

David Shallenberger proposes the following substitute bill:

1 **Wildlife Management Area Amendments**

2026 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: David Shallenberger

Senate Sponsor:

2 **LONG TITLE**

3 **General Description:**

4 This bill addresses wildlife management areas.

5 **Highlighted Provisions:**

6 This bill:

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- 8 ▶ creates the Wildlife Management Area Stewardship Fund;
- 9 ▶ repeals language related to access to wildlife management areas requiring a hunting,
- 10 fishing, or combination license;
- 11 ▶ defines terms;
- 12 ▶ requires that an individual meet certain conditions to access a wildlife management area;
- 13 ▶ directs the Division of Wildlife Resources (division) to approve an educational video and
- 14 provide digital verification of completion of the educational video;
- 15 ▶ provides for exceptions to the conditions to access a wildlife management area;
- 16 ▶ authorizes rulemaking and requires reporting regarding rulemaking;
- 17 ▶ provides for voluntary financial contributions for the benefit of wildlife management
- 18 areas;
- 19 ▶ permits the division to oversee the provision of volunteer labor to benefit a wildlife
- 20 management area, including addressing liability issues; and
- 21 ▶ makes technical and conforming changes.

22 **Money Appropriated in this Bill:**

23 None

24 **Other Special Clauses:**

25 This bill provides a special effective date.

26 **Utah Code Sections Affected:**

27 **AMENDS:**

28 **23A-6-402**, as last amended by Laws of Utah 2025, Chapter 116

29 ENACTS:

30 **23A-3-217**, Utah Code Annotated 1953

31 **23A-6-405**, Utah Code Annotated 1953

32

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

34 Section 1. Section **23A-3-217** is enacted to read:

35 **23A-3-217 . Wildlife Management Area Stewardship Fund.**

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

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

40 (2) The fund consists of:

41 (a) contributions made to the division under Subsection 23A-6-405(6);
42 (b) appropriations from the Legislature; and
43 (c) interest and earnings on the fund.

44 (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.

47 (4) The division may use money in the fund to provide for:

48 (a) habitat restoration and protection;
49 (b) trail maintenance and development; and
50 (c) volunteer support and coordination.

51 (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 . Right of access to lands for hunting, trapping, or fishing reserved to**
public -- Exceptions.

57 (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.

61 (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

63 waters within the state, the lease, contract of sale, or deed shall contain a provision that:

64 (a) the lands shall be open to the public for the purpose of hunting, trapping, or fishing
65 during the lawful season, except as provided by Section 65A-2-5; and

66 (b) the lessee, contractee, or grantee may not charge a person who desires to go upon the
67 land for the purpose of hunting, trapping, or fishing.

68 (3) Lands referred to in this section shall be regulated or closed to hunting, trapping, or
69 fishing as provided in this title for other lands and waters.

70 (4) The division may temporarily close that portion of a highway, as defined in Section [
71 72-1-102] 41-6a-102, that enters into or crosses land owned by the division if closure is
72 needed for the benefit of wildlife.

73 [(5)(a) Except as provided in Subsections (5), (6), and (7), an individual who is 18 years
74 old or older may not enter that portion of a wildlife management area that is located
75 within a county of the first or second class for any use unless the individual:]

76 [(i) holds a valid hunting, fishing, or combination license;]

77 [(ii) is permitted to engage in the use under a contract with, or other permission given
78 by, the division; or]

79 [(iii) is permitted to engage in the use or to access the land in accordance with a
80 property right giving the individual the right to use or access land within the
81 wildlife management area.]

82 [(b) If the use engaged in by an individual described in Subsection (5)(a) would require
83 a specific license, permit, cooperative agreement, or certificate of registration under
84 this title if engaged in on other lands or waters, the individual shall hold the correct
85 license, permit, cooperative agreement, or certificate of registration to engage in the
86 use.]

87 [(6)(a) If an individual is expressly exempt under this title from a requirement to hold a
88 license, permit, cooperative agreement, or certificate of registration to engage in
89 hunting, trapping, or fishing if engaged in on other lands or waters, the individual is
90 not required to hold a hunting, fishing, or combination license to enter a wildlife
91 management area described in Subsection (5)(a).]

92 [(b) An individual may travel on a highway, as defined in Section 72-1-102, located
93 within a wildlife management area described in Subsection (5)(a) without obtaining a
94 hunting, fishing, or combination license.]

95 [(c) An individual may participate in an educational program or visit an education or
96 visitor center located within a wildlife management area described in Subsection

97 (5)(a) without obtaining a hunting, fishing, or combination license.]
98 [(7)(a) The Wildlife Board may make rules, in accordance with Title 63G, Chapter 3,
99 Utah Administrative Rulemaking Act, to define for purposes of Subsection (6):]
100 (i) what is meant to be "expressly exempt under this title from a requirement to hold
101 a license, permit, cooperative agreement, or certificate of registration to engage in
102 hunting, trapping, or fishing"; or]
103 (ii) what constitutes an "educational program" or "education or visitor center."]
104 (b) The Wildlife Board may not exempt an individual under Subsection (6)(a), on the
105 basis that the individual is not engaged in hunting, trapping, or fishing within a
106 wildlife management area.]

107 Section 3. Section **23A-6-405** is enacted to read:

23A-6-405 . 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

131 the state.

132 (b) An individual who is 18 years old or older may enter the portion of a wildlife
133 management area located in an area described in Subsection (2)(a), if the individual:
134 (i) has a digital access permit issued under Subsection (3);
135 (ii) holds a hunting, fishing, or combination license;
136 (iii) is permitted to engage in the use under a contract with, or other permission given
137 by, the division; or
138 (iv) is permitted to engage in the use or to access the land in accordance with a
139 property right giving the individual the right to use or access land within the
140 wildlife management area.

141 (c) If the use in which an individual engages that is described in this Subsection (2)
142 would require a specific license, permit, cooperative agreement, or certificate of
143 registration under this title if engaged in on other lands or waters, the individual shall
144 hold the correct license, permit, cooperative agreement, or certificate of registration
145 to engage in the use.

146 (3)(a) The division shall approve an educational video concerning access by individuals

147 of wildlife management areas and make the educational video:

148 (i) available on the Internet;
149 (ii) available to be watched free of charge; and
150 (iii) subject to verification of completion as provided in Subsection (3)(b).

151 (b) The division shall provide a process by which the division issues an individual a
152 digital access permit upon the individual's:

153 (i) completion of the educational video; and
154 (ii) acknowledgment that the individual's access to a wildlife management area may
155 be seasonal or subject to closures for wildlife conservation efforts.

156 (4)(a) If an individual is expressly exempt under this title from a requirement to hold a
157 license, permit, cooperative agreement, or certificate of registration to engage in
158 hunting, trapping, or fishing if engaged in on lands or waters other than a wildlife
159 management area, the individual:

160 (i) is not required to hold a hunting, fishing, or combination license to access a
161 wildlife management area described in Subsection (2)(a); and
162 (ii) is required to have a digital access permit to access a wildlife management area
163 unless otherwise exempt under this section.

164 (b)(i) An individual may travel on a highway or road that crosses a wildlife

165 management area described in Subsection (2)(a) without complying with
166 Subsection (2)(b).

167 (ii) Notwithstanding Subsection (4)(b)(i), the division may temporarily close a
168 portion of a highway or road in accordance with Subsection 23A-6-402(4).

169 (c) An individual may travel on a trail that begins and ends in a location outside the
170 wildlife management area described in Subsection (2)(a) without complying with
171 Subsection (2)(b).

172 (d) An individual may participate in an educational program or visit an education or
173 visitor center located within a wildlife management area described in Subsection
174 (2)(a) without complying with Subsection (2)(b).

175 (e) An individual may access the portion of a wildlife management area that the director,
176 in limited circumstances that do not compromise the purposes of the wildlife
177 management area, exempts from the requirements of this section.

178 (f) An individual may access a wildlife management area described in Subsection (2)(a)
179 without complying with Subsection (2)(b) to the extent necessary to recover livestock
180 that enters the wildlife management area by way of land adjacent to the wildlife
181 management area upon which the livestock is authorized to graze.

182 (5)(a) The Wildlife Board may make rules, in accordance with Title 63G, Chapter 3,
183 Utah Administrative Rulemaking Act, and in coordination with the State Tax
184 Commission and the Division of Technology Services within the Department of
185 Government Operations, to:

- 186 (i) provide for the content and delivery of the educational video described in
187 Subsection (3), including issuance of the digital access permit;
- 188 (ii) interpret what is meant to be "expressly exempt under this title from a
189 requirement to hold a license, permit, cooperative agreement, or certificate of
190 registration to engage in hunting, trapping, or fishing";
- 191 (iii) define what constitutes an "educational program" or "education or visitor center";
- 192 (iv) define what constitutes a trail that begins and ends in a location outside a wildlife
193 management area;
- 194 (v) interpret what constitutes limited circumstances that do not compromise the
195 purposes of a wildlife management area for purposes of Subsection (4)(e);
- 196 (vi) establish a process for accepting contributions under Subsection (6); and
- 197 (vii) establish a volunteer service program under Subsection (7).

198 (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.

(6)(a) The division may accept a voluntary money contribution for deposit into the Wildlife Management Stewardship Fund created in Section 23A-3-217:

- (i) in an amount the person making the contribution chooses to contribute; and
- (ii) to benefit a specific wildlife management area or to benefit wildlife management areas in general.

(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).

(c) The division shall keep a record of a contribution under this Subsection (6) for as long as administrative need requires.

(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:

- (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
- (ii) the individual may fish within the state using the digital access permit during the period described in Subsection (6)(e)(i).

(7)(a) The division may establish a program to:

(i) permit an individual to volunteer labor to maintain a wildlife management area;
and

(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.

(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.

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

236 **Section 4. Effective Date.**

237 This bill takes effect on July 1, 2026.