

Rex P. Shipp proposes the following substitute bill:

**Aquatic Invasive Species Amendments**

2026 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Rex P. Shipp**

Senate Sponsor: David P. Hinkins

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**LONG TITLE**

**General Description:**

This bill addresses requirements to operate or launch a vessel related to aquatic invasive species.

**Highlighted Provisions:**

This bill:

- defines terms, including defining "invasive mussel";
- exempts an owner or operator of certain vessels from requirements related to invasive species and launching or operating the vessel on waters of the state;
- addresses vessels owned by government agencies;
- amends provisions related to a required aquatic invasive species education course;
- addresses vessels rented or leased from a boat livery, including modifying recordkeeping requirements for a boat livery;
- modifies provisions related to collection of annual aquatic invasive species fees, including repealing outdated language;
- addresses responsibilities of the Division of Law Enforcement and the Division of Wildlife Resources; and
- makes technical and conforming amendments.

**Money Appropriated in this Bill:**

None

**Other Special Clauses:**

None

**Utah Code Sections Affected:**

AMENDS:

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

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

- 29 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
- 35 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

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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.**

47 As used in this chapter:

- 48 (1) "Boat livery" means the same as that term is defined in Section 73-18-2.
- 49 (2)(a) "Conveyance" means a terrestrial or aquatic vehicle or a vehicle part that may
- 50 carry or contain [~~a Dreissena~~] an invasive mussel.
- 51 (b) "Conveyance" includes a motor vehicle, a vessel, a motorboat, a sailboat, a personal
- 52 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
- 57 Enforcement within the department.
- 58 [(3)] (5) "Dreissena mussel" means a mussel of the genus Dreissena at any life stage or at
- 59 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
- 61 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  
66 system within or outside the state that the Wildlife Board identifies in rule as carrying or  
67 containing [~~a Dreissena~~] an invasive mussel.
- 68 (9) "Inflatable motorboat" means a motorboat that is inflated before the motorboat is used  
69 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  
72 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  
75 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,  
78 river, spring, lake, reservoir, pond, wetland, tank, [~~and~~] or fountain.
- 79 [(9)] (16)(a) "Water supply system" means a system that treats, conveys, or distributes  
80 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  
86 under 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  
89 invasive mussel in a water body, facility, or water supply system;
- 90 (c) transport a conveyance or equipment that has been in an infested water within the  
91 previous 30 days 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  
93 operate [~~a~~] the 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  
95 (2); and
- 96 (ii) displaying an aquatic invasive species decal in accordance with Subsection (6).

- 97 (2) Except as provided in Subsection (3), a person who violates Subsection (1):  
98 (a) is strictly liable;  
99 (b) is guilty of an infraction; and  
100 (c) shall reimburse the state for the costs associated with detaining, quarantining, and  
101 decontaminating the conveyance or equipment.
- 102 (3) A person who knowingly or intentionally violates Subsection (1) is guilty of a class A  
103 misdemeanor.
- 104 (4) A person may not proceed past or travel through an inspection station or administrative  
105 checkpoint, as described in Section 23A-10-301, while transporting a conveyance during  
106 an inspection station's or administrative checkpoint's hours of operations without  
107 presenting the conveyance for inspection.
- 108 (5) A person who violates Subsection (4) is guilty of a class B misdemeanor.
- 109 (6)(a)(i) The division shall provide a resident person who pays the aquatic invasive  
110 species fee required by Subsection 23A-10-304(1)(a) an aquatic invasive species  
111 decal to be displayed on the vessel for which the aquatic invasive species fee is  
112 paid.
- 113 (ii) The division shall provide a nonresident person who pays the aquatic invasive  
114 species fee required by Subsection 23A-10-304(2)(a) an aquatic invasive species  
115 decal to be displayed on the vessel for which the aquatic invasive species fee is  
116 paid.
- 117 (b) A person shall display the aquatic invasive species decal obtained under this  
118 Subsection (6) on the bow of the vessel's port side six inches aft of the vessel's  
119 registration decal.
- 120 (7) A person renting or leasing a conveyance from a boat livery is subject to the  
121 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  
123 (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  
126 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  
130 to believe [~~a Dreissena~~] an invasive mussel may exist at a specific location shall

131 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.**

135 To eradicate and prevent the infestation of [~~a Dreissena~~] an invasive mussel, the division  
136 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  
140 to use the port of entry; and

141 (iii) a publicly accessible:

142 (A) boat [~~ramps; and~~] ramp; or

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  
153 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  
160 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  
164 in violation of Section 23A-10-201; or

- 165 (b) the person transporting the conveyance or equipment refuses to submit to an  
 166 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  
 172 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.**

- 175 (1) Except as provided by Subsection (6), if the [~~division~~] Division of Wildlife Resources  
 176 detects or suspects [~~a Dreissena~~] an invasive mussel is present in a water body, a facility,  
 177 or a water supply system, the director or the director's designee may, with the  
 178 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  
 181 supply system; or  
 182 (c) a conveyance or equipment that is removed from or introduced to the water body,  
 183 facility, or water supply system to be inspected, quarantined, or decontaminated in a  
 184 manner and for a duration necessary to detect and prevent the infestation of [~~a~~  
 185 ~~Dreissena~~] an invasive mussel.
- 186 (2) If a closure authorized by Subsection (1) lasts longer than seven days, the [~~division~~]  
 187 Division of Wildlife Resources shall:  
 188 (a) provide a written update to the operator of the water body, facility, or water supply  
 189 system every 10 days on the [~~division's~~] Division of Wildlife Resources' effort to  
 190 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  
 193 state, federal, or local agency that is affected by [~~a Dreissena~~] an invasive mussel  
 194 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

199 closure location, the director shall consult with the person with the jurisdiction, control,  
 200 or management responsibility over the water body, facility, or water supply system to  
 201 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~~]

203 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  
 206 a water supply system.

207 (b)(i) If [~~a Dreissena~~] an invasive mussel is detected, the water supply system's  
 208 operator, in cooperation with the [~~division~~] Division of Wildlife Resources, shall  
 209 prepare and implement a plan to control or eradicate [~~a Dreissena~~] an invasive  
 210 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~~]  
 215 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  
 218 advance in the method of controlling or eradicating [~~a Dreissena~~] an invasive  
 219 mussel.

220 (6)(a) The [~~division~~] Division of Wildlife Resources may not close or quarantine a water  
 221 supply system if the operator has prepared and implemented a plan to control or  
 222 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  
 224 update a plan.

225 (ii) If the operator fails to update or revise a plan, the [~~division~~] Division of Wildlife  
 226 Resources may close or quarantine the water supply system in accordance with  
 227 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**  
 230 **a vessel -- Rulemaking.**

231 (1)(a) Except as described in Subsection (3), there is imposed an annual resident aquatic  
 232 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)~~[<sup>±</sup>]~~ ;
- 235 [~~(A) in cooperation with the Division of Outdoor Recreation and in conjunction~~
- 236 ~~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~~
- 238 ~~invasive species fee in conjunction with the registration process;]~~
- 239 (ii) deposit the aquatic invasive species fee into the Aquatic Invasive Species
- 240 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
- 243 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
- 245 aquatic invasive species fee of \$25 on a vessel to launch or operate a vessel in waters
- 246 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
- 249 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
- 252 (2)(a) in accordance with this section; and
- 253 (ii) deposit the aquatic invasive species fee collected under this Subsection (2) into
- 254 the Aquatic Invasive Species Interdiction Account created in Section ~~[23A-3-211]~~
- 255 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
- 258 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
- 261 motorboat is exempt from this section before launching or operating a nonmotorized
- 262 vessel or inflatable motorboat on the waters of this state.
- 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)
- 265 or (2); and
- 266 (ii) is required to complete an aquatic invasive species education course described in

- 267            Subsection (4)(a)(ii) through the boat livery under Subsection 23A-10-306(2)  
 268            unless exempt under Subsection (3)(b) or Subsection 23A-10-306(3).
- 269 (4)(a) Before launching or operating a vessel on the waters of this state:
- 270            [(a)] (i)[(i)] (A) a resident owner shall pay the aquatic invasive species fee as  
 271            described in Subsection (1); and
- 272            [(i)] (B) a nonresident owner shall pay the aquatic invasive species fee as  
 273            described in Subsection (2); and
- 274            [(b)] (ii) [~~the resident or nonresident vessel owner~~] an individual who is 12 years old  
 275            or older who operates a vessel shall successfully complete once every calendar  
 276            year an aquatic invasive species education course [offered] approved by the  
 277            division.
- 278 (b) The division shall approve proof of completion of the aquatic invasive species  
 279            education course described in Subsection (4)(a)(ii) upon an individual successfully  
 280            completing the aquatic invasive species education course. The proof of completion  
 281            expires the day after December 31 in the calendar year in which the operator  
 282            completes the aquatic invasive species education course.
- 283 (c) An individual operating a vessel who is required to complete the aquatic invasive  
 284            species education course described in Subsection (4)(a)(ii) shall provide the proof  
 285            described in Subsection (4)(b) to a natural resources officer or other peace officer  
 286            upon request.
- 287 (d) An individual operating a vessel is not required to complete the aquatic invasive  
 288            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  
 291            certificate of registration to harvest brine shrimp and brine shrimp eggs issued by  
 292            the Division of Wildlife Resources.
- 293 (5) Notwithstanding the fee amount described in Subsections (1) and (2), the Wildlife  
 294 Board may increase resident and nonresident aquatic invasive species fees assessed  
 295 under this section, so long as:
- 296 (a) the aquatic invasive species fee for nonresidents described in Subsection (2) is no  
 297 less than the resident aquatic invasive species fee described in Subsection (1); and
- 298 (b) the aquatic invasive species fee is confirmed in the legislative fee schedule.
- 299 (6) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the  
 300 Wildlife Board may make rules establishing procedures for:

- 301 (a) proof of payment and other methods of verifying compliance with this section;  
302 (b) special requirements applicable on interstate water bodies in this state; and  
303 (c) other provisions necessary for the administration of the program.

304 Section 8. Section **23A-10-306** is enacted to read:

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

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

- 308 (a) knowingly, intentionally, or recklessly alter or misrepresent decontamination records,  
309 timelines, or devices;  
310 (b) fail to decontaminate a conveyance or equipment when required to under Section  
311 23A-10-201;  
312 (c) fail to pay the annual aquatic invasive species fee as required in Section 23A-10-304;  
313 (d) fail to display the aquatic invasive species decal as required in Section 23A-10-201;  
314 or  
315 (e) violate Subsection 73-18-10(1)(a)(iii).

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

- 317 (a) require the person renting or leasing the conveyance to complete the aquatic invasive  
318 species education course required in Subsection 23A-10-304(4), unless the person is  
319 exempt from the requirement under Subsection (3) or Subsection 23A-10-304(3); and  
320 (b) provide the person renting or leasing the conveyance proof of completion of the  
321 aquatic invasive education course.

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

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

- 327 (i) the conveyance being rented or leased is transported by the owner of the boat  
328 livery to a water body;  
329 (ii) the person renting or leasing the conveyance does not operate the conveyance;  
330 (iii) the owner of the boat livery rents or leases the conveyance under the condition  
331 that the livery owner, the livery owner's agent, an independent contractor, or  
332 employee of the livery owner operates the conveyance; and  
333 (iv) the person operating the conveyance under this Subsection (3)(b) has taken the  
334 aquatic invasive species education course as required in Subsection 23A-10-303(4).

335 (4) A person who violates this section is guilty of a class B misdemeanor in accordance  
 336 with Section 23A-5-301.

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

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

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

- 341 (1) establish the procedures and requirements for decontaminating a conveyance or  
 342 equipment to prevent the introduction and infestation of [~~a Dreissena~~] an invasive mussel;  
 343 (2) establish the requirements necessary to provide proof that a conveyance or equipment is  
 344 decontaminated;  
 345 (3) establish the notification procedures required in Section 23A-10-303;  
 346 (4) identify the geographic area, water body, facility, or water supply system that is infested  
 347 by [~~Dreissena~~] invasive mussels;  
 348 (5) establish a procedure and protocol in cooperation with the Department of Transportation  
 349 for stopping, inspecting, detaining, and decontaminating a conveyance or equipment at a  
 350 port-of-entry in accordance with Section 23A-10-301; and  
 351 (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.**

- 354 (1) As used in this section:  
 355 (a) "Committee" means the Natural Resources, Agriculture, and Environment Interim  
 356 Committee.  
 357 (b) "Emergency response plan" means the statewide aquatic invasive species emergency  
 358 response plan developed by the division in accordance with this part.  
 359 (2) The division shall develop a statewide aquatic invasive species emergency response  
 360 plan to address the potential spread of aquatic invasive species throughout the state.  
 361 (3) In developing the emergency response plan, the division shall coordinate with the  
 362 Division of Wildlife Resources and other public and private entities that may be  
 363 necessary or helpful to remediating the potential spread of aquatic invasive species  
 364 throughout the state.  
 365 (4) The emergency response plan shall:  
 366 (a) designate the division as the entity that coordinates the implementation of the  
 367 emergency response plan;  
 368 (b) provide for annual review of the emergency response plan by the division;

- 369 (c) provide that the emergency response plan may only be implemented if the division  
 370 detects aquatic invasive species, including [~~Dreissena~~] invasive mussels, at a water  
 371 body, facility, or water supply system within the state; and
- 372 (d) define what constitutes a detection of aquatic invasive species at a water body,  
 373 facility, or water supply system.
- 374 (5) If an event requires the implementation of the emergency response plan, the division  
 375 shall report on that event and the implementation of the emergency response plan to the  
 376 committee.

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

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

- 379 (1)(a) The owner of a boat livery shall keep a record of the following:
- 380 (i) the name and address of the person hiring [~~any~~] a vessel;
- 381 (ii) the identification number of the vessel;
- 382 (iii) the date on which and the bodies of water on which the vessel is launched;
- 383 (iv) the vessel's departure date and time; and
- 384 (v) the vessel's expected time of return.
- 385 (b) [~~The record shall be preserved.~~] The owner of a boat livery shall keep a record  
 386 described in Subsection (1)(a) for at least one year.
- 387 (2) Neither the owner of a boat livery nor the owner's agent, independent contractor, or  
 388 employee may permit [~~any~~] a vessel to depart from the premises of the boat livery unless  
 389 the owner [~~has equipped it~~] :
- 390 (a) equips the vessel as required under this chapter [~~and unless the owner has advised~~] ;
- 391 and
- 392 (b) advises the lessee or renter of the vessel of [~~all rules promulgated under this chapter~~  
 393 ~~which~~] the rules made under this chapter that the lessee or renter [~~must~~] shall obey.
- 394 (3) The owner of a boat livery and the owner's agent, independent contractor, or employee  
 395 shall comply with Section 23A-10-306.

396 Section 12. **Repealer.**

397 This bill repeals:

398 Section **73-18-25.3, Collection of the aquatic invasive species fee.**

399 Section 13. **Effective Date.**

400 This bill takes effect on May 6, 2026.