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addresses responsibilities of the Division of Law Enforcement and the Division of Wildlife Resources; and

20 ▶ makes technical and conforming amendments.

21 **Money Appropriated in this Bill:**

22 None

23 **Other Special Clauses:**

24 None

25 **Utah Code Sections Affected:**

26 AMENDS:

27 **23A-10-101** , as renumbered and amended by Laws of Utah 2023, Chapter 103

28 **23A-10-201** , as last amended by Laws of Utah 2023, Chapter 244 and renumbered and amended by
Laws of Utah 2023, Chapter 103

30 **23A-10-202** , as renumbered and amended by Laws of Utah 2023, Chapter 103

31 **23A-10-301** , as renumbered and amended by Laws of Utah 2023, Chapter 103

32 **23A-10-302** , as last amended by Laws of Utah 2024, Chapter 80

33 **23A-10-303** , as renumbered and amended by Laws of Utah 2023, Chapter 103

34 **23A-10-304** , as last amended by Laws of Utah 2023, Chapter 244 and renumbered and amended by
Laws of Utah 2023, Chapter 103

36 **23A-10-401** , as renumbered and amended by Laws of Utah 2023, Chapter 103

37 **23A-10-501** , as renumbered and amended by Laws of Utah 2023, Chapter 103

38 **73-18-10** , as last amended by Laws of Utah 2025, Chapter 302

39 ENACTS:

40 **23A-10-306** , Utah Code Annotated 1953

41 REPEALS:

42 **73-18-25.3** , as enacted by Laws of Utah 2023, Chapter 244

43

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

45 Section 1. Section **23A-10-101** is amended to read:

46 **23A-10-101. Definitions.**

As used in this chapter:

48 (1) "Boat livery" means the same as that term is defined in Section 73-18-2.

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- 49 (2)
- (a) "Conveyance" means a terrestrial or aquatic vehicle or a vehicle part that may carry or contain [~~a Dreissena~~] an invasive mussel.
- 51 (b) "Conveyance" includes a motor vehicle, a vessel, a motorboat, a sailboat, a personal watercraft, a container, a trailer, a live well, or a bilge area.
- 53 [~~(2)~~] (3) "Decontaminate" means to:
- 54 (a) drain and dry non-treated water; [~~and~~] or
- 55 (b) chemically or thermally treat in accordance with rule.
- 56 (4) "Division," notwithstanding Section 23A-1-101, means the Division of Law Enforcement within the department.
- 58 [~~(3)~~] (5) "Dreissena mussel" means a mussel of the genus Dreissena at any life stage or at death, including a zebra mussel, a quagga mussel, and Conrad's false mussel.
- 60 [~~(4)~~] (6) "Equipment" means an article, tool, implement, or device capable of carrying or containing:
- 62 (a) water; or
- 63 (b) [~~a Dreissena~~] an invasive mussel.
- 64 [~~(5)~~] (7) "Facility" means a structure that is located within or adjacent to a water body.
- 65 [~~(6)~~] (8) "Infested water" means a geographic region, water body, facility, or water supply system within or outside the state that the Wildlife Board identifies in rule as carrying or containing [~~a Dreissena~~] an invasive mussel.
- 68 (9) "Inflatable motorboat" means a motorboat that is inflated before the motorboat is used or capable of being used as a means of transportation on water.
- 70 (10) "Invasive mussel" means a Dreissena mussel or Limnoperna mussel.
- 71 (11) "Limnoperna mussel" means a mussel of the genus Limnoperna at any life stage or at death, including a golden mussel.
- 73 (12) "Motorboat" means the same as that term is defined in Section 73-18-2.
- 74 (13) "Nonmotorized vessel" means a vessel that is propelled on water solely by human power.
- 76 [~~(7)~~] (14) "Vessel" means the same as that term is defined in Section 73-18-2.
- 77 [~~(8)~~] (15) "Water body" means natural or impounded surface water, including a stream, river, spring, lake, reservoir, pond, wetland, tank, [~~and~~] or fountain.
- 79 [~~(9)~~] (16)

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(a) "Water supply system" means a system that treats, conveys, or distributes water for irrigation, industrial, waste water treatment, or culinary use.

81 (b) "Water supply system" includes a pump, canal, ditch, or pipeline.

82 (c) "Water supply system" does not include a water body.

83 Section 2. Section **23A-10-201** is amended to read:

84 **23A-10-201. Invasive species prohibited -- Administrative inspection authorized.**

85 (1) Except as authorized in this title or a Wildlife Board rule or order or unless exempt under
86 Subsection (7), a person may not:

87 (a) possess, import, export, ship, or transport [~~a Dreissena~~] an invasive mussel;

88 (b) release, place, plant, or cause to be released, placed, or planted [~~a Dreissena~~] an invasive mussel in a
89 water body, facility, or water supply system;

90 (c) transport a conveyance or equipment that has been in an infested water within the previous 30 days
91 without decontaminating the conveyance or equipment; or

92 (d) unless exempt under Subsection 23A-10-304(3), if an owner of a vessel, launch or operate [a] the
93 vessel on the waters of the state without first:

94 (i) paying an aquatic invasive species fee required by Subsection 23A-10-304(1) or (2); and

95 (ii) displaying an aquatic invasive species decal in accordance with Subsection (6).

96 (2) Except as provided in Subsection (3), a person who violates Subsection (1):

97 (a) is strictly liable;

98 (b) is guilty of an infraction; and

99 (c) shall reimburse the state for the costs associated with detaining, quarantining, and decontaminating
100 the conveyance or equipment.

101 (3) A person who knowingly or intentionally violates Subsection (1) is guilty of a class A misdemeanor.

102 (4) A person may not proceed past or travel through an inspection station or administrative checkpoint,
103 as described in Section 23A-10-301, while transporting a conveyance during an inspection station's
104 or administrative checkpoint's hours of operations without presenting the conveyance for inspection.

105 (5) A person who violates Subsection (4) is guilty of a class B misdemeanor.

106 (6)

107 (a)

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- (i) The division shall provide a resident person who pays the aquatic invasive species fee required by Subsection 23A-10-304(1)(a) an aquatic invasive species decal to be displayed on the vessel for which the aquatic invasive species fee is paid.
- 113 (ii) The division shall provide a nonresident person who pays the aquatic invasive species fee required by Subsection 23A-10-304(2)(a) an aquatic invasive species decal to be displayed on the vessel for which the aquatic invasive species fee is paid.
- 117 (b) A person shall display the aquatic invasive species decal obtained under this Subsection (6) on the bow of the vessel's port side six inches aft of the vessel's registration decal.
- 120 (7) A person renting or leasing a conveyance from a boat livery is subject to the requirements of this section except that the person is exempt from:
- 122 (a) paying an aquatic invasive species fee required under Subsection 23A-10-304(1) or (2);
- 124 (b) displaying an aquatic invasive species decal in accordance with Subsection (6); or
- 125 (c) decontaminating a conveyance if the owner of the boat livery is required to decontaminate the conveyance under this section or Section 23A-10-306.
- 127 Section 3. Section **23A-10-202** is amended to read:
- 128 **23A-10-202. Reporting of invasive species required.**
- 129 (1) A person who discovers [~~a Dreissena~~] an invasive mussel within this state or has reason to believe [~~a Dreissena~~] an invasive mussel may exist at a specific location shall immediately report the discovery to the division.
- 132 (2) A person who violates Subsection (1) is guilty of a class A misdemeanor.
- 133 Section 4. Section **23A-10-301** is amended to read:
- 134 **23A-10-301. Division's power to prevent invasive species infestation.**
- To eradicate and prevent the infestation of [~~a Dreissena~~] an invasive mussel, the division may:
- 137 (1)
- (a) establish inspection stations located at or along:
- 138 (i) [~~highways~~] a highway, as defined in Section 72-1-102;
- 139 (ii) [~~ports~~] a port of entry, if the Department of Transportation authorizes the division to use the port of entry; and
- 141 (iii) a publicly accessible:
- 142 (A) boat [~~ramps; and~~] ramp; or

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- 143 (B) conveyance launch [sites] site; and
144 (b) temporarily stop, detain, and inspect a conveyance or equipment that:
145 (i) the division reasonably believes is in violation of Section 23A-10-201;
146 (ii) the division reasonably believes is in violation of Section 23A-10-305;
147 (iii) is stopped at an inspection station; or
148 (iv) is stopped at an administrative checkpoint;
149 (2) conduct an administrative checkpoint in accordance with Section 77-23-104;
150 (3) detain and quarantine a conveyance or equipment as provided in Section 23A-10-302;
151 (4) order a person to decontaminate a conveyance or equipment; and
152 (5) in coordination with the Division of Wildlife Resources that conducts biological sampling, inspect
the following that may contain [~~a Dreissena~~] an invasive mussel:
154 (a) a water body;
155 (b) a facility; and
156 (c) a water supply system.

157 Section 5. Section **23A-10-302** is amended to read:

158 **23A-10-302. Conveyance or equipment detainment or quarantine.**

- 159 (1) The division, a port-of-entry agent, a natural resources officer, or a peace officer may detain or
quarantine a conveyance or equipment if:
161 (a) the division, agent, natural resources officer, or peace officer:
162 (i) finds the conveyance or equipment contains [~~a Dreissena~~] an invasive mussel; or
163 (ii) reasonably believes that the person transporting the conveyance or equipment is in violation of
Section 23A-10-201; or
165 (b) the person transporting the conveyance or equipment refuses to submit to an inspection authorized
by Section 23A-10-301.
167 (2) The detainment or quarantine authorized by Subsection (1) may continue for:
168 (a) up to five days; or
169 (b) the period of time necessary to:
170 (i) decontaminate the conveyance or equipment; and
171 (ii) ensure that [~~a Dreissena~~] an invasive mussel is not living on or in the conveyance or equipment.

173 Section 6. Section **23A-10-303** is amended to read:

174 **23A-10-303. Closing a water body, facility, or water supply system.**

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- 175 (1) Except as provided by Subsection (6), if the [~~division~~] Division of Wildlife Resources detects or
suspects [~~a Dreissena~~] an invasive mussel is present in a water body, a facility, or a water supply
system, the director or the director's designee may, with the concurrence of the executive director,
order:
- 179 (a) the water body, facility, or water supply system closed to a conveyance or equipment;
180 (b) restricted access by a conveyance or equipment to a water body, facility, or water supply system; or
182 (c) a conveyance or equipment that is removed from or introduced to the water body, facility, or water
supply system to be inspected, quarantined, or decontaminated in a manner and for a duration
necessary to detect and prevent the infestation of [~~a Dreissena~~] an invasive mussel.
- 186 (2) If a closure authorized by Subsection (1) lasts longer than seven days, the [~~division~~] Division of
Wildlife Resources shall:
- 188 (a) provide a written update to the operator of the water body, facility, or water supply system every 10
days on the [~~division's~~] Division of Wildlife Resources' effort to address the [~~Dreissena~~] invasive
mussel infestation; and
- 191 (b) post the update on the [~~division's~~] Division of Wildlife Resources' website.
- 192 (3)
- (a) The Wildlife Board shall develop procedures to ensure proper notification of a state, federal, or local
agency that is affected by [~~a Dreissena~~] an invasive mussel infestation.
- 195 (b) The notification shall include:
- 196 (i) the reasons for the closure, quarantine, or restriction; and
197 (ii) methods for providing updated information to the agency.
- 198 (4) When deciding the scope, duration, level, and type of restriction or a quarantine or closure location,
the director shall consult with the person with the jurisdiction, control, or management responsibility
over the water body, facility, or water supply system to avoid or minimize disruption of economic
and recreational activity.
- 202 (5)
- (a) A person that operates a water supply system shall cooperate with the [~~division~~] Division of Wildlife
Resources to implement a measure to:
- 204 (i) avoid infestation by [~~a Dreissena~~] an invasive mussel; and
205 (ii) control or eradicate [~~a Dreissena~~] an invasive mussel infestation that may occur in a water
supply system.

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- 207 (b)
- (i) If [~~a Dreissena~~] an invasive mussel is detected, the water supply system's operator, in cooperation with the [~~division~~] Division of Wildlife Resources, shall prepare and implement a plan to control or eradicate [~~a Dreissena~~] an invasive mussel within the water supply system.
- 211 (ii) A plan required by Subsection (5)(b)(i) shall include a:
- 212 (A) method for determining the scope and extent of the infestation;
- 213 (B) method to control or eradicate the [~~Dreissena~~] invasive mussel;
- 214 (C) method to decontaminate the water supply system containing the [~~Dreissena~~] invasive mussel;
- 216 (D) systematic monitoring program to determine a change in the infestation; and
- 217 (E) requirement to update or revise the plan in conformity with a scientific advance in the method of controlling or eradicating [~~a Dreissena~~] an invasive mussel.
- 220 (6)
- (a) The [~~division~~] Division of Wildlife Resources may not close or quarantine a water supply system if the operator has prepared and implemented a plan to control or eradicate [~~a Dreissena~~] an invasive mussel in accordance with Subsection (5).
- 223 (b)
- (i) The [~~division~~] Division of Wildlife Resources may require the operator to update a plan.
- 225 (ii) If the operator fails to update or revise a plan, the [~~division~~] Division of Wildlife Resources may close or quarantine the water supply system in accordance with this section.
- 228 Section 7. Section **23A-10-304** is amended to read:
- 229 **23A-10-304. Aquatic invasive species fee -- Exceptions -- Launching or operating a vessel --**
- Rulemaking.**
- 231 (1)
- (a) Except as described in Subsection (3), there is imposed an annual resident aquatic invasive species fee of \$20 on a vessel required to be registered under Section 73-18-7.
- 233 (b) The division shall:
- 234 (i) collect the aquatic invasive species fee imposed under Subsection (1)(a)[:];
- 235 [~~(A) in cooperation with the Division of Outdoor Recreation and in conjunction with the registration process described in Section 73-18-7; or~~]
- 237 [~~(B) through a division process if the vessel owner elects to not pay the aquatic invasive species fee in conjunction with the registration process;~~]

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- 239 (ii) deposit the aquatic invasive species fee into the Aquatic Invasive Species Interdiction Account
created in Section [23A-3-211] 79-2-706; and
- 241 (iii) administer the aquatic invasive species fee in accordance with this section.
- 242 (c) The aquatic invasive species fee imposed under this Subsection (1) is in addition to and is separate
from a registration fee described in Section 73-18-7.
- 244 (2)
- (a) Except as provided in Subsection (3), there is imposed an annual nonresident aquatic invasive
species fee of \$25 on a vessel to launch or operate a vessel in waters of this state if:
- 247 (i) the vessel is owned by a nonresident; and
- 248 (ii) the vessel would otherwise be subject to registration requirements under Section 73-18-7 if the
vessel were owned by a resident of this state.
- 250 (b) The division shall:
- 251 (i) collect and administer an aquatic invasive species fee described in Subsection (2)(a) in accordance
with this section; and
- 253 (ii) deposit the aquatic invasive species fee collected under this Subsection (2) into the Aquatic Invasive
Species Interdiction Account created in Section [23A-3-211] 79-2-706.
- 256 (3)
- (a) Subsections (1) and (2) do not apply if the vessel is:
- 257 (i) owned and operated by a [state or] federal, state, or political subdivision government agency;
and [{} the vessel is]
- 259 (ii) used within the course and scope of the duties of the government agency.
- 260 (b) A resident or nonresident owner or operator of a nonmotorized vessel or inflatable motorboat
is exempt from this section before launching or operating a nonmotorized vessel or inflatable
motorboat on the waters of this state{ H→ {} {} .}
- 263 (c) A person renting or leasing a vessel from a boat livery:
- 264 (i) is not required to pay the aquatic invasive species fee described in Subsection (1) or (2); and
- 266 (ii) is required to complete an aquatic invasive species education course described in Subsection (4)(a)
(ii) through the boat livery under Subsection 23A-10-306(2) unless exempt under Subsection (3)(b)
or Subsection 23A-10-306(3).
- 269 (4)
- (a) {only if } Before launching or operating a vessel on the {nonmotorized } waters of this state: {}

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- 270 [(a)] (i)
- 271 [(i)] (A) ~~{ { ←H } { H→ } } { } {f} {vessel or inflatable motorboat is being launched or operated in } a~~
~~{geographic region, } resident { } { } { ←H } { H→ } { } {f} owner {water body, facility, or water~~
~~supply system that is not infested water}~~ shall pay the aquatic invasive species fee as described in
Subsection (1); and{ }
- 272 [(ii)] (B) { ←H } .
- 265 ~~{(e)} {A person renting or leasing a vessel from a boat livery:}~~
- 266 ~~{(i)} {is not required to pay the aquatic invasive species fee described in Subsection (1) or (2); and}~~
- 268 ~~{(ii)} {is required to complete an aquatic invasive species education course described in Subsection (4)~~
~~(a)(ii) through the boat livery under Subsection 23A-10-306(2) unless exempt under Subsection (3)~~
~~(b):}~~
- 271 ~~{(4)}~~
- 272 ~~{(a)} Before launching or operating~~ a {vessel on the waters of this state:} nonresident
- 273 [(a)] (i)
- 274 ~~{(i)] (A)~~ owner ~~{a resident}~~ shall pay the aquatic invasive species fee as described in Subsection (2);
and
- 275 [(b)] (ii) [~~{owner shall pay the aquatic invasive species fee as described in Subsection (1); and}~~ the
resident or nonresident vessel owner
- 276 ~~{(ii)] (B)~~] an individual who is 12 years old or older who operates a vessel ~~{a nonresident}~~ shall
successfully complete {owner} once every calendar year ~~{shall pay the}~~ an aquatic invasive
species {fee as described in Subsection (2); and} education course
- 277 [(b)] (ii) [~~{the resident or nonresident vessel owner}~~ offered] ~~{an individual who is 12 years old or~~
~~older who operates a vessel}~~ approved ~~{shall successfully complete}~~ by the division.
- 278 (b) The division shall approve proof of completion of the aquatic invasive species education course
described in Subsection (4)(a)(ii) upon an individual successfully completing the aquatic invasive
species education course. The proof of completion expires the day after December 31 in the calendar
year in which the operator completes the aquatic invasive species education course.
- 283 (c) An individual operating a vessel who is required to complete the aquatic invasive species education
course described in Subsection (4)(a)(ii) shall provide the proof described in Subsection (4)(b) to a
natural resources officer or other peace officer upon request.
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- (d) An individual operating a vessel is not required to complete the aquatic invasive species education course described in Subsection (4)(a)(ii) if:
- 289 (i) the individual is operating the vessel on the Great Salt Lake; and
- 290 (ii) while operating the vessel the individual is engaged in an activity authorized by a certificate of registration to harvest brine shrimp and brine shrimp eggs issued by the Division of Wildlife Resources.
- 293 (5) ~~{ once every calendar year an }~~ Notwithstanding the fee amount described in Subsections (1) and (2), the Wildlife Board may increase resident and nonresident aquatic invasive species { education course } fees assessed under this section, so long as:
- 296 (a) ~~{ { offered } }~~ the aquatic invasive species fee for nonresidents described in Subsection (2) is no less than the resident aquatic invasive species fee described in Subsection (1); and { } approved }
- 298 (b) ~~{ by }~~ the aquatic invasive species fee is confirmed in the { division } legislative fee schedule.
- 280 ~~{ (b) } { The division shall approve proof of completion of the aquatic invasive species education course described in Subsection (4)(a)(ii) upon an individual successfully completing the aquatic invasive species education course. The proof of completion expires the day after December 31 in the calendar year in which the operator completes the aquatic invasive species education course. }~~
- 285 ~~{ (c) } An individual operating a vessel who is required to complete the aquatic invasive species education course described in Subsection (4)(a)(ii) shall provide the proof described in Subsection (4)(b) to a natural resources officer or other peace officer upon request. }~~
- 289 ~~{ (5) } (6) { Notwithstanding the fee amount described in Subsections (1) and (2) }~~ In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the Wildlife Board may { increase resident and nonresident aquatic invasive species fees assessed under this section, so long as } make rules establishing procedures for:
- 292 (a) ~~{ the aquatic invasive species fee for nonresidents described in Subsection (2) is no less than the resident aquatic invasive species fee described in Subsection (1); and }~~ proof of payment and other methods of verifying compliance with this section;
- 294 (b) ~~{ the aquatic invasive species fee is confirmed }~~ special requirements applicable on interstate water bodies in { the legislative fee schedule. } this state; and
- 295 ~~{ (6) } (c) { In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, }~~ other provisions necessary for the administration of the { Wildlife Board may make rules establishing procedures for: } program.

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297 {~~(a)~~} {~~proof of payment and other methods of verifying compliance with this section;~~}

298 {~~(b)~~} {~~special requirements applicable on interstate water bodies in this state; and~~}

299 {~~(c)~~} ~~other provisions necessary for the administration of the program.~~}

304 Section 8. Section 8 is enacted to read:

305 **23A-10-306. Boat livery requirements.**

302 (1) The owner of a boat livery or an employee, agent, or independent contractor of the owner may not:

304 (a) knowingly, intentionally, or recklessly alter or misrepresent decontamination records, timelines, or devices;

306 (b) fail to decontaminate a conveyance or equipment when required to under Section 23A-10-201;

308 (c) fail to pay the annual aquatic invasive species fee as required in Section 23A-10-304;

309 (d) fail to display the aquatic invasive species decal as required in Section 23A-10-201; or

311 (e) violate Subsection 73-18-10(1)(a)(iii).

312 (2) Before renting or leasing a conveyance, the owner of a boat livery shall:

313 (a) require the person renting or leasing the conveyance to complete the aquatic invasive species education course required in Subsection 23A-10-304(4), unless the person is exempt from the requirement under Subsection ~~(3)~~ or Subsection 23A-10-304(3); and

316 (b) provide the person renting or leasing the conveyance proof of completion of the aquatic invasive education course.

317a ~~(3)~~ { ~~→~~ { } {~~(3)~~} }

(a) **(a) An owner of a boat livery is exempt from Subsection (2) if the owner of the boat livery or person renting or leasing a conveyance does not transport on a highway the conveyance after being rented or leased and before the conveyance is used by the person renting or leasing the conveyance.**

317e (b) **(b) An owner of a boat livery is exempt from Subsection (2) if:**

317f (i) **(i) the conveyance being rented or leased is transported by the owner of the boat livery to a {waterbody} water body;**

317h (ii) **(ii) the person renting or leasing the conveyance does not operate the conveyance;**

317i (iii) **(iii) the owner of the boat livery rents or leases the conveyance under the condition that the livery owner, the livery owner's agent, an independent contractor, or employee of the livery owner operates the conveyance; and**

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(iv)(iv) the person operating the conveyance under this Subsection (3)(b) has taken the aquatic invasive species education course as required in Subsection 23A-10-303(4).

318 **(4){{(3)}-{} {{(4)}}{} ←H }** A person who violates this section is guilty of a class B misdemeanor
in accordance with Section 23A-5-301.

337 Section 9. Section **23A-10-401** is amended to read:

338 **23A-10-401. Rulemaking authority.**

In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the
Wildlife Board may make rules that:

- 324 (1) establish the procedures and requirements for decontaminating a conveyance or equipment to
prevent the introduction and infestation of [~~a Dreissena~~] an invasive mussel;
- 326 (2) establish the requirements necessary to provide proof that a conveyance or equipment is
decontaminated;
- 328 (3) establish the notification procedures required in Section 23A-10-303;
- 329 (4) identify the geographic area, water body, facility, or water supply system that is infested by
[~~Dreissena~~] invasive mussels;
- 331 (5) establish a procedure and protocol in cooperation with the Department of Transportation for
stopping, inspecting, detaining, and decontaminating a conveyance or equipment at a port-of-entry
in accordance with Section 23A-10-301; and
- 334 (6) are necessary to administer and enforce this chapter.

352 Section 10. Section **23A-10-501** is amended to read:

353 **23A-10-501. Aquatic invasive species emergency response plan.**

- 337 (1) As used in this section:
- 338 (a) "Committee" means the Natural Resources, Agriculture, and Environment Interim Committee.
- 340 (b) "Emergency response plan" means the statewide aquatic invasive species emergency response plan
developed by the division in accordance with this part.
- 342 (2) The division shall develop a statewide aquatic invasive species emergency response plan to address
the potential spread of aquatic invasive species throughout the state.
- 344 (3) In developing the emergency response plan, the division shall coordinate with the Division of
Wildlife Resources and other public and private entities that may be necessary or helpful to
remediating the potential spread of aquatic invasive species throughout the state.
- 348 (4) The emergency response plan shall:

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- 349 (a) designate the division as the entity that coordinates the implementation of the emergency response
plan;
- 351 (b) provide for annual review of the emergency response plan by the division;
- 352 (c) provide that the emergency response plan may only be implemented if the division detects aquatic
invasive species, including [~~Dreissena~~] invasive mussels, at a water body, facility, or water supply
system within the state; and
- 355 (d) define what constitutes a detection of aquatic invasive species at a water body, facility, or water
supply system.
- 357 (5) If an event requires the implementation of the emergency response plan, the division shall report on
that event and the implementation of the emergency response plan to the committee.

377 Section 11. Section **73-18-10** is amended to read:

378 **73-18-10. Owner of boat livery -- Duties.**

362 (1)

(a) The owner of a boat livery shall keep a record of the following:

363 (i) the name and address of the person hiring [~~any~~] a vessel;

364 (ii) the identification number of the vessel;

365 (iii) the date on which and the bodies of water on which the vessel is launched;

366 (iv) the vessel's departure date and time; and

367 (v) the vessel's expected time of return.

368 (b) [~~The record shall be preserved-~~] The owner of a boat livery shall keep a record described in
Subsection (1)(a) for at least one year.

370 (2) Neither the owner of a boat livery nor the owner's agent, independent contractor, or employee may
permit [~~any~~] a vessel to depart from the premises of the boat livery unless the owner [~~has equipped it~~
]:

373 (a) equips the vessel as required under this chapter [~~and unless the owner has advised-~~] ; and

375 (b) advises the lessee or renter of the vessel of [~~all rules promulgated under this chapter which~~] the rules
made under this chapter that the lessee or renter [must] shall obey.

377 (3) The owner of a boat livery and the owner's agent, independent contractor, or employee shall comply
with Section 23A-10-306.

396 Section 12. **Repealer.**

This Bill Repeals:

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397 This bill repeals:
398 Section **73-18-25.3, Collection of the aquatic invasive species fee.**
399 Section 13. **Effective date.**
Effective Date.
This bill takes effect on May 6, 2026.

3-3-26 9:43 AM