

HB0030

~~{Omitted text}~~ shows text that was in HB0030 but was omitted in HB0030S01

inserted text shows text that was not in HB0030 but was inserted into HB0030S01

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Wildlife Management Area Amendments

2026 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: David Shallenberger

Senate Sponsor:

LONG TITLE

General Description:

This bill addresses wildlife management areas.

Highlighted Provisions:

This bill:

- ▶ creates the Wildlife Management Area Stewardship Fund;
- ▶ repeals language related to access to wildlife management areas requiring a hunting, fishing, or combination license;
- ▶ defines terms;
- ▶ requires that an individual meet certain conditions to access a wildlife management area;
- ▶ directs the Division of Wildlife Resources (division) to approve an educational video and provide initial verification of completion of the educational video;
- ▶ provides for exceptions to the conditions to access a wildlife management area;
- ▶ authorizes rulemaking and requires reporting regarding rulemaking;
- ▶ provides for voluntary financial contributions for the benefit of wildlife management areas;
- ▶

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permits the division to oversee the provision of volunteer labor to benefit a wildlife management area, including addressing liability issues;and

▸ {~~enacts nonrefundable tax credits for contributions to wildlife management areas in accordance with statute and rules;~~}

▸ {~~addresses apportionment of a nonrefundable tax credit; and~~}

▸ makes technical and conforming changes.

Money Appropriated in this Bill:

None

Other Special Clauses:

This bill provides a special effective date.

Utah Code Sections Affected:

AMENDS:

23A-6-402 ~~{(Effective 07/01/26)}~~, as last amended by Laws of Utah 2025, Chapter 116

~~{59-10-1002.2 (Effective 07/01/26) (Applies beginning 01/01/26), as last amended by Laws of Utah 2025, Chapter 407}~~

ENACTS:

23A-3-217 ~~{(Effective 07/01/26)}~~, Utah Code Annotated 1953

23A-6-405 ~~{(Effective 07/01/26)}~~, Utah Code Annotated 1953

~~{59-7-628 (Effective 07/01/26) (Applies beginning 01/01/26), Utah Code Annotated 1953}~~

~~{59-10-1049 (Effective 07/01/26) (Applies beginning 01/01/26), Utah Code Annotated 1953}~~

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

Section 1. Section 1 is enacted to read:

23A-3-217. ~~{(Effective 07/01/26)}~~**Wildlife Management Area Stewardship Fund.**

(1)

(a) There is created an expendable special revenue fund known as the "Wildlife Management Area Stewardship Fund."

(b) As used in this section, "fund" means the Wildlife Management Area Stewardship Fund.

(2) The fund consists of:

(a) contributions made to the division under Subsection 23A-6-405(6);

(b) appropriations from the Legislature; and

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- 57 (c) interest and earnings on the fund.
- 58 (3) The state treasurer shall invest the money in the fund according to Title 51, Chapter 7, State Money
Management Act, except that the state treasurer shall deposit the interest or other earnings derived
from those investments into the fund.
- 61 (4) The division may use money in the fund to provide for:
- 62 (a) habitat restoration and protection;
- 63 (b) trail maintenance and development; and
- 64 (c) volunteer support and coordination.
- 65 (5) The division shall annually report, by no later than October 1, to the Natural Resources, Agriculture,
and Environmental Quality Appropriations Subcommittee the use of the funds in the previous fiscal
year.
- 54 Section 2. Section **23A-6-402** is amended to read:
- 55 **23A-6-402. ~~{(Effective 07/01/26)}~~Right of access to lands for hunting, trapping, or fishing**
reserved to public -- Exceptions.
- 71 (1) Except as provided in Section 23A-6-405 or 65A-2-5, there is reserved to the public the right of
access to lands owned by the state, including those lands lying below the official government
meander line or high water line of navigable waters, for the purpose of hunting, trapping, or fishing.
- 75 (2) When a department or agency of the state leases or sells land belonging to the state lying below the
official government meander line or the high water line of the navigable waters within the state, the
lease, contract of sale, or deed shall contain a provision that:
- 78 (a) the lands shall be open to the public for the purpose of hunting, trapping, or fishing during the lawful
season, except as provided by Section 65A-2-5; and
- 80 (b) the lessee, contractee, or grantee may not charge a person who desires to go upon the land for the
purpose of hunting, trapping, or fishing.
- 82 (3) Lands referred to in this section shall be regulated or closed to hunting, trapping, or fishing as
provided in this title for other lands and waters.
- 84 (4) The division may temporarily close that portion of a highway, as defined in Section
[72-1-102] 41-6a-102, that enters into or crosses land owned by the division if closure is needed for
the benefit of wildlife.
- 87 [(5)]

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- (a) Except as provided in Subsections (5), (6), and (7), an individual who is 18 years old or older may not enter that portion of a wildlife management area that is located within a county of the first or second class for any use unless the individual:]
- 90 [(i) holds a valid hunting, fishing, or combination license;]
- 91 [(ii) is permitted to engage in the use under a contract with, or other permission given by, the
division; or]
- 93 [(iii) is permitted to engage in the use or to access the land in accordance with a property right
giving the individual the right to use or access land within the wildlife management area.]
- 96 [(b) If the use engaged in by an individual described in Subsection (5)(a) would require a specific
license, permit, cooperative agreement, or certificate of registration under this title if engaged in on
other lands or waters, the individual shall hold the correct license, permit, cooperative agreement, or
certificate of registration to engage in the use.]
- 101 [(6)
- (a) If an individual is expressly exempt under this title from a requirement to hold a license, permit,
cooperative agreement, or certificate of registration to engage in hunting, trapping, or fishing if
engaged in on other lands or waters, the individual is not required to hold a hunting, fishing, or
combination license to enter a wildlife management area described in Subsection (5)(a).]
- 106 [(b) An individual may travel on a highway, as defined in Section 72-1-102, located within a
wildlife management area described in Subsection (5)(a) without obtaining a hunting, fishing, or
combination license.]
- 109 [(c) An individual may participate in an educational program or visit an education or visitor center
located within a wildlife management area described in Subsection (5)(a) without obtaining a
hunting, fishing, or combination license.]
- 112 [(7)
- (a) The Wildlife Board may make rules, in accordance with Title 63G, Chapter 3, Utah Administrative
Rulemaking Act, to define for purposes of Subsection (6):]
- 114 [(i) what is meant to be "expressly exempt under this title from a requirement to hold a license,
permit, cooperative agreement, or certificate of registration to engage in hunting, trapping, or
fishing"; or]
- 117 [(ii) what constitutes an "educational program" or "education or visitor center."]
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[~~(b) The Wildlife Board may not exempt an individual under Subsection (6)(a), on the basis that the individual is not engaged in hunting, trapping, or fishing within a wildlife management area.~~]

Section 3. Section 3 is enacted to read:

23A-6-405. ~~{(Effective 07/01/26)}~~ Access to wildlife management areas -- Voluntary contributions -- Volunteer labor.

(1) As used in this section:

(a) "Class A state road" means the same as that term is described in Section 72-3-102.

(b) "Class B road" means the same as that term is described in Section 72-3-103.

(c) "Digital access permit" means a permit issued under Subsection (3) as proof that an individual completed an educational video approved by the division.

(d) "Highway or road" means a highway, as defined in Section 41-6a-102, that:

(i) is part of the interstate system, is a Class A state road, or is a Class B road; and

(ii) begins and ends in a location outside a wildlife management area.

(e) "Interstate system" means the same as that term is defined in Section 72-1-102.

(f) "Recreational user" means an individual who accesses a wildlife management area for a purpose allowed on the wildlife management area that is not hunting, trapping, or fishing.

(2)

(a) Except as provided in Subsection (4), an individual who is 18 years old or older may not enter the following portions of a wildlife management area for any use, including as a recreational user, unless authorized under Subsection (2)(b):

(i) beginning on or after July 1, 2026, and ending June 30, 2027, a portion of a wildlife management area located within a county of the first and second class;

(ii) beginning on or after July 1, 2027, and ending June 30, 2028, a portion of a wildlife management area located within a county of the first, second, third, or fourth class; and

(iii) beginning July 1, 2028, any portion of a wildlife management area located within the state.

(b) An individual who is 18 years old or older may enter the portion of a wildlife management area located in an area described in Subsection (2)(a), if the individual:

(i) has a digital access permit issued under Subsection (3);

(ii) holds a hunting, fishing, or combination license;

(iii) is permitted to engage in the use under a contract with, or other permission given by, the division;

or

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- 152 (iv) is permitted to engage in the use or to access the land in accordance with a property right giving the
individual the right to use or access land within the wildlife management area.
- 155 (c) If the use in which an individual engages that is described in this Subsection (2) would require
a specific license, permit, cooperative agreement, or certificate of registration under this title if
engaged in on other lands or waters, the individual shall hold the correct license, permit, cooperative
agreement, or certificate of registration to engage in the use.
- 160 (3)
- (a) The division shall approve an educational video concerning access by individuals of wildlife
management areas and make the educational video:
- 162 (i) available on the Internet;
- 163 (ii) available to be watched free of charge; and
- 164 (iii) subject to verification of completion as provided in Subsection (3)(b).
- 165 (b) The division shall provide a process by which the division issues an individual a digital access
permit upon the individual's:
- 167 (i) completion of the educational video; and
- 168 (ii) acknowledgment that the individual's access to a wildlife management area may be seasonal or
subject to closures for wildlife conservation efforts.
- 170 (4)
- (a) If an individual is expressly exempt under this title from a requirement to hold a license, permit,
cooperative agreement, or certificate of registration to engage in hunting, trapping, or fishing if
engaged in on lands or waters other than a wildlife management area, the individual:
- 174 (i) is not required to hold a hunting, fishing, or combination license to access a wildlife
management area described in Subsection (2)(a); and
- 176 (ii) is required to have a digital access permit to access a wildlife management area unless
otherwise exempt under this section.
- 178 (b)
- (i) An individual may travel on a highway or road that crosses a wildlife management area described in
Subsection (2)(a) without complying with Subsection (2)(b).
- 181 (ii) Notwithstanding Subsection (4)(b)(i), the division may temporarily close a portion of a highway or
road in accordance with Subsection 23A-6-402(4).
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- (c) An individual may travel on a trail that begins and ends in a location outside the wildlife management area described in Subsection (2)(a) without complying with Subsection (2)(b).
- 186 (d) An individual may participate in an educational program or visit an education or visitor center located within a wildlife management area described in Subsection (2)(a) without complying with Subsection (2)(b).
- 189 (e) An individual may access the portion of a wildlife management area that the director, in limited circumstances that do not compromise the purposes of the wildlife management area, exempts from the requirements of this section.
- 192 (f) An individual may access a wildlife management area described in Subsection (2)(a) without complying with Subsection (2)(b) to the extent necessary to recover livestock that enters the wildlife management area by way of land adjacent to the wildlife management area upon which the livestock is authorized to graze.
- 196 (5)
- (a) The Wildlife Board may make rules, in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, and in coordination with the State Tax Commission and the Division of Technology Services within the Department of Government Operations, to:
- 200 (i) provide for the content and delivery of the educational video described in Subsection (3), including issuance of the digital access permit;
- 202 (ii) interpret what is meant to be "expressly exempt under this title from a requirement to hold a license, permit, cooperative agreement, or certificate of registration to engage in hunting, trapping, or fishing";
- 205 (iii) define what constitutes an "educational program" or "education or visitor center";
- 206 (iv) define what constitutes a trail that begins and ends in a location outside a wildlife management area;
- 208 (v) interpret what constitutes limited circumstances that do not compromise the purposes of a wildlife management area for purposes of Subsection (4)(e);
- 210 (vi) establish a process for accepting contributions under Subsection (6); and
- 211 (vii) establish a volunteer service program under Subsection (7).
- 212 (b) The division shall report by no later than the next regularly scheduled meeting of the Natural Resources, Agriculture, and Environment Interim Committee concerning a rule made, including an amendment to a rule, by the Wildlife Board under this section.

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- 216 (6)
- (a) The division may accept a voluntary money contribution for deposit into the Wildlife Management Stewardship Fund created in Section 23A-3-217:
- 218 (i) in an amount the person making the contribution chooses to contribute; and
- 219 (ii) to benefit a specific wildlife management area or to benefit wildlife management areas in general.
- 221 (b) If a person voluntarily donates money for a specific wildlife management area, the division shall use the money for that wildlife management area, except that if the total amount donated by all persons to a specific wildlife management area in a fiscal year is less than \$1,000, the division may use the donation for any wildlife management area in accordance with Subsection 23A-3-217(4).
- 226 (c) The division shall keep a record of a contribution under this Subsection (6) ~~for as long as~~ administrative need requires.
- 227 {~~(d)~~ }
- {~~(i)~~ { ~~The division shall provide the State Tax Commission with an electronic report stating the name, taxpayer identification number, and other identifying information of each person from whom the department receives a contribution under this Subsection (6) for the taxable year.~~ } }
- 231 {~~(ii)~~ { ~~The division shall provide the report described in Subsection (6)(d)(i) on or before January 31 of the year following the year in which the division received the contribution.~~ } }
- 234 (e){~~(d)~~} If an individual who has a digital access permit contributes an amount equal to or exceeding the fee amount prescribed by the Wildlife Board for a fishing license under Section 23A-4-601:
- 237 (i) the division shall treat the contribution as the purchase of a fishing license for 365 days from the day on which the individual makes the contribution; and
- 239 (ii) the individual may fish within the state using the digital access permit during the period described in Subsection (6)(e)(i).
- 241 (7)
- (a) The division may establish a program to:
- 242 (i) permit an individual to volunteer labor to maintain a wildlife management area; and
- 244 (ii) recognize the individual providing the labor through signage or other indication.
- 245 (b) The division may require an individual desiring to volunteer labor to maintain a wildlife management area to submit an application to the division on a form provided by the division.
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(c) The director may appoint a manager to oversee the administration of the program created under this Subsection (7).

(d) Rules made by the Wildlife Board under Subsection (5), may include rules for:

(i) partnerships between private and public entities; and

(ii) the duties of the manager.

(e) The division may provide liability coverage for a person who volunteers labor under this Subsection (7) or require the person to sign, in a form approved by the division, a release and liability waiver.

Section 4. Section 4 is enacted to read:

59-7-628. Nonrefundable wildlife management area contribution tax credit.

(1) As used in this section, "wildlife management area" means the same as that term is defined in Section 23A-6-101.

(2) A taxpayer may claim, in the taxable year in which the taxpayer makes a contribution under Subsection 23A-6-405(6) for the benefit of one or more wildlife management areas, a nonrefundable tax credit equal to the amount of the contribution.

(3) A taxpayer may carry forward, to the next three taxable years, the amount of any tax credit that exceeds the taxpayer's tax liability for the taxable year.

~~{Section 5. Section 59-10-1002.2 is amended to read: }~~

59-10-1002.2. Apportionment of tax credits.

(1) A nonresident individual or a part-year resident individual that claims a tax credit in accordance with Section 59-10-1017, 59-10-1018, 59-10-1019, 59-10-1022, 59-10-1023, 59-10-1024, 59-10-1028, 59-10-1042, 59-10-1043, 59-10-1044, 59-10-1046, 59-10-1047, ~~[or]~~ 59-10-1048, or 59-10-1049 may only claim an apportioned amount of the tax credit equal to:

(a) for a nonresident individual, the product of:

(i) the state income tax percentage for the nonresident individual; and

(ii) the amount of the tax credit that the nonresident individual would have been allowed to claim but for the apportionment requirements of this section; or

(b) for a part-year resident individual, the product of:

(i) the state income tax percentage for the part-year resident individual; and

(ii) the amount of the tax credit that the part-year resident individual would have been allowed to claim but for the apportionment requirements of this section.

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(2) A nonresident estate or trust that claims a tax credit in accordance with Section 59-10-1017, 59-10-1020, 59-10-1022, 59-10-1024, 59-10-1028, ~~[or]~~ 59-10-1048, or 59-10-1049 may only claim an apportioned amount of the tax credit equal to the product of:

- (a) the state income tax percentage for the nonresident estate or trust; and
- (b) the amount of the tax credit that the nonresident estate or trust would have been allowed to claim but for the apportionment requirements of this section.

Section 6. Section **6** is enacted to read:

59-10-1049. Nonrefundable wildlife management area contribution tax credit.

- (1) As used in this section, "wildlife management area" means the same as that term is defined in Section 23A-6-101.
- (2) Subject to Section 59-10-1002.2, a claimant, estate, or trust may claim, in the taxable year in which the claimant, estate, or trust makes a contribution under Subsection 23A-6-405(6) for the benefit of one or more wildlife management areas, a nonrefundable tax credit equal to the amount of the contribution.
- (3) A claimant, estate, or trust may carry forward, to the next three taxable years, the amount of any tax credit that exceeds the claimant's, estate's, or trust's tax liability for the taxable year.

Section 8. **Retrospective Operation.**

The following sections have retrospective operation for a taxable year starting on or after January 1, 2026:

- (1) Section 59-7-628 (Effective 07/01/26) (Applies beginning 01/01/26);
- (2) Section 59-10-1002.2 (Effective 07/01/26) (Applies beginning 01/01/26); and
- (3) Section 59-10-1049 (Effective 07/01/26) (Applies beginning 01/01/26).

Section 4. **Effective date.**

Effective Date.

This bill takes effect on July 1, 2026.

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