

Val L. Peterson proposes the following substitute bill:

1 **Higher Education Code Amendments**

2026 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Val L. Peterson**

Senate Sponsor:

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2 **LONG TITLE**

3 **General Description:**

4 This bill modifies sections of code related to institutions of higher education.

5 **Highlighted Provisions:**

6 This bill:

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- 8 ▶ includes private postsecondary educational institutions to certain sections of code that
- 9 apply to institutions of higher education;
- 10 ▶ modifies provisions related to institutions of higher education participating in public
- 11 procurement bidding; and
- 12 ▶ makes technical changes.

13 **Money Appropriated in this Bill:**

14 None

15 **Other Special Clauses:**

16 None

17 **Utah Code Sections Affected:**

18 **AMENDS:**

19 **9-22-102 (Effective 05/06/26)**, as last amended by Laws of Utah 2025, First Special  
20 Session, Chapter 9

21 **9-22-104 (Effective 05/06/26)**, as last amended by Laws of Utah 2020, Chapters 352, 365

22 **9-22-113 (Effective 05/06/26)**, as last amended by Laws of Utah 2025, First Special  
23 Session, Chapter 9

24 **9-22-114 (Effective 05/06/26)**, as renumbered and amended by Laws of Utah 2019,  
25 Chapter 487

26 **53-8-105 (Effective 05/06/26)**, as last amended by Laws of Utah 2025, Chapters 271, 393

27 **53H-3-1303 (Effective 05/06/26)**, as renumbered and amended by Laws of Utah 2025,  
28 First Special Session, Chapter 8

29 **53H-11-306 (Effective 05/06/26)**, as renumbered and amended by Laws of Utah 2025,

- First Special Session, Chapter 8
- 58-37-3.5 (Effective 05/06/26) (Repealed 07/01/27)**, as last amended by Laws of Utah 2025, First Special Session, Chapter 9
- 76-6-113 (Effective 05/06/26)**, as enacted by Laws of Utah 2024, Chapter 230
- 76-8-705 (Effective 05/06/26)**, as last amended by Laws of Utah 2025, First Special Session, Chapter 9
- 77-11a-101 (Effective 05/06/26)**, as last amended by Laws of Utah 2024, Chapter 80
- 79-3-202 (Effective 05/06/26)**, as last amended by Laws of Utah 2025, First Special Session, Chapter 15
- 79-6-106 (Effective 05/06/26)**, as last amended by Laws of Utah 2025, First Special Session, Chapter 9

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

Section 1. Section **9-22-102** is amended to read:

**9-22-102 (Effective 05/06/26). Definitions.**

As used in this chapter:

- (1) "Computing partnerships" means a set of skills, knowledge, and aptitudes used in computer science, information technology, or computer engineering courses and career options.
- (2) "Director" means the director appointed by the STEM board to oversee the administration of the STEM Action Center.
- (3) "Educator" means the same as that term is defined in Section 53E-6-102.
- (4) "Foundation" means a foundation established as described in Subsections 9-22-104(3) and (4).
- (5) "Fund" means the STEM Action Center Foundation Fund created in Section 9-22-105.
- (6) "Grant program" means the Computing Partnerships Grants program created in this part.
- (7) "High quality professional development" means professional development that meets high quality standards developed by the State Board of Education.
- (8) "Institution of higher education" means the same as that term is defined in Section 53H-1-101.
- (9) "K-16" means kindergarten through grade 12 and post-secondary education programs.
- (10) "Private postsecondary educational institution" means the same as that term is defined in Section 53H-1-101.
- [~~(10)~~] (11) "Provider" means a provider selected on behalf of the STEM board by the staff

64 of the STEM board and the staff of the State Board of Education:

65 (a) through a request for proposals process; or  
66 (b) through a direct award or sole source procurement process for a pilot described in  
67 Section 9-22-107.

68 ~~[11]~~ (12) "Review committee" means the committee established under Section 9-22-114.

69 ~~[12]~~ (13) "Stacked credentials" means credentials that:

70 (a) an individual can build upon to access an advanced job or higher wage;  
71 (b) are part of a career pathway system;  
72 (c) provide a pathway culminating in the equivalent of an associate's or bachelor's  
73 degree;  
74 (d) facilitate multiple exit and entry points; and  
75 (e) recognize sub-goals or momentum points.

76 ~~[13]~~ (14) "STEM" means science, technology, engineering, and mathematics.

77 ~~[14]~~ (15) "STEM Action Center" means the center described in Section 9-22-106.

78 ~~[15]~~ (16) "STEM board" means the STEM Action Center Board created in Section  
79 9-22-103.

80 ~~[16]~~ (17) "Talent Ready Program" means the Talent Ready Utah Program created in  
81 Section 53H-13-303.

82 Section 2. Section **9-22-104** is amended to read:

**9-22-104 (Effective 05/06/26). STEM Action Center Board -- Duties.**

84 (1) The STEM board shall:

85 (a) establish ~~[a]~~ the STEM Action Center to:  
86 (i) coordinate STEM activities in the state among the following stakeholders:  
87 (A) the State Board of Education;  
88 (B) school districts and charter schools;  
89 (C) the Utah Board of Higher Education;  
90 (D) institutions of higher education;  
91 (E) private postsecondary educational institution;  
92 ~~[E]~~ (F) parents of home-schooled students;  
93 ~~[F]~~ (G) other state agencies; and  
94 ~~[G]~~ (H) business and industry representatives;  
95 (ii) align public education STEM activities with higher education STEM activities;  
96 and  
97 (iii) create and coordinate best practices among public education and higher

education;

- (b) with the advice and consent of the Senate, appoint a director to oversee the administration of the STEM Action Center;
- (c) select a physical location for the STEM Action Center;
- (d) strategically engage industry and business entities to cooperate with the STEM board:
  - (i) to support high quality professional development and provide other assistance for educators and students; and
  - (ii) to provide private funding and support for the STEM Action Center;
- (e) give direction to the STEM Action Center and the providers selected through a request for proposals process pursuant to this part; and
- (f) work to meet the following expectations:
  - (i) that at least 50 educators are implementing best practice learning tools in classrooms;
  - (ii) performance change in student achievement in each classroom participating in a STEM Action Center project; and
  - (iii) that students from at least 50 schools [-]in the state [-]participate in the STEM competitions, fairs, and camps described in Subsection 9-22-106(2)(d).

(2) The STEM board may:

- (a) enter into contracts for the purposes of this part;
- (b) apply for, receive, and disburse funds, contributions, or grants from any source for the purposes set forth in this part;
- (c) employ, compensate, and prescribe the duties and powers of individuals necessary to execute the duties and powers of the STEM board;
- (d) prescribe the duties and powers of the STEM Action Center providers; and
- (e) in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, make rules to administer this part.

(3) The STEM board may establish a foundation to assist in:

- (a) the development and implementation of the programs authorized under this part to promote STEM education; and
- (b) implementation of other STEM education objectives described in this part.

(4) A foundation established by the STEM board under Subsection (3):

- (a) may solicit and receive contributions from a private organization for STEM education objectives described in this part;
- (b) shall comply with the requirements described in Section 9-22-105;

- 132 (c) does not have power or authority to incur contractual obligations or liabilities that
- 133 constitute a claim against public funds;
- 134 (d) may not exercise executive or administrative authority over the programs or other
- 135 activities described in this part, except to the extent specifically authorized by the
- 136 STEM board;
- 137 (e) shall provide the STEM board with information detailing transactions and balances
- 138 associated with the foundation; and
- 139 (f) may not:
  - 140 (i) engage in lobbying activities;
  - 141 (ii) attempt to influence legislation; or
  - 142 (iii) participate in any campaign activity for or against:
    - 143 (A) a political candidate; or
    - 144 (B) an initiative, referendum, proposed constitutional amendment, bond, or any
    - 145 other ballot proposition submitted to the voters.

146 Section 3. Section **9-22-113** is amended to read:

**9-22-113 (Effective 05/06/26). Computer science initiative for public schools.**

- 148 (1) As used in this section:
  - 149 (a) "Computational thinking" means the set of problem-solving skills and techniques that
  - 150 software engineers use to write programs that underlie computer applications,
  - 151 including decomposition, pattern recognition, pattern generalization, and algorithm
  - 152 design.
  - 153 (b) "Computer coding" means the process of writing script for a computer program or
  - 154 mobile device.
  - 155 (c) "Educator" means the same as that term is defined in Section 53E-6-102.
  - 156 (d) "Endorsement" means a stipulation, authorized by the State Board of Education and
  - 157 appended to a license, that specifies the areas of practice to which the license applies.
  - 158 (e) "Institution of higher education" means the same as that term is defined in Section
  - 159 53H-1-101.
  - 160 (f) "Employer" means a private employer, public employer, industry association, union,
  - 161 or the military.
  - 162 (g) "License" means the same as that term is defined in Section 53E-6-102.
  - 163 (h) "Private postsecondary educational institution" means the same as that term is
  - 164 defined in Section 53H-1-101.
- 165 (2) Subject to legislative appropriations, on behalf of the STEM board, the staff of the

166 STEM board and the staff of the State Board of Education shall collaborate to develop  
167 and implement a computer science initiative for public schools by:

168 (a) creating an online repository that:

169 (i) is available for school districts and charter schools to use as a resource; and

170 (ii) includes high quality computer science instructional resources that are designed  
171 to teach students in all grade levels:

172 (A) computational thinking skills; and

173 (B) computer coding skills;

174 (b) providing for professional development on teaching computer science by:

175 (i) including resources for educators related to teaching computational thinking and  
176 computer coding in the STEM education high quality professional development  
177 application described in Section 9-22-110; and

178 (ii) providing statewide or regional professional development institutes; and

179 (c) awarding grants to a school district or charter school, on a competitive basis, that  
180 may be used to provide incentives for an educator to earn a computer science  
181 endorsement.

182 (3) A school district or charter school may enter into an agreement with one or more of the  
183 following entities to jointly apply for a grant under Subsection (2)(c):

184 (a) a school district;

185 (b) a charter school;

186 (c) an employer;

187 (d) a private postsecondary educational institution;

188 [(d)] (e) an institution of higher education; or

189 [(e)] (f) a non-profit organization.

190 (4) To apply for a grant described in Subsection (2)(c), a school district or charter school  
191 shall submit a plan to the State Board of Education for the use of the grant, including a  
192 statement of purpose that describes the methods the school district or charter school  
193 proposes to use to incentivize an educator to earn a computer science endorsement.

194 (5) The State Board of Education and the STEM board shall encourage schools to  
195 independently pursue computer science and coding initiatives, subject to local school  
196 board or charter school governing board approval, based on the unique needs of the  
197 school's students.

198 (6) The STEM board shall include information on the status of the computer science  
199 initiative in the annual report described in Section 9-22-109.

200       Section 4. Section **9-22-114** is amended to read:

201       **9-22-114 (Effective 05/06/26). Computing Partnerships Grants program.**

202       (1) There is created the Computing Partnerships Grants program consisting of the grants  
203       created in this part to provide for the design and implementation of a comprehensive  
204       K-16 computing partnerships program, based upon the following common elements:  
205       (a) outreach and student engagement;  
206       (b) courses and content;  
207       (c) instruction and instructional support;  
208       (d) work-based learning opportunities;  
209       (e) student retention;  
210       (f) industry engagement;  
211       (g) stacked credentials that allow for multiple exit and entry points;  
212       (h) competency-based learning strategies; and  
213       (i) secondary and post-secondary collaborations.

214       (2) The grant program shall incentivize public schools and school districts to work with the  
215       STEM Action Center, staff of the State Board of Education, Talent Ready Utah, industry  
216       representatives, and secondary partners on the design and implementation of  
217       comprehensive K-16 computing partnerships through:  
218       (a) leveraging existing resources for content, professional learning, and instruction,  
219       including existing career and technical education funds, programs, and initiatives;  
220       (b) allowing for the support of professional learning for pre- and in-service educators;  
221       (c) supporting activities that promote and enhance access, diversity, and equity;  
222       (d) supporting collaborations and partnerships between K-12, institutions of higher  
223       education, private postsecondary educational institutions, cultural and community  
224       partners, and industry representatives;  
225       (e) identifying the appropriate credentials that align with industry needs and providing  
226       the credentials in a stacked credentials pathway;  
227       (f) implementing a collaborative network that enables sharing and identification of best  
228       practices; and  
229       (g) providing infrastructure assistance that allows for the support of new courses and the  
230       expansion of capacity for existing courses.

231       (3) The grant program shall include the following:  
232       (a) rigorous and relevant metrics that are shared by all grant participants; and  
233       (b) an evaluation by the STEM Action Center of the grant program that identifies best

234 practices.

235 (4) The STEM Action Center, in consultation with the State Board of Education, shall:

236 (a) in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act,  
237 adopt rules:

238 (i) for the administration of the grant program and awarding of grants; and

239 (ii) that define outcome-based measures appropriate to the type of grant awarded  
240 under this part;

241 (b) establish a grant application process;

242 (c) in accordance with Subsection (5), establish a review committee to make  
243 recommendations for:

244 (i) metrics to analyze the quality of a grant application;

245 (ii) approval of a grant application; and

246 (iii) criteria to establish a requirement for an applicant to demonstrate financial need;  
247 and

248 (d) with input from the review committee, adopt metrics to analyze the quality of a grant  
249 application.

250 (5)(a) The review committee shall consist of K-16 educators, staff of the State Board of  
251 Education, representatives of Talent Ready Utah, post-secondary partners, and  
252 industry representatives.

253 (b) The review committee shall:

254 (i) review a grant application submitted;

255 (ii) make recommendations to a grant applicant to modify the grant application, if  
256 necessary; and

257 (iii) make recommendations regarding the final disposition of an application.

258 (6) The STEM Action Center shall report annually on the grant program to the State Board  
259 of Education and any findings and recommendations on the grant program shall be  
260 included in the STEM Action Center annual report to the Education Interim Committee.

261 Section 5. Section **53-8-105** is amended to read:

262 **53-8-105 (Effective 05/06/26). Duties of Highway Patrol.**

263 (1) In addition to the duties in this chapter, the Highway Patrol shall:

264 (a) enforce the state laws and rules governing use of the state highways;

265 (b) regulate traffic on all highways and roads of the state;

266 (c) assist the governor in an emergency or at other times at his discretion;

267 (d) in cooperation with federal, state, and local agencies, enforce and assist in the

268 enforcement of all state and federal laws related to the operation of a motor carrier on  
269 a highway, including all state and federal rules and regulations;

270 (e) inspect certain vehicles to determine road worthiness and safe condition as provided  
271 in Section 41-6a-1630;

272 (f) upon request, assist with any condition of unrest existing or developing on a campus  
273 or related facility of an institution of higher education or private postsecondary  
274 educational institution;

275 (g) assist the Alcoholic Beverage Services Commission in an emergency to enforce the  
276 state liquor laws;

277 (h) provide security and protection for both houses of the Legislature while in session as  
278 the speaker of the House of Representatives and the president of the Senate find  
279 necessary;

280 (i) enforce the state laws and rules governing use of capitol hill; and

281 (j) carry out the following for the Supreme Court and the Court of Appeals:  
282 (i) provide security and protection to those courts when in session in the capital city  
283 of the state;  
284 (ii) execute orders issued by the courts; and  
285 (iii) carry out duties as directed by the courts.

286 (2)(a) The division and the department shall annually:  
287 (i) evaluate the inventory of new and existing state highways, in coordination with  
288 relevant local law enforcement agencies, to determine which law enforcement  
289 agency is best suited to patrol and enforce state laws and regulate traffic on each  
290 state highway; and  
291 (ii) before October 1 of each year, report to the Transportation Interim Committee  
292 and the Criminal Justice Appropriations Subcommittee regarding:  
293 (A) significant changes to the patrol and enforcement responsibilities resulting  
294 from the evaluation described in Subsection (2)(a)(i); and  
295 (B) any budget request necessary to accommodate additional patrol and  
296 enforcement responsibilities.

297 (b) The division and the department shall, before July 1 of each year, coordinate with the  
298 Department of Transportation created in Section 72-1-201 regarding patrol and  
299 enforcement responsibilities described in Subsection (2)(a) and incident management  
300 services on state highways.

301 (3)(a) A district court and a justice court shall collect and maintain data regarding

302 violations in Sections 41-6a-1712, 41-6a-1713, and 72-7-409.

303 (b) Each court shall transmit dispositions described in Subsection (3)(a) electronically to  
304 the department.

305 Section 6. Section **53H-3-1303** is amended to read:

306 **53H-3-1303 (Effective 05/06/26). Restrictions on higher education entities  
307 bidding on architect or engineering services in public procurement projects.**

308 (1) As used in this section:

309 (a) "Architect-engineer services" means those professional services within the scope of  
310 the practice of architecture as defined in Section 58-3a-102, or professional  
311 engineering as defined in Section 58-22-102.

312 (b) "Contribution" means the same as that term is defined in Section 63G-6a-2402.

313 [~~(b)~~] (c) "Government entity" means a state agency, an institution of higher education, a  
314 county, a municipality, a local school district, a special district, or a special service  
315 district.

316 (d) "Solicitation" means the same as that term is defined in Section 63G-6a-103.

317 (e) "Solicitation response" means the same as that term is defined in Section 63G-6a-103.

318 (f) "Standard procurement process" means the same as that term is defined in Section  
319 63G-6a-103.

320 (g) "Vendor" means the same as that term is defined in Section 63G-6a-103.

321 (2) When a government entity elects to obtain architect or engineering services by using a  
322 competitive procurement process and has provided public notice of the government  
323 entity's competitive procurement process:

324 (a) a higher education entity, or any part of one, may not submit a proposal in response  
325 to the government entity's competitive procurement process; and

326 (b) the government entity may not award a contract to perform the architect or  
327 engineering services solicited in the competitive procurement process to a higher  
328 education entity or any part of one.

329 (3)(a) Subject to the prohibition contained in Subsection (3)(b), an employee of a higher  
330 education entity may, in a private capacity, submit a proposal in response to the  
331 competitive procurement process.

332 (b) An employee of a higher education entity may not use any supplies, materials, or  
333 other resources owned by, or any persons matriculating at, attending, or employed  
334 by, the higher education entity in:

335 (i) preparing a response to the competitive procurement process; or

(ii) completing any work, assignment, or contract awarded to the employee resulting from that competitive procurement process.

(4) Notwithstanding Title 63G, Chapter 6a, Utah Procurement Code, as part of a standard procurement process conducted by an institution:

(a) the institution or an institution employee acting on the institution's behalf may:

(i) request a contribution or sponsorship in the institution's solicitation;

(ii) accept a contribution or sponsorship offered by a vendor; or

(iii) based on whether a vendor is a sponsor or a donor of the institution;

(A) award a contract or grant;

(B) make a procurement decision; or

(C) take an action relating to the administration of a contract or grant; and

(b) a vendor may offer a contribution or sponsorship in the vendor's solicitation response.

Section 7. Section **53H-11-306** is amended to read:

**53H-11-306 (Effective 05/06/26). Police officer's and firefighter's survivor tuition waiver.**

(1) As used in this section:

(a) "Child" means an individual who:

- (i) is a natural or adopted child of a deceased peace officer or deceased firefighter; and
- (ii) was under the age of 25 at the time of the peace officer's or firefighter's death.

(b) "Department" means the Department of Public Safety.

(c)(i) "Fees" means general course fees, in addition to tuition, that are:

(A) imposed by an institution of higher education; and

(B) required to be paid by a student to engage in a course of study at the institution of higher education.

(ii) "Fees" does not include a special course fee.

(d) "Killed" means that the peace officer's or firefighter's death is the direct and proximate result of a traumatic injury incurred in the line of duty.

(e) "Line of duty" means an action that a peace officer or firefighter is obligated or authorized to perform by rule, regulation, condition of employment or service, or law, including a social, ceremonial, or athletic function that the peace officer or firefighter is assigned to or compensated for by the public agency being served.

(f) "Occupational disease" means a disease that routinely constitutes a special hazard in, or is commonly regarded as concomitant of, the peace officer's or firefighter's occupation.

370 (g) "Traumatic injury" means a wound or the condition of the body caused by external  
371 force, including an injury inflicted by bullet, explosive, sharp instrument, blunt  
372 object, or other physical blow, fire, smoke, chemical, electricity, climatic condition,  
373 infectious disease, radiation, or bacteria, but excluding an occupational disease.

374 (h) "Tuition" means tuition and fees at the rate charged for residents of the state.

375 (i)(i) "Utah firefighter" or "firefighter" means a member, including volunteer  
376 members and members paid on call, of a fire department or other organization that  
377 provides fire suppression and other fire-related services, of a political subdivision  
378 who is responsible for or is in a capacity that includes responsibility for the  
379 extinguishment of fires.

380 (ii) "Utah firefighter" or "firefighter" does not include a person whose job  
381 description, duties, or responsibilities do not include direct involvement in fire  
382 suppression.

383 (j) "Utah peace officer" or "peace officer" means an employee of a law enforcement  
384 agency that is part of or administered by a private postsecondary educational  
385 institution, the state, or any of its political subdivisions, and whose duties consist  
386 primarily of the prevention and detection of crime and the enforcement of criminal  
387 statutes or ordinances of this state or any of its political subdivisions.

388 (2) Subject to the limitations in Subsections (3), (4), and (5), an institution of higher  
389 education shall waive tuition for each child and surviving spouse of a Utah peace officer  
390 or Utah firefighter who has been killed or is killed in the line of duty if the individual  
391 meets the following requirements:

392 (a) applies, qualifies, and is admitted as a full-time, part-time, or summer school student  
393 in a program of study leading to a degree or certificate;

394 (b) is a resident student of the state as determined under Section 53H-11-202;

395 (c) applies to the department for a waiver of tuition under this section and provides  
396 evidence satisfactory to the department that:

397 (i) the applicant is the surviving spouse or child of a peace officer or firefighter who  
398 was killed in the line of duty;

399 (ii) the course or courses for which the applicant is seeking a tuition waiver meet the  
400 requirements of Subsection (3); and

401 (iii) the applicant meets the other requirements of this section;

402 (d) for a child of a peace officer or firefighter killed in the line of duty, applies under  
403 Subsection (2)(c) for the first time before turning 25 years old;

404 (e) maintains satisfactory academic progress, as defined by the institution of higher  
405 education, for each term or semester in which the individual is enrolled, which may  
406 be measured by the definition used for federal student assistance programs under  
407 Title IV of the Higher Education Act of 1965; and  
408 (f) has not achieved a bachelor's degree and has received tuition reimbursement under  
409 this section for less than 124 semester credits or 180 quarter credits at an institution  
410 of higher education.

411 (3) A child or surviving spouse of a peace officer or firefighter who was killed in the line of  
412 duty is eligible for a tuition waiver under this section of not more than nine semesters or  
413 the equivalent number of quarters.

414 (4) Tuition shall be waived only to the extent that the tuition is not covered or paid by any  
415 scholarship, trust fund, statutory benefit, or any other source of tuition coverage  
416 available for a waiver under this section.

417 (5) An institution of higher education shall waive tuition under this section only for courses  
418 that are applicable toward the degree or certificate requirements of the program in which  
419 the child or surviving spouse is enrolled.

420 (6) Upon receiving an application under Subsection (2)(c), the department shall determine  
421 whether the applicant and the courses for which tuition waiver is sought meet the  
422 requirements of this section and, if so, shall approve the application and notify the  
423 institution that the application has been approved.

424 (7) The department shall provide the necessary forms and applications and cooperate with  
425 the institution of higher education in developing efficient procedures for the  
426 implementation of this section.

427 (8) The Legislature may annually appropriate the funds necessary to implement this section,  
428 including money to offset the tuition waivers at each institution.

429 Section 8. Section **58-37-3.5** is amended to read:

430 **58-37-3.5 (Effective 05/06/26) (Repealed 07/01/27). Drugs for behavioral health  
431 treatment.**

432 (1) As used in this section:

433 (a) "Drug" means any form of psilocybin or methylenedioxymethamphetamine that is in  
434 federal Food and Drug Administration Phase 3 testing for an investigational drug  
435 described in 21 C.F.R. Part 312.

436 (b) "Healthcare system" means:

437 (i) a privately-owned, non-profit, vertically-integrated healthcare system that operates

438 at least 15 licensed hospitals in the state;[ or]

439 (ii) a health care system closely affiliated with an institution of higher education

440 listed in Section 53H-1-102[.] ; or

441 (iii) a health care system closely affiliated with a private postsecondary educational

442 institution as defined in Section 53H-1-101.

443 (2) A healthcare system may develop a behavioral health treatment program that includes a

444 treatment based on a drug that the healthcare system determines is supported by a broad

445 collection of scientific and medical research.

446 (3) A healthcare system described in Subsection (2):

447 (a) shall ensure that a drug used under the exclusive authority of this section is used by a

448 patient only under the direct supervision and control of the healthcare system and the

449 healthcare system's health care providers who are licensed under this title; and

450 (b) may not provide treatments that are authorized exclusively under this section to an

451 individual who is not at least 18 years old.

452 (4) Before July 1, 2026, a healthcare system that creates a behavioral health treatment

453 program under this section shall provide a written report to the Health and Human

454 Services Interim Committee regarding:

455 (a) drugs used;

456 (b) health outcomes of patients;

457 (c) side effects of any drugs used; and

458 (d) any other information necessary for the Legislature to evaluate the medicinal value

459 of any drugs.

460 (5) An individual or entity that complies with this section when using, distributing,

461 possessing, administering, or supervising the use of, a drug is not guilty of a violation of

462 this title.

463 Section 9. Section **76-6-113** is amended to read:

464 **76-6-113 (Effective 05/06/26). Property damage resulting in economic**

465 **interruption -- Enhanced penalties.**

466 (1)(a) As used in this section:

467 (i) "Business" means an enterprise carried on for the purpose of gain or economic

468 profit.

469 (ii) "Governmental entity" means the state, a county, a municipality, a special district,

470 a special service district, a school district, a state institution of higher education, or

471 any other political subdivision or administrative unit of the state.

(iii) "Economic interruption" means any disruption or cessation to the operations of a business or governmental entity that results in:

- (A) the business or governmental entity ceasing operations for at least one day; or
- (B) the employees of the business or governmental entity being unable to perform labor for the business or governmental entity for at least one day.

(iv) "Private postsecondary educational institution" means the same as that term is defined in Section 53H-1-101.

(b) Terms defined in Sections 76-1-101.5 and 76-6-101 apply to this section.

(2) An actor commits property damage resulting in economic interruption if:

(a) the actor intentionally, knowingly, recklessly, or negligently damages, defaces, or destroys a business's, private postsecondary educational institution's, or governmental entity's property; and

(b) the actor's actions under Subsection (2)(a) cause an economic interruption for the business, private postsecondary educational institution, or governmental entity.

(3) A violation of Subsection (2) is a class A misdemeanor.

(4) It is not a defense under this section that the actor did not know that the victim is a business, private postsecondary educational institution, or governmental entity.

(5) If the trier of facts finds that the actor committed a violation of Subsection (2), the actor is guilty of:

(a) a third degree felony if the actor has two prior convictions for a violation of Subsection (2) within five years before the day on which the actor committed the most recent violation of Subsection (2); and

(b) a second degree felony if the actor has at least three prior convictions for a violation of Subsection (2) within five years before the day on which the actor committed the most recent violation of Subsection (2).

(6) A prior conviction used for a penalty enhancement under Subsection (5) is a conviction that is from a separate criminal episode than:

(a) the most recent violation of Subsection (2); and

(b) any other prior conviction that is used to enhance the penalty for the most recent violation of Subsection (2).

(7) The prosecuting attorney, or the grand jury if an indictment is returned, shall include notice in the information or indictment that the offense is subject to an enhancement under Subsection (5).

Section 10. Section **76-8-705** is amended to read:

506       **76-8-705 (Effective 05/06/26). Willful interference with lawful activities of**  
507       **students or faculty.**

508       (1)(a) As used in this section[,:] :

509           (i) ["institution"] Institution means the same as that term is defined in Section  
510           53H-1-101.

511           (ii) "Private postsecondary educational institution" means the same as that term is  
512           defined in Section 53H-1-101.

513       (b) Terms defined in Sections 76-1-101.5 and 76-8-101 apply to this section.

514       (2) An actor commits willful interference with lawful activities of students or faculty if the  
515       actor, while on property that is owned, operated, or controlled by an institution or  
516       private postsecondary educational institution, willfully:

517           (a) denies to a student, school official, employee, or invitee lawful:

518              (i) freedom of movement;

519              (ii) use of the property or facilities; or

520              (iii) ingress or egress to the [institution's] institution or private postsecondary  
521              educational institution's physical facilities;

522           (b) impedes a faculty or staff member of the institution or private postsecondary  
523           educational institution in the lawful performance of the member's duties; or

524           (c) impedes a student of the institution or private postsecondary educational institution  
525           in the lawful pursuit of the student's educational activities.

526       (3) A violation of Subsection (2) is a class C misdemeanor.

527       Section 11. Section **77-11a-101** is amended to read:

528       **77-11a-101 (Effective 05/06/26). Definitions.**

529       As used in this chapter:

530       (1)(a) "Agency" means an agency of this state or a political subdivision of this state.

531           (b) "Agency" includes a law enforcement agency or a multijurisdictional task force.

532       (2) "Claimant" means:

533           (a) an owner of property;

534           (b) an interest holder; or

535           (c) an individual or entity who asserts a claim to any property for which an agency seeks  
536           to forfeit.

537       (3)(a) "Computer" means, except as provided in Subsection (3)(c), an electronic,

538           magnetic, optical, electrochemical, or other high-speed data processing device that  
539           performs logical, arithmetic, and storage functions.

540 (b) "Computer" includes any device that is used for the storage of digital or electronic  
541 files, flash memory, software, or other electronic information.

542 (c) "Computer" does not mean a computer server of an [Internet] internet or electronic  
543 service provider, or the service provider's employee, if used to comply with the  
544 requirements under 18 U.S.C. Sec. 2258A.

545 (4)(a) "Contraband" means any property, item, or substance that is unlawful to produce  
546 or to possess under state or federal law.

547 (b) "Contraband" includes:

548 (i) a controlled substance that is possessed, transferred, distributed, or offered for  
549 distribution in violation of Title 58, Chapter 37, Utah Controlled Substances Act;  
550 or

551 (ii) a computer that:

552 (A) contains or houses child sexual abuse material, or is used to create, download,  
553 transfer, upload to a storage account, or store any electronic or digital files  
554 containing child sexual abuse material; or

555 (B) contains the personal identifying information of another individual, as defined  
556 in Section 76-6-1101, whether that individual is alive or deceased, and the  
557 personal identifying information has been used to create false or fraudulent  
558 identification documents or financial transaction cards in violation of Title 76,  
559 Chapter 6, Part 5, Fraud.

560 (5) "Controlled substance" means the same as that term is defined in Section 58-37-2.

561 (6) "Court" means a municipal, county, or state court.

562 (7) "Division of Law Enforcement" means the division within the Department of Natural  
563 Resources created under Title 79, Chapter 2, Part 7, Division of Law Enforcement.

564 (8) "Evidence" means the same as that term is defined in Section 77-11c-101.

565 (9) "Forfeit" means to divest a claimant of an ownership interest in property seized by a  
566 peace officer or agency.

567 (10) "Innocent owner" means a claimant who:

568 (a) held an ownership interest in property at the time of the commission of an offense  
569 subjecting the property to seizure, and:

570 (i) did not have actual knowledge of the offense subjecting the property to seizure; or

571 (ii) upon learning of the commission of the offense, took reasonable steps to prohibit  
572 the use of the property in the commission of the offense; or

573 (b) acquired an ownership interest in the property and had no knowledge that the

574       commission of the offense subjecting the property to seizure had occurred or that the  
575       property had been seized, and:

576       (i) acquired the property in a bona fide transaction for value;  
577       (ii) was an individual, including a minor child, who acquired an interest in the  
578       property through probate or inheritance; or  
579       (iii) was a spouse who acquired an interest in property through dissolution of  
580       marriage or by operation of law.

581       (11)(a) "Interest holder" means a secured party as defined in Section 70A-9a-102, a  
582       party with a right-of-offset, a mortgagee, lien creditor, or the beneficiary of a security  
583       interest or encumbrance pertaining to an interest in property, whose interest would be  
584       perfected against a good faith purchaser for value.

585       (b) "Interest holder" does not mean a person:

586       (i) who holds property for the benefit of or as an agent or nominee for another  
587       person; or  
588       (ii) who is not in substantial compliance with any statute requiring an interest in  
589       property to be:  
590           (A) recorded or reflected in public records in order to perfect the interest against a  
591           good faith purchaser for value; or  
592           (B) held in control by a secured party, as defined in Section 70A-9a-102, in  
593           accordance with Section 70A-9a-314 in order to perfect the interest against a  
594           good faith purchaser for value.

595       (12) "Law enforcement agency" means:

596       (a) a municipal, county, state institution of higher education, private postsecondary  
597           educational institution, or state police force or department;  
598       (b) a sheriff's office; or  
599       (c) a municipal, county, or state prosecuting authority.

600       (13) "Legislative body" means:

601       (a)(i) the Legislature, county commission, county council, city commission, city  
602           council, or town council that has fiscal oversight and budgetary approval authority  
603           over an agency; or  
604       (ii) the agency's governing political subdivision; or  
605       (b) the lead governmental entity of a multijurisdictional task force, as designated in a  
606           memorandum of understanding executed by the agencies participating in the task  
607           force.

608 (14) "Multijurisdictional task force" means a law enforcement task force or other agency  
609 comprised of individuals who are employed by or acting under the authority of different  
610 governmental entities, including federal, state, county, or municipal governments, or any  
611 combination of federal, state, county, or municipal agencies.

612 (15) "Owner" means an individual or entity, other than an interest holder, that possesses a  
613 bona fide legal or equitable interest in property.

614 (16) "Pawn or secondhand business" means the same as that term is defined in Section  
615 13-32a-102.

616 (17) "Peace officer" means an employee:

- 617 (a) of an agency;
- 618 (b) whose duties consist primarily of the prevention and detection of violations of laws  
619 of this state or a political subdivision of this state; and
- 620 (c) who is authorized by the agency to seize property.

621 (18)(a) "Proceeds" means:

- 622 (i) property of any kind that is obtained directly or indirectly as a result of the  
623 commission of an offense; or
- 624 (ii) any property acquired directly or indirectly from, produced through, realized  
625 through, or caused by an act or omission regarding property under Subsection  
626 (18)(a)(i).
- 627 (b) "Proceeds" includes any property of any kind without reduction for expenses  
628 incurred in the acquisition, maintenance, or production of that property, or any other  
629 purpose regarding property under Subsection (18)(a)(i).
- 630 (c) "Proceeds" is not limited to the net gain or profit realized from the offense that  
631 subjects the property to seizure.

632 (19)(a) "Property" means all property, whether real or personal, tangible or intangible.

- 633 (b) "Property" does not include contraband.

634 (20) "Prosecuting attorney" means:

- 635 (a) the attorney general and an assistant attorney general;
- 636 (b) a district attorney or deputy district attorney;
- 637 (c) a county attorney or assistant county attorney; and
- 638 (d) an attorney authorized to commence an action on behalf of the state.

639 (21) "Public interest use" means a:

- 640 (a) use by a government agency as determined by the legislative body of the agency's  
641 jurisdiction; or

642 (b) donation of the property to a nonprofit charity registered with the state.

643 (22) "Real property" means land, including any building, fixture, improvement,

644 appurtenance, structure, or other development that is affixed permanently to land.

645 (23)(a) "Seized property" means property seized by a peace officer or agency in

646 accordance with Section 77-11a-201.

647 (b) "Seized property" includes property that the agency seeks to forfeit under Chapter

648 11b, Forfeiture of Seized Property.

649 Section 12. Section **79-3-202** is amended to read:

650 **79-3-202 (Effective 05/06/26). Powers and duties of survey.**

651 (1) The survey shall:

652 (a) assist and advise state and local agencies[ and state educational institutions] ,

653 institutions of higher education as defined in Section 53H-1-101, and private

654 postsecondary educational institutions as defined in Section 53H-1-101 on geologic,

655 paleontologic, and mineralogic subjects;

656 (b) collect and distribute reliable information regarding the mineral industry and mineral

657 resources, topography, paleontology, and geology of the state;

658 (c) survey the geology of the state, including mineral occurrences and the ores of metals,

659 energy resources, industrial minerals and rocks, mineral-bearing waters, and surface

660 and ground water resources, with special reference to their economic contents,

661 values, uses, kind, and availability in order to facilitate their economic use;

662 (d) investigate the kind, amount, and availability of mineral substances contained in

663 lands owned and controlled by the state, to contribute to the most effective and

664 beneficial administration of these lands for the state;

665 (e) determine and investigate areas of geologic and topographic hazards that could affect

666 the safety of, or cause economic loss to, the citizens of the state;

667 (f) assist local and state agencies in their planning, zoning, and building regulation

668 functions by publishing maps, delineating appropriately wide special earthquake risk

669 areas, and, at the request of state agencies or other governmental agencies, review the

670 siting of critical facilities;

671 (g) cooperate with state agencies, political subdivisions of the state, quasi-governmental

672 agencies, federal agencies, schools of higher education, and others in fields of mutual

673 concern, which may include field investigations and preparation, publication, and

674 distribution of reports and maps;

675 (h) collect and preserve data pertaining to mineral resource exploration and development

676 programs and construction activities, such as claim maps, location of drill holes,  
677 location of surface and underground workings, geologic plans and sections, drill logs,  
678 and assay and sample maps, including the maintenance of a sample library of cores  
679 and cuttings;

680 (i) study and analyze other scientific, economic, or aesthetic problems as, in the  
681 judgment of the board, should be undertaken by the survey to serve the needs of the  
682 state and to support the development of natural resources and utilization of lands  
683 within the state;

684 (j) prepare, publish, distribute, and sell maps, reports, and bulletins, embodying the work  
685 accomplished by the survey, directly or in collaboration with others, and collect and  
686 prepare exhibits of the geological and mineral resources of this state and interpret  
687 their significance;

688 (k) collect, maintain, and preserve data and information in order to accomplish the  
689 purposes of this section and act as a repository for information concerning the  
690 geology of this state;

691 (l) stimulate research, study, and activities in the field of paleontology;

692 (m) mark, protect, and preserve critical paleontological sites;

693 (n) collect, preserve, and administer critical paleontological specimens until the  
694 specimens are placed in a repository or curation facility;

695 (o) administer critical paleontological site excavation records;

696 (p) edit and publish critical paleontological records and reports; and

697 (q) collect the land use permits described in Sections 10-20-611 and 17-79-608.

698 (2)(a) The survey may maintain as confidential, and not as a public record, information  
699 provided to the survey by any source.

700 (b) The board shall adopt rules in order to determine whether to accept the information  
701 described in Subsection (2)(a) and to maintain the confidentiality of the accepted  
702 information.

703 (c) The survey shall maintain information received from any source at the level of  
704 confidentiality assigned to it by the source.

705 (3) Upon approval of the board, the survey shall undertake other activities consistent with  
706 Subsection (1).

707 (4)(a) Subject to the authority granted to the department, the survey may enter into  
708 cooperative agreements with the entities specified in Subsection (1)(g), if approved  
709 by the board, and may accept or commit allocated or budgeted funds in connection

710 with those agreements.

711 (b) The survey may undertake joint projects with private entities if:

712 (i) the action is approved by the board;

713 (ii) the projects are not inconsistent with the state's objectives; and

714 (iii) the results of the projects are available to the public.

715 Section 13. Section **79-6-106** is amended to read:

716 **79-6-106 (Effective 05/06/26). Hydrogen advisory council.**

717 (1) The department shall create a hydrogen advisory council within the office that consists  
718 of seven to nine members appointed by the executive director, in consultation with the  
719 director. The executive director shall appoint members with expertise in:

720 (a) hydrogen energy in general;

721 (b) hydrogen project facilities;

722 (c) technology suppliers;

723 (d) hydrogen producers or processors;

724 (e) renewable and fossil based power generation industries; and

725 (f) fossil fuel based hydrogen feedstock providers.

726 (2)(a) Except as required by Subsection (2)(b), a member shall serve a four-year term.

727 (b) The executive director shall, at the time of appointment or reappointment, adjust the  
728 length of terms to ensure that the terms of council members are staggered so that  
729 approximately half of the hydrogen advisory council is appointed every two years.

730 (c) When a vacancy occurs in the membership for any reason, the replacement shall be  
731 appointed for the unexpired term.

732 (3)(a) A majority of the members appointed under this section constitutes a quorum of  
733 the hydrogen advisory council.

734 (b) The hydrogen advisory council shall determine:

735 (i) the time and place of meetings; and

736 (ii) any other procedural matter not specified in this section.

737 (4) A member may not receive compensation or benefits for the member's service, but may  
738 receive per diem and travel expenses in accordance with:

739 (a) Section 63A-3-106;

740 (b) Section 63A-3-107; and

741 (c) rules made by the Division of Finance pursuant to Sections 63A-3-106 and  
742 63A-3-107.

743 (5) The office shall staff the hydrogen advisory council.

744 (6) The hydrogen advisory council may:

745 (a) develop hydrogen facts and figures that facilitate use of hydrogen fuel within the  
746 state;

747 (b) encourage cross-state cooperation with states that have hydrogen programs;

748 (c) work with state agencies, the private sector, and other stakeholders, such as  
749 environmental groups, to:

750 (i) recommend realistic goals for hydrogen development that can be executed within  
751 realistic time frames; and

752 (ii) educate, discuss, consult, and make recommendations in hydrogen related matters  
753 that benefit the state;

754 (d) promote hydrogen research at an institution of higher education or a private  
755 postsecondary educational institution, as defined in Section 53H-1-101;

756 (e) make recommendations regarding how to qualify for federal funding of hydrogen  
757 projects, including hydrogen related projects for:

758 (i) the state;

759 (ii) a local government;

760 (iii) a privately commissioned project;

761 (iv) an educational project;

762 (v) scientific development; and

763 (vi) engineering and novel technologies;

764 (f) make recommendations related to the development of multiple feedstock or energy  
765 resources in the state such as wind, solar, hydroelectric, geothermal, coal, natural gas,  
766 oil, water, electrolysis, coal gasification, liquefaction, hydrogen storage, safety  
767 handling, compression, and transportation;

768 (g) make recommendations to establish statewide safety protocols for production,  
769 transportation, and handling of hydrogen for both residential and commercial  
770 applications;

771 (h) facilitate public events to raise the awareness of hydrogen and hydrogen related fuels  
772 within the state and how hydrogen can be advantageous to all forms of transportation,  
773 heat, and power generation;

774 (i) review and make recommendations regarding legislation; and

775 (j) make other recommendations to the director related to hydrogen development in the  
776 state.

777 **Section 14. Effective Date.**

778      This bill takes effect on May 6, 2026.