

Agriculture and Food Amendments

2026 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Carl R. Albrecht

Senate Sponsor:

LONG TITLE**General Description:**

This bill addresses provisions related to the Department of Agriculture and Food.

Highlighted Provisions:

This bill:

- updates the names of the members of the Agricultural Advisory Board;
- creates an expendable special revenue account for the weights and measures program administered by the Department of Agriculture and Food;
- clarifies the percentage of funds from the Agriculture Resource Development Fund that the department may use for disaster relief programs;
- modifies the term "brand" to remove a tattoo as an identifiable mark and the brisket area as a brand location;
- authorizes the commissioner of the Department of Agriculture and Food to remove a board member of a conservation district;
- provides that an applicant for an agricultural water optimization grant may consult with the Division of Water Rights regarding the necessity of a change application or quantification of saved water;
- transfers the obligation to report on the agricultural water optimization program to the Department of Agriculture and Food;
- repeals a provision that requires the registration of farm names with the commissioner of the Department of Agriculture and Food; and
- makes technical and conforming changes.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

4-2-108 (Effective 05/06/26) (Repealed 07/01/28), as last amended by Laws of Utah 2022, Chapters 274, 126

4-2-203 (Effective 05/06/26), as enacted by Laws of Utah 2021, Chapter 131

4-18-106 (Effective 05/06/26), as last amended by Laws of Utah 2025, Chapter 91

4-24-102 (Effective 05/06/26), as last amended by Laws of Utah 2024, Chapter 59

17D-3-301 (Effective 05/06/26), as last amended by Laws of Utah 2020, Chapter 311

73-10g-206 (Effective 05/06/26) (Repealed 07/01/28), as last amended by Laws of Utah 2024, Chapter 233

73-10g-207 (Effective 05/06/26) (Repealed 07/01/28), as enacted by Laws of Utah 2023, Chapter 261

ENACTS:

4-9-119 (Effective 05/06/26), Utah Code Annotated 1953

REPEALS:

4-9-101 (Effective 05/06/26), as enacted by Laws of Utah 2017, Chapter 345

4-18-101 (Effective 05/06/26), as renumbered and amended by Laws of Utah 2013, Chapter 227

4-24-101 (Effective 05/06/26), as renumbered and amended by Laws of Utah 2017, Chapter 345

17D-3-101 (Effective 05/06/26), as enacted by Laws of Utah 2008, Chapter 360

42-3-1 (Effective 05/06/26), as last amended by Laws of Utah 2025, Chapter 302

42-3-2 (Effective 05/06/26), as last amended by Laws of Utah 2009, Chapter 183

42-3-3 (Effective 05/06/26), Utah Code Annotated 1953

42-3-4 (Effective 05/06/26), as last amended by Laws of Utah 2009, Chapter 183

42-3-5 (Effective 05/06/26), as last amended by Laws of Utah 2018, Chapter 148

73-10g-201 (Effective 05/06/26) (Repealed 07/01/28), as enacted by Laws of Utah 2018, Chapter 143

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

Section 1. Section **4-2-108** is amended to read:

4-2-108 (Effective 05/06/26) (Repealed 07/01/28). Agricultural Advisory Board created -- Composition -- Responsibility -- Terms of office -- Compensation -- Executive committee.

(1) There is created the Agricultural Advisory Board composed of the following 21 members:

- 65 (a) the dean of the [~~College of Agriculture and Applied Science from Utah State~~
66 ~~University]~~ S.J. and Jessie E. Quinney College of Agriculture and Natural Resources
67 at Utah State University; and
- 68 (b) the following appointed by the commissioner:
- 69 (i) two representatives of associations representing interests of farmers, selected from
70 a list of nominees submitted by at least two associations representing farmers;
- 71 (ii) [a] one representative of an association representing cattlemen, selected from a list
72 of nominees submitted by at least one association representing cattlemen;
- 73 (iii) one representative of an association representing wool growers, selected from a
74 list of nominees submitted by at least one association representing wool growers;
- 75 (iv) one representative of an association representing dairies, selected from a list of
76 nominees submitted by at least one association representing dairies;
- 77 (v) one representative of an association representing pork producers, selected from a
78 list of nominees submitted by at least one association representing pork producers;
- 79 (vi) one representative of egg and poultry producers;
- 80 (vii) one representative of an association representing veterinarians, selected from a
81 list of nominees submitted by at least one association representing veterinarians;
- 82 (viii) one representative of an association representing livestock auctions, selected
83 from a list of nominees submitted by at least one association representing
84 livestock auctions;
- 85 (ix) one representative of an association representing conservation districts, selected
86 from a list of nominees submitted by at least one association representing
87 conservation districts;
- 88 (x) one representative of the Utah horse industry;
- 89 (xi) one representative of the food processing industry;
- 90 (xii) one representative of the fruit and vegetable industry;
- 91 (xiii) one representative of the turkey industry;
- 92 (xiv) one representative of manufacturers of food supplements;
- 93 (xv) one representative of a consumer affairs group;
- 94 (xvi) one representative of urban and small farmers;
- 95 (xvii) one representative of an association representing elk breeders, selected from a
96 list of nominees submitted by at least one association representing elk breeders;
- 97 (xviii) one representative of an association representing beekeepers, selected from a
98 list of nominees submitted by at least one association representing beekeepers; and

- (xix) one representative of fur breeders, selected from a list of nominees submitted by at least one association representing fur breeders.
- (2) The Agricultural Advisory Board shall:
- (a) advise the commissioner regarding:
- (i) the planning, implementation, and administration of the department's programs; and
- (ii) the establishment of standards governing the care of livestock and poultry, including consideration of:
- (A) food safety;
- (B) local availability and affordability of food; and
- (C) acceptable practices for livestock and farm management; and
- (b) adopt best management practices for sheep, swine, cattle, and poultry industries in the state.
- (3) The Agricultural Advisory Board may adopt best management practices for domesticated elk, mink, apiaries, and other agricultural industries in the state.
- (4) For purposes of this section, "best management practices" means practices used by agriculture in the production of food and fiber that are commonly accepted practices, or that are at least as effective as commonly accepted practices, and that:
- (a) protect the environment;
- (b) protect human health; and
- (c) promote the financial viability of agricultural production.
- (5)(a) Except as required by Subsection (1)(a) or (5)(b), members of the Agricultural Advisory Board are appointed by the commissioner to four-year terms of office.
- (b) Notwithstanding the requirements of Subsection (5)(a), the commissioner shall, at the time of appointment or reappointment, adjust the length of terms to ensure that the terms of board members are staggered so that approximately half of the board is appointed every two years.
- (c) A member may be removed at the discretion of the commissioner upon the request of the group the member represents.
- (d) When a vacancy occurs in the membership for any reason, the commissioner shall appoint a replacement for the unexpired term.
- (6) The Agricultural Advisory Board shall elect one member to serve as chair of the Agricultural Advisory Board for a term of one year.
- (7)(a) The Agricultural Advisory Board shall meet twice a year, but may meet more

often at the discretion of the chair.

(b) Attendance of 11 members at a duly called meeting of the Agricultural Advisory Board constitutes a quorum for the transaction of official business.

(8) A member of the Agricultural Advisory Board may not receive compensation or benefits for the member's service, but may receive per diem and travel expenses in accordance with:

(a) Section 63A-3-106;

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

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

(9)(a) There is created an executive committee of the Agricultural Advisory Board consisting of the following seven members selected from members of the Agricultural Advisory Board:

(i) the two representatives appointed under Subsection (1)(b)(i);

(ii) the representative appointed under Subsection (1)(b)(ix); and

(iii) four members selected from the Agricultural Advisory Board as follows:

(A) for the initial members of the executive committee, by the commissioner; and

(B) after the initial members of the executive committee are selected, by the executive committee.

(b)(i) A member of the executive committee shall serve a term of four years on the executive committee.

(ii) A member of the executive committee may serve for more than one term on the executive committee.

(iii) When a vacancy occurs in the membership of the executive committee for any reason, the replacement shall be selected in the same manner as under Subsection (9)(a) and for the unexpired term.

(c) Four members of the executive committee constitute a quorum and an action of the majority present when a quorum is present is action by the executive committee.

(d) The executive committee shall annually select a chair of the executive committee.

(e) The executive committee shall meet at least quarterly, except that the chair of the executive committee may call the executive committee for additional meetings.

(f) The executive committee shall:

(i) recommend to the department fees to be imposed under this title;

(ii) accept public comment received under this title; and

(iii) carry out the responsibilities assigned to the executive committee by statute.

Section 2. Section **4-2-203** is amended to read:

**4-2-203 (Effective 05/06/26). Department of Agriculture and Food Laboratory
Equipment Fund.**

(1) There is created an expendable special revenue fund known as the ["Department of Agriculture and Food Laboratory Equipment Fund,[" which is referred to in this section as the "fund."

(2) The fund consists of:

- (a) collections the Division of Laboratories within the department receives under this title that are not expended during the previous fiscal year;
- (b) appropriations from the Legislature; and
- (c) interest and earnings on the fund.

(3) The state treasurer shall invest the money in the fund according to Title 51, Chapter 7, State Money Management Act, except that interest or other earnings derived from those investments shall be deposited into the fund.

(4)~~(a)~~ The department may use money in the fund only to pay for the repair, replacement, or upgrade of laboratory equipment in accordance with this section.

(5) The state chemist or the commissioner shall approve expenditures from the fund for laboratory equipment repair, replacement, or upgrade as follows:

- (a) the state chemist may approve using money in the fund to repair, replace, or upgrade laboratory equipment if the amount to be expended is less than \$10,000; and
- (b) the state chemist shall obtain the approval of the commissioner for using money in the fund to repair, replace, or upgrade laboratory equipment if the amount to be expended equals or exceeds \$10,000.

(6)(a) Subject to the other provisions of this Subsection (6), the Division of Finance shall deposit into the fund the collections that the Division of Laboratories receives under this title that are not expended during a fiscal year.

(b) The fund may not exceed \$500,000 at the end of a fiscal year.

(c) If the fund exceeds \$500,000 at the end of the fiscal year, the Division of Finance shall deposit into the General Fund the money in excess of the amount necessary to maintain the fund balance at \$500,000.

Section 3. Section **4-9-119** is enacted to read:

4-9-119 (Effective 05/06/26). Weights and Measures Fund.

(1) There is created an expendable special revenue fund known as the Weights and

Measures Fund.

(2) The fund consists of:

(a) the revenue from fees for the inspection of weights and measures that the department collects under this chapter;

(b) appropriations from the Legislature; and

(c) interest and earnings on money in the fund.

(3)(a) The state treasurer shall invest the money in the fund in accordance with Title 51, Chapter 7, State Money Management Act.

(b) The state treasurer shall deposit interest and other earnings derived from investment of expendable special revenue fund money into the fund.

(4) The department may use money in the fund for the maintenance, repair, and purchase of equipment used in administering the requirements of this chapter, including:

(a) specialized vehicles;

(b) cranes and lifts;

(c) weight carts; and

(d) field, metrology, and fuel laboratory equipment.

(5)(a) Except as provided in Subsection (5)(c), the Division of Finance shall deposit into the fund the revenue that the department receives under this chapter that the department does not expend during a fiscal year.

(b) The fund may not exceed \$1,000,000 at the end of a fiscal year.

(c) Notwithstanding Subsection (5)(a), the Division of Finance shall deposit into the General Fund the money in the account in excess of \$1,000,000, if any, at the end of a fiscal year.

Section 4. Section **4-18-106** is amended to read:

4-18-106 (Effective 05/06/26). Agriculture Resource Development Fund -- Contents -- Use of fund money -- Advisory board.

(1) As used in this section:

(a) "Disaster" means an extraordinary circumstance, including a flood, drought, or fire, that results in:

(i) the president of the United States declaring an emergency or major disaster in the state;

(ii) the governor declaring a state of emergency under Title 53, Chapter 2a, Part 2, Disaster Response and Recovery Act; or

(iii) the chief executive officer of a local government declaring a local emergency

- 235 under Title 53, Chapter 2a, Part 2, Disaster Response and Recovery Act.
- 236 (b) "Fund" means the Agriculture Resource Development Fund created in this section.
- 237 (c) "Local government" means the same as that term is defined in Section 53-2a-602.
- 238 (2) There is created a revolving loan fund known as the ["Agriculture Resource
- 239 Development Fund.["]
- 240 (3) The fund shall consist of:
- 241 (a) money appropriated to the fund by the Legislature;
- 242 (b) money received for the repayment of loans made from the fund;
- 243 (c) money from a preferential user to reimburse the commission for loans made from the
- 244 fund in accordance with Title 73, Chapter 3d, Part 4, Compensation;
- 245 (d) money made available to the state for agriculture resource development or for a
- 246 temporary water shortage emergency, as defined in Section 73-3d-101, from any
- 247 source; and
- 248 (e) interest earned on the fund.
- 249 (4) The commission may make loans from the fund for:
- 250 (a) a rangeland improvement and management project;
- 251 (b) a watershed protection or flood prevention project;
- 252 (c) a soil and water conservation project;
- 253 (d) a program designed to promote energy efficient farming practices;
- 254 (e) an improvement program for agriculture product storage or program designed to
- 255 protect a crop or animal resource;
- 256 (f) a hydroponic or aquaponic system, including a hydroponic fodder production system;
- 257 (g) a project or program to improve water quality;
- 258 (h) a project to address other environmental issues;
- 259 (i) subject to Subsection (5), a disaster relief program designed to aid the sustainability
- 260 of agriculture during and immediately following a disaster; or
- 261 (j) subject to Subsection (6), authorized for temporary water shortage emergencies as
- 262 provided in Title 73, Chapter 3d, Part 4, Compensation.
- 263 (5)(a) Except as provided in Subsection (5)(b), the department shall limit loans for
- 264 disaster relief programs under Subsection (4)(i) to no more than 10% of the total
- 265 amount of:
- 266 (i) the balance of money in the fund; and
- 267 (ii) the outstanding loans issued from the fund.
- 268 [(a) Loans made through a disaster relief program described in Subsection (4)(i) may not

comprise more than 10% of the funds appropriated by the Legislature to the fund.]

(b) Notwithstanding Subsection (5)(a), the department may use the money appropriated to the fund by the Legislature or another source, without limitation, if the money is appropriated specifically for use in a disaster relief program.

(c)(i) Until December 31, 2024, the department is authorized to borrow up to \$3,000,000 of General Fund appropriations from the Agricultural Water Optimization Account created in Section 73-10g-204 to be used in making loans through a disaster relief program described in Subsection (4)(i).

(ii) If the department borrows from the Agricultural Water Optimization Account under Subsection (5)(c)(i), the department shall deposit the repayment of principal and interest on loans made through a disaster relief program, regardless of the source of the funds used to make those loans, into the Agricultural Water Optimization Account, with preference over the repayment of any other source of funds, until the Agricultural Water Optimization Account is repaid in full.

(6) The commission may not have at one time an aggregate amount of loans made under Subsection (4)(j) that exceeds \$5,000,000.

(7) The commission may appoint an advisory board to:

(a) oversee the award process for loans, as described in this section;

(b) approve loans; and

(c) recommend policies and procedures for the fund that are consistent with statute.

(8) The department shall obtain an approved annual budget from the commission to use money from the fund to pay for the costs of administering the fund and loans made from the fund.

Section 5. Section **4-24-102** is amended to read:

4-24-102 (Effective 05/06/26). Definitions.

As used in this chapter:

(1) "Brand" means an identifiable mark~~[, including a tattoo or cutting and shaping of the ears or brisket area, applied to livestock]~~ applied to livestock, including a cutting and shaping of the ears, that is intended to show ownership and the mark's location.

(2) "Carcass" means any part of the body of an animal, including entrails and edible meats.

(3) "Domesticated elk" means the same as that term is defined in Section 4-39-102.

(4) "Hide" means any skins or wool removed from livestock.

(5) "Livestock" means cattle, calves, horses, mules, or sheep.

(6)(a) "Livestock market" means a public market place consisting of pens or other

enclosures where cattle, calves, horses, or mules are received on consignment and kept for subsequent sale, either through public auction or private sale.

(b) "Livestock market" does not mean:

(i) a place used solely for liquidation of livestock by a farmer, dairyman, livestock breeder, or feeder who is going out of business; or

(ii) a place where an association of livestock breeders under the association's own management:

(A) offers registered livestock or breeding sires for sale;

(B) assumes the responsibility for the sale;

(C) guarantees title to the livestock or sires sold; and

(D) arranges with the department for brand inspection of the animals sold.

(7) "Open range" means land upon which cattle, sheep, or other domestic animals are grazed or permitted to roam by custom, license, lease, or permit.

(8) "Slaughterhouse" means a building, plant, or establishment where animals are harvested, dressed, or processed and the animals' meat or meat products produced for human consumption.

Section 6. Section **17D-3-301** is amended to read:

17D-3-301 (Effective 05/06/26). Board of supervisors -- Number -- Term -- Chair and officers -- Quorum -- Compensation.

(1) A board of supervisors shall govern a conservation district.

(2) The board of supervisors of a conservation district consists of five members appointed as provided in this part, at least three of whom shall be private agricultural land operators.

(3)(a) Subject to Subsection (3)(c), the term of office of a member of a board of supervisors is four years.

(b) Notwithstanding Subsection (3)(a), if multiple conservation districts are consolidated or a single conservation district divided or dissolved under Part 2, Creation, Consolidation, Division, and Dissolution of Conservation Districts:

(i) the term of each member of the board of supervisors of the consolidated conservation districts or the divided or dissolved conservation district terminates immediately upon consolidation, division, or dissolution; and

(ii)(A) the commissioner shall appoint a new board of supervisors, as provided in this part, for the consolidated conservation district or divided conservation districts, as the case may be; and

- 337 (B) subject to Subsection (3)(c), the term of office of a member of the board of
338 supervisors appointed is four years.
- 339 (c) Notwithstanding the other provisions of this Subsection (3), the commissioner may^[,] :
- 340 (i) with the approval of the commission, remove a board member for cause; and
341 (ii) at the time of appointment or reappointment, adjust the length of terms to ensure
342 that the terms of board members are staggered so that approximately half of the
343 board is appointed every two years.
- 344 (4) The board of supervisors shall elect a chair from among their number for a term of one
345 year, and may elect other officers from among their number that the board considers
346 necessary.
- 347 (5) A majority of the board of supervisors constitutes a quorum for the transaction of board
348 business, and action by a majority of a quorum present at a meeting of the board
349 constitutes action of the board.
- 350 (6) For performing official duties, a member of the board of supervisors of a conservation
351 district shall receive:
- 352 (a) per diem and travel expenses in accordance with Section 11-55-103; and
353 (b) actual and necessary expenses as determined by the department.
- 354 Section 7. Section **73-10g-206** is amended to read:
- 355 **73-10g-206 (Effective 05/06/26) (Repealed 07/01/28). Agricultural water**
356 **optimization grants -- Demonstration of water savings.**
- 357 (1) The conservation commission may issue a grant described in Subsection 73-10g-204(3)
358 in accordance with the procedures in this section.
- 359 (2)(a) The committee shall establish funding application periods during which a person
360 may apply for a grant under this part.
- 361 (b) During a funding application period, a person may file a funding application with the
362 department for preliminary screening of eligibility to receive a grant under this part,
363 including requisite water savings.
- 364 (c) The department shall screen the funding applications for eligibility.
- 365 (d) If the department determines that an applicant meets eligibility requirements and
366 proposes water savings, the department shall provide the applicant preliminary
367 approval.
- 368 (e) After receiving preliminary approval under Subsection (2)(d), the applicant ~~[shall]~~
369 may engage in a pre-filing consultation with the Division of Water Rights under
370 Subsection 73-3-3(2) to determine whether a change application is required to

- 371 accomplish the project proposed in the funding application or to quantify saved water[-].
- 372 (f) Once the Division of Water Rights determines whether the person is required to file a
- 373 change application, the person may complete the funding application process and file
- 374 the completed funding application with the committee.
- 375 (g) The committee shall review completed funding applications to rank the funding
- 376 applications and recommend to the conservation commission which applicants should
- 377 receive a grant under this part for the relevant funding application period.
- 378 (h) The conservation commission may issue a grant under this section only after receipt
- 379 of the recommendations of the committee.
- 380 (3) If the conservation commission issues a grant under this part, before the grant recipient
- 381 may receive the grant money, the grant recipient shall:
- 382 (a) enter into a contract with the department that includes:
- 383 (i) the expectations for the grant recipient;
- 384 (ii) the life expectancy of a project;
- 385 (iii) the process of certifying completion; and
- 386 (iv) design requirements;
- 387 (b) file any needed change application and obtain a final order from the state engineer
- 388 approving the change application, including any judicial review of the state
- 389 engineer's order; and
- 390 (c) demonstrate how the grant recipient shall comply with the requirements of the final
- 391 order approving the related change application.
- 392 (4) A grant recipient shall comply with the monitoring and reporting requirements under the
- 393 contract described in [~~Subsection (3)~~] Subsection (3)(a).
- 394 (5) The department shall:
- 395 (a) monitor the grant related activities of a grant recipient;
- 396 (b) certify a project funded by a grant once the project is complete;
- 397 (c) determine whether there are funding sources other than the account to fund the grant;
- 398 and
- 399 (d) provide information needed by the division or the Division of Water Rights to fulfill
- 400 the division's or the Division of Water Rights' statutory duties, including those
- 401 designated in this chapter.
- 402 (6) The department may:
- 403 (a) conduct outreach campaigns related to the grant program, including the program's
- 404 purpose and expectations for grant recipients;

- (b) solicit funding applications and assist persons in applying for a grant under this part;
- (c) assist grant recipients in developing a project; and
- (d) coordinate with federal agencies and the division for evaluation of funding applications and for assistance with implementing projects for which funding has been provided under this part.

- (7) Grant money may be used by the department or a grant recipient for the hiring of third-party consultants as appropriate to complete a project funded by grant money.
- (8) The division, upon request from the committee, may assist with evaluation of funding applications and implementation of projects funded under this part.

Section 8. Section **73-10g-207** is amended to read:

73-10g-207 (Effective 05/06/26) (Repealed 07/01/28). Public information and reporting.

- (1) The ~~[division]~~ department shall, in coordination with the ~~[department]~~ division and the Division of Water Rights, annually compile and publish a report on:
 - (a) completed projects;
 - (b) saved water made available from agricultural water optimization projects; and
 - (c) the effectiveness of the agricultural water optimization funding programs established by this part.
- (2) On or before November 30 of each year, the committee, ~~[division]~~ the department, and the Division of Water Rights shall jointly present the annual report to:
 - (a) the Legislative Water Development Commission;
 - (b) the Natural Resources, Agriculture, and Environment Interim Committee;
 - (c) the Utah Water Task Force within the Department of Natural Resources; and
 - (d) the Utah Watersheds Council.
- (3) The ~~[division]~~ department shall publish reports from research described in Subsection 73-10g-205(7).

Section 9. **Repealer.**

This bill repeals:

Section **4-9-101, Title.**

Section **4-18-101, Title.**

Section **4-24-101, Title.**

Section **17D-3-101, Title.**

Section **42-3-1, Commissioner of agriculture and food to register names.**

Section **42-3-2, Recording fee.**

439 Section **42-3-3, Transfer of name.**
440 Section **42-3-4, Cancellation by owner -- Fee.**
441 Section **42-3-5, Use of name by another -- Penalty.**
442 Section **73-10g-201, Title.**
443 Section 10. **Effective Date.**
444 This bill takes effect on May 6, 2026.