

1 **School and Institutional Trust Lands Amendments**

2026 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Carl R. Albrecht**

Senate Sponsor:

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**LONG TITLE****Committee Note:**

5 The Natural Resources, Agriculture, and Environment Interim Committee recommended  
6 this bill.

7 Legislative Vote: 14 voting for 0 voting against 5 absent

**General Description:**

9 This bill addresses the preservation of a culturally or scientifically significant site on school  
10 and institutional trust lands.

**Highlighted Provisions:**

12 This bill:

13 ▶ defines terms;  
14 ▶ creates a process for a county to nominate a culturally or scientifically significant site  
15 located on school and institutional trust lands (trust lands) for potential preservation;

16 ▶ establishes requirements for the nomination of a proposed culturally or scientifically  
17 significant site;

18 ▶ requires the director of the School and Institutional Trust Lands Administration  
19 (administration) to:

20 • notify a county with trust lands of the opportunity to nominate a culturally or  
21 scientifically significant site;

22 • approve a nomination for a culturally or scientifically significant site if the director  
23 determines that the nomination is consistent with the established requirements; and

24 • maintain and periodically review a list of approved culturally or scientifically  
25 significant sites;

26 ▶ allows the director of the administration to:

27 • reject a nomination if the director determines the nomination is inconsistent with the  
28 established requirements; and

29 • consider a preservation measure if the culturally or scientifically significant site is at  
30 risk; and



65       boundaries for the director to approve as a culturally or scientifically significant site.

66       (b) To nominate a proposed culturally or scientifically significant site, a county

67       legislative body shall submit the nomination:

68       (i) in accordance with the requirements described in Section 53C-4-403; and

69       (ii) in a form and manner determined by the director.

70       (2)(a) Before January 1, 2027, the director shall notify, by certified mail, the county

71       legislative body of each qualified county of the opportunity to nominate a proposed

72       culturally or scientifically significant site.

73       (b) The director's notification shall include:

74       (i) a physical map or link to an electronic map depicting trust lands located within the  
75       qualified county's jurisdictional boundaries; and

76       (ii) information about the requirements and procedure for submitting a nomination to  
77       the administration.

78       (3) Nothing in this part is intended to supersede, replace, or otherwise affect the provisions

79       of Title 9, Chapter 8a, State Historic Preservation Office.

80       Section 3. Section **53C-4-403** is enacted to read:

81       **53C-4-403 . Nomination requirements -- Excluded lands.**

82       (1) A nomination of a proposed culturally or scientifically significant site shall include:

83       (a) a map or legal description of the proposed culturally or scientifically significant site  
84       with sufficient detail to document the location and acreage of the site;

85       (b) the county legislative body's rationale for deeming the location a culturally or  
86       scientifically significant site, including evidence regarding the cultural or scientific  
87       significance of the site;

88       (c) documentation of the public notification and consultation process used by the county  
89       legislative body to gather input from county residents and stakeholders;

90       (d) a copy of a resolution adopted by the county legislative body expressing the county  
91       legislative body's support for the nomination; and

92       (e) a proposal by the county legislative body for how to preserve the site, including by  
93       purchase, exchange, conservation easement, or other preservation measure.

94       (2) A proposed culturally or scientifically significant site may not:

95       (a) exceed either:

96       (i) the smallest area necessary for the proper care, management, and conservation of  
97       the site; or

98       (ii) 640 acres; or

99 (b) include lands containing:

100 (i) deposits of coal, oil, gas, or other hydrocarbon resources;  
101 (ii) mineral resources; or  
102 (iii) geothermal resources.

103 (3) A county legislative body may submit a nomination no later than 24 months after the  
104 day the county legislative body receives the director's notification described in  
105 Subsection 53C-4-402(2).

106 (4) Except for the resubmission requirement described in Subsection 53C-4-404(1)(d), a  
107 county legislative body may not submit more than two nominations.

108 Section 4. Section **53C-4-404** is enacted to read:

109 **53C-4-404 . Review by director -- List of approved culturally or scientifically**  
110 **significant sites.**

111 (1)(a) The director shall approve or reject a nomination no later than 180 days after the  
112 day on which the director receives the nomination.  
113 (b) The director shall approve a nomination that the director determines is consistent  
114 with the requirements described in Section 53C-4-403.  
115 (c) The director may reject a nomination that the director determines, in the director's  
116 sole discretion, is inconsistent with the requirements described in Section 53C-4-403.  
117 (d) Notwithstanding Subsections 53C-4-403(3) and (4), if the director rejects a  
118 nomination, the director shall allow the county legislative body that submitted the  
119 nomination a reasonable amount of time to:  
120 (i) resolve a deficiency in the nomination; and  
121 (ii) resubmit the nomination.

122 (2)(a) The director shall maintain a list of approved nominations.

123 (b) The director shall review the list periodically to:

124 (i) ensure the nomination requirements described in Section 53C-4-403 are adequate  
125 to identify a culturally or scientifically significant site; and  
126 (ii) recommend that the Legislature modify or add a nomination requirement, as  
127 needed.

128 Section 5. Section **53C-4-405** is enacted to read:

129 **53C-4-405 . Preservation measures.**

130 (1) If the director determines that an imminent action might result in a change to the  
131 character of a culturally or scientifically significant site, the director may:  
132 (a) consult with the county legislative body that nominated the site to determine the

133           county legislative body's interest in preserving the site through purchase, exchange,  
134           conservation easement, or other preservation measure;  
135           (b) consider potential effects to the site when planning development or other activities  
136           on the site; or  
137           (c) restrict or modify a development plan or other activity to preserve the site, when  
138           commercially feasible, which may include:  
139            (i) notifying prospective developers, lessees, or purchasers of the site before leasing,  
140            selling, or permitting a development activity;  
141            (ii) utilizing a deed restriction or protective covenant; or  
142            (iii) other preservation measures that the director deems appropriate.  
143           (2) The director may not take an action under this section that is inconsistent with  
144           Subsection 53C-1-102(2).

145           **Section 6. Effective Date.**

146           This bill takes effect on May 6, 2026.