the enjoyment of the natural attractions of this state.

686 [~~(3)~~] (2) Local and regional air pollution control programs shall be supported to the extent  
687 practicable as essential instruments to secure and maintain appropriate levels of air  
688 quality.

689 [~~(4)~~] (3) The purpose of this chapter is to:

- 690 (a) provide for a coordinated statewide program of air pollution prevention, abatement,  
691 and control;
- 692 (b) provide for an appropriate distribution of responsibilities among the state and local  
693 units of government;
- 694 (c) facilitate cooperation across jurisdictional lines in dealing with problems of air  
695 pollution not confined within single jurisdictions; and
- 696 (d) provide a framework within which air quality may be protected and consideration  
697 given to the public interest at all levels of planning and development within the state.

698 Section 11. Section **19-4-103** is amended to read:

699 **19-4-103 (Effective 05/06/26) (Repealed 07/01/29). Drinking Water Board --**  
700 **Members -- Organization -- Meetings -- Per diem and expenses.**

701 (1) The board consists of the following nine members:

- 702 (a) the following non-voting member, except that the member may vote to break a tie  
703 vote between the voting members:
- 704 (i) the executive director; or
- 705 (ii) an employee of the department designated by the executive director; and
- 706 (b) the following eight voting members, who shall be appointed by the governor with the  
707 advice and consent of the Senate in accordance with Title 63G, Chapter 24, Part 2,

- 708 Vacancies:
- 709 (i) one representative who is a Utah-licensed professional engineer with expertise in  
710 civil or sanitary engineering;
- 711 (ii) two representatives who are elected officials from a municipal government that is  
712 involved in the management or operation of a public water system;
- 713 (iii) one representative from an improvement district, a water conservancy district, or  
714 a metropolitan water district;
- 715 (iv) one representative from an entity that manages or operates a public water system;
- 716 (v) one representative from:
- 717 (A) the state water research community; or
- 718 (B) an institution of higher education that has comparable expertise in water  
719 research to the state water research community;
- 720 (vi) one representative from the public who represents:
- 721 (A) an environmental nongovernmental organization; or
- 722 (B) a nongovernmental organization that represents community interests and does  
723 not represent industry interests; and
- 724 (vii) one representative from the public who is trained and experienced in public  
725 health.
- 726 (2) A member of the board shall:
- 727 (a) be knowledgeable about drinking water and public water systems, as evidenced by a  
728 professional degree, a professional accreditation, or documented experience;
- 729 (b) represent different geographical areas within the state insofar as practicable;
- 730 (c) be a resident of Utah;
- 731 (d) attend board meetings in accordance with the attendance rules made by the  
732 department under Subsection 19-1-201(1)(d)(i)(A); and
- 733 (e) comply with all applicable statutes, rules, and policies, including the conflict of  
734 interest rules made by the department under Subsection 19-1-201(1)(d)(i)(B) and the  
735 conflict of interest provisions described in Title 63G, Chapter 24, Part 3, Conflicts of  
736 Interest.
- 737 (3)(a) As terms of current board members expire, the governor shall appoint [~~each~~] a new  
738 member or reappointed member to a four-year term.
- 739 (b) Notwithstanding the requirements of Subsection (3)(a), the governor shall, at the  
740 time of appointment or reappointment, adjust the length of terms to ensure that the  
741 terms of board members are staggered so that half of the appointed board is

- 742 appointed every two years.
- 743 ~~[(e)(i) Notwithstanding Subsection (3)(a), the term of a board member who is~~  
744 ~~appointed before May 1, 2013, shall expire on April 30, 2013.]~~
- 745 ~~[(ii) On May 1, 2013, the governor shall appoint or reappoint board members in~~  
746 ~~accordance with this section.]~~
- 747 (4) When a vacancy occurs in the membership for any reason, the replacement shall be  
748 appointed for the unexpired term.
- 749 (5) When the governor makes a new appointment or reappointment under Subsection (3)(a),  
750 or a vacancy appointment under Subsection (4), the governor's new appointment,  
751 reappointment, or vacancy appointment shall be with the advice and consent of the  
752 Senate in accordance with Title 63G, Chapter 24, Part 2, Vacancies.
- 753 (6) ~~[Each]~~ A member holds office until the expiration of the member's term, and until a  
754 successor is appointed, but not for more than 90 days after the expiration of the term.
- 755 (7) The board shall elect annually a chair and a vice chair from ~~[its]~~ the board's members.
- 756 (8)(a) The board shall meet at least quarterly.
- 757 (b) Special meetings may be called by the chair upon the chair's own initiative, upon the  
758 request of the director, or upon the request of three members of the board.
- 759 (c) Reasonable notice shall be given to ~~[each]~~ a member of the board before ~~[any]~~ a  
760 meeting.
- 761 (9) Five members constitute a quorum at ~~[any]~~ a meeting and the action of the majority of  
762 the members present is the action of the board.
- 763 (10) A member may not receive compensation or benefits for the member's service, but  
764 may receive per diem and travel expenses in accordance with:
- 765 (a) Section 63A-3-106;
- 766 (b) Section 63A-3-107; and
- 767 (c) rules made by the Division of Finance pursuant to Sections 63A-3-106 and  
768 63A-3-107.
- 769 Section 12. Section **19-4-106** is amended to read:
- 770 **19-4-106 (Effective 05/06/26) (Repealed 07/01/29). Director -- Appointment --**  
771 **Authority.**
- 772 (1) The executive director shall appoint the director. The director shall serve under the  
773 administrative direction of the executive director.
- 774 (2) The director shall:
- 775 (a) develop programs to promote and protect the quality of the public drinking water

- 776 supplies of the state;
- 777 (b) advise, consult, and cooperate with other agencies of this and other states, the federal  
778 government, and with other groups, political subdivisions, and industries in  
779 furtherance of the purpose of this chapter;
- 780 (c) review plans, specifications, and other data pertinent to proposed or expanded water  
781 supply systems to ensure proper design and construction; ~~and]~~
- 782 (d) subject to ~~the provisions of]~~ this chapter, enforce rules made by the board through  
783 the issuance of orders that may be subsequently revoked, which orders may require:  
784 (i) discontinuance of use of unsatisfactory sources of drinking water;  
785 (ii) suppliers to notify the public concerning the need to boil water; or  
786 (iii) suppliers in accordance with existing rules, to take remedial actions necessary to  
787 protect or improve an existing water system; and
- 788 (e) as authorized by the board and subject to ~~the provisions of]~~ this chapter, act as  
789 executive secretary of the board under the direction of the chair of the board.
- 790 (3) The director may authorize employees or agents of the department, after reasonable  
791 notice and presentation of credentials, to enter any part of a public water system at  
792 reasonable times to inspect the facilities and water quality records required by board  
793 rules, conduct sanitary surveys, take samples, and investigate the standard of operation  
794 and service delivered by public water systems.
- 795 (4) As provided in this chapter and in accordance with rules made by the board, the director  
796 may:
- 797 (a) issue and enforce a notice of violation and an administrative order; and  
798 (b) assess and make a demand for payment of an administrative penalty arising from a  
799 violation of this chapter, a rule or order issued under the authority of this chapter, or  
800 the terms of a permit or other administrative authorization issued under the authority  
801 of this chapter.
- 802 ~~[(5)(a) The director shall study how water providers, municipalities, counties, and state  
803 agencies may find greater efficiencies through improved coordination, consolidation,  
804 and regionalization related to:]~~
- 805 ~~[(i) water use and conservation; and]~~  
806 ~~[(ii) administrative and economic efficiencies.]~~
- 807 ~~[(b) The study under this Subsection (5) shall consider recommendations including  
808 incentives, funding, regulatory changes, and statutory changes to promote greater  
809 coordination and efficiency and to help meet water infrastructure needs statewide.]~~

- 810           ~~[(e) The director shall:]~~
- 811                   ~~[(i) conduct the study in conjunction with the Division of Water Resources; and]~~
- 812                   ~~[(ii) consult with a diverse group consisting of water providers, state agencies, local~~
- 813                           ~~governments, and relevant stakeholders to help the director conduct the study and~~
- 814                           ~~develop recommendations described in this Subsection (5).]~~
- 815           ~~[(d) On or before October 30, 2024, the director shall provide a written report of the~~
- 816                   ~~study's findings, including any recommended legislative action, to the Natural~~
- 817                   ~~Resources, Agriculture, and Environment Interim Committee.]~~

818           Section 13. Section **19-5-122** is amended to read:

819                   **19-5-122 (Effective 05/06/26) (Repealed 07/01/29). Underground wastewater**

820           **disposal systems -- Fee imposed on new systems.**

821           (1) Beginning July 1, 2001, a one-time fee is imposed on [each] a new underground

822           wastewater disposal system installed.

823           ~~[(2)(a) From July 1, 2001 through June 30, 2002, the fee shall be \$25.]~~

824           ~~[(b)] (2)~~ Beginning July 1, 2002, the fee shall be established by the department in

825           accordance with Section 63J-1-504.

826           (3)(a) The fee shall be paid when plans and specifications for the construction of a new

827           underground wastewater disposal system are approved by the local health department

828           or the Department of Environmental Quality.

829           (b) A local health department shall remit the fee revenue to the Division of Finance

830           quarterly.

831           (4) The fee revenue shall be:

832           (a) deposited into the Underground Wastewater Disposal Restricted Account created in

833           Section 19-5-123; and

834           (b) used to pay for costs of underground wastewater disposal system training programs.

835           Section 14. Section **19-6-102.1** is amended to read:

836                   **19-6-102.1 (Effective 05/06/26) (Repealed 07/01/29). Treatment or disposal --**

837           **Exclusions.**

838           As used in Subsections 19-6-108(3)(b)[,] and 19-6-108(3)(c)(ii)(B)[, ~~and 19-6-119(1)(a)],~~

839           the term "treatment or disposal" specifically excludes the recycling, use, reuse, or reprocessing

840           of:

841           (1) fly ash waste, bottom ash waste, slag waste, or flue gas emission control waste

842           generated primarily from the combustion of coal or other fossil fuels;

843           (2) waste from the extraction, beneficiation, and processing of ores and minerals; or

844 (3) cement kiln dust, including recycle, reuse, use, or reprocessing for road sanding, sand  
 845 blasting, road construction, railway ballast, construction fill, aggregate, and other  
 846 construction-related purposes.

847 Section 15. Section **19-6-118.5** is amended to read:

848 **19-6-118.5 (Effective 05/06/26) (Repealed 07/01/29). PCB disposal fee.**

849 ~~[(1)(a) On or after July 1, 2010, but on or before June 30, 2011, the owner or operator  
 850 of a waste facility shall pay a fee of \$4.75 per ton on all wastes containing  
 851 polychlorinated biphenyls (PCBs) that are:]~~

852 ~~[(i) regulated under 15 U.S.C. Sec. 2605; and]~~

853 ~~[(ii) received at a facility for disposal or treatment.]~~

854 ~~[(b)]~~ (1) On and after July 1, 2011, the department shall establish a fee for disposal or  
 855 treatment of wastes containing polychlorinated biphenyls in accordance with Section  
 856 63J-1-504.

857 (2) The owner or operator of a facility receiving PCBs for disposal or treatment shall:

858 ~~[(a) calculate the fees imposed under Subsection (1)(a) by multiplying the total tonnage  
 859 of waste received during the calendar month, computed to the first decimal place, by  
 860 the required fee rate of \$4.75 per ton;]~~

861 ~~[(b)]~~ (a) pay the fees imposed by this section to the department by the 15th day of the  
 862 month following the month in which the fees accrued; and

863 ~~[(c)]~~ (b) with the fees required under this section, submit to the department, on a form  
 864 prescribed by the department, information that verifies the amount of waste received  
 865 and the fees that the owner or operator is required to pay.

866 (3) The department shall deposit the fees received under this section into the Environmental  
 867 Quality Restricted Account created in Section 19-1-108.

868 (4) The owner or operator of a waste facility that is subject to a fee under this section is not  
 869 subject to a fee for the same waste under Section 19-3-106, even if the waste contains  
 870 radioactive materials.

871 Section 16. Section **19-6-119** is amended to read:

872 **19-6-119 (Effective 05/06/26) (Repealed 07/01/29). Nonhazardous solid waste  
 873 disposal fees.**

874 ~~[(1)(a) Through December 31, 2018, and except as provided in Subsection (4), the  
 875 owner or operator of a commercial nonhazardous solid waste disposal facility or  
 876 incinerator shall pay the following fees for waste received for treatment or disposal at  
 877 the facility if the facility or incinerator is required to have operation plan approval~~

878 under Section 19-6-108 and primarily receives waste generated by off-site sources  
879 not owned, controlled, or operated by the facility or site owner or operator:]

880 [(i) 13 cents per ton on all municipal waste and municipal incinerator ash;]  
881 [(ii) 50 cents per ton on the following wastes if the facility disposes of one or more of  
882 the following wastes in a cell exclusively designated for the waste being disposed:]  
883 [(A) construction waste or demolition waste;]  
884 [(B) yard waste, including vegetative matter resulting from landscaping, land  
885 maintenance, and land clearing operations;]  
886 [(C) dead animals;]  
887 [(D) waste tires and materials derived from waste tires disposed of in accordance  
888 with Chapter 6, Part 8, Waste Tire Recycling Act; and]  
889 [(E) petroleum contaminated soils that are approved by the director; and]  
890 [(iii) \$2.50 per ton on:]  
891 [(A) all nonhazardous solid waste not described in Subsections (1)(a)(i) and (ii);  
892 and]  
893 [(B)(I) fly ash waste;]  
894 [(H) bottom ash waste;]  
895 [(H) slag waste;]  
896 [(IV) flue gas emission control waste generated primarily from the combustion  
897 of coal or other fossil fuels;]  
898 [(V) waste from the extraction, beneficiation, and processing of ores and  
899 minerals; and]  
900 [(VI) cement kiln dust wastes.]

901 [(b) A commercial nonhazardous solid waste disposal facility or incinerator subject to  
902 the fees under Subsection (1)(a)(i) or (ii) is not subject to the fee under Subsection  
903 (1)(a)(iii) for those wastes described in Subsections (1)(a)(i) and (ii).]

904 [(c) The owner or operator of a facility described in Subsection 19-6-102(3)(b)(iii) shall  
905 pay a fee of 13 cents per ton on all municipal waste received for disposal at the  
906 facility.]

907 [(2)(a) Through December 31, 2018, and except as provided in Subsections (2)(c) and  
908 (4), a waste facility that is owned by a political subdivision shall pay the following  
909 annual facility fee to the department by January 15 of each year:]

910 [(i) \$800 if the facility receives 5,000 or more but fewer than 10,000 tons of  
911 municipal waste each year;]

- 912           ~~[(ii) \$1,450 if the facility receives 10,000 or more but fewer than 20,000 tons of~~  
 913           ~~municipal waste each year;]~~
- 914           ~~[(iii) \$3,850 if the facility receives 20,000 or more but fewer than 50,000 tons of~~  
 915           ~~municipal waste each year;]~~
- 916           ~~[(iv) \$12,250 if the facility receives 50,000 or more but fewer than 100,000 tons of~~  
 917           ~~municipal waste each year;]~~
- 918           ~~[(v) \$14,700 if the facility receives 100,000 or more but fewer than 200,000 tons of~~  
 919           ~~municipal waste each year;]~~
- 920           ~~[(vi) \$33,000 if the facility receives 200,000 or more but fewer than 500,000 tons of~~  
 921           ~~municipal waste each year; and]~~
- 922           ~~[(vii) \$66,000 if the facility receives 500,000 or more tons of municipal waste each~~  
 923           ~~year.]~~
- 924           ~~[(b) The fee identified in Subsection (2)(a) for 2018 shall be paid by January 15, 2019.]~~
- 925           ~~[(c) Through December 31, 2018, and except as provided in Subsection (4), a waste~~  
 926           ~~facility that is owned by a political subdivision shall pay \$2.50 per ton for:]~~
- 927           ~~[(i) nonhazardous solid waste that is not a waste described in Subsection (1)(a)(i) or~~  
 928           ~~(ii) received for disposal if the waste is:]~~
- 929           ~~[(A) generated outside the boundaries of the political subdivision; and]~~
- 930           ~~[(B) received from a single generator and exceeds 500 tons in a calendar year; and]~~
- 931           ~~[(ii) waste described in Subsection (1)(a)(iii)(B) received for disposal if the waste is:]~~  
 932           ~~[(A) generated outside the boundaries of the political subdivision; and]~~  
 933           ~~[(B) received from a single generator and exceeds 500 tons in a calendar year.]~~
- 934           ~~[(d) Waste received at a facility owned by a political subdivision under Subsection (2)(c)~~  
 935           ~~may not be counted as part of the total tonnage received by the facility under~~  
 936           ~~Subsection (2)(a).]~~
- 937           ~~[(3)(a) As used in this Subsection (3):]~~
- 938           ~~[(i) "Recycling center" means a facility that extracts valuable materials from a waste~~  
 939           ~~stream or transforms or remanufactures the material into a usable form that has~~  
 940           ~~demonstrated or potential market value.]~~
- 941           ~~[(ii) "Transfer station" means a permanent, fixed, supplemental collection and~~  
 942           ~~transportation facility that is used to deposit collected solid waste from off-site~~  
 943           ~~into a transfer vehicle for transport to a solid waste handling or disposal facility.]~~
- 944           ~~[(b) Through December 31, 2018, and except as provided in Subsection (4), the owner~~  
 945           ~~or operator of a transfer station or recycling center shall pay to the department the~~

- 946 following fees on waste sent for disposal to a nonhazardous solid waste disposal or  
947 treatment facility that is not subject to a fee under this section:]
- 948 [(i) \$1.25 per ton on:]
- 949 [(A) all nonhazardous solid waste; and]
- 950 [(B) waste described in Subsection (1)(a)(iii)(B);]
- 951 [(ii) 10 cents per ton on all construction and demolition waste; and]
- 952 [(iii) 5 cents per ton on all municipal waste or municipal incinerator ash.]
- 953 [(e) Wastes subject to fees under Subsection (3)(b)(ii) or (iii) are not subject to the fee  
954 required under Subsection (3)(b)(i).]
- 955 [(4) The owner or operator of a waste disposal facility that receives nonhazardous solid  
956 waste described in Subsection (1)(a)(iii)(B) is not required to pay any fee on those  
957 nonhazardous solid wastes if received solely for the purpose of recycling, reuse, or  
958 reprocessing.]
- 959 [(5) Through December 31, 2018, and except as provided in Subsection (2)(a), a facility  
960 required to pay fees under this section shall:]
- 961 [(a) calculate the fees by multiplying the total tonnage of nonhazardous solid waste  
962 received during the calendar month, computed to the first decimal place, by the  
963 required fee rate;]
- 964 [(b) pay the fees imposed by this section to the department by the 15th day of the month  
965 following the month in which the fees accrued; and]
- 966 [(c) with the fees required under Subsection (6)(b), submit to the department, on a form  
967 prescribed by the department, information that verifies the amount of nonhazardous  
968 solid waste received and the fees that the owner or operator is required to pay.]
- 969 [(6)] (1)(a) In accordance with Section 63J-1-504, on or before July 1, 2018, and each  
970 fiscal year [thereafter] after July 1, 2018, the department shall establish a fee schedule  
971 for the treatment, transfer, and disposal of all nonhazardous solid waste.
- 972 (b) The department shall, before establishing the annual fee schedule described in  
973 Subsection [(6)(a)] (1)(a), consult with industry and local government and complete a  
974 review of program costs and indirect costs of regulating nonhazardous solid waste in  
975 the state and use the findings of the review to create the fee schedule.
- 976 (c) The fee schedule described in Subsection [(6)(a)] (1)(a) shall:
- 977 (i) create an equitable and fair, though not necessarily equal or uniform, fee to be  
978 paid by all persons whose treatment, transfer, or disposal of nonhazardous solid  
979 waste creates a regulatory burden to the department, based on the actual cost, and

- 980 taking into consideration whether the owner or operator of a facility elects to  
981 self-inspect under Section 19-6-109, except as provided in Subsection ~~[(6)(d)]~~  
982 (1)(d);
- 983 (ii) cover the fully burdened costs of the program and provide for reasonable and  
984 timely oversight by the department;
- 985 (iii) adequately meet the needs of industry, local government, and the department,  
986 including enabling the department to employ the appropriate number of qualified  
987 personnel to appropriately oversee industry and local government regulation;
- 988 (iv) provide stable funding for the Environmental Quality Restricted Account created  
989 in Section 19-1-108; and
- 990 (v) for solid waste managed at a transfer facility, be no greater than the cost of  
991 regulatory services provided to the transfer facility.
- 992 (d) ~~[Any]~~ A person who treats, transfers, stores, or disposes of solid waste from the  
993 extraction, beneficiation, and processing of ores and minerals on a site owned,  
994 controlled, or operated by that person may not be charged a fee under this section for  
995 the treatment, transfer, storage, or disposal of solid waste from the extraction,  
996 beneficiation, and processing of ores and minerals that are generated:
- 997 (i) on-site by the person; or
- 998 (ii) by off-site sources owned, controlled, or operated by the person.
- 999 ~~[(e) The fees in the fee schedule established by Subsection (6)(a) shall take effect on~~  
1000 ~~January 1, 2019.]~~
- 1001 ~~[(7)]~~ (2) On and after January 1, 2019, a facility required to pay fees under this section shall:
- 1002 (a) pay the fees imposed by this section to the department by the 15th day of the month  
1003 following the quarter in which the fees accrued; and
- 1004 (b) with the fees required under Subsection ~~[(7)(a)]~~ (2)(a), submit to the department, on a  
1005 form prescribed by the department, information that verifies the amount of  
1006 nonhazardous solid waste received and the fees that the owner or operator is required  
1007 to pay.
- 1008 ~~[(8)]~~ (3) In setting the fee schedule described in Subsection ~~[(6)(a)]~~ (1)(a), the department  
1009 shall ensure that a party is not charged multiple fees for the same solid waste, except the  
1010 department may charge a separate fee for a transfer station.
- 1011 ~~[(9)]~~ (4) The department shall:
- 1012 (a) deposit all fees received under this section into the Environmental Quality Restricted  
1013 Account created in Section 19-1-108; and

1014 (b) in preparing [its] the department's budget for the governor and the Legislature,  
1015 separately indicate the amount of the department's budget necessary to administer the  
1016 solid and hazardous waste program established by this part.

1017 ~~[(10)]~~ (5) The department may contract or agree with a county to assist in performing  
1018 nonhazardous solid waste management activities, including agreements for:

1019 (a) the development of a solid waste management plan required under Section 17E-7-101;  
1020 and

1021 (b) pass-through of available funding.

1022 ~~[(11)]~~ (6) This section does not exempt [any] a facility from applicable regulation under the  
1023 Atomic Energy Act, 42 U.S.C. [See.] Secs. 2014 and 2021 through 2114.

1024 ~~[(12) The department shall report to the Natural Resources, Agriculture, and Environment~~  
1025 ~~Interim Committee by November 30, 2017, on the fee schedule described in Subsection~~  
1026 ~~(6)(a).]~~

1027 Section 17. Section **19-10-101** is amended to read:

1028 **19-10-101 (Effective 05/06/26). Scope.**

1029 ~~[(1) This chapter is known as the "Environmental Institutional Control Act."]~~

1030 ~~[(2)]~~ (1)~~[(a)]~~ This chapter applies to an environmental institutional control created before  
1031 May 1, 2006.

1032 ~~[(b)]~~ (2) Title 57, Chapter 25, Uniform Environmental Covenants Act, governs an  
1033 environmental covenant created on or after May 1, 2006.

1034 Section 18. Section **19-10-102** is amended to read:

1035 **19-10-102 (Effective 05/06/26). Definitions.**

1036 As used in this chapter:

1037 (1) "Environmental institutional control" or "institutional control" means, with respect to  
1038 real property, [any] a deed restriction, restrictive covenant, easement, reservation,  
1039 environmental notice, engineering control, or other restriction or obligation that is  
1040 designed to protect human health or the environment and:

1041 (a) is established in connection with a cleanup or risk assessment that is reviewed,  
1042 overseen, conducted, or administered by the department; and

1043 (b)(i) limits the use of the real property, groundwater, or surface water;

1044 (ii) limits activities that may be performed on or at the property; or

1045 (iii) requires maintenance of [any] an engineering or other control.

1046 (2) "Executive director" means the executive director of the [state-]Department of [  
1047 ~~Environment]~~ Environmental Quality or the executive director's designated

1048 representative.

1049 Section 19. Section **23A-3-205** is amended to read:

1050 **23A-3-205 (Effective 05/06/26). Wildlife Conservation Fund.**

1051 (1) As used in this section:

1052 (a) "Fund" means the Wildlife Conservation Fund created by this section.

1053 (b) "Land use authority" means:

1054 (i) a land use authority, as that term is defined in Section 10-20-102, of a  
1055 municipality; or

1056 (ii) a land use authority, as that term is defined in Section 17-79-102, of a county.

1057 (c) "Wildlife conservation permit program" means a program under which the division  
1058 issues permit opportunities to be sold by a conservation organization for auction to  
1059 the highest bidder at a fund-raising event.

1060 (d) "Wildlife exposition program" means a program under which the division allocates  
1061 permits to a drawing administered by a selected conservation organization as part of a  
1062 regional or national exposition for the purpose of generating revenue to fund wildlife  
1063 conservation activities in Utah.

1064 (2) There is created an expendable special revenue fund known as the "Wildlife  
1065 Conservation Fund."

1066 (3) The fund consists of:

1067 (a) wildlife conservation permit program revenue transferred to the division in  
1068 accordance with rules, made by the Wildlife Board in accordance with Title 63G,  
1069 Chapter 3, Utah Administrative Rulemaking Act;

1070 (b) wildlife exposition program revenue transferred to the division in accordance with  
1071 rules, made by the Wildlife Board in accordance with Title 63G, Chapter 3, Utah  
1072 Administrative Rulemaking Act;

1073 (c) money appropriated to the fund by the Legislature;

1074 (d) contributions, grants, gifts, transfers, bequests, and donations to the fund accepted by  
1075 the division and specifically directed to the fund; and

1076 (e) interest and earnings on the fund.

1077 (4)(a) The fund shall earn interest and other earnings.

1078 (b) The interest and earnings described in Subsection (4)(a) shall be deposited into the  
1079 fund.

1080 (5)(a) The division shall use proceeds in the fund to carry out the purposes of the  
1081 wildlife conservation permit program or wildlife exposition program.

- 1082 (b) Deposits into and expenditures from the fund shall specifically identify the wildlife  
1083 conservation permit program or wildlife exposition program to which the deposits  
1084 and expenditures apply.
- 1085 (c) The division shall make expenditures from the fund consistent with the rules  
1086 governing the applicable program.
- 1087 (6)(a) Before the division may use or approve the use of money in the fund to purchase  
1088 or acquire a grazing permit, the division shall obtain approval from:
- 1089 (i) the land use authority for the land in which the grazing permit is located;  
1090 (ii) the Department of Natural Resources created in Section 79-2-201; and  
1091 (iii) the Department of Agriculture and Food created in Section 4-2-102.
- 1092 (b) If a request to purchase or acquire a grazing permit under Subsection (6)(a) is not  
1093 denied by a land use authority, the Department of Natural Resources, or the  
1094 Department of Agriculture and Food within 60 days after the day on which the  
1095 division submits the request, the division may consider the request as approved.
- 1096 (c) An action of a land use authority under this Subsection (6) is not a land use decision  
1097 subject to:
- 1098 (i) Title 10, Chapter 20, Municipal Land Use, Development, and Management Act; or  
1099 (ii) Title 17, Chapter 79, County Land Use, Development, and Management Act.
- 1100 (7) The division shall annually report, by no later than October 1, to the Natural Resources,  
1101 Agriculture, and Environmental Quality Appropriations Subcommittee regarding:
- 1102 (a) the amount of money in the fund;  
1103 (b) the sources of money in the fund; and  
1104 (c) how the money is expended.
- 1105 Section 20. Section **23A-4-702** is amended to read:  
1106 **23A-4-702 (Effective 05/06/26). Air rifle hunting.**
- 1107 (1) As used in this section, "pre-charged pneumatic air rifle" means a rifle that fires a single  
1108 projectile with compressed air released from a chamber:
- 1109 (a) built into the rifle; and  
1110 (b) pressurized at a minimum of 2,000 pounds per square inch from an external high  
1111 compression device or source, such as a hand pump, compressor, or scuba tank.
- 1112 (2) An individual may use a pre-charged pneumatic air rifle to hunt:
- 1113 (a) a species of protected wildlife designated by the Wildlife Board;  
1114 (b) a cottontail rabbit;  
1115 (c) a snowshoe hare; or

1116 (d) a turkey, with a fall turkey permit.  
 1117 [~~(3) The division shall review available funding to pay the costs of regulating hunting with~~  
 1118 ~~pre-charged pneumatic air rifles, including eligibility for federal excise taxes, and report~~  
 1119 ~~the division's findings to the Natural Resources, Agriculture, and Environment Interim~~  
 1120 ~~Committee by no later than the November 2024 interim committee meeting.]~~

1121 Section 21. Section **23A-6-205** is amended to read:

1122 **23A-6-205 (Effective 05/06/26). Wildlife Land and Water Acquisition Program.**

- 1123 (1) As used in this section, "program" means the Wildlife Land and Water Acquisition  
 1124 Program created in Subsection (2).  
 1125 (2) There is created a program known as the "Wildlife Land and Water Acquisition  
 1126 Program" under which the division may lease or acquire land or water assets that  
 1127 achieve one or more of the following:  
 1128 (a) protect and enhance wildlife populations;  
 1129 (b) provide the public the opportunity to hunt, trap, or fish; and  
 1130 (c) conserve, protect, and enhance wildlife habitat.  
 1131 (3) In making a decision as to whether to lease or acquire land or water assets, the division  
 1132 shall:  
 1133 (a) consult the relevant state or county resource management plan;  
 1134 (b) prioritize leases or acquisitions that involve land that:  
 1135 (i) is adjacent to land already owned by the division; or  
 1136 (ii) provides access to other public land;  
 1137 (c) develop a management plan for the land or water asset in a manner consistent with  
 1138 Section 23A-6-301; and  
 1139 (d) facilitate grazing as a management tool if consistent with the management plan  
 1140 described in Subsection (3)(c).  
 1141 (4) The division shall annually report, by no later than October 1, to the Natural Resources,  
 1142 Agriculture, and Environmental Quality Appropriations Subcommittee regarding how  
 1143 the division expends money in the program.

1144 Section 22. Section **23A-11-302** is amended to read:

1145 **23A-11-302 (Effective 05/06/26). Big game protection -- Director authority.**

- 1146 (1) It is the policy of the state that big game animals are of great importance to the citizens  
 1147 of the state, the citizen's quality of life, and the long term sustainability of the herds for  
 1148 future generations.  
 1149 (2)(a) Unless the condition described in Subsection (2)(b) is determined, the director

1150 shall take immediate action to reduce the number of predators within a management  
1151 unit when the big game population is under the established herd size objective for  
1152 that management unit.

1153 (b) Subsection (2)(a) does not apply if the division determines that predators are not  
1154 significantly contributing to the big game population being under the herd size  
1155 objective for the management unit.

1156 (3) Immediate action under Subsection (2) includes any of the following management tools:

1157 (a) increasing take permits or tags for cougar and bear until the herd size objective is  
1158 met;

1159 (b) allowing big game hunters to harvest predators with the appropriate permit during a  
1160 big game hunting season, including issuing over-the-counter predator permits;

1161 (c) professional trapping and predator control by the following, including aerial control  
1162 measures:

1163 (i) the Department of Agriculture and Food's predator control program;

1164 (ii) private contracts; and

1165 (iii) the general public; and

1166 (d) other management tools as determined by the director.

1167 (4) The director shall annually give a status report on predator control measures  
1168 implemented pursuant to this chapter and Chapter 8, Part 4, Damage by Big Game, by  
1169 no later than October 1, to the Natural Resources, Agriculture, and Environmental  
1170 Quality Appropriations Subcommittee and Natural Resources, Agriculture, and  
1171 Environment Interim Committee.

1172 Section 23. Section **23A-12-303** is amended to read:

1173 **23A-12-303 (Effective 05/06/26). Rulemaking -- Notice.**

1174 (1) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the  
1175 Wildlife Board shall make rules:

1176 (a) designating and establishing the boundaries of a waterfowl management area;

1177 (b) governing the management and use of a waterfowl management area in accordance  
1178 with this part; and

1179 (c) [~~to create~~] creating an annual permit process by which commercial guides and  
1180 outfitters may use waterfowl management areas in accordance with this part.

1181 (2) The annual permit process described in Subsection (1)(c) shall:

1182 (a) preserve the opportunity for non-guided hunters to use waterfowl management areas;  
1183 and

- 1184 (b) require a permit holder to comply with safety standards established by the Wildlife  
1185 Board.
- 1186 (3) The division shall provide an annual report, by no later than October 1, to the Natural  
1187 Resources, Agriculture, and Environment Interim Committee regarding [~~any~~]rules made  
1188 or changed in accordance with this part.
- 1189 (4) The Wildlife Board shall publish a map of the boundaries of each waterfowl  
1190 management area.
- 1191 (5) Nothing in this part modifies or limits:
- 1192 (a) Section 23A-6-403, or the discretion of the division to manage waterfowl  
1193 management areas for other beneficial purposes, including for the benefit of the  
1194 public, shorebirds, waterfowl, and other protected wildlife; or
- 1195 (b) the authority of the division, the director, or the Wildlife Board under Chapter 6,  
1196 Lands and Waters for Wildlife Purposes.
- 1197 Section 24. Section **63A-1-116** is amended to read:
- 1198 **63A-1-116 (Effective 05/06/26). Appointment of coordinator of resource**  
1199 **stewardship -- Duties of the coordinator of resource stewardship.**
- 1200 (1) The executive director of the department shall appoint a state coordinator of resource  
1201 stewardship and establish the coordinator of resource stewardship's salary.
- 1202 (2) The coordinator of resource stewardship shall report to the executive director or the  
1203 executive director's designee.
- 1204 (3) The coordinator of resource stewardship shall:
- 1205 (a) work with agencies to implement best practices and stewardship measures to  
1206 improve air quality; and
- 1207 (b) make an annual report, by no later than October 1, on best practices and stewardship  
1208 efforts to improve air quality to the Natural Resources, Agriculture, and Environment  
1209 Interim Committee.
- 1210 (4) [~~Each agency will retain~~] An agency retains absolute discretion whether [~~or not~~]to  
1211 incorporate [~~any of the~~]practices or measures suggested by the coordinator.
- 1212 Section 25. Section **63A-9-401** is amended to read:
- 1213 **63A-9-401 (Effective 05/06/26). Division -- Duties.**
- 1214 (1) The division shall:
- 1215 (a) perform all administrative duties and functions related to management of state  
1216 vehicles;
- 1217 (b) coordinate all purchases of state vehicles;

- 1218 (c) establish one or more fleet automation and information systems for state vehicles;
- 1219 (d) make rules establishing requirements for:
- 1220 (i) maintenance operations for state vehicles;
- 1221 (ii) use requirements for state vehicles;
- 1222 (iii) fleet safety and loss prevention programs;
- 1223 (iv) preventative maintenance programs;
- 1224 (v) procurement of state vehicles, including:
- 1225 (A) vehicle standards;
- 1226 (B) alternative fuel vehicle requirements;
- 1227 (C) short-term lease programs;
- 1228 (D) equipment installation; and
- 1229 (E) warranty recovery programs;
- 1230 (vi) fuel management programs;
- 1231 (vii) cost management programs;
- 1232 (viii) business and personal use practices, including commute standards;
- 1233 (ix) cost recovery and billing procedures;
- 1234 (x) disposal of state vehicles;
- 1235 (xi) reassignment of state vehicles and reallocation of vehicles throughout the fleet;
- 1236 (xii) standard use and rate structures for state vehicles; and
- 1237 (xiii) insurance and risk management requirements;
- 1238 (e) establish a parts inventory;
- 1239 (f) create and administer a fuel dispensing services program that meets the requirements
- 1240 of Subsection (2);
- 1241 (g) emphasize customer service when dealing with agencies and agency employees;
- 1242 (h) conduct an annual audit of all state vehicles for compliance with division
- 1243 requirements;
- 1244 (i) before charging a rate, fee, or other amount to an executive branch agency, or to a
- 1245 subscriber of services other than an executive branch agency:
- 1246 (i) submit the proposed rates, fees, and cost analysis to the Rate Committee
- 1247 established in Section 63A-1-114; and
- 1248 (ii) obtain the approval of the Legislature as required by Section 63J-1-410 or
- 1249 63J-1-504; and
- 1250 (j) conduct an annual market analysis of proposed rates and fees, which analysis shall
- 1251 include a comparison of the division's rates and fees with the fees of other public or

1252 private sector providers where comparable services and rates are reasonably available.

1253 (2) The division shall operate a fuel dispensing services program in a manner that:

1254 (a) reduces the risk of environmental damage and subsequent liability for leaks

1255 involving state-owned underground storage tanks;

1256 (b) eliminates fuel site duplication and reduces overall costs associated with fuel  
1257 dispensing;

1258 (c) provides efficient fuel management and efficient and accurate accounting of  
1259 fuel-related expenses;

1260 (d) where practicable, privatizes portions of the state's fuel dispensing system;

1261 (e) provides central planning for fuel contingencies;

1262 (f) establishes fuel dispensing sites that meet geographical distribution needs and that  
1263 reflect usage patterns;

1264 (g) where practicable, uses alternative sources of energy; and

1265 (h) provides safe, accessible fuel supplies in an emergency.

1266 (3) The division shall:

1267 (a) ensure that the state and each of [its] the state's agencies comply with state and  
1268 federal law and state and federal rules and regulations governing underground storage  
1269 tanks;

1270 (b) coordinate the installation of new state-owned underground storage tanks and the  
1271 upgrading or retrofitting of existing underground storage tanks;

1272 (c) by no later than June 30, 2025, ensure that an underground storage tank qualifies for  
1273 a rebate, provided under Subsection 19-6-410.5(5)(d), of a portion of the  
1274 environmental assurance fee described in Subsection 19-6-410.5(4), if the  
1275 underground storage tank is owned by:

1276 (i) the state;

1277 (ii) a state agency; or

1278 (iii) a county, municipality, school district, special district, special service district, or  
1279 federal agency that has subscribed to the fuel dispensing service provided by the  
1280 division under Subsection (6)(b); and

1281 [~~(d) report to the Natural Resources, Agriculture, and Environmental Quality~~  
1282 ~~Appropriations Subcommittee by no later than:~~]

1283 [~~(i) November 30, 2020, on the status of the requirements of Subsection (3)(c); and]~~

1284 [~~(ii) November 30, 2024, on whether:]~~

1285 [~~(A) the requirements of Subsection (3)(c) have been met; and]~~

- 1286                   ~~[(B) additional funding is needed to accomplish the requirements of Subsection~~  
1287                   ~~(3)(e); and]~~
- 1288           ~~[(e)]~~ (d) ensure that counties, municipalities, school districts, special districts, and special  
1289           service districts subscribing to services provided by the division sign a contract that:  
1290           (i) establishes the duties and responsibilities of the parties;  
1291           (ii) establishes the cost for the services; and  
1292           (iii) defines the liability of the parties.
- 1293 (4) In fulfilling the requirements of Subsection (3)(c), the division may give priority to  
1294           underground storage tanks owned by the state or a state agency under Subsections  
1295           (3)(c)(i) and (ii).
- 1296 (5)(a) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act,  
1297           the director of the Division of Fleet Operations:  
1298           (i) may make rules governing fuel dispensing; and  
1299           (ii) shall make rules establishing standards and procedures for purchasing the most  
1300           economically appropriate size and type of vehicle for the purposes and driving  
1301           conditions for which the vehicle will be used, including procedures for granting  
1302           exceptions to the standards by the executive director of the Department of  
1303           Government Operations.
- 1304 (b) Rules made under Subsection (5)(a)(ii):  
1305           (i) shall designate a standard vehicle size and type that shall be designated as the  
1306           statewide standard vehicle for fleet expansion and vehicle replacement;  
1307           (ii) may designate different standard vehicle size and types based on defined  
1308           categories of vehicle use;  
1309           (iii) may, when determining a standard vehicle size and type for a specific category  
1310           of vehicle use, consider the following factors affecting the vehicle class:  
1311           (A) size requirements;  
1312           (B) economic savings;  
1313           (C) fuel efficiency;  
1314           (D) driving and use requirements;  
1315           (E) safety;  
1316           (F) maintenance requirements;  
1317           (G) resale value; and  
1318           (H) the requirements of Section 63A-9-403; and  
1319           (iv) shall require agencies that request a vehicle size and type that is different from

- 1320 the standard vehicle size and type to:
- 1321 (A) submit a written request for a nonstandard vehicle to the division that contains
- 1322 the following:
- 1323 (I) the make and model of the vehicle requested, including acceptable alternate
- 1324 vehicle makes and models as applicable;
- 1325 (II) the reasons justifying the need for a nonstandard vehicle size or type;
- 1326 (III) the date of the request; and
- 1327 (IV) the name and signature of the person making the request; and
- 1328 (B) obtain the division's written approval for the nonstandard vehicle.
- 1329 (6)(a)(i) [~~Each~~] A state agency and [~~each~~] a higher education institution shall subscribe
- 1330 to the fuel dispensing services provided by the division.
- 1331 (ii) A state agency may not provide or subscribe to any other fuel dispensing services,
- 1332 systems, or products other than those provided by the division.
- 1333 (b) Counties, municipalities, school districts, special districts, special service districts,
- 1334 and federal agencies may subscribe to the fuel dispensing services provided by the
- 1335 division if:
- 1336 (i) the county or municipal legislative body, the school district, or the special district
- 1337 or special service district board recommends that the county, municipality, school
- 1338 district, special district, or special service district subscribe to the fuel dispensing
- 1339 services of the division; and
- 1340 (ii) the division approves participation in the program by that government unit.
- 1341 (7) The director, with the approval of the executive director, may delegate functions to
- 1342 institutions of higher education, by contract or other means authorized by law, if:
- 1343 (a) the agency or institution of higher education has requested the authority;
- 1344 (b) in the judgment of the director, the state agency or institution has the necessary
- 1345 resources and skills to perform the delegated responsibilities; and
- 1346 (c) the delegation of authority is in the best interest of the state and the function
- 1347 delegated is accomplished according to provisions contained in law or rule.
- 1348 Section 26. Section **63G-4-102** is amended to read:
- 1349 **63G-4-102 (Effective 05/06/26). Scope and applicability of chapter.**
- 1350 (1) Except as set forth in Subsection (2), and except as otherwise provided by a statute
- 1351 superseding provisions of this chapter by explicit reference to this chapter, the
- 1352 provisions of this chapter apply to every agency of the state and govern:
- 1353 (a) state agency action that determines the legal rights, duties, privileges, immunities, or

- 1354 other legal interests of an identifiable person, including agency action to grant, deny,  
1355 revoke, suspend, modify, annul, withdraw, or amend an authority, right, or license;  
1356 and
- 1357 (b) judicial review of the action.
- 1358 (2) This chapter does not govern:
- 1359 (a) the procedure for making agency rules, or judicial review of the procedure or rules;
- 1360 (b) the issuance of a notice of a deficiency in the payment of a tax, the decision to waive  
1361 a penalty or interest on taxes, the imposition of and penalty or interest on taxes, or the  
1362 issuance of a tax assessment, except that this chapter governs an agency action  
1363 commenced by a taxpayer or by another person authorized by law to contest the  
1364 validity or correctness of the action;
- 1365 (c) state agency action relating to extradition, to the granting of a pardon or parole, a  
1366 commutation or termination of a sentence, or to the rescission, termination, or  
1367 revocation of parole or probation, to the discipline of, resolution of a grievance of,  
1368 supervision of, confinement of, or the treatment of an inmate or resident of a  
1369 correctional facility, the Utah State Hospital, the Utah State Developmental Center,  
1370 or a person in the custody or jurisdiction of the Office of Substance Use and Mental  
1371 Health, or a person on probation or parole, or judicial review of the action;
- 1372 (d) state agency action to evaluate, discipline, employ, transfer, reassign, or promote a  
1373 student or teacher in a school or educational institution, or judicial review of the  
1374 action;
- 1375 (e) an application for employment and internal personnel action within an agency  
1376 concerning [its] the agency's own employees, or judicial review of the action;
- 1377 (f) the issuance of a citation or assessment under Title 34A, Chapter 6, Utah  
1378 Occupational Safety and Health Act, and Title 58, Occupations and Professions,  
1379 except that this chapter governs an agency action commenced by the employer,  
1380 licensee, or other person authorized by law to contest the validity or correctness of  
1381 the citation or assessment;
- 1382 (g) state agency action relating to management of state funds, the management and  
1383 disposal of school and institutional trust land assets, and contracts for the purchase or  
1384 sale of products, real property, supplies, goods, or services by or for the state, or by  
1385 or for an agency of the state, except as provided in those contracts, or judicial review  
1386 of the action;
- 1387 (h) state agency action under Title 7, Chapter 1, Part 3, Powers and Duties of

- 1388 Commissioner of Financial Institutions, Title 7, Chapter 2, Possession of Depository  
 1389 Institution by Commissioner, Title 7, Chapter 19, Acquisition of Failing Depository  
 1390 Institutions or Holding Companies, and Chapter 7, Governmental Immunity Act of  
 1391 Utah, or judicial review of the action;
- 1392 (i) the initial determination of a person's eligibility for unemployment benefits, the initial  
 1393 determination of a person's eligibility for benefits under Title 34A, Chapter 2,  
 1394 Workers' Compensation Act, and Title 34A, Chapter 3, Utah Occupational Disease  
 1395 Act, or the initial determination of a person's unemployment tax liability;
- 1396 (j) state agency action relating to the distribution or award of a monetary grant to or  
 1397 between governmental units, or for research, development, or the arts, or judicial  
 1398 review of the action;
- 1399 (k) the issuance of a notice of violation or order under Title 19, Chapter 2, Air  
 1400 Conservation Act, Title 19, Chapter 3, Radiation Control Act, Title 19, Chapter 4,  
 1401 Safe Drinking Water Act, Title 19, Chapter 5, Water Quality Act, Title 19, Chapter 6,  
 1402 Part 1, Solid and Hazardous Waste Act, Title 19, Chapter 6, Part 4, Petroleum  
 1403 Storage Tank Act, or Title 19, Chapter 6, Part 7, Used Oil Management Act, [~~or~~ Title  
 1404 19, Chapter 6, Part 10, Mercury Switch Removal Act,] except that this chapter  
 1405 governs an agency action commenced by a person authorized by law to contest the  
 1406 validity or correctness of the notice or order;
- 1407 (l) state agency action, to the extent required by federal statute or regulation, to be  
 1408 conducted according to federal procedures;
- 1409 (m) the initial determination of a person's eligibility for government or public assistance  
 1410 benefits;
- 1411 (n) state agency action relating to wildlife licenses, permits, tags, and certificates of  
 1412 registration;
- 1413 (o) a license for use of state recreational facilities;
- 1414 (p) state agency action under Chapter 2, Government Records Access and Management  
 1415 Act, except as provided in Section 63G-2-603;
- 1416 (q) state agency action relating to the collection of water commissioner fees and  
 1417 delinquency penalties, or judicial review of the action;
- 1418 (r) state agency action relating to the installation, maintenance, and repair of headgates,  
 1419 caps, valves, or other water controlling works and weirs, flumes, meters, or other  
 1420 water measuring devices, or judicial review of the action;
- 1421 (s) the issuance and enforcement of an initial order under Section 73-2-25;

- 1422 (t)(i) a hearing conducted by the Division of Securities under Section 61-1-11.1; and  
1423 (ii) an action taken by the Division of Securities under a hearing conducted under  
1424 Section 61-1-11.1, including a determination regarding the fairness of an issuance  
1425 or exchange of securities described in Subsection 61-1-11.1(1);
- 1426 (u) state agency action relating to water well driller licenses, water well drilling permits,  
1427 water well driller registration, or water well drilling construction standards, or  
1428 judicial review of the action;
- 1429 (v) the issuance of a determination and order under Title 34A, Chapter 5, Utah  
1430 Antidiscrimination Act;
- 1431 (w) state environmental studies and related decisions by the Department of  
1432 Transportation approving state or locally funded projects, or judicial review of the  
1433 action;
- 1434 (x) the suspension of operations under Subsection 32B-1-304(3);
- 1435 (y) the issuance of a determination of violation by the Governor's Office of Economic  
1436 Opportunity under Section 11-41-104; or
- 1437 (z) a challenge to an aspect of a distribution management plan under Section 73-33-202.
- 1438 (3) This chapter does not affect a legal remedy otherwise available to:
- 1439 (a) compel an agency to take action; or  
1440 (b) challenge an agency's rule.
- 1441 (4) This chapter does not preclude an agency, prior to the beginning of an adjudicative  
1442 proceeding, or the presiding officer during an adjudicative proceeding from:
- 1443 (a) requesting or ordering a conference with parties and interested persons to:
- 1444 (i) encourage settlement;  
1445 (ii) clarify the issues;  
1446 (iii) simplify the evidence;  
1447 (iv) facilitate discovery; or  
1448 (v) expedite the proceeding; or
- 1449 (b) granting a timely motion to dismiss or for summary judgment if the requirements of  
1450 Rule 12(b) or Rule 56 of the Utah Rules of Civil Procedure are met by the moving  
1451 party, except to the extent that the requirements of those rules are modified by this  
1452 chapter.
- 1453 (5)(a) A declaratory proceeding authorized by Section 63G-4-503 is not governed by  
1454 this chapter, except as explicitly provided in that section.
- 1455 (b) Judicial review of a declaratory proceeding authorized by Section 63G-4-503 is

- 1456 governed by this chapter.
- 1457 (6) This chapter does not preclude an agency from enacting a rule affecting or governing an  
 1458 adjudicative proceeding or from following the rule, if the rule is enacted according to the  
 1459 procedures outlined in Chapter 3, Utah Administrative Rulemaking Act, and if the rule  
 1460 conforms to the requirements of this chapter.
- 1461 (7)(a) If the attorney general issues a written determination that a provision of this  
 1462 chapter would result in the denial of funds or services to an agency of the state from  
 1463 the federal government, the applicability of the provision to that agency shall be  
 1464 suspended to the extent necessary to prevent the denial.
- 1465 (b) The attorney general shall report the suspension to the Legislature at its next session.
- 1466 (8) Nothing in this chapter may be interpreted to provide an independent basis for  
 1467 jurisdiction to review final agency action.
- 1468 (9) Nothing in this chapter may be interpreted to restrict a presiding officer, for good cause  
 1469 shown, from lengthening or shortening a time period prescribed in this chapter, except  
 1470 the time period established for judicial review.
- 1471 (10) Notwithstanding any other provision of this section, this chapter does not apply to a  
 1472 special adjudicative proceeding, as defined in Section 19-1-301.5, except to the extent  
 1473 expressly provided in Section 19-1-301.5.
- 1474 (11) Subsection (2)(w), regarding action taken based on state environmental studies and  
 1475 policies of the Department of Transportation, applies to any claim for which a court of  
 1476 competent jurisdiction has not issued a final unappealable judgment or order before May  
 1477 14, 2019.
- 1478 Section 27. Section **63I-1-219** is amended to read:
- 1479 **63I-1-219 (Effective 05/06/26). Repeal dates: Title 19.**
- 1480 (1) Title 19, Chapter 2, Air Conservation Act, is repealed July 1, 2029.
- 1481 (2) Section 19-2-109.6, Plantwide applicability limitation -- Publication of guidance  
 1482 required -- Report to committee -- Rulemaking, is repealed July 1, 2026.
- 1483 (3) Section 19-2-109.7, Permit by rule registration expansion study, is repealed July 1, 2026.
- 1484 (4) Title 19, Chapter 4, Safe Drinking Water Act, is repealed July 1, 2029.
- 1485 (5) Section 19-4-115, Drinking water quality in schools and child care centers, is repealed  
 1486 July 1, 2027.
- 1487 (6) Title 19, Chapter 5, Water Quality Act, is repealed July 1, 2029.
- 1488 (7) Title 19, Chapter 6, Part 1, Solid and Hazardous Waste Act, is repealed July 1, 2029.
- 1489 (8) Title 19, Chapter 6, Part 3, Hazardous Substances Mitigation Act, is repealed July 1,

- 1490 2030.
- 1491 (9) Title 19, Chapter 6, Part 4, Petroleum Storage Tank Act, is repealed July 1, 2028.
- 1492 (10) Section 19-6-510, Study of glass recycling, is repealed July 1, 2026.
- 1493 (11) Title 19, Chapter 6, Part 6, Lead Acid Battery Disposal, is repealed July 1, 2026.
- 1494 (12) Title 19, Chapter 6, Part 7, Used Oil Management Act, is repealed July 1, 2029.
- 1495 (13) Title 19, Chapter 6, Part 8, Waste Tire Recycling Act, is repealed July 1, 2030.
- 1496 [~~(14) Title 19, Chapter 6, Part 10, Mercury Switch Removal Act, is repealed July 1, 2027.~~]
- 1497 Section 28. Section **63I-1-265** is amended to read:
- 1498 **63I-1-265 (Effective 05/06/26). Repeal dates: Title 65A.**
- 1499 [~~Section 65A-10-5, Utah lake study, is repealed July 1, 2027~~] Reserved.
- 1500 Section 29. Section **63J-1-602.2** is amended to read:
- 1501 **63J-1-602.2 (Effective 05/06/26) (Partially Repealed 07/01/29). List of nonlapsing**
- 1502 **appropriations to programs.**
- 1503 Appropriations made to the following programs are nonlapsing:
- 1504 (1) The Legislature and the Legislature's committees.
- 1505 (2) The State Board of Education, including all appropriations to agencies, line items, and
- 1506 programs under the jurisdiction of the State Board of Education, in accordance with
- 1507 Section 53F-9-103.
- 1508 (3) The Rangeland Improvement Act created in [~~Section 4-20-101~~] Title 4, Chapter 20,
- 1509 Rangeland Improvement Act.
- 1510 (4) The Percent-for-Art Program created in Section 9-6-404.
- 1511 (5) The LeRay McAllister Working Farm and Ranch Fund Program created in Title 4,
- 1512 Chapter 46, Part 3, LeRay McAllister Working Farm and Ranch Fund.
- 1513 (6) The Utah Lake Authority created in Section 11-65-201.
- 1514 (7) Dedicated credits accrued to the Utah Marriage Commission as provided under
- 1515 Subsection 17-66-303(2)(d)(ii).
- 1516 (8) The Wildlife Land and Water Acquisition Program created in Section 23A-6-205.
- 1517 (9) Sanctions collected as dedicated credits from Medicaid providers under Subsection
- 1518 26B-3-108(7).
- 1519 (10) The primary care grant program created in Section 26B-4-310.
- 1520 (11) The Opiate Overdose Outreach Pilot Program created in Section 26B-4-512.
- 1521 (12) The Utah Health Care Workforce Financial Assistance Program created in Section
- 1522 26B-4-702.
- 1523 (13) The Rural Physician Loan Repayment Program created in Section 26B-4-703.

- 1524 (14) The Utah Medical Education Council for the:
- 1525 (a) administration of the Utah Medical Education Program created in Section 26B-4-707;
- 1526 (b) provision of medical residency grants described in Section 26B-4-711; and
- 1527 (c) provision of the forensic psychiatric fellowship grant described in Section 26B-4-712.
- 1528 (15) The Division of Services for People with Disabilities, as provided in Section 26B-6-402.
- 1529 (16) The Communication Habits to reduce Adolescent Threats (CHAT) Pilot Program
- 1530 created in Section 26B-7-122.
- 1531 (17) Funds that the Department of Alcoholic Beverage Services retains in accordance with
- 1532 Subsection 32B-2-301(8)(a) or (b).
- 1533 (18) The General Assistance program administered by the Department of Workforce
- 1534 Services, as provided in Section 35A-3-401.
- 1535 (19) The Utah National Guard, created in Title 39A, National Guard and Militia Act.
- 1536 (20) The Search and Rescue Financial Assistance Program, as provided in Section
- 1537 53-2a-1102.
- 1538 (21) The Emergency Medical Services Grant Program, as provided in Section 53-2d-207.
- 1539 (22) The Motorcycle Rider Education Program, as provided in Section 53-3-905.
- 1540 (23) The Utah Board of Higher Education for teacher preparation programs, as provided in
- 1541 Section 53H-5-402.
- 1542 (24) Innovation grants under Section 53G-10-608, except as provided in Subsection
- 1543 53G-10-608(3).
- 1544 (25) The Division of Fleet Operations for the purpose of upgrading underground storage
- 1545 tanks under Section 63A-9-401.
- 1546 (26) The Division of Technology Services for technology innovation as provided under
- 1547 Section 63A-16-903.
- 1548 (27) The State Capitol Preservation Board created by Section 63O-2-201.
- 1549 (28) The Office of Administrative Rules for publishing, as provided in Section 63G-3-402.
- 1550 (29) The Colorado River Authority of Utah, created in Title 63M, Chapter 14, Colorado
- 1551 River Authority of Utah Act.
- 1552 (30) The Governor's Office of Economic Opportunity to fund the Enterprise Zone Act, as
- 1553 provided in Title 63N, Chapter 2, Part 2, Enterprise Zone Act.
- 1554 (31) The Governor's Office of Economic Opportunity's Rural Employment Expansion
- 1555 Program, as described in Title 63N, Chapter 4, Part 4, Rural Employment Expansion
- 1556 Program.
- 1557 (32) County correctional facility contracting program for state inmates as described in

- 1558 Section 64-13e-103.
- 1559 (33) County correctional facility reimbursement program for state probationary inmates and  
1560 state parole inmates as described in Section 64-13e-104.
- 1561 (34) Programs for the Jordan River Recreation Area as described in Section 65A-2-8.
- 1562 (35) The Division of Human Resource Management user training program, as provided in  
1563 Section 63A-17-106.
- 1564 (36) A public safety answering point's emergency telecommunications service fund, as  
1565 provided in Section 69-2-301.
- 1566 (37) The Traffic Noise Abatement Program created in Section 72-6-112.
- 1567 (38) The money appropriated from the Navajo Water Rights Negotiation Account to the  
1568 Division of Water Rights, created in Section 73-2-1.1, for purposes of participating in a  
1569 settlement of federal reserved water right claims.
- 1570 (39) The Judicial Council for compensation for special prosecutors, as provided in Section  
1571 77-10a-19.
- 1572 (40) A state rehabilitative employment program, as provided in Section 78A-6-210.
- 1573 (41) The Utah Geological Survey, as provided in Section 79-3-401.
- 1574 (42) The Bonneville Shoreline Trail Program created under Section 79-5-503.
- 1575 (43) Adoption document access as provided in Sections 81-13-103, 81-13-504, and  
1576 81-13-505.
- 1577 (44) Indigent defense as provided in Title 78B, Chapter 22, Part 4, Utah Indigent Defense  
1578 Commission.
- 1579 (45) The program established by the Division of Facilities Construction and Management  
1580 under Section 63A-5b-703 under which state agencies receive an appropriation and pay  
1581 lease payments for the use and occupancy of buildings owned by the Division of  
1582 Facilities Construction and Management.
- 1583 (46) The State Tax Commission for reimbursing counties for deferrals in accordance with  
1584 Section 59-2-1802.5.
- 1585 (47) The Veterinarian Education Loan Repayment Program created in Section 4-2-902.  
1586 Section 30. Section **63J-8-106** is amended to read:
- 1587 **63J-8-106 (Effective 05/06/26). County supported federal land use designation**  
1588 **proposed in proposed congressional land use legislation -- Process for legislative review**  
1589 **of proposed federal legislation land use within a county.**
- 1590 (1)(a) Notwithstanding any other provision of this chapter, the Legislature may, in  
1591 accordance with this section, recommend to the Utah congressional delegation

- 1592 proposed congressional land use legislation that is supported by a county.
- 1593 (b) A county that fails to comply with the requirements of this section may not  
1594 communicate or otherwise represent in any way that a federal land use designation  
1595 contained in proposed congressional land use legislation has the support or approval  
1596 of the Legislature.
- 1597 (2) If a county supports a federal land use designation contained in proposed congressional  
1598 land use legislation, the county shall:
- 1599 (a) prepare a report on the proposed congressional land use legislation in accordance  
1600 with Subsection (3);
- 1601 (b) draft a concurrent resolution for a legislative committee's consideration, in  
1602 accordance with Subsection (7)(a), in support of the proposed congressional land use  
1603 legislation; and
- 1604 (c) subject to Subsection (4)(a), deliver the report and draft concurrent resolution to the  
1605 office.
- 1606 (3) The report required in Subsection (2)(a) shall include:
- 1607 (a) a copy of the proposed congressional land use legislation;
- 1608 (b) a detailed description of the land or watercourse proposed for a federal land use  
1609 designation, including:
- 1610 (i) the total acres of federal land proposed for a federal land use designation;
- 1611 (ii)(A) a map showing the location of the land or watercourse; and  
1612 (B) the proposed type of federal land use designation for each location;
- 1613 (iii) a proposed land conveyance or land proposed for auction by the BLM, if any; and  
1614 (iv)(A) school and institutional trust land, as defined in Section 53C-1-103,  
1615 proposed for a land exchange, if any; and  
1616 (B) whether the county has coordinated with SITLA on the proposed land  
1617 exchange;
- 1618 (c) an explanation of whether a federal land use designation will assist in resolving  
1619 long-standing public lands issues, such as wilderness disputes, economic  
1620 development, recreational use, and access to public lands;
- 1621 (d) a narrative description of the economic, recreational, and cultural impacts, taken as a  
1622 whole, on a county and the state that would occur if Congress adopted the proposed  
1623 congressional land use legislation, including an impact on state revenues;
- 1624 (e) an account of actions, if any, proposed in a federal land use designation to minimize  
1625 impacts on:

- 1626 (i) resource extraction activities occurring on the land or in the watercourse proposed  
1627 for a federal land use designation, including mining and energy development; and  
1628 (ii) motorized recreational use and public access;
- 1629 (f) a summary of potential benefits gained by the county and state if Congress adopts the  
1630 proposed congressional land use legislation;
- 1631 (g) a description of the stakeholders and their positions on a federal land use designation;
- 1632 (h) whether land identified for a federal land use designation is BLM recommended  
1633 wilderness;
- 1634 (i) an explanation of what the proposed congressional land use legislation proposes for  
1635 federal land located in the county other than land identified for the federal land use  
1636 designation;
- 1637 (j)(i) a description of the impact that, if adopted by Congress, the proposed  
1638 congressional land use legislation would have on access to roads currently  
1639 identified as part of an adopted county transportation plan as described in Section  
1640 63L-11-303; and
- 1641 (ii) if a federal land use designation proposes to close a road described in Subsection  
1642 (3)(j)(i), an explanation for the road closure and a copy of the minutes of any  
1643 county public hearing in which the proposed road closures were discussed and  
1644 public comment was taken;
- 1645 (k)(i) a description of a proposed resolution for an R.S. 2477 right-of-way, if any,  
1646 located within the area identified in a federal land use designation; and
- 1647 (ii) whether a proposed resolution described in Subsection (3)(k)(i) would include a  
1648 quiet title action concerning an R.S. 2477 right-of-way;
- 1649 (l) an explanation of whether a federal land use designation proposes a hard release of all  
1650 public lands and watercourses not included in the federal land use designation,  
1651 placing the land and watercourses in multiple use management;
- 1652 (m) an explanation of whether a federal land use designation proposes a prohibition on  
1653 further federal action under the Antiquities Act of 1906, 16 U.S.C. Sec. 431 et seq.;
- 1654 (n) a narrative description of a federal land use designation's interaction with, if any, a  
1655 regional haze rule adopted by the United States Environmental Protection Agency;
- 1656 (o) an explanation of whether a federal land use designation would authorize best  
1657 management practices as part of an active effort to control on the land or watercourse  
1658 proposed for a federal land use designation:
- 1659 (i) wildfire;

- 1660 (ii) invasive species, including insects; and  
1661 (iii) disease;
- 1662 (p) if applicable, a statement as to whether a federal land use designation would allow  
1663 for the continuation of existing grazing permits;
- 1664 (q) a statement as to the presence or need of passive water management facilities or  
1665 activities for livestock or wildlife, such as guzzlers or fencing, for the management of  
1666 wildlife or livestock;
- 1667 (r) if a federal land use designation identifies land that has oil, gas, or mineral deposits,  
1668 an explanation as to why the federal land use designation includes the land;
- 1669 (s)(i) a statement as to whether a federal land use designation:  
1670 (A) affects land or a watercourse located exclusively within the county; or  
1671 (B) affects, whether by an actual federal land use designation or by implication if  
1672 a federal land use designation is adopted, land or a watercourse located in  
1673 another county; and
- 1674 (ii) if the land use proposal would affect land or a watercourse located in another  
1675 county, whether that county supports the proposed congressional land use  
1676 legislation;
- 1677 (t) an explanation of whether a proposed land use designation designates land as  
1678 wilderness in the National Wilderness Preservation System or designates land as a  
1679 national conservation area that is not part of:  
1680 (i) BLM recommended wilderness; or  
1681 (ii) Forest Service land recommended for wilderness designation in RARE II; and
- 1682 (u) a statement explaining whether and to what extent members of Utah's congressional  
1683 delegation and their staff were consulted in preparing the proposed congressional  
1684 land use legislation and the federal land use designation contained therein.
- 1685 (4)(a) No later than 60 days before delivering a report and draft concurrent resolution in  
1686 accordance with Subsection (2), a county shall contact and inform the office of the  
1687 county's intention to prepare and deliver the report and draft concurrent resolution.
- 1688 (b) The office may give general guidance to a county described in Subsection (4)(a), as  
1689 requested, as to compliance with this section.
- 1690 (5) The office shall prepare an evaluation of the county's report, including whether the  
1691 county has addressed each matter described in Subsection (3).
- 1692 (6) The office shall deliver the evaluation described in Subsection (5), including a copy of  
1693 the county's report, the proposed congressional land use legislation, and the draft

- 1694 concurrent resolution, no later than 30 days after receiving the county's report:
- 1695 (a) if the Legislature is not in session, and subject to Subsection (6)(b), to the [~~chair~~
- 1696 chairs of the Natural Resources, Agriculture, and Environment Interim Committee; or
- 1697 (b) if the Legislature is in session or there are no scheduled meetings of the Natural
- 1698 Resources, Agriculture, and Environment Interim Committee before the beginning of
- 1699 the next legislative session, to the chair of either the House Natural Resources,
- 1700 Agriculture, and Environment Committee or the Senate Natural Resources,
- 1701 Agriculture, and Environment Committee.
- 1702 (7)(a) At a committee's next scheduled meeting after receiving a report, the draft
- 1703 concurrent resolution, and a copy of the proposed congressional land use legislation,
- 1704 the committee shall:
- 1705 (i) review:
- 1706 (A) the county's report;
- 1707 (B) the draft concurrent resolution, if the concurrent resolution has a legislative
- 1708 sponsor; and
- 1709 (C) the office's evaluation;
- 1710 (ii) if the draft concurrent resolution is presented to the committee, consider whether
- 1711 to approve or reject the draft concurrent resolution;
- 1712 (iii) if the draft concurrent resolution is rejected, provide direction to the county as to
- 1713 the reasons the resolution was rejected and the actions that the county might take
- 1714 to secure committee approval of the resolution; and
- 1715 (iv) take any additional action the committee finds necessary.
- 1716 (b) A legislative committee may not accept for review a county-supported federal land
- 1717 use designation contained in proposed congressional land use legislation that does not
- 1718 meet the requirements of this section.
- 1719 (8)(a) If the committee rejects the draft concurrent resolution, a county may resubmit a
- 1720 revised report and draft concurrent resolution to the office in accordance with the
- 1721 terms of this section.
- 1722 (b) Upon receipt of a revised report and draft concurrent resolution, the office shall
- 1723 comply with the procedures set forth in this section.
- 1724 (c) Upon receipt of a revised report, evaluation, and draft concurrent resolution by the
- 1725 office, a committee described in Subsection (6) shall comply with the procedures set
- 1726 forth in this section.
- 1727 (9) The governor may call a special session to consider the concurrent resolution presented

1728 to and approved by a committee described in Subsection (7)(a).

1729 (10) If a concurrent resolution described in this section is adopted by the Legislature and  
 1730 signed by the governor, the Office of the Governor shall forward a copy of the  
 1731 concurrent resolution, the county's report, and the proposed congressional land use  
 1732 legislation to Utah's congressional delegation.

1733 Section 31. Section **63L-11-305** is amended to read:

1734 **63L-11-305 (Effective 05/06/26). Facilitating the acquisition of federally**  
 1735 **managed public land under the Recreation and Public Purposes Act.**

1736 (1) As used in this section:

1737 (a) "Federally managed public land" means federally managed public land that the  
 1738 secretary is authorized to dispose of under the [~~federally managed public land~~  
 1739 ~~disposal law~~] Recreation and Public Purposes Act.

1740 [~~(b)~~] "~~Federally managed public land disposal law~~" means the Recreation and Public  
 1741 Purposes Act, 43 U.S.C. Sec. 869 et seq.]

1742 [~~(e)~~] (b) "Government entity" means [~~any~~] a state or local government entity allowed to  
 1743 submit a land application under the [~~federally managed public land disposal law~~]  
 1744 Recreation and Public Purposes Act.

1745 [~~(d)~~] (c) "Land application" means an application under the [~~federally managed public~~  
 1746 ~~land disposal law~~] Recreation and Public Purposes Act requesting the secretary to sell  
 1747 or lease federally managed public land.

1748 [~~(e)~~] (d) "Land application process" means the actions involved in the process of  
 1749 submitting and obtaining a final decision on a land application.

1750 (e) "Recreation and Public Purposes Act" means the tool for the disposal of federally  
 1751 managed public land enacted as the Recreation and Public Purposes Act, 43 U.S.C.  
 1752 Sec. 869 et seq.

1753 (f) "Secretary" means the Secretary of the Interior of the United States.

1754 (2) The office shall:

1755 (a) develop expertise:

1756 (i) in the land application process; and

1757 (ii) concerning the factors that tend to increase the chances that a land application  
 1758 will result in the secretary selling or leasing federally managed public land as  
 1759 requested in the land application;

1760 (b) work to educate government entities concerning:

1761 (i) the availability of federally managed public land pursuant to the [~~federally~~

- 1762                   ~~managed public land disposal law]~~ Recreation and Public Purposes Act; and
- 1763                   (ii) the land application process;
- 1764                   (c) advise and consult with a government entity that requests assistance from the office
- 1765                   to formulate and submit a land application and to pursue a decision on the land
- 1766                   application;
- 1767                   (d) advise and consult with a government entity that requests assistance from the office
- 1768                   to identify and quantify the amount of any funds needed to provide the public use
- 1769                   described in a land application;
- 1770                   (e) adopt a list of factors to be considered in determining the degree to which a land
- 1771                   application or potential land application is in the public interest;
- 1772                   (f) recommend a prioritization of land applications or potential land applications in the
- 1773                   state according to the extent to which the land applications are in the public interest,
- 1774                   based on the factors adopted under Subsection (2)(e);
- 1775                   (g) monitor land applications submitted by government entities for federally managed
- 1776                   public land located within the state, including annually contacting and collecting
- 1777                   relevant data from government entities to determine whether the government entities
- 1778                   have submitted land applications;
- 1779                   (h) prepare and submit a written report:
- 1780                   (i) to the Natural Resources, Agriculture, and Environment Interim Committee and
- 1781                   the Federalism Commission;
- 1782                   (ii)(A) annually by no later than August 31; and
- 1783                   (B) at other times, if and as requested by the committee or commission; and
- 1784                   (iii)(A) on the activities of the office under this section;
- 1785                   (B) on the land applications and potential land applications in the state, including
- 1786                   information based on the monitoring of land applications under Subsection
- 1787                   (2)(g);
- 1788                   (C) on the decisions of the secretary on land applications submitted by
- 1789                   government entities in the state; and
- 1790                   (D) on the quantity of land acquired under the land applications;
- 1791                   (i) present a summary of information contained in the report described in Subsection
- 1792                   (2)(h):
- 1793                   (i) at a meeting of the Natural Resources, Agriculture, and Environment Interim
- 1794                   Committee and at a meeting of the Federalism Commission;
- 1795                   (ii) annually no later than August 31; and

1796 (iii) at other times, if and as requested by the committee or commission; and  
 1797 (j) report to the Executive Appropriations Committee of the Legislature, as frequently as  
 1798 the advisor considers appropriate or as requested by the Executive Appropriations  
 1799 Committee, on the need for legislative appropriations to provide funds for the public  
 1800 purposes described in land applications.

1801 (3) The office may:

1802 (a) assist a government entity or the secretary in the filing and processing of a land  
 1803 application; and

1804 (b) enter into an agreement with the secretary related to the office assisting in processing  
 1805 a land application.

1806 ~~[(4)(a) The office shall conduct a survey of the land applications for federally managed  
 1807 public land located within the state that were submitted by a government entity from  
 1808 July 1, 2014, to July 1, 2024, to determine:]~~

1809 ~~[(i) which government entities submitted a land application during that time frame;]~~

1810 ~~[(ii) when a government entity submitted a land application during that time frame;]~~

1811 ~~[(iii) the location and quantity of federally managed public land for which a land  
 1812 application was submitted during that time frame; and]~~

1813 ~~[(iv) the status of a land application submitted during that time frame.]~~

1814 ~~[(b) The office shall complete the survey required by this Subsection (4) and report the  
 1815 results of the survey to the Natural Resources, Agriculture, and Environment Interim  
 1816 Committee and Federalism Commission by no later than August 31, 2025.]~~

1817 Section 32. Section **65A-6-4** is amended to read:

1818 **65A-6-4 (Effective 05/06/26). Mineral leases -- Multiple leases on same land --**

1819 **Rentals and royalties -- Lease terms -- Great Salt Lake.**

1820 (1) As used in this section:

1821 (a) "Great Salt Lake element or mineral" means:

1822 (i) a rare earth element;

1823 (ii) a trace element or mineral; or

1824 (iii) a chemical compound that includes a rare earth element or trace element or  
 1825 mineral.

1826 (b) "Operator" means, for purposes of provisions applicable to the extraction of a Great  
 1827 Salt Lake element or mineral, a person qualified to do business in the state who is  
 1828 pursuing the extraction of a Great Salt Lake element or mineral.

1829 (c) "Rare earth element" is one of the following ores, minerals, or elements located in

- 1830 the brines or the sovereign lands of the Great Salt Lake:
- 1831 (i) lanthanum;
- 1832 (ii) cerium;
- 1833 (iii) praseodymium;
- 1834 (iv) neodymium;
- 1835 (v) samarium;
- 1836 (vi) europium;
- 1837 (vii) gadolinium;
- 1838 (viii) terbium;
- 1839 (ix) dysprosium;
- 1840 (x) holmium;
- 1841 (xi) erbium;
- 1842 (xii) thulium;
- 1843 (xiii) ytterbium;
- 1844 (xiv) lutetium; and
- 1845 (xv) yttrium.
- 1846 (d) "Trace element or mineral" means an element or mineral that is located in the brines
- 1847 or the sovereign lands of the Great Salt Lake that is not in production by July 1, 2020,
- 1848 and for which the state has not received a royalty payment by July 1, 2020.
- 1849 (2)(a) Mineral leases, including oil, gas, and hydrocarbon leases, may be issued for
- 1850 prospecting, exploring, developing, and producing minerals covering any portion of
- 1851 state lands or the reserved mineral interests of the state.
- 1852 (b)(i) Leases may be issued for different types of minerals on the same land.
- 1853 (ii) If leases are issued for different types of minerals on the same land, the leases
- 1854 shall include stipulations for simultaneous operations, except that for leases
- 1855 related to the Great Salt Lake the leases shall include stipulations for simultaneous
- 1856 operations that will not interfere with, impede, limit, or require changes to
- 1857 pre-existing rights.
- 1858 (c) No more than one lease may be issued for the same resource on the same land.
- 1859 (d) The division shall require a separate royalty agreement for extraction of Great Salt
- 1860 Lake elements or minerals from brines of the Great Salt Lake when:
- 1861 (i) a mineral lease, a royalty agreement, or both that are in effect before the operator
- 1862 seeks to extract a particular Great Salt Lake element or mineral do not expressly
- 1863 include the right to extract the particular Great Salt Lake element or mineral; or

1864 (ii) the proposed operation will use brines from the Great Salt Lake, but will not  
1865 occupy sovereign lands for the direct production of Great Salt Lake elements or  
1866 minerals other than for incidental structures such as pumps and intake and outflow  
1867 pipelines.

1868 (3)(a) [~~Each~~] A mineral lease issued by the division shall provide for an annual rental of  
1869 not less than \$1 per acre per year, except that a mineral lease issued by the division  
1870 involving the extraction of a Great Salt Lake element or mineral from brines in the  
1871 Great Salt Lake shall provide for an annual rental of not less than \$100 per acre per  
1872 year.

1873 (b) However, a lease may provide for a rental credit, minimum rental, or minimum  
1874 royalty upon commencement of production, as prescribed by rule.

1875 (4) The primary term of a mineral lease may not exceed:

1876 (a) 20 years for oil shale and tar sands; and

1877 (b) 10 years for oil and gas and any other mineral.

1878 (5)(a) In addition to the requirements of Chapter 17, Part 3, Mineral or Element  
1879 Extraction, and subject to the other provisions of this Subsection (5), for a mineral  
1880 lease or royalty agreement involving the extraction of Great Salt Lake elements and  
1881 minerals from brines in the Great Salt Lake, the division shall ensure that the  
1882 following terms, as applicable, are included:

1883 (i) an extraction operation or extraction method shall adhere to commercially viable  
1884 technologies that minimize water depletion;

1885 (ii) a provision authorizing the division to curtail or limit Great Salt Lake element or  
1886 mineral production at any time the condition of the Great Salt Lake reaches the  
1887 emergency trigger, as defined in Section 65A-17-101;

1888 (iii) a provision authorizing the division to withdraw lands, operations, extraction  
1889 methods, or technologies from Great Salt Lake element or mineral production or  
1890 Great Salt Lake element or mineral operations;

1891 (iv) a provision allowing the division to require an existing operator to use  
1892 commercially viable, innovative technologies to minimize water depletions caused  
1893 by the planned mineral extraction as a condition of continued operations if the  
1894 technology:

1895 (A) has been successfully implemented on a commercial scale in similar  
1896 circumstances;

1897 (B) has been shown to be economically viable; and

- 1898 (C) is reasonably compatible with the operator's overall extraction process; and  
1899 (v) a provision that provides for the reductions of the following after the primary  
1900 term of a mineral lease or royalty agreement:
- 1901 (A) the acreage subject to the mineral lease by the acreage the operator does not  
1902 use to extract a Great Salt Lake element or mineral during the primary term of  
1903 the mineral lease under conditions that do not constitute waste, as defined in  
1904 Section 65A-17-101; and
- 1905 (B) the volume of water that the operator may divert from the Great Salt Lake, by  
1906 the volume of water that the operator does not use during the longer of the  
1907 primary term of the mineral lease or seven years if the operator fails to use the  
1908 volume of water for a beneficial use, except if the failure to use the volume of  
1909 water is as a result of a reduction of water usage under Section 73-33-201 or is  
1910 excused under Section 73-1-4.
- 1911 (b) If under Subsection (5)(a)(iv) the division requires an existing operator to use a  
1912 commercially viable, innovative technology, the division may not require use of a  
1913 technology not yet proven to be commercially viable on the Great Salt Lake and may  
1914 not require implementation of the technology to begin until after a reasonable period  
1915 determined by the division that is at least five years but does not exceed seven years.
- 1916 (c)(i) If the volume of water that the operator may divert from the Great Salt Lake is  
1917 reduced under Subsection (5)(a)(v), the division shall pursue a judicial action to  
1918 declare all or a portion of the water right forfeited under Subsection 73-1-4(2).
- 1919 (ii) If the division secures the reduction under this Subsection (5)(c), the division  
1920 shall petition the state engineer to order a reversal of the application approval in  
1921 accordance with the terms of the reduction or forfeiture of the water right.
- 1922 (iii) Nothing in this Subsection (5) modifies or otherwise affects Section 73-1-4 or  
1923 73-3-30.
- 1924 (6)(a) Before issuing a royalty agreement under Subsection (2)(d), the division may  
1925 require an operator to engage in a feasibility assessment and may issue a royalty  
1926 agreement without compliance of Subsection (5)(a) if the agreement:
- 1927 (i) has a term of 12 months or less; and  
1928 (ii) requires a minimum use of five acre-feet of brines from the Great Salt Lake  
1929 during the term of the agreement.
- 1930 (b) Subsection (6)(a)(ii) requiring a minimum use of five acre-feet of brines from the  
1931 Great Salt Lake does not apply to an operator who filed an application with the

- 1932 division for a feasibility assessment before January 1, 2025.
- 1933 (c) The division may make rules, in accordance with Title 63G, Chapter 3, Utah  
1934 Administrative Rulemaking Act, for implementing this Subsection (6).
- 1935 (7)(a) Upon nomination from a prospective operator, the division shall by rule, made in  
1936 accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act,  
1937 establish a royalty rate and calculation methodology for a Great Salt Lake element or  
1938 mineral that:
- 1939 (i) provides for a full and fair return to the state from the production of the Great Salt  
1940 Lake element or mineral;
- 1941 (ii) is consistent with market royalty rates applicable to the production of the Great  
1942 Salt Lake element or mineral or of the production of oil and gas;
- 1943 (iii) provides a base royalty rate;
- 1944 (iv) provides a reduced royalty rate from the royalty rate under Subsection (7)(a)(iii)  
1945 if the royalty agreement:
- 1946 (A) relates to a non-evaporative method of producing the Great Salt Lake element  
1947 or mineral; or
- 1948 (B) provides an incentive to use commercially viable, innovative technology to  
1949 minimize water depletion and evaporation as determined by the division;
- 1950 (v) provides a reduced royalty rate from the royalty rate under Subsection (7)(a)(iii) if  
1951 the prospective operator for the extraction of lithium demonstrates to the  
1952 satisfaction of the division that the prospective operator has an agreement with a  
1953 person who will process or manufacture a product in this state, exclusive of [any]  
1954 primary or secondary lithium processing or manufacturing, using the lithium  
1955 extracted by the prospective operator; and
- 1956 (vi) subject to Subsection (7)(e), provides for a royalty rate that is based on the  
1957 highest market value prevailing at the time of the sale or disposal of the following:
- 1958 (A) the Great Salt Lake element or mineral; or
- 1959 (B) a product the lessee produces from the Great Salt Lake element or mineral.
- 1960 (b) Before entering into a royalty agreement permitting the extraction of Great Salt Lake  
1961 elements or minerals, the operator shall:
- 1962 (i) demonstrate the proposed operation's commercial viability;
- 1963 (ii) certify before operation begins that the operator is not negatively impacting the  
1964 biota or chemistry of the Great Salt Lake; and
- 1965 (iii) obtain the approval of the division and the Department of Environmental Quality

- 1966 that the certification supports a finding that the operation will not negatively  
1967 impact the biota or chemistry of the Great Salt Lake.
- 1968 (c) A new mineral lease for a Great Salt Lake element or mineral in production in the  
1969 Great Salt Lake as of May 3, 2023, is subject to new royalty rates due to emergent  
1970 technologies.
- 1971 (d) An operator who as of July 1, 2020, had a mineral lease with the division but not a  
1972 royalty agreement and who is subject to a severance tax under Subsection 59-5-202(5)  
1973 shall pay a royalty under this section in addition to the severance tax.
- 1974 (e) The royalty rate described in Subsection (7)(a)(vi) may not be reassessed during the  
1975 primary term of an initial royalty agreement issued under this section, but may be  
1976 reassessed upon the conclusion of the primary term.
- 1977 (8)(a) Except as provided in Subsection (8)(b), an operator who extracts a Great Salt  
1978 Lake element or mineral from tailings from the production of Great Salt Lake  
1979 elements or minerals from brines in the Great Salt Lake is subject to this section to  
1980 the same extent as an operator producing a Great Salt Lake element or mineral from  
1981 brines in the Great Salt Lake.
- 1982 (b) An operator that, as of May 3, 2023, has an agreement to recover a Great Salt Lake  
1983 element or mineral from existing tailings, discarded material, end-use products, or  
1984 waste products produced from the evaporation and processing of Great Salt Lake  
1985 brines is not subject to this section, except as to the payment of royalties set by the  
1986 division under Subsection (7)(a). The division shall make rules, in accordance with  
1987 Title 63G, Chapter 3, Utah Administrative Rulemaking Act, regarding the issuance  
1988 and termination of a royalty agreement for mineral extraction from tailings, discarded  
1989 material, end-use products, or waste products produced from the evaporation and  
1990 processing of Great Salt Lake brines.
- 1991 (c) An operator that, as of May 3, 2023, has an underlying agreement to recover a Great  
1992 Salt Lake element or mineral shall obtain an additional agreement for any additional  
1993 Great Salt Lake element or mineral produced from the tailings, discarded material,  
1994 end-use products, or waste products newly produced under the underlying agreement.  
1995 The additional agreement is subject to this section.
- 1996 (9) The division shall annually report, by no later than October 1, to the Natural Resources,  
1997 Agriculture, and Environmental Quality Appropriations Subcommittee regarding the  
1998 amount of money collected under this section from royalties provided for in Subsection  
1999 (7).

- 2000 (10)(a) In the issuance of royalty agreements for the extraction of lithium from the Great  
 2001 Salt Lake, the division shall prioritize applicants that do not use evaporative  
 2002 concentration of Great Salt Lake brines in any stage of the extractive process.
- 2003 (b) The division may make rules, in accordance with Title 63G, Chapter 3, Utah  
 2004 Administrative Rulemaking Act, creating a process for implementing this Subsection  
 2005 (10).
- 2006 (11) Except in relationship to mineral leases related to the Great Salt Lake, the division  
 2007 shall make rules regarding the continuation of a mineral lease after the primary term has  
 2008 expired, which shall provide that a mineral lease shall continue so long as:
- 2009 (a) the mineral covered by the lease is being produced in paying quantities from:
- 2010 (i) the leased premises;
- 2011 (ii) lands pooled, communitized, or unitized with the leased premises; or
- 2012 (iii) lands constituting an approved mining or drilling unit with respect to the leased  
 2013 premises; or
- 2014 (b)(i) the lessee is engaged in diligent operations, exploration, research, or  
 2015 development which is reasonably calculated to advance development or  
 2016 production of the mineral covered by the lease from:
- 2017 (A) the leased premises;
- 2018 (B) lands pooled, communitized, or unitized with the leased premises; or
- 2019 (C) lands constituting an approved mining or drilling unit with respect to the  
 2020 leased premises; and
- 2021 (ii) the lessee pays a minimum royalty.
- 2022 (12) For the purposes of Subsection (11), diligent operations with respect to oil, gas, and  
 2023 other hydrocarbon leases may include cessation of operations not in excess of 90 days in  
 2024 duration.
- 2025 ~~[(13)(a) The division shall study and analyze each mineral lease and mineral royalty~~  
 2026 ~~agreement issued on the Great Salt Lake and compare and evaluate whether the~~  
 2027 ~~mineral leases and royalty agreements are representative of current market~~  
 2028 ~~conditions. As part of this study, the division shall:]~~
- 2029 ~~[(i) make the following determinations for mineral leases:]~~
- 2030 ~~[(A) whether the entire surface area described within the mineral lease is being~~  
 2031 ~~used; and]~~
- 2032 ~~[(B) whether the annual lease payments are representative of current market~~  
 2033 ~~conditions; and]~~

2034           ~~[(ii) for royalty agreements, perform studies and comparative analyses to determine~~  
 2035           ~~whether the state is receiving royalty rates consistent with current market~~  
 2036           ~~conditions.]~~

2037           ~~[(b) By no later than the 2023 November interim meeting, the division shall report the~~  
 2038           ~~division's findings of the study required by this Subsection (13) to the Natural~~  
 2039           ~~Resources, Agriculture, and Environment Interim Committee.]~~

2040           ~~[(14)] (13)~~ The division may make rules, in accordance with Title 63G, Chapter 3, Utah  
 2041           Administrative Rulemaking Act, for implementing this section.

2042           ~~[(15)] (14)~~ The provisions in this section related to extraction of a Great Salt Lake element  
 2043           or mineral under a mineral lease or royalty agreement apply to a mineral lease or royalty  
 2044           agreement in effect on May 1, 2024, and any mineral lease or royalty agreement entered  
 2045           into after May 1, 2024.

2046           Section 33. Section **65A-16-301** is amended to read:

2047           **65A-16-301 (Effective 05/06/26). Water trust -- Powers and duties -- Advisory**  
 2048           **councils.**

2049           (1) The grantee under this chapter shall establish a water trust that:

2050           (a) is organized:

2051           (i) as a private nonprofit organization; or

2052           (ii) as an agreement between two or more conservation organizations; and

2053           (b) complies with this section.

2054           (2) A water trust created under this section shall:

2055           (a) use a fiduciary to hold and administer grant money appropriated under this chapter;

2056           (b) subject to Subsection (6):

2057           (i) register with the lieutenant governor as a limited purpose entity pursuant to  
 2058           Section 51-2a-201.5;

2059           (ii) file with the state auditor on or before June 30 of each year the accounting report  
 2060           that:

2061           (A) satisfies Subsection 51-2a-201.5(2);

2062           (B) includes an itemized accounting of the in-kind contributions and other  
 2063           monetary contributions described in Subsection (4); and

2064           (C) includes an itemized accounting of the costs incurred under Subsection (3)(a);

2065           (iii) provide a copy of the accounting report described in Subsection (2)(b)(ii) to:

2066           (A) the division;

2067           (B) the commissioner;

- 2068 (C) the Division of Water Quality;
- 2069 (D) the council; and
- 2070 (E) the Natural Resources, Agriculture, and [~~Environment~~] Environmental Quality
- 2071 Appropriations Subcommittee;
- 2072 (iv) file with the division on or before January 31 of each year a report that satisfies
- 2073 the requirements of Subsection 51-2a-201.5(4); and
- 2074 (v) provide a copy of the report described in Subsection (2)(b)(iv) to:
- 2075 (A) the Division of Water Quality;
- 2076 (B) the council; and
- 2077 (C) the Natural Resources, Agriculture, and [~~Environment~~] Environmental Quality
- 2078 Appropriations Subcommittee; and
- 2079 (c) comply with applicable laws, regulations, ordinances, and rules.
- 2080 (3) A water trust established by a grantee under this section:
- 2081 (a) may use grant money for costs to establish, operate, or administer the water trust,
- 2082 including the hiring of staff or contractors;
- 2083 (b) shall use no less than 25% of the grant money to protect and restore wetlands and
- 2084 habitats in the Great Salt Lake's surrounding ecosystem to benefit the hydrology of
- 2085 the Great Salt Lake; and
- 2086 (c) may invest grant money the water trust receives under this chapter or [~~any~~]-private
- 2087 money the water trust may receive, except that the water trust shall:
- 2088 (i) invest and account for grant money and private money separately; and
- 2089 (ii) use the earnings received from the investment of grant money to carry out the
- 2090 purposes described in Subsection 65A-16-201(1).
- 2091 (4) The water trust shall provide a significant match of in-kind contributions or other
- 2092 monetary contributions to support the water trust's operations and for the purposes
- 2093 described in Subsection 65A-16-201(1).
- 2094 (5)(a) A water trust established under this section shall create and consult with one or
- 2095 more advisory councils on matters related to the mission and objectives of the water
- 2096 trust.
- 2097 (b) One of the advisory councils shall be known as the "Great Salt Lake Trust Council"
- 2098 and consist of 10 members:
- 2099 (i) the commissioner or the commissioner's designee; and
- 2100 (ii) a representative from the following:
- 2101 (A) agriculture;

- 2102 (B) a private land owner adjacent to the Great Salt Lake;
- 2103 (C) a conservation organization dedicated to the preservation of migratory
- 2104 waterfowl;
- 2105 (D) a conservation organization dedicated to the protection of non-game avian
- 2106 species;
- 2107 (E) another conservation organization working on Great Salt Lake issues;
- 2108 (F) aquaculture;
- 2109 (G) mineral extraction;
- 2110 (H) a water conservancy district; and
- 2111 (I) wastewater treatment facilities.

2112 (6) The duties of the water trust under Subsection (2)(b) apply to the water trust

2113 notwithstanding whether the holdings, revenues, or expenditures of the water trust

2114 include grant money or other money from the state.

2115 Section 34. Section **73-10-33** is amended to read:

2116 **73-10-33 (Effective 05/06/26). Management plan for water conveyance facilities.**

2117 (1) As used in this section:

- 2118 (a) "Board" means the Board of Water Resources created by Section 73-10-1.5.
- 2119 (b) "Conservation district" means a conservation district created under Title 17D,
- 2120 Chapter 3, Conservation District Act.
- 2121 (c) "Division" means the Division of Water Resources created by Section 73-10-18.
- 2122 (d) "Facility owner or operator" means:
- 2123 (i) a water company as defined in Subsection 73-3-3.5(1)(b); or
- 2124 (ii) an owner or operator of a water conveyance facility.
- 2125 (e) "Management plan" means a written document meeting the requirements of
- 2126 Subsection (3).
- 2127 (f) "Potential risk" means a condition where, if a water conveyance facility fails, the
- 2128 failure would create a high probability of:
- 2129 (i) causing loss of human life; or
- 2130 (ii) causing extensive economic loss, including damage to critical transportation
- 2131 facilities, utility facilities, or public buildings.
- 2132 (g) "Potential risk location" means a segment of a water conveyance facility that
- 2133 constitutes a potential risk due to:
- 2134 (i) location;
- 2135 (ii) elevation;

- 2136 (iii) soil conditions;
- 2137 (iv) structural instability;
- 2138 (v) water volume or pressure; or
- 2139 (vi) other conditions.
- 2140 (h)(i) "Water conveyance facility" means a water conveyance defined in Section
- 2141 57-13a-101.
- 2142 (ii) "Water conveyance facility" does not include:
- 2143 (A) a pipeline conveying water for industrial use, or municipal use, within a
- 2144 public water system as defined in Section 19-4-102;
- 2145 (B) a natural channel used to convey water for use within a water conveyance
- 2146 facility; or
- 2147 (C) a fully piped irrigation system.
- 2148 (2)(a) For a water conveyance facility that has a potential risk location, the board or
- 2149 division may issue a grant or loan to the facility owner or operator, and the facility
- 2150 owner or operator may receive state money for water development or water
- 2151 conveyance facility repair or improvements, only if the facility owner or operator
- 2152 promptly adopts a management plan in accordance with this section.
- 2153 (b) For a management plan to be considered to be promptly adopted for purposes of this
- 2154 Subsection (2), the facility owner or operator shall:
- 2155 (i) adopt the management plan by an affirmative vote of the facility owner or
- 2156 operator's board of directors, or persons occupying a similar status or performing
- 2157 similar functions before receiving money under Subsection (2)(a); and
- 2158 ~~[(ii)(A) adopt the management plan as described in Subsection (2)(b)(i) by no~~
- 2159 ~~later than:]~~
- 2160 ~~[(I) May 1, 2013, for a water conveyance facility in operation on May 11,~~
- 2161 ~~2011; or]~~
- 2162 ~~[(II) for a water conveyance facility that begins operation after May 11, 2011,~~
- 2163 ~~one year after the day on which the water conveyance facility begins~~
- 2164 ~~operation; or]~~
- 2165 ~~[(B)(I) adopt the management plan as described in Subsection (2)(b)(i); and]~~
- 2166 ~~[(II) provide written justification satisfactory to the board as to why the facility~~
- 2167 ~~owner or operator was unable to adopt a management plan during the time~~
- 2168 ~~period provided in Subsection (2)(b)(ii)(A); and]~~
- 2169 ~~[(iii)]~~ (ii) update the management plan adopted under Subsection (2)(b)(i) no less

- 2170 frequently than every 10 years.
- 2171 (3) A management plan described in Subsection (2) shall include at least the following:
- 2172 (a) a GIS coverage or drawing of each potential risk location of a water conveyance  
2173 facility identifying any:
- 2174 (i) existing canal and lateral alignment of the canal facility;
  - 2175 (ii) point of diversion;
  - 2176 (iii) bridge;
  - 2177 (iv) culvert;
  - 2178 (v) screen or trash rack; and
  - 2179 (vi) spill point;
- 2180 (b) an evaluation of [~~any~~]potential slope instability that may cause a potential risk,  
2181 including:
- 2182 (i) failure of the facility;
  - 2183 (ii) land movement that might result in failure of the facility; or
  - 2184 (iii) land movement that might result from failure of the facility;
- 2185 (c) proof of insurance coverage or other means of financial responsibility against  
2186 liability resulting from failure of the water conveyance facility;
- 2187 (d) a maintenance and improvement plan;
- 2188 (e) a schedule for implementation of a maintenance and improvement plan;
- 2189 (f) an emergency response plan that:
- 2190 (i) is developed after consultation with local emergency response officials;
  - 2191 (ii) is updated annually; and
  - 2192 (iii) includes, in the case of an emergency, how a first responder can:
    - 2193 (A) contact the facility owner or operator; and
    - 2194 (B) obtain information described in Subsection (3)(a);
- 2195 (g) any potential source of financing for maintenance and improvements under a  
2196 maintenance and improvement plan;
- 2197 (h) identification of each municipality or county through which water is conveyed or  
2198 delivered by the water conveyance facility;
- 2199 (i) a statement concerning whether storm water enters the water conveyance facility; and
- 2200 (j) if storm water enters the water conveyance facility:
- 2201 (i) an estimate of the maximum volume and flow of all water present in the water  
2202 conveyance facility as a result of a six-hour, 25-year storm event;
  - 2203 (ii) on the basis of information provided in accordance with Subsection (4),

- 2204 identification of the points at which [~~any~~] storm structures introduce water into the  
2205 water conveyance facility and the anticipated flow that may occur at each  
2206 structure; and
- 2207 (iii) the name of each governmental agency that has responsibility for storm water  
2208 management within the area from which storm water drains into the water  
2209 conveyance facility.
- 2210 (4) A private or public entity that introduces storm water into a water conveyance facility  
2211 shall provide the facility owner or operator with an estimate of the maximum volume  
2212 and flow of water that may occur at each structure that introduces storm water into the  
2213 water conveyance facility.
- 2214 (5)(a) A facility owner or operator of a water conveyance facility shall provide a  
2215 municipality or county in which is located a potential risk location of the water  
2216 conveyance facility an outline of the information provided in Subsection (3)(f).
- 2217 (b) A facility owner or operator shall give notice to the planning and zoning department  
2218 of each municipality and county identified in Subsection (3)(h) outlining the  
2219 information provided in Subsections (3)(f), (i), and (j).
- 2220 (c) An outline of information provided under this Subsection (5) is a protected record  
2221 under Section 63G-2-305.
- 2222 (6)(a) The division may provide information and technical resources to a facility owner  
2223 or operator of a water conveyance facility, regardless of whether the water  
2224 conveyance facility has a potential risk location.
- 2225 (b) In providing the information and resources described in Subsection (6)(a), the  
2226 division may coordinate with efforts of any association of conservation districts that  
2227 may provide similar information and technical resources.
- 2228 (c) The information and technical resources described in Subsection (6)(a) include:
- 2229 (i) engaging state and local water users in voluntary completion of a management  
2230 plan;
- 2231 (ii) developing standard guidelines, checklists, or templates that may be used by a  
2232 facility owner or operator;
- 2233 (iii) using conservation districts as points of contact with a facility owner or operator;
- 2234 (iv) providing training to help a facility owner or operator to adopt a management  
2235 plan; and
- 2236 (v) assisting, at the request and under the direction of, a facility owner or operator  
2237 with efforts to adopt or implement a management plan.

- 2238 (7)(a) A facility owner or operator of a water conveyance facility that has a potential risk  
 2239 location shall provide the board or division upon request:
- 2240 (i) written certification signed under oath by a person authorized to act for the board  
 2241 of directors or persons occupying a similar status or performing similar functions,  
 2242 certifying that the management plan complies with this section; and
- 2243 (ii) an opportunity to review a management plan.
- 2244 (b) A management plan received by the board or division under this section is a  
 2245 protected record under Section 63G-2-305.
- 2246 ~~[(8) The board shall report concerning compliance with this section to the Natural  
 2247 Resources, Agriculture, and Environment Interim Committee of the Legislature before  
 2248 November 30, 2013.]~~
- 2249 ~~[(9)]~~ (8) The division and board may make rules, in accordance with Title 63G, Chapter 3,  
 2250 Utah Administrative Rulemaking Act, concerning the requirements of this section.
- 2251 ~~[(10)]~~ (9) This section does not:
- 2252 (a) create a private right of action for a violation of this section; or
- 2253 (b) limit, impair, or enlarge a person's right to sue and recover damages from a facility  
 2254 owner or operator in a civil action for a cause of action that is not based on a  
 2255 violation of this section.
- 2256 ~~[(11)]~~ (10) The following may not be introduced as evidence in~~[-any]~~ civil litigation on the  
 2257 issue of negligence, injury, or the calculation of damages:
- 2258 (a) a management plan prepared in accordance with this section;
- 2259 (b) the failure to prepare or adopt a management plan in accordance with this section; or
- 2260 (c) the failure to update a management plan in accordance with this section.
- 2261 Section 35. Section **73-10g-204** is amended to read:
- 2262 **73-10g-204 (Effective 05/06/26) (Repealed 07/01/28). Agricultural Water**
- 2263 **Optimization Account.**
- 2264 (1) There is created a restricted account within the General Fund called the "Agricultural  
 2265 Water Optimization Account."
- 2266 (2) The account consists of:
- 2267 (a) appropriations from the Legislature;
- 2268 (b) federal funds; and
- 2269 (c) grants or donations from other public or private sources.
- 2270 (3) Subject to appropriation, the conservation commission may use money in the account  
 2271 to:

- 2272 (a) issue grants in accordance with Section 73-10g-206 to improve agricultural water  
 2273 optimization; and
- 2274 (b) fund research approved by the committee under Subsection 73-10g-205(7).
- 2275 [~~(4)~~ Until December 31, 2024, the department may loan up to \$3,000,000 of General Fund  
 2276 money in the account to the Agriculture Resource Development Fund, subject to the  
 2277 conditions described in Section ~~4-18-106.~~]
- 2278 [~~(5)~~] (4)(a) The department shall maintain the account and record the debits and credits  
 2279 made to the account by the department.
- 2280 (b) The Office of the Treasurer shall deposit interest and other earnings derived from  
 2281 investment of money in the account into the account.
- 2282 [~~(6)~~] (5) The department and the Department of Natural Resources may use money in the  
 2283 account for the administration of this part, except that the aggregate amount expended  
 2284 under this Subsection [~~(6)~~] (5) may not exceed 1.5% of the money appropriated to the  
 2285 grant program described in Section 73-10g-206.
- 2286 Section 36. Section **73-10g-305** is amended to read:
- 2287 **73-10g-305 (Effective 05/06/26). Role of the state council -- Reporting.**
- 2288 (1) The state council shall:
- 2289 (a) serve as a forum to encourage and facilitate discussion and collaboration by and  
 2290 among the stakeholders relative to the water-related interests of the state and the  
 2291 state's people and institutions;
- 2292 (b) facilitate communication and coordination between the Department of Natural  
 2293 Resources, the Department of Agriculture and Food, the Department of  
 2294 Environmental Quality, and other state and federal agencies in the administration and  
 2295 implementation of water-related activities;
- 2296 (c) facilitate the establishment of local councils by certifying a local council:
- 2297 (i) for the watersheds defined in Section 73-10g-303; and  
 2298 (ii) after reviewing the proceedings and documents submitted by proposed local  
 2299 councils, to ensure that the local council meets the certification requirements in  
 2300 Section 73-10g-306;
- 2301 (d) provide resources and support for the administration of local councils;
- 2302 (e) consult and seek guidance from local councils;
- 2303 (f) advise the Water Development Coordinating Council regarding a unified water  
 2304 infrastructure plan in accordance with Section 73-10g-602; and  
 2305 (g) provide advice to the governor and Legislature on water issues.

2306 (2) The state council shall provide updates on the state council's activities annually, by no  
2307 later than October 1, or as invited, to:

2308 (a) the Natural Resources, Agriculture, and Environment Interim Committee;

2309 (b) the Legislative Water Development Commission; and

2310 (c) the Utah Water Task Force.

2311 Section 37. Section **73-10g-703** is amended to read:

2312 **73-10g-703 (Effective 05/06/26) (Repealed 07/01/34). Powers and duties of water**  
2313 **agent.**

2314 (1)(a) In consultation with the speaker of the House of Representatives, president of the  
2315 Senate, and governor, the water agent shall explore and negotiate with officials of  
2316 other states, tribes, and other government entities regarding possible water  
2317 augmentation projects, including:

2318 (i) for the citizens of Utah, representing the state concerning waters of out-of-state  
2319 rivers, lakes, and other sources of supply of waters except when representation is  
2320 otherwise provided in statute;

2321 (ii) identifying potential out-of-state water resources, including land or a facility  
2322 necessary for the use of the water resources;

2323 (iii) working with the council and division to match the water resources described in  
2324 Subsection (1)(a)(ii) to needs identified by the council or division;

2325 (iv) establishing a strategy to designate what out-of-state water resources to pursue  
2326 and how to execute that strategy;

2327 (v) negotiating directly with out-of-state partners to execute the strategy described in  
2328 Subsection (1)(a)(iv);

2329 (vi) represent the state in interstate conferences between the state and one or more  
2330 sister states held for the purpose of entering into compacts between such states for  
2331 the division of the waters of interstate rivers, lakes, or other sources of water  
2332 supply, and to represent the state upon commissions or other governing bodies  
2333 provided for by [~~any~~] compacts that have been or may be entered into between the  
2334 state and one or more sister states, except that a compact is not binding on the  
2335 state until the compact is ratified and approved by the Legislature and the  
2336 legislatures of other states that are parties to the compact;

2337 (vii) recommending to the Legislature and to the council actions that may assist in the  
2338 development of, strategies for, and execution of water augmentation projects; and

2339 (viii) annually, by no later than October 1, reporting findings and recommendations

- 2340 to:
- 2341 (A) the governor;
- 2342 (B) the president of the Senate;
- 2343 (C) the speaker of the House of Representatives;
- 2344 (D) the Legislative Water Development Commission created in Section 73-27-102;
- 2345 (E) the Natural Resources, Agriculture, and Environment Interim Committee; and
- 2346 (F) the Board of Water Resources created in Section 73-10-1.5.

2347 (b) The water agent may recommend to the Board of Water Resources, created in  
 2348 Section 73-10-1.5, a water augmentation project that the water agent negotiates under  
 2349 this section, if the water augmentation project is in the best interest of the people of  
 2350 this state and the state's water resources.

2351 (2) The water agent shall consult and work with the council, state entities, the Colorado  
 2352 River Authority of Utah, and other bodies established by the state for interstate water  
 2353 negotiations.

2354 (3) Subject to Title 63G, Chapter 2, Government Records Access and Management Act,  
 2355 upon request of the water agent, a state or local entity shall provide to the water agent a  
 2356 document, report, or information available within the state or local entity.

2357 (4) The water agent may negotiate with tribes in accordance with this section.

2358 (5) This chapter may not be interpreted to override, substitute, or modify a water right  
 2359 within the state or the role and authority of the state engineer.

2360 (6) In implementing this part, the water agent shall at least monthly coordinate with and  
 2361 receive input from the relevant divisions within the Department of Natural Resources  
 2362 regarding the water agent's activities.

2363 Section 38. Section **73-32-202** is amended to read:

2364 **73-32-202 (Effective 05/06/26). Duties and authorizations of the commissioner.**

2365 (1) The commissioner, under the administrative oversight of the executive director, shall:

2366 (a) subject to Section 73-32-204, prepare an approved strategic plan for the long-term  
 2367 health of the Great Salt Lake and update the strategic plan regularly;

2368 (b) oversee the execution of the strategic plan by other state agencies as provided in  
 2369 Section 73-32-203;

2370 (c) maintain information that measures Great Salt Lake levels, salinity, and overall  
 2371 health;

2372 (d) meet regularly with the executive director and with the executive director of the  
 2373 Department of Environmental Quality;

- 2374 (e) consult with the Division of Forestry, Fire, and State Lands regarding Title 65A,  
2375 Chapter 16, Great Salt Lake Watershed Enhancement Program;
- 2376 (f) monitor the integrated water assessment conducted under Chapter 10g, Part 4, Great  
2377 Salt Lake Watershed Integrated Water Assessment;
- 2378 (g) inform the governor, the president of the Senate, and the speaker of the House of  
2379 Representatives, at least annually, about the status of the strategic plan and the  
2380 progress regarding implementation of the strategic plan;
- 2381 (h) at least annually, by no later than October 1, report to the Executive Appropriations  
2382 Committee regarding the expenditure of money under this chapter;
- 2383 (i) work cooperatively with and receive input and recommendations from the Great Salt  
2384 Lake Trust Council created under Section 65A-16-301 in accordance with Section  
2385 65A-16-302;
- 2386 (j) coordinate and work collaboratively with water conservancy districts that serve water  
2387 users within the Great Salt Lake watershed;
- 2388 (k) consult on projects funded by state appropriations that are designed to acquire or  
2389 lease water or water rights for the Great Salt Lake to ensure the project is consistent  
2390 with the strategic plan; and
- 2391 (l) annually report, by no later than October 1, to the Natural Resources, Agriculture,  
2392 and Environment Interim Committee regarding the activities of the commissioner.
- 2393 (2) The commissioner may:
- 2394 (a) access information from other state or federal agencies related to the Great Salt Lake;
- 2395 (b) develop cooperative agreements between the state, political subdivisions, and  
2396 agencies of the federal government for involvement in the strategic plan;
- 2397 (c) produce research, documents, maps, studies, analysis, or other information that  
2398 supports the strategic plan for the Great Salt Lake;
- 2399 (d) facilitate and coordinate the exchange of information, comments, and  
2400 recommendations on Great Salt Lake policies between and among:
- 2401 (i) state agencies;
- 2402 (ii) political subdivisions;
- 2403 (iii) institutions of higher education that conduct research relevant to the Great Salt  
2404 Lake;
- 2405 (iv) nonprofit entities; and
- 2406 (v) private business;
- 2407 (e) communicate with the Great Salt Lake Watershed Council created under Chapter

- 2408 10g, Part 3, Watershed Councils Act;
- 2409 (f) subject to Subsection (4), negotiate agreements, leases, or other means to acquire or
- 2410 lease water or water rights for the Great Salt Lake pursuant to the exemption under
- 2411 Subsection 63G-6a-107.6(2); and
- 2412 (g) perform other duties that the commissioner considers necessary or expedient to carry
- 2413 out the purposes of this chapter.
- 2414 (3)(a) The commissioner may not expend money for the purpose of acquiring or leasing
- 2415 water or water rights without first obtaining a review and recommendations regarding
- 2416 the expenditure from the Great Salt Lake Trust Council created in accordance with
- 2417 Section 65A-16-301.
- 2418 (b) The Great Salt Lake Trust Council shall review an expenditure described in
- 2419 Subsection (3)(a) and may make a favorable recommendation if the Great Salt Lake
- 2420 Trust Council finds that the expenditure is consistent with:
- 2421 (i) the strategic plan; and
- 2422 (ii) activities of the water trust created in Title 65A, Chapter 16, Great Salt Lake
- 2423 Watershed Enhancement Program.
- 2424 (4)(a) A change application for a water right acquired or leased under Subsection (2)(f)
- 2425 for use on sovereign lands in the Great Salt Lake shall be administered in accordance
- 2426 with Section 73-3-30.
- 2427 (b) The commissioner shall consult with the commissioner of the Department of
- 2428 Agriculture and Food regarding terms and conditions for leasing agricultural water
- 2429 for the Great Salt Lake.
- 2430 (5) In fulfilling the duties under this chapter, the commissioner shall consult and coordinate,
- 2431 as necessary, with:
- 2432 (a) divisions within the department;
- 2433 (b) the Department of Agriculture and Food;
- 2434 (c) the Department of Environmental Quality;
- 2435 (d) other applicable state agencies;
- 2436 (e) political subdivisions of the state;
- 2437 (f) federal agencies;
- 2438 (g) elected officials; and
- 2439 (h) local tribal officials.
- 2440 Section 39. Section **73-32-204** is amended to read:
- 2441 **73-32-204 (Effective 05/06/26). Strategic plan.**

- 2442 (1)(a) In accordance with this section, the commissioner shall prepare a strategic plan  
2443 and obtain the approval of the governor of that strategic plan.
- 2444 (b) A strategic plan prepared by the commissioner may not be implemented until the  
2445 governor approves the strategic plan, except as provided in Subsection ~~[(5)]~~ (4).
- 2446 (2) The commissioner shall base the strategic plan on a holistic approach that balances the  
2447 diverse interests related to the health of the Great Salt Lake, and includes provisions  
2448 concerning:
- 2449 (a) coordination of efforts related to the Great Salt Lake;
- 2450 (b) a sustainable water supply for the Great Salt Lake, while balancing competing needs;
- 2451 (c) human health and quality of life;
- 2452 (d) a healthy ecosystem;
- 2453 (e) economic development;
- 2454 (f) water conservation, including municipal and industrial uses and agricultural uses;
- 2455 (g) water and land use planning;
- 2456 (h) regional water sharing; and
- 2457 (i) other provisions that the commissioner determines would be for the benefit of the  
2458 Great Salt Lake.
- 2459 ~~[(3)(a) The commissioner shall obtain the approval of the governor of an initial  
2460 strategic plan by no later than December 31, 2023.]~~
- 2461 ~~[(b) On or before November 30, 2023, the commissioner shall submit an initial strategic  
2462 plan to the governor, speaker of the House of Representatives, and the president of  
2463 the Senate.]~~
- 2464 ~~[(c) The governor shall approve the strategic plan by no later than December 31, 2023, if  
2465 the governor determines that the initial strategic plan satisfies this chapter.]~~
- 2466 ~~[(d) By no later than January 15, 2024, the commissioner shall provide the following a  
2467 copy of the initial strategic plan approved by the governor under Subsection (3)(c):]~~
- 2468 ~~[(i) the Natural Resources, Agriculture, and Environment Interim Committee;]~~
- 2469 ~~[(ii) the department;]~~
- 2470 ~~[(iii) the Department of Environmental Quality; and]~~
- 2471 ~~[(iv) the Department of Agriculture and Food.]~~
- 2472 ~~[(4)]~~ (3) The governor may approve a strategic plan only after consulting with the speaker of  
2473 the House of Representatives and the president of the Senate.
- 2474 ~~[(5)]~~ (4) Once a strategic plan is approved by the governor, the commissioner may make  
2475 substantive changes to the strategic plan without the approval of the governor, except

- 2476 that the commissioner shall:
- 2477 (a) inform the governor, the speaker of the House of Representatives, and the president
- 2478 of the Senate of a substantive change to the strategic plan; and
- 2479 (b) submit the strategic plan every five years for the approval of the governor in a
- 2480 process that~~[is consistent with Subsection (3).]~~ requires:
- 2481 (i) the submission of the proposed strategic plan to the governor, speaker of the
- 2482 House of Representatives, and the president of the Senate;
- 2483 (ii) approval by the governor; and
- 2484 (iii) the commissioner to provide to the following a copy of the strategic plan
- 2485 approved by the governor under this Subsection (4):
- 2486 (A) the Natural Resources, Agriculture, and Environment Interim Committee;
- 2487 (B) the department;
- 2488 (C) the Department of Environmental Quality; and
- 2489 (D) the Department of Agriculture and Food.
- 2490 ~~[(6)]~~ (5) The commissioner may work with the Division of Forestry, Fire, and State Lands in
- 2491 coordinating the comprehensive management plan created under Section 65A-17-201
- 2492 with the strategic plan.
- 2493 Section 40. Section **73-32-303** is amended to read:
- 2494 **73-32-303 (Effective 05/06/26) (Repealed 07/01/27). Duties of the council.**
- 2495 (1)(a) The council shall advise the persons listed in Subsection (1)(b) on the sustainable
- 2496 use, protection, and development of the Great Salt Lake in terms of balancing:
- 2497 (i) sustainable use;
- 2498 (ii) environmental health; and
- 2499 (iii) reasonable access for existing and future development.
- 2500 (b) The council shall advise, as provided in Subsection (1)(a):
- 2501 (i) the governor;
- 2502 (ii) the department;
- 2503 (iii) the Department of Environmental Quality; and
- 2504 (iv) the commissioner.
- 2505 (2) The council shall assist the Division of Forestry, Fire, and State Lands in the Division of
- 2506 Forestry, Fire, and State Land's responsibilities for the Great Salt Lake described in
- 2507 Sections 65A-17-201 and 65A-17-202.
- 2508 (3) The council:
- 2509 (a) may recommend appointments to the Great Salt Lake technical team created by the

- 2510 Division of Forestry, Fire, and State Lands; and  
2511 (b) shall receive and use technical support from the Great Salt Lake technical team.  
2512 (4) The council shall assist the department, the Department of Environmental Quality, and  
2513 their applicable boards in accomplishing their responsibilities for the Great Salt Lake.  
2514 (5) The council shall report annually, by no later than October 1, to the Natural Resources,  
2515 Agriculture, and Environmental Quality Appropriations Subcommittee on the council's  
2516 activities.

2517 Section 41. Section **76-17-401** is amended to read:

2518 **76-17-401 (Effective 05/06/26). Definitions.**

2519 As used in this part:

- 2520 (1)(a) "Enterprise" means an individual, sole proprietorship, partnership, corporation,  
2521 business trust, association, or other legal entity, and a union or group of individuals  
2522 associated in fact although not a legal entity.  
2523 (b) "Enterprise" includes illicit as well as licit entities.  
2524 (2) "Pattern of unlawful activity" means engaging in conduct that constitutes the  
2525 commission of at least three episodes of unlawful activity, which episodes are not  
2526 isolated, but have the same or similar purposes, results, participants, victims, or methods  
2527 of commission, or otherwise are interrelated by distinguishing characteristics. Taken  
2528 together, the episodes shall demonstrate continuing unlawful conduct and be related  
2529 either to each other or to the enterprise. At least one of the episodes comprising a  
2530 pattern of unlawful activity shall have occurred after July 31, 1981. The most recent act  
2531 constituting part of a pattern of unlawful activity as defined by this part shall have  
2532 occurred within five years of the commission of the next preceding act alleged as part of  
2533 the pattern.  
2534 (3) "Person" includes an individual or entity capable of holding a legal or beneficial interest  
2535 in property, including state, county, and local governmental entities.  
2536 (4) "Unlawful activity" means to directly engage in conduct or to solicit, request, command,  
2537 encourage, or intentionally aid another person to engage in conduct that would constitute  
2538 an offense described by the following crimes or categories of crimes, or to attempt or  
2539 conspire to engage in an act that would constitute any of those offenses, regardless of  
2540 whether the act is in fact charged or indicted by an authority or is classified as a  
2541 misdemeanor or a felony:  
2542 (a) an act prohibited by the criminal provisions under Title 13, Chapter 10, Unauthorized  
2543 Recording Practices Act;

- 2544 (b) an act prohibited by the criminal provisions under Title 19, Environmental Quality  
2545 Code, Sections [~~19-1-101~~] 19-1-102 through 19-7-109;
- 2546 (c) taking, destroying, or possessing wildlife or parts of wildlife for the primary purpose  
2547 of sale, trade, or other pecuniary gain under Title 23A, Wildlife Resources Act, or  
2548 Section 23A-5-311;
- 2549 (d) false claims for medical benefits, kickbacks, or other acts prohibited under Title 26B,  
2550 Chapter 3, Part 11, Utah False Claims Act, Sections 26B-3-1101 through 26B-3-1112;
- 2551 (e) an act prohibited by the criminal provisions under Title 32B, Chapter 4, Criminal  
2552 Offenses and Procedure Act;
- 2553 (f) unlawful marking of pistol or revolver under Section 53-5a-105;
- 2554 (g) alteration of number or mark on pistol or revolver under Section 53-5a-106;
- 2555 (h) an act prohibited by the criminal provisions under Title 57, Chapter 11, Utah  
2556 Uniform Land Sales Practices Act;
- 2557 (i) an act prohibited by the criminal provisions under Title 58, Chapter 37, Utah  
2558 Controlled Substances Act, or Title 58, Chapter 37b, Imitation Controlled Substances  
2559 Act, Title 58, Chapter 37c, Utah Controlled Substance Precursor Act, or Title 58,  
2560 Chapter 37d, Clandestine Drug Lab Act;
- 2561 (j) an act prohibited by the criminal provisions under Title 61, Chapter 1, Utah Uniform  
2562 Securities Act;
- 2563 (k) an act prohibited by the criminal provisions under Title 63G, Chapter 6a, Utah  
2564 Procurement Code;
- 2565 (l) assault under Section 76-5-102;
- 2566 (m) aggravated assault under Section 76-5-103;
- 2567 (n) a threat of terrorism under Section 76-5-107.3;
- 2568 (o) a criminal homicide offense under Section 76-5-201;
- 2569 (p) kidnapping under Section 76-5-301;
- 2570 (q) aggravated kidnapping under Section 76-5-302;
- 2571 (r) human trafficking for labor under Section 76-5-308;
- 2572 (s) human trafficking for sexual exploitation under Section 76-5-308.1;
- 2573 (t) human smuggling under Section 76-5-308.3;
- 2574 (u) human trafficking of a child under Section 76-5-308.5;
- 2575 (v) benefiting from trafficking and human smuggling under Section 76-5-309;
- 2576 (w) aggravated human trafficking under Section 76-5-310;
- 2577 (x) sexual exploitation of a minor under Section 76-5b-201;

- 2578 (y) aggravated sexual exploitation of a minor under Section 76-5b-201.1;
- 2579 (z) sexual extortion under Section 76-5b-204;
- 2580 (aa) arson under Section 76-6-102;
- 2581 (bb) aggravated arson under Section 76-6-103;
- 2582 (cc) causing a catastrophe under Section 76-6-105;
- 2583 (dd) burglary under Section 76-6-202;
- 2584 (ee) aggravated burglary under Section 76-6-203;
- 2585 (ff) burglary of a vehicle under Section 76-6-204;
- 2586 (gg) manufacture or possession of an instrument for burglary or theft under Section  
2587 76-6-205;
- 2588 (hh) robbery under Section 76-6-301;
- 2589 (ii) aggravated robbery under Section 76-6-302;
- 2590 (jj) theft under Section 76-6-404;
- 2591 (kk) theft by deception under Section 76-6-405;
- 2592 (ll) theft by extortion under Section 76-6-406;
- 2593 (mm) receiving stolen property under Section 76-6-408;
- 2594 (nn) theft of services under Section 76-6-409;
- 2595 (oo) forgery under Section 76-6-501;
- 2596 (pp) unlawful use of financial transaction card under Section 76-6-506.2;
- 2597 (qq) unlawful acquisition, possession, or transfer of financial transaction card under  
2598 Section 76-6-506.3;
- 2599 (rr) financial transaction card offenses under Section 76-6-506.6;
- 2600 (ss) deceptive business practices under Section 76-6-507;
- 2601 (tt) bribery or receiving bribe by person in the business of selection, appraisal, or  
2602 criticism of goods under Section 76-6-508;
- 2603 (uu) bribery of a labor official under Section 76-6-509;
- 2604 (vv) defrauding creditors under Section 76-6-511;
- 2605 (ww) acceptance of deposit by insolvent financial institution under Section 76-6-512;
- 2606 (xx) unlawful dealing with property by fiduciary under Section 76-6-513;
- 2607 (yy) unlawful influence of a contest under Section 76-6-514;
- 2608 (zz) making a false credit report under Section 76-6-517;
- 2609 (aaa) criminal simulation under Section 76-6-518;
- 2610 (bbb) criminal usury under Section 76-6-520;
- 2611 (ccc) insurance fraud under Section 76-6-521;

- 2612 (ddd) retail theft under Section 76-6-602;
- 2613 (eee) computer crimes under Section 76-6-703;
- 2614 (fff) identity fraud under Section 76-6-1102;
- 2615 (ggg) mortgage fraud under Section 76-6-1203;
- 2616 (hhh) sale of a child under Section 76-7-203;
- 2617 (iii) bribery or offering a bribe under Section 76-8-103;
- 2618 (jjj) threat to influence official or political action under Section 76-8-104;
- 2619 (kkk) receiving bribe or bribery by public servant under Section 76-8-105;
- 2620 (lll) receiving bribe for endorsement of person as a public servant under Section
- 2621 76-8-106;
- 2622 (mmm) bribery for endorsement of person as public servant under Section 76-8-106.1;
- 2623 (nnn) official misconduct based on unauthorized act or failure of duty under Section
- 2624 76-8-201;
- 2625 (ooo) official misconduct concerning inside information under Section 76-8-202;
- 2626 (ppp) obstruction of justice in a criminal investigation or proceeding under Section
- 2627 76-8-306;
- 2628 (qqq) acceptance of bribe or bribery to prevent criminal prosecution under Section
- 2629 76-8-308;
- 2630 (rrr) harboring or concealing offender who has escaped from official custody under
- 2631 Section 76-8-309.2;
- 2632 (sss) making a false or inconsistent material statement under Section 76-8-502;
- 2633 (ttt) making a false or inconsistent statement under Section 76-8-503;
- 2634 (uuu) making a written false statement under Section 76-8-504;
- 2635 (vvv) tampering with a witness under Section 76-8-508;
- 2636 (www) retaliation against a witness, victim, or informant under Section 76-8-508.3;
- 2637 (xxx) receiving or soliciting a bribe as a witness under Section 76-8-508.7;
- 2638 (yyy) extortion or bribery to dismiss a criminal proceeding under Section 76-8-509;
- 2639 (zzz) tampering with evidence under Section 76-8-510.5;
- 2640 (aaaa) falsification or alteration of a government record under Section 76-8-511, if the
- 2641 record is a record described in Title 20A, Election Code, or Title 36, Chapter 11,
- 2642 Lobbyist Disclosure and Regulation Act;
- 2643 (bbbb) public assistance fraud by an applicant for public assistance under Section
- 2644 76-8-1203.1;
- 2645 (cccc) public assistance fraud by a recipient of public assistance under Section

- 2646 76-8-1203.3;
- 2647 (dddd) public assistance fraud by a provider under Section 76-8-1203.5;
- 2648 (eeee) fraudulently misappropriating public assistance funds under Section 76-8-1203.7;
- 2649 (ffff) false statement to obtain or increase unemployment compensation under Section
- 2650 76-8-1301;
- 2651 (gggg) false statement to prevent or reduce unemployment compensation or liability
- 2652 under Section 76-8-1302;
- 2653 (hhhh) unlawful failure to comply with Employment Security Act requirements under
- 2654 Section 76-8-1303;
- 2655 (iiii) unlawful use or disclosure of employment information under Section 76-8-1304;
- 2656 (jjjj) intentionally or knowingly causing one animal to fight with another under
- 2657 Subsection 76-13-202(2)(d) or (3), or Section 76-13-205 or 76-13-206 concerning
- 2658 dog fighting;
- 2659 (kkkk) soliciting, recruiting, enticing, or intimidating a minor to join a criminal street
- 2660 gang under Section 76-9-803;
- 2661 (llll) aggravated soliciting, recruiting, enticing, or intimidating a minor to join a criminal
- 2662 street gang under Section 76-9-803.1;
- 2663 (mmmm) intimidating a minor to remain in a criminal street gang under Section
- 2664 76-9-803.2;
- 2665 (nnnn) aggravated intimidating a minor to remain in a criminal street gang under Section
- 2666 76-9-803.3;
- 2667 (oooo) unlawful conduct involving an explosive, chemical, or incendiary device under
- 2668 Section 76-15-210;
- 2669 (pppp) unlawful conduct involving an explosive, chemical, or incendiary part under
- 2670 Section 76-15-211;
- 2671 (qqqq) unlawful delivery or mailing of an explosive, chemical, or incendiary device
- 2672 under Section 76-15-209;
- 2673 (rrrr) forging or counterfeiting trademarks, trade name, or trade device under Section
- 2674 76-16-302;
- 2675 (ssss) selling goods under counterfeited trademark, trade name, or trade devices under
- 2676 Section 76-16-303;
- 2677 (tttt) sales in containers bearing registered trademark of substituted articles under
- 2678 Section 76-16-304;
- 2679 (uuuu) selling or dealing with article bearing registered trademark or service mark with

2680 intent to defraud under Section 76-16-306;  
 2681 (vvvv) participating in gambling under Section 76-9-1402;  
 2682 (www) permitting gambling under Section 76-9-1403;  
 2683 (xxxx) online gambling prohibition under Section 76-9-1404;  
 2684 (yyyy) gambling promotion under Section 76-9-1405;  
 2685 (zzzz) gambling fraud under Section 76-9-1406;  
 2686 (aaaa) possessing a gambling device or record under Section 76-9-1407;  
 2687 (bbbb) obtaining a benefit from a confidence game under Section 76-9-1410;  
 2688 (cccc) distributing pornographic material under Section 76-5c-202;  
 2689 (dddd) aiding or abetting a minor in distributing pornographic material under Section  
 2690 76-5c-203;  
 2691 (eeee) inducing acceptance of pornographic material under Section 76-5c-204;  
 2692 (ffff) distributing material harmful to minors under Section 76-5c-205;  
 2693 (ggggg) aiding or abetting a minor in distributing material harmful to minors under  
 2694 Section 76-5c-206;  
 2695 (hhhhh) distribution of a pornographic file for exhibition under Section 76-5c-305;  
 2696 (iiii) indecent public display in the presence of a minor under Section 76-5c-207;  
 2697 (jjjjj) engaging in prostitution under Section 76-5d-202;  
 2698 (kkkkk) aiding prostitution under Section 76-5d-206;  
 2699 (llll) exploiting prostitution under Section 76-5d-207;  
 2700 (mmmmm) aggravated exploitation of prostitution under Section 76-5d-208;  
 2701 (nnnnn) communications fraud under Section 76-6-525;  
 2702 (oooo) possession of a dangerous weapon with criminal intent under Section 76-11-208;  
 2703 (ppppp) an act prohibited by the criminal provisions of Chapter 9, Part 16, Money  
 2704 Laundering and Currency Transaction Reporting;  
 2705 (qqqqq) vehicle compartment for contraband under Section 76-9-1902 or 76-9-1903;  
 2706 (rrrrr) an act prohibited by the criminal provisions of the laws governing taxation in this  
 2707 state; or  
 2708 (sssss) an act illegal under the laws of the United States and enumerated in 18 U.S.C.  
 2709 Secs. 1961(1)(B), (C), and (D).  
 2710 Section 42. Section **79-2-406** is amended to read:  
 2711 **79-2-406 (Effective 05/06/26). Wetlands.**  
 2712 [~~(1) As used in this section, "committee" means the Natural Resources, Agriculture, and~~  
 2713 ~~Environment Interim Committee.]~~

- 2714 [(2)] The department shall publish, on the department's website, the land use permits  
 2715 collected by the Utah Geological Survey pursuant to Subsection 79-3-202(1)(q).
- 2716 [~~(3)(a) The department shall study and make recommendations to the committee on the  
 2717 viability of an in-lieu fee program for wetland mitigation, including:]~~  
 2718 [(i) the viability of the state establishing and administering an in-lieu fee program; and]  
 2719 [(ii) the viability of the state partnering with a private organization to establish and  
 2720 administer an in-lieu fee program.]
- 2721 [(b) As part of the study described in Subsection (3)(a), the department shall consult  
 2722 with public and private individuals and entities that may be necessary or helpful to  
 2723 the establishment or administration of an in-lieu fee program for wetland mitigation,  
 2724 which may include:]  
 2725 [(i) the Utah Department of Environmental Quality;]  
 2726 [(ii) the United States Army Corps of Engineers;]  
 2727 [(iii) the United States Fish and Wildlife Service;]  
 2728 [(iv) the United States Environmental Protection Agency; or]  
 2729 [(v) a non-profit entity that has experience with the establishment and administration  
 2730 of in-lieu fee programs.]
- 2731 [(c) The department shall provide a report on the status of the department's study during  
 2732 or before the committee's November interim meeting in 2022.]
- 2733 [(d) The department shall provide a final report of the department's study and  
 2734 recommendations, including any recommended legislation, during or before the  
 2735 committee's first interim meeting in 2023.]
- 2736 Section 43. Section **79-2-408** is amended to read:  
 2737 **79-2-408 (Effective 05/06/26). Utah Water Ways.**
- 2738 (1) As used in this section:  
 2739 (a) "Partnership" means the nonprofit, statewide partnership described in Subsections (2)  
 2740 and (3).  
 2741 (b) "Water supply entity" means an entity supplying either culinary or irrigation water to  
 2742 a water user.
- 2743 (2) The department shall oversee:  
 2744 (a) the creation of a nonprofit, statewide partnership in accordance with this section; and  
 2745 (b) the state's participation in the partnership.
- 2746 (3) The partnership shall:  
 2747 (a) be known as "Utah Water Ways";

- 2748 (b) have as core purposes to:
- 2749 (i) facilitate coordination of efforts to optimize the use of water by:
- 2750 (A) sponsoring policy discussions about the state's water supply;
- 2751 (B) engaging the private sector to help support efforts to optimize the use of water
- 2752 and related activities;
- 2753 (C) coordinating with the Department of Agriculture and Food and the
- 2754 Department of Environmental Quality on water related issues;
- 2755 (D) maintaining communication among partners in the partnership;
- 2756 (E) providing a line of communication from partners to state leaders; and
- 2757 (F) promoting coordination of grants, rebate programs, or sponsorships that
- 2758 support the optimal use of water; and
- 2759 (ii) encourage residents of the state to make changes to optimize the use of water and
- 2760 care for the state's water supply by:
- 2761 (A) providing public education and public awareness campaigns and helping
- 2762 consolidate campaigns about the state's water supply, water quality, and water
- 2763 use; and
- 2764 (B) providing residents of the state with tools to understand what can be done to
- 2765 optimize the use of water;
- 2766 (c) consistent with Subsection (3)(b)(ii)(A) and subject to Subsection (8), coordinate
- 2767 with the State Board of Education to create standards-aligned resources and
- 2768 professional development opportunities to be used in select grades in kindergarten
- 2769 through grade 12 of the public education system, including:
- 2770 (i) an overview of the water cycle;
- 2771 (ii) an overview of Utah's water systems, including reference to watersheds,
- 2772 watershed health, groundwater, river systems, and major water infrastructure;
- 2773 (iii) an overview on how water is used in Utah, such as in the residential, agricultural,
- 2774 and industrial sectors, including information regarding:
- 2775 (A) the pass-through of water used in households to terminal lakes like the Great
- 2776 Salt Lake;
- 2777 (B) the pass-through of water used in many industries to terminal lakes like the
- 2778 Great Salt Lake;
- 2779 (C) the jobs and products created by industrial sections that use water;
- 2780 (D) the importance of agriculture in providing food; and
- 2781 (E) water recycling in areas that do not have terminal lakes like the Great Salt

- 2782 Lake;
- 2783 (iv) information on the geological and climate changes for the last 30,000 years that  
2784 created and changed the Great Salt Lake;
- 2785 (v) strategies for individuals to protect water quality;
- 2786 (vi) strategies for individuals to optimize the use of water, and the reasons  
2787 optimization is needed; and
- 2788 (vii) hands-on methods to help students learn the information described in this  
2789 Subsection (3)(c); and
- 2790 (d) seek grants, gifts, donations, devises, and bequests.
- 2791 (4) The board of directors for the partnership shall:
- 2792 (a) consist of 13 individuals as follows:
- 2793 (i) the executive director of the department, or the executive director's designee;
- 2794 (ii) the director of the Division of Water Resources, or the director's designee;
- 2795 (iii) the executive director of the Department of Environmental Quality, or the  
2796 executive director's designee;
- 2797 (iv) the commissioner of the Department of Agriculture and Food, or the  
2798 commissioner's designee;
- 2799 (v) a representative of rural Utah selected jointly by the governor, the speaker of the  
2800 House of Representatives, and the president of the Senate;
- 2801 (vi) the general managers for four water conservancy districts selected jointly by the  
2802 governor, the speaker of the House of Representatives, and the president of the  
2803 Senate; and
- 2804 (vii) four members of the business community selected jointly by the governor, the  
2805 speaker of the House of Representatives, and the president of the Senate;
- 2806 (b) hire an executive director by August 1, 2023, who shall serve for an initial term of  
2807 four years; and
- 2808 (c) adopt policies concerning the board of directors' internal organization and procedures.
- 2809 (5) The partnership may, consistent with this section, receive a grant, gift, donation, devise,  
2810 or bequest.
- 2811 (6) The partnership shall annually report, by no later than October 1, to the Natural  
2812 Resources, Agriculture, and Environment Interim Committee.
- 2813 (7) Notwithstanding the creation of the partnership, a water supply entity may maintain an  
2814 important role with water supply users to encourage the optimized use of water such as  
2815 through localized messaging, rebate programs, or other activities.

2816 (8) The standards-aligned resources created under Subsection (3)(c) may not include  
2817 information on human-caused climate change.

2818 Section 44. Section **79-2-504** is amended to read:

2819 **79-2-504 (Effective 05/06/26). Program creation -- Administration.**

2820 (1) There is created the Sage Grouse Compensatory Mitigation Program to mitigate the  
2821 impacts of development or disturbance of sage grouse habitat by:

2822 (a) creating and preserving habitat for the long-term conservation of sage grouse in the  
2823 state in a manner that minimizes impacts to economic growth;

2824 (b) establishing a mechanism by which conservation banks may operate in Utah to  
2825 achieve compensatory mitigation; and

2826 (c) establishing a mechanism by which a person or a governmental entity may  
2827 voluntarily complete compensatory mitigation.

2828 (2)(a) The department shall administer the program and may make rules in accordance  
2829 with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, to administer the  
2830 program in accordance with ~~[the provisions of]~~this part.

2831 (b) A rule made under Subsection (2)(a) shall be consistent with:

2832 (i) the requirements of Section 79-2-505;

2833 (ii) the goals and objectives described in the conservation plan, including avoiding  
2834 and minimizing habitat disturbances and mitigation impacts to sage grouse  
2835 habitat; and

2836 (iii) to the greatest extent possible, any local programs for the conservation of sage  
2837 grouse habitat.

2838 (c) Before making~~[-any]~~ rules under this chapter, the department shall~~[:]~~

2839 ~~[(i)]~~ create a plan by which the requirements of this chapter will be met~~[:; and]~~ .

2840 ~~[(ii) before November 1, 2016, present the plan to the Natural Resources,~~  
2841 ~~Agriculture, and Environment Interim Committee.]~~

2842 Section 45. Section **79-8-203** is amended to read:

2843 **79-8-203 (Effective 05/06/26). Award of recreation restoration infrastructure**  
2844 **grants.**

2845 (1) In determining the award of a recreation restoration infrastructure grant, the advisory  
2846 committee shall prioritize projects that the advisory committee considers to be high  
2847 demand outdoor recreation amenities or high priority trails.

2848 (2) The division may give special consideration to a project from a qualified applicant  
2849 within rural counties to ensure geographic parity of the awarded money.

- 2850 (3)(a) An applicant shall use a recreation restoration infrastructure grant to leverage  
2851 private and other nonstate public money, including cash, resources, goods, or services  
2852 necessary to complete a project.
- 2853 (b) The division may give priority to a project from an applicant that contributes a 50%  
2854 or greater financial match from the applicant or other private and nonstate public  
2855 money.
- 2856 (c) The division shall apply money from a cooperative agreement entered into with the  
2857 United States Department of Agriculture or the United States Department of the  
2858 Interior as a portion of the applicant's match.
- 2859 (4) A recreation restoration infrastructure grant may only be awarded by the executive  
2860 director after consultation with the director and the advisory committee.
- 2861 (5) A recreation restoration infrastructure grant is available for rehabilitation or restoration  
2862 projects for high demand outdoor recreation amenities and high priority trails that relate  
2863 directly to the visitor including:
- 2864 (a) a trail, trail head infrastructure, signage, and crossing infrastructure, for both  
2865 nonmotorized and motorized recreation;
- 2866 (b) a campground or picnic area;
- 2867 (c) water recreation infrastructure, including a pier, dock, or boat ramp; and  
2868 (d) recreation facilities that are accessible to visitors with disabilities.
- 2869 (6) The following are not eligible for a recreation restoration infrastructure grant:
- 2870 (a) general facility operations and administrative costs;
- 2871 (b) land acquisitions;
- 2872 (c) visitor facilities, as defined by the division by rule made in accordance with Title  
2873 63G, Chapter 3, Utah Administrative Rulemaking Act;
- 2874 (d) water and utility systems; and  
2875 (e) employee housing.
- 2876 (7) The division shall compile data and annually report, by no later than October 1, to the  
2877 Natural Resources, Agriculture, and Environmental Quality Appropriations  
2878 Subcommittee on the:
- 2879 (a) effectiveness of the grant program in addressing the deferred maintenance and repair  
2880 backlog of trails, campgrounds, and other recreation amenities on public lands;
- 2881 (b) estimated value of the rehabilitation or restoration projects;
- 2882 (c) number of miles of trails that are rehabilitated or restored; and  
2883 (d) leverage of state money to federal and private money and in-kind services such as

2884 volunteer labor.

2885 Section 46. **Repealer.**

2886 This bill repeals:

2887 Section **4-1-101, Title.**

2888 Section **4-2-101, Title.**

2889 Section **4-2-501, Title.**

2890 Section **4-3-101, Title.**

2891 Section **4-4-101, Title.**

2892 Section **4-4a-101, Title.**

2893 Section **4-5-101, Title.**

2894 Section **4-5a-101, Title.**

2895 Section **4-7-101, Title.**

2896 Section **4-8-101, Title.**

2897 Section **4-9-101, Title.**

2898 Section **4-10-101, Title.**

2899 Section **4-11-101, Title.**

2900 Section **4-12-101, Title.**

2901 Section **4-14-101, Title.**

2902 Section **4-15-101, Title.**

2903 Section **4-16-101, Short title.**

2904 Section **4-17-101, Title.**

2905 Section **4-18-101, Title.**

2906 Section **4-18-301, Title.**

2907 Section **4-19-101, Title.**

2908 Section **4-20-101, Title.**

2909 Section **4-21-101, Title.**

2910 Section **4-22-101, Title.**

2911 Section **4-23-101, Title.**

2912 Section **4-24-101, Title.**

2913 Section **4-25-101, Title.**

2914 Section **4-30-101, Title.**

2915 Section **4-31-101, Title.**

2916 Section **4-32-101, Title.**

2917 Section **4-32a-101, Title.**

- 2918 Section **4-34-101, Title.**
- 2919 Section **4-35-101, Title.**
- 2920 Section **4-37-101, Title.**
- 2921 Section **4-38-101, Title.**
- 2922 Section **4-39-101, Title.**
- 2923 Section **4-41-101, Title.**
- 2924 Section **4-41-401, Title.**
- 2925 Section **4-41a-101, Title.**
- 2926 Section **4-44-101, Title.**
- 2927 Section **4-45-101, Title.**
- 2928 Section **19-1-101, Short title.**
- 2929 Section **19-1-207, Regulatory certainty to support economic recovery.**
- 2930 Section **19-1-501, Title.**
- 2931 Section **19-1-601, Title.**
- 2932 Section **19-2-201, Title.**
- 2933 Section **19-2-301, Title.**
- 2934 Section **19-2a-101, Title.**
- 2935 Section **19-3-101, Short title.**
- 2936 Section **19-3-320, Efforts to prevent siting of any nuclear waste facility to include**
- 2937 **economic development study regarding Native American reservation lands within the state.**
- 2938 Section **19-4-101, Short title.**
- 2939 Section **19-5-101, Short title.**
- 2940 Section **19-5-203, Participation in survey.**
- 2941 Section **19-6-101, Short title.**
- 2942 Section **19-6-201, Short title.**
- 2943 Section **19-6-301, Short title.**
- 2944 Section **19-6-501, Short title.**
- 2945 Section **19-6-701, Short title.**
- 2946 Section **19-6-801, Title.**
- 2947 Section **19-6-901, Title.**
- 2948 Section **19-6-1001, Title.**
- 2949 Section **19-6-1002, Definitions.**
- 2950 Section **19-6-1003, Board and director powers.**
- 2951 Section **19-6-1004, Mercury switch collection plan -- Reimbursement for mercury switch**

- 2952 **removal.**
- 2953 Section **19-6-1005, Reporting requirements.**
- 2954 Section **19-6-1006, Penalties.**
- 2955 Section **19-6-1101, Title.**
- 2956 Section **19-6-1201, Title.**
- 2957 Section **19-7-101, Title.**
- 2958 Section **19-8-101, Title.**
- 2959 Section **19-12-101, Title.**
- 2960 Section **19-13-101, Title.**
- 2961 Section **40-2-101, Title.**
- 2962 Section **54-17-701, Rules for carbon capture and geological storage.**
- 2963 Section **65A-8a-101, Title.**
- 2964 Section **65A-10-5, Utah Lake study.**
- 2965 Section **65A-14-101, Title.**
- 2966 Section **73-2-1.7, Water for power study.**
- 2967 Section **73-3b-101, Short title.**
- 2968 Section **73-3c-101, Title.**
- 2969 Section **73-10-35, Division of Water Resources to conduct certain study.**
- 2970 Section **73-10g-101, Title.**
- 2971 Section **73-10g-201, Title.**
- 2972 Section **73-10g-309, Review of Watershed Councils Act.**
- 2973 Section **73-10g-405, Great Salt Lake related post-construction storm water management.**
- 2974 Section **73-18c-101, Title.**
- 2975 Section **73-20-1, Purpose of act -- Legislative finding.**
- 2976 Section **73-20-2, Definitions.**
- 2977 Section **73-20-3, Authority of Board of Water Resources.**
- 2978 Section **73-20-4, Qualification for financial assistance.**
- 2979 Section **73-20-5, Consultation with the executive committee of the Agricultural Advisory**
- 2980 **Board.**
- 2981 Section **73-20-6, Payment for emergency water resource developments.**
- 2982 Section **73-20-7, Feasibility study required before approval of assistance.**
- 2983 Section **73-20-8, Emergency Water Resources Account -- Creation -- Purpose.**
- 2984 Section **73-20-9, Emergency Water Resources Account -- Appropriation -- Purpose.**
- 2985 Section **73-20-10, Proceeds deposited to Water Resources Construction Fund.**

- 2986 Section **73-20-11, Transfer of funds -- Purposes.**
- 2987 Section **73-26-101, Short title.**
- 2988 Section **73-28-101, Title.**
- 2989 Section **73-29-101, Title.**
- 2990 Section **73-31-101, Title.**
- 2991 Section **79-1-101, Titles.**
- 2992 Section **79-2-101, Title.**
- 2993 Section **79-2-405, Radon study.**
- 2994 Section **79-2-501, Title.**
- 2995 Section **79-3-101, Title.**
- 2996 Section **79-4-1201, Title.**
- 2997 Section **79-5-101, Title.**
- 2998 Section **79-6-101, Title.**
- 2999 Section **79-6-406, Authority to study transportation, heating, and electricity-generating**
- 3000 **fuel storage reserve.**
- 3001 Section **79-6-501, Title.**
- 3002 Section **79-6-601, Title.**
- 3003 Section **79-8-101, Title.**
- 3004 Section **79-8-301, Title.**
- 3005 Section 47. **Effective Date.**
- 3006 This bill takes effect on May 6, 2026.