

HB0412 compared with HB0412S01

17 This bill provides a coordination clause.

18 **Utah Code Sections Affected:**

19 ENACTS:

20 **54-17-1201** , Utah Code Annotated 1953

21 **Utah Code Sections affected by Coordination Clause:**

22 **54-17-1201** , Utah Code Annotated 1953

23 **54-17-1203** , as as enacted in H.B. 16 (2026)

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

26 Section 1. Section 1 is enacted to read:

27 **54-17-1201. Wildlife consultation required for utility scale renewable energy facilities.**

28 12. Utility Scale Renewable Energy Facility Wildlife Review

29 (1) As used in this section:

30 (a) "Division of Wildlife Resources" means the Division of Wildlife Resources created in Section
31 23A-2-201.

32 (b) "Solar power plant" means a facility that:

33 (i) has a nameplate generating capacity in excess of {one megawatt} 10 megawatts; and

34 (ii) converts sunlight into electricity {for the primary purpose of wholesale or retail sales of generated
35 electricity}.

36 (c) "Utility scale renewable energy facility" means a solar power plant or wind power plant.

37 (d) "Wind power plant" means a facility that:

38 (i) has a nameplate generating capacity in excess of {one megawatt} 10 megawatts; and

39 (ii) converts wind energy into electricity {for the primary purpose of wholesale or retail sales of
40 generated electricity}.

41 (2) As part of an application for a permit to the appropriate local jurisdiction, an owner or operator
42 of a utility scale renewable energy facility shall consult with the Division of Wildlife Resources
43 regarding potential impacts to wildlife and wildlife habitat.

44 (3) The consultation described in Subsection (2) shall include:

45 (a) submission by the owner or operator to the Division of Wildlife Resources of project location,
46 layout, timeline, and any wildlife surveys conducted;

(b) a meeting between the owner or operator and Division of Wildlife Resources personnel; and

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- 48 (c) the Division of Wildlife Resources' recommendations for avoiding, minimizing, or mitigating
potential impacts to wildlife and wildlife habitat.
- 50 (4) The Division of Wildlife Resources shall:
- 51 (a) within 30 days after the day on which the Division of Wildlife Resources receives a complete
consultation request, provide the owner or operator with written recommendations; and
- 54 (b) make rules, in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act,
establishing consultation procedures and standards.
- 56 (5) An owner or operator shall include with an application to the appropriate local jurisdiction proof
of consultation with the Division of Wildlife Resources and a description of measures the owner or
operator will implement to address the Division of Wildlife Resources' recommendations.
- 60 (6) The appropriate local jurisdiction shall consider the Division of Wildlife Resources'
recommendations when evaluating a permit application for a utility scale renewable energy facility.
- 63 (7) This section does not:
- 64 (a) grant the Division of Wildlife Resources authority to approve or deny a permit application;
- 66 (b) require an owner or operator to implement the Division of Wildlife Resources' recommendations; or
- 68 (c) limit local jurisdiction authority to approve or deny a permit application.

71 Section 2. **Effective date.**

Effective Date.

This bill takes effect on May 6, 2026.

73 Section 3. **Coordinating H.B. 412 with H.B. 16.**

If H.B. 412, Energy Development Planning Amendments, and H.B. 16, Solar Power
Plant Amendments, both pass and become law, the Legislature intends that, on May 6, 2026:

(1) Section 54-17-1201 enacted in H.B. 412 be renumbered to Section 54-17-1301; and

(2) Section 54-17-1203 enacted in H.B. 16 be amended to read:

"54-17-1203. Consultation requirements.

The owner or operator of a solar power plant shall consult with the Division of Wildlife
Resources as required by Section 54-17-1301 regarding how the solar power plant could
potentially impact wildlife on affected land."

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