

HB0041S03 compared with HB0041

~~{Omitted text}~~ shows text that was in HB0041 but was omitted in HB0041S03

inserted text shows text that was not in HB0041 but was inserted into HB0041S03

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1 **Construction and Fire Codes Amendments**
 2026 GENERAL SESSION
 STATE OF UTAH
 Chief Sponsor: Thomas W. Peterson
 Senate Sponsor:Evan J. Vickers

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3 **LONG TITLE**

4 **General Description:**

5 This bill modifies the State Construction Code.

6 **Highlighted Provisions:**

7 This bill:

11 ▸ amends the State Construction Code to address updated standards in the International Wildland-
Urban Interface Code; ~~{and}~~

10 ▸ **modifies the International Wildland-Urban Interface Code;**

11 ▸ **delays the fee a county officer annually assesses against the property owner of high risk**
wildland urban interface property within the incorporated and unincorporated portions of a
county;

14 ▸ **requires the division to:**

15 • **provide a copy and explanation of the wildfire risk assessment mapping tool;**

16 • **give each county opportunity to provide written recommended changes to the wildfire**
risk assessment mapping tool;and

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implement the county's written recommended changes or provide a written response to the county justifying the division's rejection of the county's written recommended changes; 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:

15A-2-102 (Effective 01/01/27), as last amended by Laws of Utah 2023, Chapter 95

15A-2-103 (Effective 01/01/27), as last amended by Laws of Utah 2025, Chapter 532

17E-7-401 (Effective 05/06/26), as renumbered and amended by Laws of Utah 2025, First Special Session, Chapter 14

65A-8-203 (Effective 05/06/26), as last amended by Laws of Utah 2025, Chapter 74

ENACTS:

15A-3-1101 (Effective 01/01/27), Utah Code Annotated 1953

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

Section 1. Section **15A-2-102** is amended to read:

15A-2-102. (Effective 01/01/27)Definitions.

As used in this chapter, Chapter 3, Statewide Amendments Incorporated as Part of State Construction Code, and Chapter 4, Local Amendments Incorporated as Part of State Construction Code:

- (1) "HUD Code" means the Federal Manufactured Housing Construction and Safety Standards Act, as issued by the Department of Housing and Urban Development and published in 24 C.F.R. Parts 3280 and 3282 (as revised April 1, 1990).
- (2) "IBC" means the edition of the International Building Code adopted under Section 15A-2-103.
- (3) "IEBC" means the edition of the International Existing Building Code adopted under Section 15A-2-103.
- (4) "IECC" means the edition of the International Energy Conservation Code adopted under Section 15A-2-103.

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(5) "IFGC" means the edition of the International Fuel Gas Code adopted under Section 15A-2-103.

(6) "IMC" means the edition of the International Mechanical Code adopted under Section 15A-2-103.

(7) "IPC" means the edition of the International Plumbing Code adopted under Section 15A-2-103.

(8) "IRC" means the edition of the International Residential Code adopted under Section 15A-2-103.

(9) "ISPSC" means the edition of the International Swimming Pool and Spa Code adopted under Section 15A-2-103.

(10) "IWUIC" means the edition of the International Wildland-Urban Interface Code adopted under Section 15A-2-103.

~~[(10)]~~ (11) "NEC" means the edition of the National Electrical Code adopted under Section 15A-2-103.

~~[(11) "UWUI" means the edition of the Utah Wildland Urban Interface Code adopted under Section 15A-2-103.]~~

Section 2. Section 15A-2-103 is amended to read:

15A-2-103. (Effective 01/01/27) Specific editions adopted of construction code of a nationally recognized code authority.

(1) Subject to the other provisions of this part, the following construction codes are incorporated by reference, and together with the amendments specified in Chapter 3, Statewide Amendments Incorporated as Part of State Construction Code, and Chapter 4, Local Amendments Incorporated as Part of State Construction Code, are the construction standards to be applied to building construction, alteration, remodeling, and repair, and in the regulation of building construction, alteration, remodeling, and repair in the state:

(a) the 2021 edition of the International Building Code, including Appendices C and J, issued by the International Code Council;

(b) the 2021 edition of the International Residential Code, issued by the International Code Council;

(c) Appendix AQ of the 2021 edition of the International Residential Code, issued by the International Code Council;

(d) the 2021 edition of the International Plumbing Code, issued by the International Code Council;

(e) the 2021 edition of the International Mechanical Code, issued by the International Code Council;

(f) the 2021 edition of the International Fuel Gas Code, issued by the International Code Council;

(g) the 2023 edition of the National Electrical Code, issued by the National Fire Protection Association;

(h) the 2021 edition of the International Energy Conservation Code, issued by the International Code Council;

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- (i) the 2021 edition of the International Existing Building Code, issued by the International Code Council;
- (j) subject to Subsection 15A-2-104(2), the HUD Code;
- (k) subject to Subsection 15A-2-104(1), Appendix AE of the 2021 edition of the International Residential Code, issued by the International Code Council;
- (l) subject to Subsection 15A-2-104(1), the 2005 edition of the NFPA 225 Model Manufactured Home Installation Standard, issued by the National Fire Protection Association;
- (m) subject to Subsection (3), for standards and guidelines pertaining to plaster on a historic property, as defined in Section 9-8a-302, the U.S. Department of the Interior Secretary's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings;
- (n) the residential provisions of the 2021 edition of the International Swimming Pool and Spa Code, issued by the International Code Council; and
- (o) Modular Building Institute Standards 1200 and 1205, issued by the International Code Council, except as modified by provisions of this title governing modular units.
- (2) Consistent with Title 65A, Chapter 8, Management of Forest Lands and Fire Control, the Legislature adopts the [2006] 2024 edition of the [~~Utah Wildland Urban~~] International Wildland-Urban Interface Code, issued by the International Code Council[, ~~with the alternatives or amendments approved by the Utah Division of Forestry, Fire, and State Lands, as a construction code that may be adopted by a local compliance agency by local ordinance or other similar action as a local amendment to the codes listed in this section~~].
- (3) The standards and guidelines described in Subsection (1)(m) apply only if:
- (a) the owner of the historic property receives a government tax subsidy based on the property's status as a historic property;
- (b) the historic property is wholly or partially funded by public money; or
- (c) the historic property is owned by a government entity.

Section 3. Section 3 is enacted to read:

15A-3-1101. (Effective 01/01/27)General provisions.

(1) In IWUIC, Section 302.1, the following sentence is added at the end of the section:

In IWUIC, Section 602 is deleted.

Section 4. Section 17E-7-401 is amended to read:

17E-7-401. Wildland urban interface evaluation and fees.

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- 131 (1) As used in this section:
- 132 (a) "County officer" means the same as that term is defined in Section 17-66-101.
- 133 (b) "High risk wildland urban interface property" means the same as that term is defined in Section
65A-8-401.
- 135 (c) "Wildland urban interface" means the same as that term is defined in Section 65A-8-401.
- 137 (d) "Wildland urban interface coordinator" means the same as that term is defined in Section
65A-8-401.
- 139 (2) If evaluation of high risk wildland urban interface property is assigned to a county under Section
65A-8-402:
- 141 (a) the county shall enter into a cooperative agreement with the Division of Forestry, Fire, and State
Lands, in accordance with Subsection 65A-8-203(2)(a), which agreement shall address compliance
with this Subsection (2) for evaluation and classification of high risk wildland urban interface
property; and
- 145 (b) a county officer shall require that a wildland urban interface coordinator representing the county
annually evaluate high risk wildland urban interface property within the county in accordance with
Section 65A-8-402.
- 148 (3) Beginning [~~January 1, 2026~~] January 1, 2027, a county officer shall:
- 149 (a) annually assess a fee:
- 150 (i) against the property owner of high risk wildland urban interface property within the incorporated and
unincorporated portions of the county; and
- 152 (ii) in the amount set by the Division of Forestry, Fire, and State Lands under Section 65A-8-402; and
- 154 (b)
- (i) after retaining a portion of the fee under Subsection (3)(b)(ii), transmit the fee assessed under
Subsection (3)(a) to the Division of Forestry, Fire, and State Lands for deposit into the Utah
Wildfire Fund created in Section 65A-8-217; and
- 157 (ii) retain that portion of the fee assessed under Subsection (3)(a) necessary to pay costs incurred by
the county in implementing this section, which the county may include in the county's annual
accounting of wildfire prevention, preparedness, mitigation actions, and associated costs for
purposes of Subsection 65A-8-203(4)(c).

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- (4) A county may hold a political subdivision lien on high risk wildland urban interface property for a fee that is past due by following the procedures in Sections 17B-1-902 and 17B-1-902.1, as if the county is a special district.

Section 5. Section 65A-8-203 is amended to read:

65A-8-203. Cooperative fire protection agreements.

- (1) As used in this section, "eligible entity" means:
- (a) a county, a municipality, or a special service district, special district, or service area with:
 - (i) wildland fire suppression responsibility as described in Section 11-7-1; and
 - (ii) wildland fire suppression cost responsibility and taxing authority for a specific geographic jurisdiction; or
 - (b) upon approval by the director, a political subdivision established by a county, municipality, special service district, special district, or service area that is responsible for:
 - (i) providing wildland fire suppression services; and
 - (ii) paying for the cost of wildland fire suppression services.
 - (2)
 - (a) The governing body of any eligible entity may enter into a cooperative agreement with the division to receive financial and wildfire management cooperation and assistance from the division, as described in this part.
 - (b) A cooperative agreement shall last for a term of no more than five years and be renewable if the eligible entity continues to meet the requirements of this chapter.
 - (3)
 - (a) The state shall assume an eligible entity's cost of suppressing catastrophic wildfire as defined in the cooperative agreement if the eligible entity has entered into, and is in full compliance with, a cooperative agreement with the division, as described in this section.
 - (b) A county or municipality that is not covered by a cooperative agreement with the division, as described in this section, shall be responsible for wildland fire costs within the county or municipality's jurisdiction, as described in Section 65A-8-203.2.
 - (4) To enter into a cooperative agreement with the division, the eligible entity shall:
 - (a) require that the fire department or equivalent fire service provider under contract with, or delegated by, the eligible entity on unincorporated land meet minimum standards for wildland fire training,

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certification, and suppression equipment based upon nationally accepted standards as specified by the division;

(b) invest in prevention, preparedness, and mitigation efforts, as agreed to with the division, that will reduce the eligible entity's risk of catastrophic wildfire;

(c)

(i) file with the division an annual accounting of wildfire prevention, preparedness, mitigation actions, and associated costs;

(ii) meet the eligibility entity's participation commitment by making direct payments to the division; or

(iii) do a combination of Subsections (4)(c)(i) and (ii);

(d) return the financial statement described in Subsection (6), signed by the chief executive of the eligible entity, to the division on or before the date set by the division;

(e) if the eligible entity is a county, have a designated fire warden as described in Section 65A-8-209.1;

(f) subject to Subsection (9), adopt and enforce the wildland urban interface building standards, as defined in Section 65A-8-401, if the eligible entity is a:

(i) county for purposes of an unincorporated area within the county; or

(ii) municipality for an incorporated area within a county; and

(g) if the eligible entity is a county, comply with Section 17-16-22.

(5)

(a) The state forester may execute a cooperative agreement with the eligible entity.

(b) The division shall make rules, in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, governing the:

(i) cooperative agreements described in this section;

(ii) manner in which an eligible entity shall provide proof of compliance with Subsection (4);

(iii) manner by which the division may revoke a cooperative agreement if an eligible entity ceases to meet the requirements described in this section;

(iv) accounting system for determining suppression costs;

(v) manner in which the division shall determine the eligible entity's participation commitment; and

(vi) manner in which an eligible entity may appeal a division determination of participation commitment.

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- (a) The division shall send a financial statement to each eligible entity participating in a cooperative agreement that details the eligible entity's participation commitment for the coming fiscal year, including the prevention, preparedness, and mitigation actions agreed to under Subsection (4)(b).
- 229 (b) Each eligible entity participating in a cooperative agreement shall:
- 230 (i) have the chief executive of the eligible entity sign the financial statement, or the legislative body of the eligible entity approve the financial statement by resolution, confirming the eligible entity's participation for the upcoming year; and
- 233 (ii) return the financial statement to the division, on or before a date set by the division.
- 235 (c) A financial statement shall be effective for one calendar year, beginning on the date set by the division, as described in Subsection (6)(b).
- 237 (7)
- (a) An eligible entity may revoke a cooperative agreement before the end of the cooperative agreement's term by:
- 239 (i) informing the division, in writing, of the eligible entity's intention to revoke the cooperative agreement; or
- 241 (ii) failing to sign and return its annual financial statement, as described in Subsection (6)(b), unless the director grants an extension.
- 243 (b) An eligible entity may not revoke a cooperative agreement before the end of the term of a signed annual financial statement, as described in Subsection (6)(c).
- 245 (8)
- (a) The division shall develop and maintain a wildfire risk assessment mapping tool that is online and publicly accessible.
- 247 (b) The division shall analyze and establish by rule, made in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, boundaries for high risk wildland urban interface property and what constitutes wildland urban interface property that is not high risk within the wildfire risk assessment mapping tool described in Subsection (8)(a):
- 252 (i) using a scientific assessment; and
- 253 (ii) that is focused on the risk to dwellings within the wildland urban interface area.
- 254 (c) With regard to the categories used within the wildfire risk assessment mapping tool described in Subsection (8)(a), the division may adjust the assessment for participation commitments if the adjustment is based on the Consumer Price Index for All Urban Consumers as published by

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the Bureau of Labor Statistics of the United States Department of Labor, in accordance with a formula established by the division by rule made in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act.

(d) Notwithstanding Subsection (8)(a), the division shall:

(i)

(A) for the wildfire risk assessment mapping tool that the division has adopted before the effective date of this section, provide a copy and explanation of the wildfire risk assessment mapping tool to each county on or before August 6, 2026; and

(B) for a wildfire risk assessment mapping tool that the division adopts on or after the effective date of this section which expands the boundary of the high risk wildland urban interface, provide a copy and explanation of the expansion of the boundary of the high risk wildland urban interface to each impacted county at least 60 days before adopting the change to the wildfire risk assessment mapping tool;

(ii) give each impacted county 30 days after the day on which the division complies with Subsection (8)(d)(i) to provide the division written recommended changes;

(iii) within 30 days after the day on which the division receives the impacted county's written recommended changes:

(A) implement the impacted county's written recommended changes to the wildfire risk assessment mapping tool;

(B) provide a written response to the impacted county justifying the division's modification of the county's written recommended changes to the wildfire risk assessment mapping tool; or

(C) provide a written response to the impacted county justifying the division's rejection of the impacted county's written recommended changes to the wildfire risk assessment mapping tool; and

(iv) in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, make rules to administer and enforce this Subsection (8)(d).

(9)

(a) If the state under Section 15A-2-103 adopts an edition of the Utah Wildland Urban Interface Code, issued by the International Code Council, with the alternatives or amendments approved by the division, as a wildland urban interface building standard that may be adopted by a local compliance agency:

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(i) for purposes of an unincorporated area within a county, the county shall adopt and enforce the wildland urban interface building standard described in this Subsection (9)(a); and

(ii) for purposes of an incorporated area within a county, the relevant municipality shall adopt and enforce the wildland urban interface building standard described in this Subsection (9)(a).

(b) If a county or municipality fails to comply with Subsections (4)(f) and (9)(a), the division may choose to not pay costs of the county or municipality under a cooperative agreement executed under this section.

(c)

(i) If the state adopts a different wildland urban interface building standard than was previously adopted under Section 15A-2-103, a county or municipality has two years from the date the state adopts the different wildland urban interface building standard to adopt the appropriate wildland urban interface building standard.

(ii) If a county or municipality fails to adopt the appropriate wildland urban interface building standard within the time period described in Subsection (9)(c)(i), the division may choose to not pay costs of the county or municipality under a cooperative agreement executed under this section beginning two years from the day on which the state adopts the different wildland urban interface building standard and until such time as the county or municipality adopts the appropriate wildland urban interface building standard.

(10)

(a) The division may by rule, made in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, establish criteria for community wildfire preparedness plans addressing wildland urban interface. The criteria shall require action that is:

(i) qualitative and quantitative; and

(ii) leads to reduced wildfire risk.

(b) An eligible entity shall agree to implement prevention, preparedness, and mitigation actions identified in a community wildfire preparedness plan addressing wildland urban interface that is approved by the division.

Section 6. **Effective date.**

Effective Date.

(1) Except as provided in Subsection (2), this bill takes effect January 1, 2027.

{~~This bill takes~~} ~~The actions affecting the following sections take~~ effect on May 6, 2026{~~;~~} :

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323 (a) Section 17E-7-401 (Effective 05/06/26); and

324 (b) Section 65A-8-203 (Effective 05/06/26).

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