

Scott H. Chew proposes the following substitute bill:

Colorado River Authority Amendments

2026 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Scott H. Chew

Senate Sponsor:

LONG TITLE

General Description:

This bill addresses the Colorado River Authority of Utah.

Highlighted Provisions:

This bill:

- moves the Colorado River Authority of Utah (authority) from the governor's office to the Department of Natural Resources, including providing a transition;
- modifies the definition provision;
- amends the membership provision of the authority including modifying the appointment process;
- addresses the operation of the authority;
- expands the powers and duties of the authority;
- modifies the appointment of the river commissioner;
- repeals provision prohibiting the river commissioner from receiving compensation;
- amends provision on hiring of the authority's executive director;
- addresses use of money in the Colorado River Authority Restricted Account; and
- makes technical and conforming amendments.

Money Appropriated in this Bill:

None

Other Special Clauses:

This bill provides a special effective date.

Utah Code Sections Affected:

AMENDS:

63G-2-305 (Effective 07/01/26), as last amended by Laws of Utah 2025, First Special Session, Chapter 17

63G-6a-103 (Effective 07/01/26), as last amended by Laws of Utah 2025, First Special

29 Session, Chapter 9
30 **63G-6a-107.6 (Effective 07/01/26)**, as last amended by Laws of Utah 2025, Chapters
31 151, 318 and 481
32 **63J-1-602.2 (Effective 07/01/26) (Partially Repealed 07/01/29)**, as last amended by Laws
33 of Utah 2025, First Special Session, Chapter 17
34 **73-3-30 (Effective 07/01/26)**, as last amended by Laws of Utah 2023, Chapters 34, 253
35 **73-10-4 (Effective 07/01/26) (Partially Repealed 12/31/30)**, as last amended by Laws of
36 Utah 2025, Chapter 119
37 **73-10-18 (Effective 07/01/26)**, as last amended by Laws of Utah 2025, Chapter 93
38 **73-10-32 (Effective 07/01/26)**, as last amended by Laws of Utah 2023, Chapters 238, 435
39 **79-2-201 (Effective 07/01/26) (Partially Repealed 07/01/29)**, as last amended by Laws of
40 Utah 2025, Chapter 93

41 ENACTS:

42 **73-34-103 (Effective 07/01/26)**, Utah Code Annotated 1953

43 RENUMBERS AND AMENDS:

44 **73-34-101 (Effective 07/01/26)**, (Renumbered from 63M-14-102, as enacted by
45 Laws of Utah 2021, Chapter 179)

46 **73-34-102 (Effective 07/01/26)**, (Renumbered from 63M-14-103, as enacted by
47 Laws of Utah 2021, Chapter 179)

48 **73-34-201 (Effective 07/01/26)**, (Renumbered from 63M-14-201, as enacted by
49 Laws of Utah 2021, Chapter 179)

50 **73-34-202 (Effective 07/01/26)**, (Renumbered from 63M-14-202, as last amended
51 by Laws of Utah 2024, Chapter 443)

52 **73-34-203 (Effective 07/01/26)**, (Renumbered from 63M-14-203, as last amended
53 by Laws of Utah 2022, Chapter 98)

54 **73-34-204 (Effective 07/01/26)**, (Renumbered from 63M-14-204, as enacted by
55 Laws of Utah 2021, Chapter 179)

56 **73-34-205 (Effective 07/01/26)**, (Renumbered from 63M-14-205, as last amended
57 by Laws of Utah 2024, Chapter 135)

58 **73-34-206 (Effective 07/01/26)**, (Renumbered from 63M-14-207, as enacted by
59 Laws of Utah 2021, Chapter 179)

60 **73-34-207 (Effective 07/01/26)**, (Renumbered from 63M-14-208, as enacted by
61 Laws of Utah 2021, Chapter 179)

62 **73-34-208 (Effective 07/01/26)**, (Renumbered from 63M-14-209, as last amended

63 by Laws of Utah 2022, Chapter 98)
 64 **73-34-209 (Effective 07/01/26)**, (Renumbered from 63M-14-210, as last amended
 65 by Laws of Utah 2022, Chapter 98)
 66 **73-34-301 (Effective 07/01/26)**, (Renumbered from 63M-14-301, as enacted by
 67 Laws of Utah 2021, Chapter 179 and further amended by Revisor Instructions, Laws of Utah
 68 2021, Chapter 179)
 69 **73-34-302 (Effective 07/01/26)**, (Renumbered from 63M-14-302, as enacted by
 70 Laws of Utah 2021, Chapter 179)
 71 **73-34-303 (Effective 07/01/26)**, (Renumbered from 63M-14-304, as enacted by
 72 Laws of Utah 2021, Chapter 179)
 73 **73-34-304 (Effective 07/01/26)**, (Renumbered from 63M-14-305, as enacted by
 74 Laws of Utah 2021, Chapter 179)
 75 **73-34-305 (Effective 07/01/26)**, (Renumbered from 63M-14-306, as enacted by
 76 Laws of Utah 2021, Chapter 179)
 77 **73-34-401 (Effective 07/01/26)**, (Renumbered from 63M-14-401, as enacted by
 78 Laws of Utah 2021, Chapter 179)
 79 **73-34-402 (Effective 07/01/26)**, (Renumbered from 63M-14-402, as enacted by
 80 Laws of Utah 2021, Chapter 179)
 81 **73-34-501 (Effective 07/01/26)**, (Renumbered from 63M-14-501, as enacted by
 82 Laws of Utah 2021, Chapter 179)
 83 **73-34-502 (Effective 07/01/26)**, (Renumbered from 63M-14-502, as enacted by
 84 Laws of Utah 2021, Chapter 179)

85 REPEALS:

86 **63M-14-101 (Effective 07/01/26)**, as enacted by Laws of Utah 2021, Chapter 179
 87 **63M-14-303 (Effective 07/01/26)**, as enacted by Laws of Utah 2021, Chapter 179

88

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

90 Section 1. Section **63G-2-305** is amended to read:

91 **63G-2-305 (Effective 07/01/26). Protected records.**

92 The following records are protected if properly classified by a governmental entity:

- 93 (1) trade secrets as defined in Section 13-24-2 if the person submitting the trade secret has
 94 provided the governmental entity with the information specified in Section 63G-2-309;
 95 (2) commercial information or nonindividual financial information obtained from a person
 96 if:

- 97 (a) disclosure of the information could reasonably be expected to result in unfair
98 competitive injury to the person submitting the information or would impair the
99 ability of the governmental entity to obtain necessary information in the future;
- 100 (b) the person submitting the information has a greater interest in prohibiting access than
101 the public in obtaining access; and
- 102 (c) the person submitting the information has provided the governmental entity with the
103 information specified in Section 63G-2-309;
- 104 (3) commercial or financial information acquired or prepared by a governmental entity to
105 the extent that disclosure would lead to financial speculations in currencies, securities, or
106 commodities that will interfere with a planned transaction by the governmental entity or
107 cause substantial financial injury to the governmental entity or state economy;
- 108 (4) records, the disclosure of which could cause commercial injury to, or confer a
109 competitive advantage upon a potential or actual competitor of, a commercial project
110 entity as defined in Subsection 11-13-103(4);
- 111 (5) test questions and answers to be used in future license, certification, registration,
112 employment, or academic examinations;
- 113 (6) records, the disclosure of which would impair governmental procurement proceedings
114 or give an unfair advantage to any person proposing to enter into a contract or agreement
115 with a governmental entity, except, subject to Subsections (1) and (2), that this
116 Subsection (6) does not restrict the right of a person to have access to, after the contract
117 or grant has been awarded and signed by all parties:
- 118 (a) a bid, proposal, application, or other information submitted to or by a governmental
119 entity in response to:
- 120 (i) an invitation for bids;
- 121 (ii) a request for proposals;
- 122 (iii) a request for quotes;
- 123 (iv) a grant; or
- 124 (v) other similar document; or
- 125 (b) an unsolicited proposal, as defined in Section 63G-6a-712;
- 126 (7) information submitted to or by a governmental entity in response to a request for
127 information, except, subject to Subsections (1) and (2), that this Subsection (7) does not
128 restrict the right of a person to have access to the information, after:
- 129 (a) a contract directly relating to the subject of the request for information has been
130 awarded and signed by all parties; or

- 131 (b)(i) a final determination is made not to enter into a contract that relates to the
132 subject of the request for information; and
133 (ii) at least two years have passed after the day on which the request for information
134 is issued;
- 135 (8) records that would identify real property or the appraisal or estimated value of real or
136 personal property, including intellectual property, under consideration for public
137 acquisition before any rights to the property are acquired unless:
- 138 (a) public interest in obtaining access to the information is greater than or equal to the
139 governmental entity's need to acquire the property on the best terms possible;
- 140 (b) the information has already been disclosed to persons not employed by or under a
141 duty of confidentiality to the entity;
- 142 (c) in the case of records that would identify property, potential sellers of the described
143 property have already learned of the governmental entity's plans to acquire the
144 property;
- 145 (d) in the case of records that would identify the appraisal or estimated value of
146 property, the potential sellers have already learned of the governmental entity's
147 estimated value of the property; or
- 148 (e) the property under consideration for public acquisition is a single family residence
149 and the governmental entity seeking to acquire the property has initiated negotiations
150 to acquire the property as required under Section 78B-6-505;
- 151 (9) records prepared in contemplation of sale, exchange, lease, rental, or other compensated
152 transaction of real or personal property including intellectual property, which, if
153 disclosed [~~prior to~~] before completion of the transaction, would reveal the appraisal or
154 estimated value of the subject property, unless:
- 155 (a) the public interest in access is greater than or equal to the interests in restricting
156 access, including the governmental entity's interest in maximizing the financial
157 benefit of the transaction; or
- 158 (b) when prepared by or on behalf of a governmental entity, appraisals or estimates of
159 the value of the subject property have already been disclosed to persons not
160 employed by or under a duty of confidentiality to the entity;
- 161 (10) records created or maintained for civil, criminal, or administrative enforcement
162 purposes or audit purposes, or for discipline, licensing, certification, or registration
163 purposes, if release of the records:
- 164 (a) reasonably could be expected to interfere with investigations undertaken for

- 165 enforcement, discipline, licensing, certification, or registration purposes;
- 166 (b) reasonably could be expected to interfere with audits, disciplinary, or enforcement
167 proceedings;
- 168 (c) would create a danger of depriving a person of a right to a fair trial or impartial
169 hearing;
- 170 (d) reasonably could be expected to disclose the identity of a source who is not generally
171 known outside of government and, in the case of a record compiled in the course of
172 an investigation, disclose information furnished by a source not generally known
173 outside of government if disclosure would compromise the source; or
- 174 (e) reasonably could be expected to disclose investigative or audit techniques,
175 procedures, policies, or orders not generally known outside of government if
176 disclosure would interfere with enforcement or audit efforts;
- 177 (11) records the disclosure of which would jeopardize the life or safety of an individual;
- 178 (12) records the disclosure of which would jeopardize the security of governmental
179 property, governmental programs, or governmental recordkeeping systems from
180 damage, theft, or other appropriation or use contrary to law or public policy;
- 181 (13) records that, if disclosed, would jeopardize the security or safety of a correctional
182 facility, or records relating to incarceration, treatment, probation, or parole, that would
183 interfere with the control and supervision of an offender's incarceration, treatment,
184 probation, or parole;
- 185 (14) records that, if disclosed, would reveal recommendations made to the Board of
186 Pardons and Parole by an employee of or contractor for the Department of Corrections,
187 the Board of Pardons and Parole, or the Department of Health and Human Services that
188 are based on the employee's or contractor's supervision, diagnosis, or treatment of any
189 person within the board's jurisdiction;
- 190 (15) records and audit workpapers that identify audit, collection, and operational procedures
191 and methods used by the State Tax Commission, if disclosure would interfere with
192 audits or collections;
- 193 (16) records of a governmental audit agency relating to an ongoing or planned audit until
194 the final audit is released;
- 195 (17) records that are subject to the attorney client privilege;
- 196 (18) records prepared for or by an attorney, consultant, surety, indemnitor, insurer,
197 employee, or agent of a governmental entity for, or in anticipation of, litigation or a
198 judicial, quasi-judicial, or administrative proceeding;

- 199 (19)(a)(i) personal files of a state legislator, including personal correspondence to or
200 from a member of the Legislature; and
- 201 (ii) notwithstanding Subsection (19)(a)(i), correspondence that gives notice of
202 legislative action or policy may not be classified as protected under this section;
203 and
- 204 (b)(i) an internal communication that is part of the deliberative process in connection
205 with the preparation of legislation between:
- 206 (A) members of a legislative body;
207 (B) a member of a legislative body and a member of the legislative body's staff; or
208 (C) members of a legislative body's staff; and
- 209 (ii) notwithstanding Subsection (19)(b)(i), a communication that gives notice of
210 legislative action or policy may not be classified as protected under this section;
- 211 (20)(a) records in the custody or control of the Office of Legislative Research and
212 General Counsel, that, if disclosed, would reveal a particular legislator's
213 contemplated legislation or contemplated course of action before the legislator has
214 elected to support the legislation or course of action, or made the legislation or course
215 of action public; and
- 216 (b) notwithstanding Subsection (20)(a), the form to request legislation submitted to the
217 Office of Legislative Research and General Counsel is a public document unless a
218 legislator asks that the records requesting the legislation be maintained as protected
219 records until such time as the legislator elects to make the legislation or course of
220 action public;
- 221 (21) a research request from a legislator to a legislative staff member and research findings
222 prepared in response to the request;
- 223 (22) drafts, unless otherwise classified as public;
- 224 (23) records concerning a governmental entity's strategy about:
- 225 (a) collective bargaining; or
226 (b) imminent or pending litigation;
- 227 (24) records of investigations of loss occurrences and analyses of loss occurrences that may
228 be covered by the Risk Management Fund, the Employers' Reinsurance Fund, the
229 Uninsured Employers' Fund, or similar divisions in other governmental entities;
- 230 (25) records, other than personnel evaluations, that contain a personal recommendation
231 concerning an individual if disclosure would constitute a clearly unwarranted invasion
232 of personal privacy, or disclosure is not in the public interest;

- 233 (26) records that reveal the location of historic, prehistoric, paleontological, or biological
234 resources that if known would jeopardize the security of those resources or of valuable
235 historic, scientific, educational, or cultural information;
- 236 (27) records of independent state agencies if the disclosure of the records would conflict
237 with the fiduciary obligations of the agency;
- 238 (28) records of an institution of higher education defined in Section 53H-1-101 regarding
239 tenure evaluations, appointments, applications for admissions, retention decisions, and
240 promotions, which could be properly discussed in a meeting closed in accordance with
241 Title 52, Chapter 4, Open and Public Meetings Act, provided that records of the final
242 decisions about tenure, appointments, retention, promotions, or those students admitted,
243 may not be classified as protected under this section;
- 244 (29) records of the governor's office, including budget recommendations, legislative
245 proposals, and policy statements, that if disclosed would reveal the governor's
246 contemplated policies or contemplated courses of action before the governor has
247 implemented or rejected those policies or courses of action or made them public;
- 248 (30) records of the Office of the Legislative Fiscal Analyst relating to budget analysis,
249 revenue estimates, and fiscal notes of proposed legislation before issuance of the final
250 recommendations in these areas;
- 251 (31) records provided by the United States or by a government entity outside the state that
252 are given to the governmental entity with a requirement that they be managed as
253 protected records if the providing entity certifies that the record would not be subject to
254 public disclosure if retained by it;
- 255 (32) transcripts, minutes, recordings, or reports of the closed portion of a meeting of a
256 public body except as provided in Section 52-4-206;
- 257 (33) records that would reveal the contents of settlement negotiations but not including final
258 settlements or empirical data to the extent that they are not otherwise exempt from
259 disclosure;
- 260 (34) memoranda prepared by staff and used in the decision-making process by an
261 administrative law judge, a member of the Board of Pardons and Parole, or a member of
262 any other body charged by law with performing a quasi-judicial function;
- 263 (35) records that would reveal negotiations regarding assistance or incentives offered by or
264 requested from a governmental entity for the purpose of encouraging a person to expand
265 or locate a business in Utah, but only if disclosure would result in actual economic harm
266 to the person or place the governmental entity at a competitive disadvantage, but this

- 267 section may not be used to restrict access to a record evidencing a final contract;
- 268 (36) materials to which access must be limited for purposes of securing or maintaining the
- 269 governmental entity's proprietary protection of intellectual property rights including
- 270 patents, copyrights, and trade secrets;
- 271 (37) the name of a donor or a prospective donor to a governmental entity, including an
- 272 institution of higher education defined in Section 53H-1-101, and other information
- 273 concerning the donation that could reasonably be expected to reveal the identity of the
- 274 donor, provided that:
- 275 (a) the donor requests anonymity in writing;
- 276 (b) any terms, conditions, restrictions, or privileges relating to the donation may not be
- 277 classified protected by the governmental entity under this Subsection (37); and
- 278 (c) except for an institution of higher education defined in Section 53H-1-101, the
- 279 governmental unit to which the donation is made is primarily engaged in educational,
- 280 charitable, or artistic endeavors, and has no regulatory or legislative authority over
- 281 the donor, a member of the donor's immediate family, or any entity owned or
- 282 controlled by the donor or the donor's immediate family;
- 283 (38) accident reports, except as provided in Sections 41-6a-404, 41-12a-202, and 73-18-13;
- 284 (39) a notification of workers' compensation insurance coverage described in Section
- 285 34A-2-205;
- 286 (40) subject to Subsections (40)(g) and (h), the following records of an institution of higher
- 287 education defined in Section 53H-1-101, which have been developed, discovered,
- 288 disclosed to, or received by or on behalf of faculty, staff, employees, or students of the
- 289 institution:
- 290 (a) unpublished lecture notes;
- 291 (b) unpublished notes, data, and information:
- 292 (i) relating to research; and
- 293 (ii) of:
- 294 (A) the institution of higher education defined in Section 53H-1-101; or
- 295 (B) a sponsor of sponsored research;
- 296 (c) unpublished manuscripts;
- 297 (d) creative works in process;
- 298 (e) scholarly correspondence; ~~and~~
- 299 (f) confidential information contained in research proposals;
- 300 (g) this Subsection (40) may not be construed to prohibit disclosure of public

- 301 information required [~~pursuant to~~] in accordance with Subsection 53H-14-202(2)(a)
302 or (b); and
- 303 (h) this Subsection (40) may not be construed to affect the ownership of a record;
- 304 (41)(a) records in the custody or control of the Office of the Legislative Auditor General
305 that would reveal the name of a particular legislator who requests a legislative audit
306 prior to the date that audit is completed and made public; and
- 307 (b) notwithstanding Subsection (41)(a), a request for a legislative audit submitted to the
308 Office of the Legislative Auditor General is a public document unless the legislator
309 asks that the records in the custody or control of the Office of the Legislative Auditor
310 General that would reveal the name of a particular legislator who requests a
311 legislative audit be maintained as protected records until the audit is completed and
312 made public;
- 313 (42) records that provide detail as to the location of an explosive, including a map or other
314 document that indicates the location of:
- 315 (a) a production facility; or
316 (b) a magazine;
- 317 (43) information contained in the statewide database of the Division of Aging and Adult
318 Services created by Section 26B-6-210;
- 319 (44) information contained in the Licensing Information System described in Title 80,
320 Chapter 2, Child Welfare Services;
- 321 (45) information regarding National Guard operations or activities in support of the
322 National Guard's federal mission;
- 323 (46) records provided by any pawn or secondhand business to a law enforcement agency or
324 to the central database in compliance with Title 13, Chapter 32a, Pawnshop, Secondhand
325 Merchandise, and Catalytic Converter Transaction Information Act;
- 326 (47) information regarding food security, risk, and vulnerability assessments performed by
327 the Department of Agriculture and Food;
- 328 (48) except to the extent that the record is exempt from this chapter [~~pursuant to~~] in
329 accordance with Section 63G-2-106, records related to an emergency plan or program, a
330 copy of which is provided to or prepared or maintained by the Division of Emergency
331 Management, and the disclosure of which would jeopardize:
- 332 (a) the safety of the general public; or
333 (b) the security of:
334 (i) governmental property;

- 335 (ii) governmental programs; or
- 336 (iii) the property of a private person who provides the Division of Emergency
- 337 Management information;
- 338 (49) records of the Department of Agriculture and Food that provides for the identification,
- 339 tracing, or control of livestock diseases, including any program established under Title
- 340 4, Chapter 24, Utah Livestock Brand and Anti-Theft Act, or Title 4, Chapter 31, Control
- 341 of Animal Disease;
- 342 (50) as provided in Section 26B-2-709:
- 343 (a) information or records held by the Department of Health and Human Services related
- 344 to a complaint regarding a provider, program, or facility which the department is
- 345 unable to substantiate; and
- 346 (b) information or records related to a complaint received by the Department of Health
- 347 and Human Services from an anonymous complainant regarding a provider, program,
- 348 or facility;
- 349 (51) unless otherwise classified as public under Section 63G-2-301 and except as provided
- 350 under Section 41-1a-116, an individual's home address, home telephone number, or
- 351 personal mobile phone number, if:
- 352 (a) the individual is required to provide the information in order to comply with a law,
- 353 ordinance, rule, or order of a government entity; and
- 354 (b) the subject of the record has a reasonable expectation that this information will be
- 355 kept confidential due to:
- 356 (i) the nature of the law, ordinance, rule, or order; and
- 357 (ii) the individual complying with the law, ordinance, rule, or order;
- 358 (52) the portion of the following documents that contains a candidate's residential or
- 359 mailing address, if the candidate provides to the filing officer another address or phone
- 360 number where the candidate may be contacted:
- 361 (a) a declaration of candidacy, a nomination petition, or a certificate of nomination,
- 362 described in Section 20A-9-201, 20A-9-202, 20A-9-203, 20A-9-404, 20A-9-405,
- 363 20A-9-408, 20A-9-408.5, 20A-9-502, or 20A-9-601;
- 364 (b) an affidavit of impecuniosity, described in Section 20A-9-201; or
- 365 (c) a notice of intent to gather signatures for candidacy, described in Section 20A-9-408;
- 366 (53) the name, home address, work addresses, and telephone numbers of an individual that
- 367 is engaged in, or that provides goods or services for, medical or scientific research that is:
- 368 (a) conducted within the state system of higher education, as described in Section

- 369 53H-1-102; and
- 370 (b) conducted using animals;
- 371 (54) in accordance with Section 78A-12-203, any record of the Judicial Performance
- 372 Evaluation Commission concerning an individual commissioner's vote, in relation to
- 373 whether a judge meets or exceeds minimum performance standards under Subsection
- 374 78A-12-203(4), and information disclosed under Subsection 78A-12-203(5)(e);
- 375 (55) information collected and a report prepared by the Judicial Performance Evaluation
- 376 Commission concerning a judge, unless Section 20A-7-702 or Title 78A, Chapter 12,
- 377 Judicial Performance Evaluation Commission Act, requires disclosure of, or makes
- 378 public, the information or report;
- 379 (56) records provided or received by the Public Lands Policy Coordinating Office in
- 380 furtherance of any contract or other agreement made in accordance with Section
- 381 63L-11-202;
- 382 (57) information requested by and provided to the 911 Division under Section 63H-7a-302;
- 383 (58) in accordance with Section 73-10-33:
- 384 (a) a management plan for a water conveyance facility in the possession of the Division
- 385 of Water Resources or the Board of Water Resources; or
- 386 (b) an outline of an emergency response plan in possession of the state or a county or
- 387 municipality;
- 388 (59) the following records in the custody or control of the Office of Inspector General of
- 389 Medicaid Services, created in Section 63A-13-201:
- 390 (a) records that would disclose information relating to allegations of personal
- 391 misconduct, gross mismanagement, or illegal activity of a person if the information
- 392 or allegation cannot be corroborated by the Office of Inspector General of Medicaid
- 393 Services through other documents or evidence, and the records relating to the
- 394 allegation are not relied upon by the Office of Inspector General of Medicaid
- 395 Services in preparing a final investigation report or final audit report;
- 396 (b) records and audit workpapers to the extent they would disclose the identity of a
- 397 person who, during the course of an investigation or audit, communicated the
- 398 existence of any Medicaid fraud, waste, or abuse, or a violation or suspected
- 399 violation of a law, rule, or regulation adopted under the laws of this state, a political
- 400 subdivision of the state, or any recognized entity of the United States, if the
- 401 information was disclosed on the condition that the identity of the person be
- 402 protected;

- 403 (c) before the time that an investigation or audit is completed and the final investigation
404 or final audit report is released, records or drafts circulated to a person who is not an
405 employee or head of a governmental entity for the person's response or information;
- 406 (d) records that would disclose an outline or part of any investigation, audit survey plan,
407 or audit program; or
- 408 (e) requests for an investigation or audit, if disclosure would risk circumvention of an
409 investigation or audit;
- 410 (60) records that reveal methods used by the Office of Inspector General of Medicaid
411 Services, the fraud unit, or the Department of Health and Human Services, to discover
412 Medicaid fraud, waste, or abuse;
- 413 (61) information provided to the Department of Health and Human Services or the Division
414 of Professional Licensing under Subsections 58-67-304(3) and (4) and Subsections
415 58-68-304(3) and (4);
- 416 (62) a record described in Section 63G-12-210;
- 417 (63) captured plate data that is obtained through an automatic license plate reader system
418 used by a governmental entity as authorized in Section 41-6a-2003;
- 419 (64) an audio or video recording created by a body-worn camera, as that term is defined in
420 Section 77-7a-103, that records sound or images inside a hospital or health care facility
421 as those terms are defined in Section 78B-3-403, inside a clinic of a health care provider,
422 as that term is defined in Section 78B-3-403, or inside a human service program as that
423 term is defined in Section 26B-2-101, except for recordings that:
- 424 (a) depict the commission of an alleged crime;
- 425 (b) record any encounter between a law enforcement officer and a person that results in
426 death or bodily injury, or includes an instance when an officer fires a weapon;
- 427 (c) record any encounter that is the subject of a complaint or a legal proceeding against a
428 law enforcement officer or law enforcement agency;
- 429 (d) contain an officer involved critical incident as defined in Subsection 76-2-408(1)(f);
430 or
- 431 (e) have been requested for reclassification as a public record by a subject or authorized
432 agent of a subject featured in the recording;
- 433 (65) a record pertaining to the search process for a president of an institution of higher
434 education described in Section 53H-3-302;
- 435 (66) an audio recording that is:
- 436 (a) produced by an audio recording device that is used in conjunction with a device or

- 437 piece of equipment designed or intended for resuscitating an individual or for treating
438 an individual with a life-threatening condition;
- 439 (b) produced during an emergency event when an individual employed to provide law
440 enforcement, fire protection, paramedic, emergency medical, or other first responder
441 service:
- 442 (i) is responding to an individual needing resuscitation or with a life-threatening
443 condition; and
- 444 (ii) uses a device or piece of equipment designed or intended for resuscitating an
445 individual or for treating an individual with a life-threatening condition; and
- 446 (c) intended and used for purposes of training emergency responders how to improve
447 their response to an emergency situation;
- 448 (67) records submitted by or prepared in relation to an applicant seeking a recommendation
449 by the Research and General Counsel Subcommittee, the Budget Subcommittee, or the
450 Legislative Audit Subcommittee, established under Section 36-12-8, for an employment
451 position with the Legislature;
- 452 (68) work papers as defined in Section 31A-2-204;
- 453 (69) a record made available to Adult Protective Services or a law enforcement agency
454 under Section 61-1-206;
- 455 (70) a record submitted to the Insurance Department in accordance with Section
456 31A-37-201;
- 457 (71) a record described in Section 31A-37-503;
- 458 (72) any record created by the Division of Professional Licensing as a result of Subsection
459 58-37f-304(5) or 58-37f-702(2)(a)(ii);
- 460 (73) a record described in Section 72-16-306 that relates to the reporting of an injury
461 involving an amusement ride;
- 462 (74) except as provided in Subsection 63G-2-305.5(1), the signature of an individual on a
463 political petition, or on a request to withdraw a signature from a political petition,
464 including a petition or request described in the following titles:
- 465 (a) Title 10, Utah Municipal Code;
- 466 (b) Title 17, Counties;
- 467 (c) Title 17B, Limited Purpose Local Government Entities - Special Districts;
- 468 (d) Title 17D, Limited Purpose Local Government Entities - Other Entities; and
- 469 (e) Title 20A, Election Code;
- 470 (75) except as provided in Subsection 63G-2-305.5(2), the signature of an individual in a

- 471 voter registration record;
- 472 (76) except as provided in Subsection 63G-2-305.5(3), any signature, other than a signature
473 described in Subsection (74) or (75), in the custody of the lieutenant governor or a local
474 political subdivision collected or held under, or in relation to, Title 20A, Election Code;
- 475 (77) a Form I-918 Supplement B certification as described in Title 77, Chapter 38, Part 5,
476 Victims Guidelines for Prosecutors Act;
- 477 (78) a record submitted to the Insurance Department under Section 31A-48-103;
- 478 (79) personal information, as defined in Section 63G-26-102, to the extent disclosure is
479 prohibited under Section 63G-26-103;
- 480 (80) an image taken of an individual during the process of booking the individual into jail,
481 unless:
- 482 (a) the individual is convicted of a criminal offense based upon the conduct for which
483 the individual was incarcerated at the time the image was taken;
- 484 (b) a law enforcement agency releases or disseminates the image:
- 485 (i) after determining that the individual is a fugitive or an imminent threat to an
486 individual or to public safety and releasing or disseminating the image will assist
487 in apprehending the individual or reducing or eliminating the threat; or
- 488 (ii) to a potential witness or other individual with direct knowledge of events relevant
489 to a criminal investigation or criminal proceeding for the purpose of identifying or
490 locating an individual in connection with the criminal investigation or criminal
491 proceeding;
- 492 (c) a judge orders the release or dissemination of the image based on a finding that the
493 release or dissemination is in furtherance of a legitimate law enforcement interest; or
- 494 (d) the image is displayed to a person who is permitted to view the image under Section
495 17-72-802;
- 496 (81) a record:
- 497 (a) concerning an interstate claim to the use of waters in the Colorado River system;
- 498 (b) relating to a judicial proceeding, administrative proceeding, or negotiation with a
499 representative from another state or the federal government as provided in Section [
500 ~~63M-14-205~~] 73-34-205; and
- 501 (c) the disclosure of which would:
- 502 (i) reveal a legal strategy relating to the state's claim to the use of the water in the
503 Colorado River system;
- 504 (ii) harm the ability of the Colorado River Authority of Utah or river commissioner to

- 505 negotiate the best terms and conditions regarding the use of water in the Colorado
506 River system; or
- 507 (iii) give an advantage to another state or to the federal government in negotiations
508 regarding the use of water in the Colorado River system;
- 509 (82) any part of an application described in Section 63N-16-201 that the Governor's Office
510 of Economic Opportunity determines is nonpublic, confidential information that if
511 disclosed would result in actual economic harm to the applicant, but this Subsection (82)
512 may not be used to restrict access to a record evidencing a final contract or approval
513 decision;
- 514 (83) the following records of a drinking water or wastewater facility:
- 515 (a) an engineering or architectural drawing of the drinking water or wastewater facility;
516 and
- 517 (b) except as provided in Section 63G-2-106, a record detailing tools or processes the
518 drinking water or wastewater facility uses to secure, or prohibit access to, the records
519 described in Subsection (83)(a);
- 520 (84) a statement that an employee of a governmental entity provides to the governmental
521 entity as part of the governmental entity's personnel or administrative investigation into
522 potential misconduct involving the employee if the governmental entity:
- 523 (a) requires the statement under threat of employment disciplinary action, including
524 possible termination of employment, for the employee's refusal to provide the
525 statement; and
- 526 (b) provides the employee assurance that the statement cannot be used against the
527 employee in any criminal proceeding;
- 528 (85) any part of an application for a Utah Fits All Scholarship account described in Section
529 53F-6-402 or other information identifying a scholarship student as defined in Section
530 53F-6-401;
- 531 (86) a record:
- 532 (a) concerning a claim to the use of waters in the Great Salt Lake;
- 533 (b) relating to a judicial proceeding, administrative proceeding, or negotiation with a
534 person concerning the claim, including a representative from another state or the
535 federal government; and
- 536 (c) the disclosure of which would:
- 537 (i) reveal a legal strategy relating to the state's claim to the use of the water in the
538 Great Salt Lake;

- 539 (ii) harm the ability of the Great Salt Lake commissioner to negotiate the best terms
 540 and conditions regarding the use of water in the Great Salt Lake; or
- 541 (iii) give an advantage to another person including another state or to the federal
 542 government in negotiations regarding the use of water in the Great Salt Lake;
- 543 (87) a consumer complaint described in Section 13-2-11, unless the consumer complaint is
 544 reclassified as public as described in Subsection [~~13-2-11(4)~~] 13-2-11(3);
- 545 (88) a record of the Utah water agent, appointed under Section 73-10g-702:
- 546 (a) concerning a claim to the use of waters;
- 547 (b) relating to a judicial proceeding, administrative proceeding, or negotiation with a
 548 representative from another state, a tribe, the federal government, or other
 549 government entity as provided in Title 73, Chapter 10g, Part 7, Utah Water Agent;
 550 and
- 551 (c) the disclosure of which would:
- 552 (i) reveal a legal strategy relating to the state's claim to the use of the water;
- 553 (ii) harm the ability of the Utah water agent to negotiate the best terms and conditions
 554 regarding the use of water; or
- 555 (iii) give an advantage to another state, a tribe, the federal government, or other
 556 government entity in negotiations regarding the use of water; and
- 557 (89) a record created or maintained for an investigation of the Prosecutor Conduct
 558 Commission, created in Section 63M-7-1102, that contains any personal identifying
 559 information of a prosecuting attorney, including:
- 560 (a) a complaint, or a document that is submitted or created for a complaint, received by
 561 the Prosecutor Conduct Commission; or
- 562 (b) a finding by the Prosecutor Conduct Commission.
- 563 Section 2. Section **63G-6a-103** is amended to read:
- 564 **63G-6a-103 (Effective 07/01/26). Definitions.**
- 565 As used in this chapter:
- 566 (1) "Approved vendor" means a person who has been approved for inclusion on an
 567 approved vendor list through the approved vendor list process.
- 568 (2) "Approved vendor list" means a list of approved vendors established under Section
 569 63G-6a-507.
- 570 (3) "Approved vendor list process" means the procurement process described in Section
 571 63G-6a-507.
- 572 (4)(a) "Award" means, in relation to a contract, a procurement unit's selection of a

- 573 vendor to supply a procurement item after the procurement unit engages in:
- 574 (i) a standard procurement process; or
- 575 (ii) an exception to a standard procurement process under Part 8, Exceptions to
- 576 Procurement Requirements.
- 577 (b) "Award" does not mean, in relation to a contract, a procurement unit's offer or
- 578 acceptance of any terms or conditions related to the procurement unit's acquisition or
- 579 receipt of the procurement item.
- 580 (5) "Bidder" means a person who submits a bid or price quote in response to an invitation
- 581 for bids.
- 582 (6) "Bidding process" means the procurement process described in Part 6, Bidding.
- 583 (7) "Board" means the Utah State Procurement Policy Board, created in Section 63G-6a-202.
- 584 (8) "Change directive" means a written order signed by the procurement officer that directs
- 585 the contractor to suspend work or make changes, as authorized by contract, without the
- 586 consent of the contractor.
- 587 (9) "Change order" means a written alteration in specifications, delivery point, rate of
- 588 delivery, period of performance, price, quantity, or other provisions of a contract, upon
- 589 mutual agreement of the parties to the contract.
- 590 (10) "Chief procurement officer" means the individual appointed under Section 63A-2-102.
- 591 (11) "Conducting procurement unit" means a procurement unit that conducts all aspects of a
- 592 procurement:
- 593 (a) except:
- 594 (i) reviewing a solicitation to verify that it is in proper form; and
- 595 (ii) causing the publication of a notice of a solicitation; and
- 596 (b) including:
- 597 (i) preparing any solicitation document;
- 598 (ii) appointing an evaluation committee;
- 599 (iii) conducting the evaluation process, except the process relating to scores
- 600 calculated for costs of proposals;
- 601 (iv) selecting and recommending the person to be awarded a contract;
- 602 (v) negotiating the terms and conditions of a contract, subject to the issuing
- 603 procurement unit's approval; and
- 604 (vi) contract administration.
- 605 (12) "Conservation district" means the same as that term is defined in Section 17D-3-102.
- 606 (13) "Construction project":

- 607 (a) means a project for the construction, renovation, alteration, improvement, or repair of
608 a public facility on real property, including all services, labor, supplies, and materials
609 for the project; and
- 610 (b) does not include services and supplies for the routine, day-to-day operation, repair,
611 or maintenance of an existing public facility.
- 612 (14) "Construction manager/general contractor":
- 613 (a) means a contractor who enters into a contract:
- 614 (i) for the management of a construction project; and
- 615 (ii) that allows the contractor to subcontract for additional labor and materials that are
616 not included in the contractor's cost proposal submitted at the time of the
617 procurement of the contractor's services; and
- 618 (b) does not include a contractor whose only subcontract work not included in the
619 contractor's cost proposal submitted as part of the procurement of the contractor's
620 services is to meet subcontracted portions of change orders approved within the
621 scope of the project.
- 622 (15) "Construction subcontractor":
- 623 (a) means a person under contract with a contractor or another subcontractor to provide
624 services or labor for the design or construction of a construction project;
- 625 (b) includes a general contractor or specialty contractor licensed or exempt from
626 licensing under Title 58, Chapter 55, Utah Construction Trades Licensing Act; and
- 627 (c) does not include a supplier who provides only materials, equipment, or supplies to a
628 contractor or subcontractor for a construction project.
- 629 (16) "Contract" means an agreement for a procurement.
- 630 (17) "Contract administration" means all functions, duties, and responsibilities associated
631 with managing, overseeing, and carrying out a contract between a procurement unit and
632 a contractor, including:
- 633 (a) implementing the contract;
- 634 (b) ensuring compliance with the contract terms and conditions by the conducting
635 procurement unit and the contractor;
- 636 (c) executing change orders;
- 637 (d) processing contract amendments;
- 638 (e) resolving, to the extent practicable, contract disputes;
- 639 (f) curing contract errors and deficiencies;
- 640 (g) terminating a contract;

- 641 (h) measuring or evaluating completed work and contractor performance;
- 642 (i) computing payments under the contract; and
- 643 (j) closing out a contract.
- 644 (18) "Contractor" means a person who is awarded a contract with a procurement unit.
- 645 (19) "Cooperative procurement" means procurement conducted by, or on behalf of:
- 646 (a) more than one procurement unit; or
- 647 (b) a procurement unit and a cooperative purchasing organization.
- 648 (20) "Cooperative purchasing organization" means an organization, association, or alliance
- 649 of purchasers established to combine purchasing power in order to obtain the best value
- 650 for the purchasers by engaging in procurements in accordance with Section 63G-6a-2105.
- 651 (21) "Cost-plus-a-percentage-of-cost contract" means a contract under which the contractor
- 652 is paid a percentage of the total actual expenses or costs in addition to the contractor's
- 653 actual expenses or costs.
- 654 (22) "Cost-reimbursement contract" means a contract under which a contractor is
- 655 reimbursed for costs which are allowed and allocated in accordance with the contract
- 656 terms and the provisions of this chapter, and a fee, if any.
- 657 (23) "Days" means calendar days, unless expressly provided otherwise.
- 658 (24) "Definite quantity contract" means a fixed price contract that provides for a specified
- 659 amount of supplies over a specified period, with deliveries scheduled according to a
- 660 specified schedule.
- 661 (25) "Design professional" means:
- 662 (a) an individual licensed as an architect under Title 58, Chapter 3a, Architects
- 663 Licensing Act;
- 664 (b) an individual licensed as a professional engineer or professional land surveyor under
- 665 Title 58, Chapter 22, Professional Engineers and Professional Land Surveyors
- 666 Licensing Act;
- 667 (c) an individual licensed under Title 58, Chapter 53, Landscape Architects Licensing
- 668 Act, to engage in the practice of landscape architecture, as defined in Section
- 669 58-53-102; or
- 670 (d) an individual certified as a commercial interior designer under Title 58, Chapter 86,
- 671 State Certification of Commercial Interior Designers Act.
- 672 (26) "Design professional procurement process" means the procurement process described
- 673 in Part 15, Design Professional Services.
- 674 (27) "Design professional services" means:

- 675 (a) professional services within the scope of the practice of architecture as defined in
676 Section 58-3a-102;
- 677 (b) professional engineering as defined in Section 58-22-102;
- 678 (c) master planning and programming services;
- 679 (d) professional services within the scope of the practice of landscape architecture, as
680 defined in Section 58-53-102; or
- 681 (e) services within the scope of the practice of commercial interior design, as defined in
682 Section 58-86-102.
- 683 (28) "Design-build" means the procurement of design professional services and
684 construction by the use of a single contract.
- 685 (29) "Division" means the Division of Purchasing and General Services, created in Section
686 63A-2-101.
- 687 (30) "Educational procurement unit" means:
- 688 (a) a school district;
- 689 (b) a public school, including a local school board or a charter school;
- 690 (c) the Utah Schools for the Deaf and the Blind;
- 691 (d) the Utah Education and Telehealth Network;
- 692 (e) an institution of higher education of the state described in Section 53H-1-102; or
- 693 (f) the State Board of Education.
- 694 (31) "Established catalogue price" means the price included in a catalogue, price list,
695 schedule, or other form that:
- 696 (a) is regularly maintained by a manufacturer or contractor;
- 697 (b) is published or otherwise available for inspection by customers; and
- 698 (c) states prices at which sales are currently or were last made to a significant number of
699 any category of buyers or buyers constituting the general buying public for the
700 supplies or services involved.
- 701 (32)(a) "Executive branch procurement unit" means a department, division, office,
702 bureau, agency, or other organization within the state executive branch.
- 703 (b) "Executive branch procurement unit" does not include the Colorado River Authority
704 of Utah as provided in Section [~~63M-14-210~~] 73-34-209.
- 705 (33) "Facilities division" means the Division of Facilities Construction and Management,
706 created in Section 63A-5b-301.
- 707 (34) "Fixed price contract" means a contract that provides a price, for each procurement
708 item obtained under the contract, that is not subject to adjustment except to the extent

- 709 that:
- 710 (a) the contract provides, under circumstances specified in the contract, for an
711 adjustment in price that is not based on cost to the contractor; or
- 712 (b) an adjustment is required by law.
- 713 (35) "Fixed price contract with price adjustment" means a fixed price contract that provides
714 for an upward or downward revision of price, precisely described in the contract, that:
- 715 (a) is based on the consumer price index or another commercially acceptable index,
716 source, or formula; and
- 717 (b) is not based on a percentage of the cost to the contractor.
- 718 (36) "Grant" means an expenditure of public funds or other assistance, or an agreement to
719 expend public funds or other assistance, for a public purpose authorized by law, without
720 acquiring a procurement item in exchange.
- 721 (37) "Human services procurement item" means a procurement item used to provide
722 services or support to a child, youth, adult, or family.
- 723 (38) "Immaterial error":
- 724 (a) means an irregularity or abnormality that is:
- 725 (i) a matter of form that does not affect substance; or
- 726 (ii) an inconsequential variation from a requirement of a solicitation that has no, little,
727 or a trivial effect on the procurement process and that is not prejudicial to other
728 vendors; and
- 729 (b) includes:
- 730 (i) a missing signature, missing acknowledgment of an addendum, or missing copy of
731 a professional license, bond, or insurance certificate;
- 732 (ii) a typographical error;
- 733 (iii) an error resulting from an inaccuracy or omission in the solicitation; and
- 734 (iv) any other error that the procurement official reasonably considers to be
735 immaterial.
- 736 (39) "Indefinite quantity contract" means a fixed price contract that:
- 737 (a) is for an indefinite amount of procurement items to be supplied as ordered by a
738 procurement unit; and
- 739 (b)(i) does not require a minimum purchase amount; or
- 740 (ii) provides a maximum purchase limit.
- 741 (40) "Independent procurement unit" means:
- 742 (a)(i) a legislative procurement unit;

- 743 (ii) a judicial branch procurement unit;
- 744 (iii) an educational procurement unit;
- 745 (iv) a local governmental procurement unit;
- 746 (v) a conservation district;
- 747 (vi) a local building authority;
- 748 (vii) a special district;
- 749 (viii) a public corporation;
- 750 (ix) a special service district; or
- 751 (x) the Utah Communications Authority, established in Section 63H-7a-201;
- 752 (b) the facilities division, but only to the extent of the procurement authority provided
- 753 under Title 63A, Chapter 5b, Administration of State Facilities;
- 754 (c) the attorney general, but only to the extent of the procurement authority provided
- 755 under Title 67, Chapter 5, Attorney General;
- 756 (d) the Department of Transportation, but only to the extent of the procurement authority
- 757 provided under Title 72, Transportation Code;
- 758 (e) the Department of Health and Human Services, but only for the procurement of a
- 759 human services procurement item; or
- 760 (f) any other executive branch department, division, office, or entity that has statutory
- 761 procurement authority outside this chapter, but only to the extent of that statutory
- 762 procurement authority.
- 763 (41)(a) "Interlocal entity" means a separate political subdivision created under Title 11,
- 764 Chapter 13, Interlocal Cooperation Act.
- 765 (b) "Interlocal entity" does not include a project entity.
- 766 (42) "Invitation for bids":
- 767 (a) means a document used to solicit:
- 768 (i) bids to provide a procurement item to a procurement unit; or
- 769 (ii) quotes for a price of a procurement item to be provided to a procurement unit; and
- 770 (b) includes all documents attached to or incorporated by reference in a document
- 771 described in Subsection (42)(a).
- 772 (43) "Issuing procurement unit" means a procurement unit that:
- 773 (a) reviews a solicitation to verify that [it] the solicitation is in proper form;
- 774 (b) causes the notice of a solicitation to be published; and
- 775 (c) negotiates and approves the terms and conditions of a contract.
- 776 (44) "Judicial procurement unit" means:

- 777 (a) the Utah Supreme Court;
- 778 (b) the Utah Court of Appeals;
- 779 (c) the Judicial Council;
- 780 (d) a state judicial district; or
- 781 (e) an office, committee, subcommittee, or other organization within the state judicial
- 782 branch.
- 783 (45) "Labor hour contract" is a contract under which:
- 784 (a) the supplies and materials are not provided by, or through, the contractor; and
- 785 (b) the contractor is paid a fixed rate that includes the cost of labor, overhead, and profit
- 786 for a specified number of labor hours or days.
- 787 (46) "Legislative procurement unit" means:
- 788 (a) the Legislature;
- 789 (b) the Senate;
- 790 (c) the House of Representatives;
- 791 (d) a staff office of the Legislature, the Senate, or the House of Representatives; or
- 792 (e) a committee, subcommittee, commission, or other organization:
- 793 (i) within the state legislative branch; or
- 794 (ii)(A) that is created by statute to advise or make recommendations to the
- 795 Legislature;
- 796 (B) the membership of which includes legislators; and
- 797 (C) for which the Office of Legislative Research and General Counsel provides
- 798 staff support.
- 799 (47) "Local building authority" means the same as that term is defined in Section 17D-2-102.
- 800 (48) "Local government procurement unit" means:
- 801 (a) a county, municipality, interlocal entity, or project entity, and each office of the
- 802 county, municipality, interlocal entity, or project entity, unless:
- 803 (i) the county or municipality adopts a procurement code by ordinance;
- 804 (ii) the interlocal entity adopts procurement rules or policies as provided in
- 805 Subsection 11-13-226(2); or
- 806 (iii) the project entity adopts a procurement code through the process described in
- 807 Section 11-13-316;
- 808 (b)(i) a county or municipality that has adopted this entire chapter by ordinance, and
- 809 each office or agency of that county or municipality; and
- 810 (ii) a project entity that has adopted this entire chapter through the process described

- 811 in Subsection 11-13-316; or
- 812 (c) a county, municipality, or project entity, and each office of the county, municipality,
813 or project entity that has adopted a portion of this chapter to the extent that:
- 814 (i) a term in the ordinance is used in the adopted chapter; or
- 815 (ii) a term in the ordinance is used in the language a project entity adopts in its
816 procurement code through the process described in Section 11-13-316.
- 817 (49) "Multiple award contracts" means the award of a contract for an indefinite quantity of
818 a procurement item to more than one person.
- 819 (50) "Multiyear contract" means a contract that extends beyond a one-year period,
820 including a contract that permits renewal of the contract, without competition, beyond
821 the first year of the contract.
- 822 (51) "Municipality" means a city or town.
- 823 (52) "Nonadopting local government procurement unit" means:
- 824 (a) a county or municipality that has not adopted Part 16, Protests, Part 17, Procurement
825 Appeals Board, Part 18, Appeals to Court and Court Proceedings, and Part 19,
826 General Provisions Related to Protest or Appeal; and
- 827 (b) each office or agency of a county or municipality described in Subsection (52)(a).
- 828 (53) "Offeror" means a person who submits a proposal in response to a request for
829 proposals.
- 830 (54) "Preferred bidder" means a bidder that is entitled to receive a reciprocal preference
831 under the requirements of this chapter.
- 832 (55) "Procure" means to acquire a procurement item through a procurement.
- 833 (56) "Procurement" means the acquisition of a procurement item through an expenditure of
834 public funds, or an agreement to expend public funds, including an acquisition through a
835 public-private partnership.
- 836 (57) "Procurement item" means an item of personal property, a technology, a service, or a
837 construction project.
- 838 (58) "Procurement official" means:
- 839 (a) for a procurement unit other than an independent procurement unit, the chief
840 procurement officer;
- 841 (b) for a legislative procurement unit, the individual, individuals, or body designated in a
842 policy adopted by the Legislative Management Committee;
- 843 (c) for a judicial procurement unit, the Judicial Council or an individual or body
844 designated by the Judicial Council by rule;

- 845 (d) for a local government procurement unit:
- 846 (i) the legislative body of the local government procurement unit; or
- 847 (ii) an individual or body designated by the local government procurement unit;
- 848 (e) for a special district, the board of trustees of the special district or the board of
- 849 trustees' designee;
- 850 (f) for a special service district, the governing body of the special service district or the
- 851 governing body's designee;
- 852 (g) for a local building authority, the board of directors of the local building authority or
- 853 the board of directors' designee;
- 854 (h) for a conservation district, the board of supervisors of the conservation district or the
- 855 board of supervisors' designee;
- 856 (i) for a public corporation, the board of directors of the public corporation or the board
- 857 of directors' designee;
- 858 (j) for a school district or any school or entity within a school district, the board of the
- 859 school district or the board's designee;
- 860 (k) for a charter school, the individual or body with executive authority over the charter
- 861 school or the designee of the individual or body;
- 862 (l) for an institution of higher education described in Section 53H-1-102, the president of
- 863 the institution of higher education or the president's designee;
- 864 (m) for the State Board of Education, the State Board of Education or the State Board of
- 865 Education's designee;
- 866 (n) for the Utah Board of Higher Education, the Commissioner of Higher Education or
- 867 the designee of the Commissioner of Higher Education;
- 868 (o) for the Utah Communications Authority, established in Section 63H-7a-201, the
- 869 executive director of the Utah Communications Authority or the executive director's
- 870 designee; or
- 871 (p)(i) for the facilities division, and only to the extent of procurement activities of the
- 872 facilities division as an independent procurement unit under the procurement
- 873 authority provided under Title 63A, Chapter 5b, Administration of State Facilities,
- 874 the director of the facilities division or the director's designee;
- 875 (ii) for the attorney general, and only to the extent of procurement activities of the
- 876 attorney general as an independent procurement unit under the procurement
- 877 authority provided under Title 67, Chapter 5, Attorney General, the attorney
- 878 general or the attorney general's designee;

- 879 (iii) for the Department of Transportation created in Section 72-1-201, and only to
880 the extent of procurement activities of the Department of Transportation as an
881 independent procurement unit under the procurement authority provided under
882 Title 72, Transportation Code, the executive director of the Department of
883 Transportation or the executive director's designee;
- 884 (iv) for the Department of Health and Human Services, and only to the extent of the
885 procurement activities of the Department of Health and Human Services as an
886 independent procurement unit, the executive director of the Department of Health
887 and Human Services or the executive director's designee; or
- 888 (v) for any other executive branch department, division, office, or entity that has
889 statutory procurement authority outside this chapter, and only to the extent of the
890 procurement activities of the department, division, office, or entity as an
891 independent procurement unit under the procurement authority provided outside
892 this chapter for the department, division, office, or entity, the chief executive
893 officer of the department, division, office, or entity or the chief executive officer's
894 designee.

895 (59) "Procurement unit" means:

- 896 (a) a legislative procurement unit;
- 897 (b) an executive branch procurement unit;
- 898 (c) a judicial procurement unit;
- 899 (d) an educational procurement unit;
- 900 (e) the Utah Communications Authority, established in Section 63H-7a-201;
- 901 (f) a local government procurement unit;
- 902 (g) a special district;
- 903 (h) a special service district;
- 904 (i) a local building authority;
- 905 (j) a conservation district; or
- 906 (k) a public corporation.

907 (60) "Professional service" means labor, effort, or work that requires specialized
908 knowledge, expertise, and discretion, including labor, effort, or work in the field of:

- 909 (a) accounting;
- 910 (b) administrative law judge service;
- 911 (c) architecture;
- 912 (d) construction design and management;

- 913 (e) engineering;
- 914 (f) financial services;
- 915 (g) information technology;
- 916 (h) the law;
- 917 (i) medicine;
- 918 (j) psychiatry; or
- 919 (k) underwriting.
- 920 (61) "Project entity" means the same as that term is defined in Section 11-13-103.
- 921 (62) "Protest officer" means:
- 922 (a) for the division or an independent procurement unit:
- 923 (i) the procurement official;
- 924 (ii) the procurement official's designee who is an employee of the procurement unit;
- 925 or
- 926 (iii) a person designated by rule made by the rulemaking authority; or
- 927 (b) for a procurement unit other than an independent procurement unit, the chief
- 928 procurement officer or the chief procurement officer's designee who is an employee
- 929 of the division .
- 930 (63) "Public corporation" means the same as that term is defined in Section 63E-1-102.
- 931 (64) "Public entity" means the state or any other governmental entity within the state that
- 932 expends public funds.
- 933 (65) "Public facility" means a building, structure, infrastructure, improvement, or other
- 934 facility of a public entity.
- 935 (66) "Public funds" means money, regardless of its source, including from the federal
- 936 government, that is owned or held by a procurement unit.
- 937 (67) "Public transit district" means a public transit district organized under Title 17B,
- 938 Chapter 2a, Part 8, Public Transit District Act.
- 939 (68) "Public-private partnership" means an arrangement or agreement, occurring on or after
- 940 January 1, 2017, between a procurement unit and one or more contractors to provide for
- 941 a public need through the development or operation of a project in which the contractor
- 942 or contractors share with the procurement unit the responsibility or risk of developing,
- 943 owning, maintaining, financing, or operating the project.
- 944 (69) "Qualified vendor" means a vendor who:
- 945 (a) is responsible; and
- 946 (b) submits a responsive statement of qualifications under Section 63G-6a-410 that

947 meets the minimum mandatory requirements, evaluation criteria, and any applicable
948 score thresholds set forth in the request for statement of qualifications.

949 (70) "Real property" means land and any building, fixture, improvement, appurtenance,
950 structure, or other development that is permanently affixed to land.

951 (71) "Request for information" means a nonbinding process through which a procurement
952 unit requests information relating to a procurement item.

953 (72) "Request for proposals" means a document used to solicit proposals to provide a
954 procurement item to a procurement unit, including all other documents that are attached
955 to that document or incorporated in that document by reference.

956 (73) "Request for proposals process" means the procurement process described in Part 7,
957 Request for Proposals.

958 (74) "Request for statement of qualifications" means a document used to solicit information
959 about the qualifications of a person interested in responding to a potential procurement,
960 including all other documents attached to that document or incorporated in that
961 document by reference.

962 (75) "Requirements contract" means a contract:

963 (a) under which a contractor agrees to provide a procurement unit's entire requirements
964 for certain procurement items at prices specified in the contract during the contract
965 period; and

966 (b) that:

967 (i) does not require a minimum purchase amount; or

968 (ii) provides a maximum purchase limit.

969 (76) "Responsible" means being capable, in all respects, of:

970 (a) meeting all the requirements of a solicitation; and

971 (b) fully performing all the requirements of the contract resulting from the solicitation,
972 including being financially solvent with sufficient financial resources to perform the
973 contract.

974 (77) "Responsive" means conforming in all material respects to the requirements of a
975 solicitation.

976 (78) "Rule" includes a policy or regulation adopted by the rulemaking authority, if adopting
977 a policy or regulation is the method the rulemaking authority uses to adopt provisions
978 that govern the applicable procurement unit.

979 (79) "Rulemaking authority" means:

980 (a) for a legislative procurement unit, the Legislative Management Committee;

- 981 (b) for a judicial procurement unit, the Judicial Council;
- 982 (c)(i) only to the extent of the procurement authority expressly granted to the
- 983 procurement unit by statute:
- 984 (A) for the facilities division, the facilities division;
- 985 (B) for the Office of the Attorney General, the attorney general;
- 986 (C) for the Department of Transportation created in Section 72-1-201, the
- 987 executive director of the Department of Transportation;
- 988 (D) for the Department of Health and Human Services, the executive director of
- 989 the Department of Health and Human Services; and
- 990 (E) for any other executive branch department, division, office, or entity that has
- 991 statutory procurement authority outside this chapter, the governing authority of
- 992 the department, division, office, or entity; and
- 993 (ii) for each other executive branch procurement unit, the board;
- 994 (d) for a local government procurement unit:
- 995 (i) the governing body of the local government unit; or
- 996 (ii) an individual or body designated by the local government procurement unit;
- 997 (e) for a school district or a public school, the board, except to the extent of a school
- 998 district's own nonadministrative rules that do not conflict with the provisions of this
- 999 chapter;
- 1000 (f) for an institution of higher education, the Utah Board of Higher Education;
- 1001 (g) for the State Board of Education or the Utah Schools for the Deaf and the Blind, the
- 1002 State Board of Education;
- 1003 (h) for a public transit district, the chief executive of the public transit district;
- 1004 (i) for a special district other than a public transit district or for a special service district,
- 1005 the board, except to the extent that the board of trustees of the special district or the
- 1006 governing body of the special service district makes [its] the special service district's
- 1007 own rules:
- 1008 (i) with respect to a subject addressed by board rules; or
- 1009 (ii) that are in addition to board rules;
- 1010 (j) for the Utah Educational Savings Plan, created in Section 53H-10-202, the Utah
- 1011 Board of Higher Education;
- 1012 (k) for the School and Institutional Trust Lands Administration, created in Section
- 1013 53C-1-201, the School and Institutional Trust Lands Board of Trustees;
- 1014 (l) for the School and Institutional Trust Fund Office, created in Section 53D-1-201, the

- 1015 School and Institutional Trust Fund Board of Trustees;
- 1016 (m) for the Utah Communications Authority, established in Section 63H-7a-201, the
- 1017 Utah Communications Authority board, created in Section 63H-7a-203; or
- 1018 (n) for any other procurement unit, the board.
- 1019 (80) "Service":
- 1020 (a) means labor, effort, or work to produce a result that is beneficial to a procurement
- 1021 unit;
- 1022 (b) includes a professional service; and
- 1023 (c) does not include labor, effort, or work provided under an employment agreement or a
- 1024 collective bargaining agreement.
- 1025 (81) "Small purchase process" means the procurement process described in Section
- 1026 63G-6a-506.
- 1027 (82) "Sole source contract" means a contract resulting from a sole source procurement.
- 1028 (83) "Sole source procurement" means a procurement without competition [~~pursuant to~~] in
- 1029 accordance with a determination under Subsection 63G-6a-802(1)(a) that there is only
- 1030 one source for the procurement item.
- 1031 (84) "Solicitation" means an invitation for bids, request for proposals, or request for
- 1032 statement of qualifications.
- 1033 (85) "Solicitation response" means:
- 1034 (a) a bid submitted in response to an invitation for bids;
- 1035 (b) a proposal submitted in response to a request for proposals; or
- 1036 (c) a statement of qualifications submitted in response to a request for statement of
- 1037 qualifications.
- 1038 (86) "Special district" means the same as that term is defined in Section 17B-1-102.
- 1039 (87) "Special service district" means the same as that term is defined in Section 17D-1-102.
- 1040 (88) "Specification" means any description of the physical or functional characteristics or of
- 1041 the nature of a procurement item included in an invitation for bids or a request for
- 1042 proposals, or otherwise specified or agreed to by a procurement unit, including a
- 1043 description of:
- 1044 (a) a requirement for inspecting or testing a procurement item; or
- 1045 (b) preparing a procurement item for delivery.
- 1046 (89) "Standard procurement process" means:
- 1047 (a) the bidding process;
- 1048 (b) the request for proposals process;

- 1049 (c) the approved vendor list process;
- 1050 (d) the small purchase process; or
- 1051 (e) the design professional procurement process.
- 1052 (90) "State cooperative contract" means a contract awarded by the division for and in behalf
- 1053 of all public entities.
- 1054 (91) "Statement of qualifications" means a written statement submitted to a procurement
- 1055 unit in response to a request for statement of qualifications.
- 1056 (92) "Subcontractor":
- 1057 (a) means a person under contract to perform part of a contractual obligation under the
- 1058 control of the contractor, whether the person's contract is with the contractor directly
- 1059 or with another person who is under contract to perform part of a contractual
- 1060 obligation under the control of the contractor; and
- 1061 (b) includes a supplier, distributor, or other vendor that furnishes supplies or services to
- 1062 a contractor.
- 1063 (93) "Technology" means the same as "information technology," as defined in Section
- 1064 63A-16-102.
- 1065 (94) "Tie bid" means that the lowest responsive bids of responsible bidders are identical in
- 1066 price.
- 1067 (95) "Time and materials contract" means a contract under which the contractor is paid:
- 1068 (a) the actual cost of direct labor at specified hourly rates;
- 1069 (b) the actual cost of materials and equipment usage; and
- 1070 (c) an additional amount, expressly described in the contract, to cover overhead and
- 1071 profit, that is not based on a percentage of the cost to the contractor.
- 1072 (96) "Transitional costs":
- 1073 (a) means the costs of changing:
- 1074 (i) from an existing provider of a procurement item to another provider of that
- 1075 procurement item; or
- 1076 (ii) from an existing type of procurement item to another type;
- 1077 (b) includes:
- 1078 (i) training costs;
- 1079 (ii) conversion costs;
- 1080 (iii) compatibility costs;
- 1081 (iv) costs associated with system downtime;
- 1082 (v) disruption of service costs;

- 1083 (vi) staff time necessary to implement the change;
- 1084 (vii) installation costs; and
- 1085 (viii) ancillary software, hardware, equipment, or construction costs; and
- 1086 (c) does not include:
- 1087 (i) the costs of preparing for or engaging in a procurement process; or
- 1088 (ii) contract negotiation or drafting costs.
- 1089 (97) "Vendor":
- 1090 (a) means a person who is seeking to enter into a contract with a procurement unit to
- 1091 provide a procurement item; and
- 1092 (b) includes:
- 1093 (i) a bidder;
- 1094 (ii) an offeror;
- 1095 (iii) an approved vendor;
- 1096 (iv) a design professional; and
- 1097 (v) a person who submits an unsolicited proposal under Section 63G-6a-712.
- 1098 Section 3. Section **63G-6a-107.6** is amended to read:
- 1099 **63G-6a-107.6 (Effective 07/01/26). Exemptions from chapter.**
- 1100 (1) Except for this Subsection (1), this chapter does not apply to:
- 1101 (a) a public entity's acquisition of a procurement item from another public entity;
- 1102 (b) a public entity that is not a procurement unit, including the Colorado River Authority
- 1103 of Utah as provided in Section [~~63M-14-210~~] 73-34-209; or
- 1104 (c) the retention of experts by:
- 1105 (i) the Public Service Commission under Subsection 54-1-6(1)(a)(iii);
- 1106 (ii) the Division of Public Utilities under Subsection 54-4a-3(2)(b); and
- 1107 (iii) the Office of Consumer Services under Title 54, Chapter 10a, Office of
- 1108 Consumer Services Act.
- 1109 (2) Unless otherwise provided by statute and except for this Subsection (2), this chapter
- 1110 does not apply to the acquisition or disposal of real property or an interest in real
- 1111 property, including the acquisition or lease of water or water rights for the Great Salt
- 1112 Lake.
- 1113 (3) Except for this Subsection (3) and Part 24, Unlawful Conduct and Penalties, this chapter
- 1114 does not apply to:
- 1115 (a) funds administered under the Percent-for-Art Program of the Utah Percent-for-Art
- 1116 Act;

- 1117 (b) a grant;
- 1118 (c) medical supplies or medical equipment, including service agreements for medical
1119 equipment, obtained by the University of Utah Hospital or the Department of Health
1120 and Human Services through a purchasing consortium if:
- 1121 (i) the consortium uses a competitive procurement process; and
- 1122 (ii) the chief administrative officer of the hospital or the executive director of the
1123 Department of Health and Human Services, as the case may be, makes a written
1124 finding that the prices for purchasing medical supplies and medical equipment
1125 through the consortium are competitive with market prices;
- 1126 (d) the purchase of firefighting supplies or equipment by the Division of Forestry, Fire,
1127 and State Lands, created in Section 65A-1-4, through the federal General Services
1128 Administration or the National Fire Cache system;
- 1129 (e) supplies purchased for resale to the public;
- 1130 (f) activities related to the management of investments by a public entity granted
1131 investment authority by law; ~~[or]~~
- 1132 (g) activities of the Utah water agent appointed under Section 73-10g-702; or
- 1133 (h) transit vehicles procured by the Department of Transportation through a purchasing
1134 consortium, cooperative purchasing agreement, or an interagency agreement if:
- 1135 (i) the contracting party for the acquisition of the transit vehicle from the vendor is:
- 1136 (A) a public entity;
- 1137 (B) another state government; or
- 1138 (C) a public transit district in another state;
- 1139 (ii) the transit vehicle is intended to be used for, or in connection with, a public
1140 transit service within the state; and
- 1141 (iii) the procurement of the transit vehicle is in the best interest of the state.
- 1142 (4) This chapter does not supersede the requirements for retention or withholding of
1143 construction proceeds and release of construction proceeds as provided in Section 13-8-5.
- 1144 (5) Except for this Subsection (5), this chapter does not apply to a procurement unit's hiring
1145 a mediator, arbitrator, or arbitration panel member to participate in the procurement
1146 unit's dispute resolution efforts.
- 1147 Section 4. Section **63J-1-602.2** is amended to read:
- 1148 **63J-1-602.2 (Effective 07/01/26) (Partially Repealed 07/01/29). List of nonlapsing**
1149 **appropriations to programs.**
- 1150 Appropriations made to the following programs are nonlapsing:

- 1151 (1) The Legislature and the Legislature's committees.
- 1152 (2) The State Board of Education, including all appropriations to agencies, line items, and
1153 programs under the jurisdiction of the State Board of Education, in accordance with
1154 Section 53F-9-103.
- 1155 (3) The Rangeland Improvement Act created in Section 4-20-101.
- 1156 (4) The Percent-for-Art Program created in Section 9-6-404.
- 1157 (5) The LeRay McAllister Working Farm and Ranch Fund Program created in Title 4,
1158 Chapter 46, Part 3, LeRay McAllister Working Farm and Ranch Fund.
- 1159 (6) The Utah Lake Authority created in Section 11-65-201.
- 1160 (7) Dedicated credits accrued to the Utah Marriage Commission as provided under
1161 Subsection 17-66-303(2)(d)(ii).
- 1162 (8) The Wildlife Land and Water Acquisition Program created in Section 23A-6-205.
- 1163 (9) Sanctions collected as dedicated credits from Medicaid providers under Subsection
1164 26B-3-108(7).
- 1165 (10) The primary care grant program created in Section 26B-4-310.
- 1166 (11) The Opiate Overdose Outreach Pilot Program created in Section 26B-4-512.
- 1167 (12) The Utah Health Care Workforce Financial Assistance Program created in Section
1168 26B-4-702.
- 1169 (13) The Rural Physician Loan Repayment Program created in Section 26B-4-703.
- 1170 (14) The Utah Medical Education Council for the:
- 1171 (a) administration of the Utah Medical Education Program created in Section 26B-4-707;
1172 (b) provision of medical residency grants described in Section 26B-4-711; and
1173 (c) provision of the forensic psychiatric fellowship grant described in Section 26B-4-712.
- 1174 (15) The Division of Services for People with Disabilities, as provided in Section 26B-6-402.
- 1175 (16) The Communication Habits to reduce Adolescent Threats (CHAT) Pilot Program
1176 created in Section 26B-7-122.
- 1177 (17) Funds that the Department of Alcoholic Beverage Services retains in accordance with
1178 Subsection 32B-2-301(8)(a) or (b).
- 1179 (18) The General Assistance program administered by the Department of Workforce
1180 Services, as provided in Section 35A-3-401.
- 1181 (19) The Utah National Guard, created in Title 39A, National Guard and Militia Act.
- 1182 (20) The Search and Rescue Financial Assistance Program, as provided in Section
1183 53-2a-1102.
- 1184 (21) The Emergency Medical Services Grant Program, as provided in Section 53-2d-207.

- 1185 (22) The Motorcycle Rider Education Program, as provided in Section 53-3-905.
- 1186 (23) The Utah Board of Higher Education for teacher preparation programs, as provided in
1187 Section 53H-5-402.
- 1188 (24) Innovation grants under Section 53G-10-608, except as provided in Subsection
1189 53G-10-608(3).
- 1190 (25) The Division of Fleet Operations for the purpose of upgrading underground storage
1191 tanks under Section 63A-9-401.
- 1192 (26) The Division of Technology Services for technology innovation as provided under
1193 Section 63A-16-903.
- 1194 (27) The State Capitol Preservation Board created by Section 63O-2-201.
- 1195 (28) The Office of Administrative Rules for publishing, as provided in Section 63G-3-402.
- 1196 (29) The Colorado River Authority of Utah, created in [~~Title 63M, Chapter 14, Colorado~~
1197 ~~River Authority of Utah Act~~] Title 73, Chapter 34, Colorado River Authority of Utah Act.
- 1198 (30) The Governor's Office of Economic Opportunity to fund the Enterprise Zone Act, as
1199 provided in Title 63N, Chapter 2, Part 2, Enterprise Zone Act.
- 1200 (31) The Governor's Office of Economic Opportunity's Rural Employment Expansion
1201 Program, as described in Title 63N, Chapter 4, Part 4, Rural Employment Expansion
1202 Program.
- 1203 (32) County correctional facility contracting program for state inmates as described in
1204 Section 64-13e-103.
- 1205 (33) County correctional facility reimbursement program for state probationary inmates and
1206 state parole inmates as described in Section 64-13e-104.
- 1207 (34) Programs for the Jordan River Recreation Area as described in Section 65A-2-8.
- 1208 (35) The Division of Human Resource Management user training program, as provided in
1209 Section 63A-17-106.
- 1210 (36) A public safety answering point's emergency telecommunications service fund, as
1211 provided in Section 69-2-301.
- 1212 (37) The Traffic Noise Abatement Program created in Section 72-6-112.
- 1213 (38) The money appropriated from the Navajo Water Rights Negotiation Account to the
1214 Division of Water Rights, created in Section 73-2-1.1, for purposes of participating in a
1215 settlement of federal reserved water right claims.
- 1216 (39) The Judicial Council for compensation for special prosecutors, as provided in Section
1217 77-10a-19.
- 1218 (40) A state rehabilitative employment program, as provided in Section 78A-6-210.

- 1219 (41) The Utah Geological Survey, as provided in Section 79-3-401.
- 1220 (42) The Bonneville Shoreline Trail Program created under Section 79-5-503.
- 1221 (43) Adoption document access as provided in Sections 81-13-103, 81-13-504, and
1222 81-13-505.
- 1223 (44) Indigent defense as provided in Title 78B, Chapter 22, Part 4, Utah Indigent Defense
1224 Commission.
- 1225 (45) The program established by the Division of Facilities Construction and Management
1226 under Section 63A-5b-703 under which state agencies receive an appropriation and pay
1227 lease payments for the use and occupancy of buildings owned by the Division of
1228 Facilities Construction and Management.
- 1229 (46) The State Tax Commission for reimbursing counties for deferrals in accordance with
1230 Section 59-2-1802.5.
- 1231 (47) The Veterinarian Education Loan Repayment Program created in Section 4-2-902.
1232 Section 5. Section **73-3-30** is amended to read:
- 1233 **73-3-30 (Effective 07/01/26). Change application for an instream flow -- Change**
1234 **application for delivery to a reservoir.**
- 1235 (1) As used in this section:
- 1236 (a) "Colorado River System" means the same as that term is defined in Sections 73-12a-2
1237 and 73-13-10.
- 1238 (b) "Division" means the Division of Wildlife Resources created in Section 23A-2-201,
1239 the Division of State Parks created in Section 79-4-201, or the Division of Forestry,
1240 Fire, and State Lands created in Section 65A-1-4.
- 1241 (c) "Person entitled to the use of water" means the same as that term is defined in
1242 Section 73-3-3.
- 1243 (d) "Sovereign lands" means the same as that term is defined in Section 65A-1-1.
- 1244 (e) "Wildlife" means species of animals, including mammals, birds, fish, reptiles,
1245 amphibians, mollusks, and crustaceans, that are protected or regulated by a statute,
1246 law, regulation, ordinance, or administrative rule.
- 1247 (2)(a) [~~Pursuant to~~] In accordance with Section 73-3-3, a division may file a permanent
1248 change application, a fixed time change application, or a temporary change
1249 application, or a person entitled to the use of water may file a fixed time change
1250 application or a temporary change application, to provide water within the state for:
1251 (i) an instream flow within a specified section of a natural or altered stream; or
1252 (ii) use on sovereign lands.

- 1253 (b) The state engineer may not approve a change application filed under this Subsection
1254 (2) unless the proposed instream flow or use on sovereign lands will contribute to:
1255 (i) the propagation or maintenance of wildlife;
1256 (ii) the management of state parks; or
1257 (iii) the reasonable preservation or enhancement of the natural aquatic environment.
- 1258 (c) A division may file a change application on:
1259 (i) a perfected water right:
1260 (A) presently owned by the division;
1261 (B) purchased by the division for the purpose of providing water for an instream
1262 flow or use on sovereign lands, through funding provided for that purpose by
1263 legislative appropriation; or
1264 (C) secured by lease, agreement, gift, exchange, or contribution; or
1265 (ii) an appurtenant water right acquired with the acquisition of real property by the
1266 division.
- 1267 (d) A division may:
1268 (i) purchase a water right for the purposes described in Subsection (2)(a) only with
1269 funds specifically appropriated by the Legislature for water rights purchases; or
1270 (ii) accept a donated water right without legislative approval.
- 1271 (e) A division may not acquire water rights by eminent domain for an instream flow, use
1272 on sovereign lands, or for any other purpose.
- 1273 (3)(a) A person entitled to the use of water shall obtain a division director's approval of
1274 the proposed change before filing a fixed time change application or a temporary
1275 change application with the state engineer.
- 1276 (b) By approving a proposed fixed time change application or temporary change
1277 application, a division director attests that the water that is the subject of the
1278 application can be used consistent with the statutory mandates of the director's
1279 division.
- 1280 (4)(a) [~~Pursuant to~~] In accordance with Section 73-3-3, a person entitled to the use of
1281 water may file a fixed time change application or a temporary change application for
1282 a project to deliver water to a reservoir located partially or entirely within the
1283 Colorado River System in the state in accordance with:
1284 (i) Colorado River Drought Contingency Plan Authorization Act, Public Law 116-14;
1285 (ii) a water conservation program funded by the Bureau of Reclamation; or
1286 (iii) a water conservation program authorized by the state.

- 1287 (b) Before filing a change application under this Subsection (4), a person entitled to the
 1288 use of water shall obtain the approval from the executive director of the Colorado
 1289 River Authority of Utah, appointed under Section [~~63M-14-401~~] 73-34-401.
- 1290 (c) By approving a proposed fixed time change application or temporary change
 1291 application, the executive director of the Colorado River Authority of Utah attests
 1292 that the water that is the subject of the application can be used consistent with this
 1293 section.
- 1294 (5) In addition to the requirements of Section 73-3-3, an application authorized by this
 1295 section shall include:
- 1296 (a) a legal description of:
- 1297 (i) the segment of the natural or altered stream that will be the place of use for an
 1298 instream flow;
- 1299 (ii) the location where the water will be used on sovereign lands; or
- 1300 (iii) the reservoir located partially or entirely within the Colorado River System in the
 1301 state that the water will be delivered to; and
- 1302 (b) appropriate studies, reports, or other information required by the state engineer
 1303 demonstrating:
- 1304 (i) the projected benefits to the public resulting from the change; and
- 1305 (ii) the necessity for the proposed instream flow or use on sovereign lands.
- 1306 (6) A person may not appropriate unappropriated water under Section 73-3-2 for the
 1307 purpose of providing an instream flow or use on sovereign lands.
- 1308 (7) Water used in accordance with this section is considered to be beneficially used, as
 1309 required by Section 73-3-1.
- 1310 (8) A physical structure or physical diversion from the stream is not required to implement
 1311 a change under this section.
- 1312 (9) An approved change application described in this section does not create a right of
 1313 access across private property or allow any infringement of a private property right.

1314 Section 6. Section **73-10-4** is amended to read:

1315 **73-10-4 (Effective 07/01/26) (Partially Repealed 12/31/30). Powers and duties of**
 1316 **board.**

- 1317 (1) The board shall have the following powers and duties to:
- 1318 (a) authorize studies, investigations, and plans for the full development, use, and
 1319 promotion of the water and power resources of the state, including preliminary
 1320 surveys, stream gauging, examinations, tests, and other estimates either separately or

- 1321 in consultation with federal, state and other agencies;
- 1322 (b) enter into contracts subject to the provisions of this chapter for the construction or
 1323 purchase of a project that in the opinion of the board will conserve and use for the
 1324 best advantage of the people of this state the water and power resources of the state,
 1325 including projects beyond the boundaries of the state of Utah located on interstate
 1326 waters when the benefit of such projects accrues to the citizens of the state;
- 1327 (c) sue and be sued in accordance with applicable law;
- 1328 (d) enter into a contract that the Utah water agent, appointed under Section 73-10g-702,
 1329 recommends for a water augmentation project under Section 73-10g-703;
- 1330 (e) cooperate with the Utah water agent, appointed under Section 73-10g-702, in matters
 1331 affecting interstate compact negotiations and the administration of the compacts
 1332 affecting the waters of interstate rivers, lakes and other sources of supply, with the
 1333 exception of:
- 1334 (i) the waters of the Colorado River system that are governed by [~~Title 63M, Chapter~~
 1335 ~~14, Colorado River Authority of Utah Act~~] Title 73, Chapter 34, Colorado River
 1336 Authority of Utah Act; or
- 1337 (ii) state representation under:
- 1338 (A) the Bear River Compact as provided in Section 73-16-4; or
- 1339 (B) the Columbia Interstate Compact as provided in Section 73-19-9;
- 1340 (f) contract with federal and other agencies and with the National Water Resources
 1341 Association and to make studies, investigations and recommendations and do all
 1342 other things on behalf of the state for any purpose that relates to the development,
 1343 conservation, protection and control of the water and power resources of the state;
- 1344 (g) consult and advise with the Utah Water Users' Association and other organized water
 1345 users' associations in the state;
- 1346 (h) consider and make recommendations on behalf of the state of reclamation projects or
 1347 other water development projects for construction by any agency of the state or
 1348 United States and in so doing recommend the order in which projects shall be
 1349 undertaken; or
- 1350 (i) review, approve, and revoke an application to create a water bank under Chapter 31,
 1351 Water Banking Act, collect an annual report, maintain the water banking website, and
 1352 conduct any other function related to a water bank as described in Chapter 31, Water
 1353 Banking Act.
- 1354 (2) Nothing contained in this section shall be construed to impair or otherwise interfere

1355 with the authority of the state engineer granted by this title, except as specifically
 1356 otherwise provided in this section.

1357 Section 7. Section **73-10-18** is amended to read:

1358 **73-10-18 (Effective 07/01/26). Division of Water Resources -- Creation -- Power**
 1359 **and authority.**

1360 (1) There is created the Division of Water Resources, which shall be within the Department
 1361 of Natural Resources under the administration and general supervision of the executive
 1362 director of the Department of Natural Resources and under the policy direction of the
 1363 Board of Water Resources.

1364 (2) Except for the waters of the Colorado River system that are governed by [~~Title 63M,~~
 1365 ~~Chapter 14, Colorado River Authority of Utah Act~~] Title 73, Chapter 34, Colorado River
 1366 Authority of Utah Act, or state representation under the Bear River Compact or
 1367 Columbia Interstate Compact, the Division of Water Resources shall:

1368 (a) be the water resource authority for the state; and

1369 (b) assume all of the functions, powers, duties, rights, and responsibilities of the Utah
 1370 water and power board except those which are delegated to the board by this act and
 1371 is vested with such other functions, powers, duties, rights and responsibilities as
 1372 provided in this act and other law.

1373 (3) Notwithstanding Subsection (2), the Utah water agent, appointed under Section
 1374 73-10g-702, has authority over out-of-state negotiations related to water importation in
 1375 accordance with Chapter 10g, Part 7, Utah Water Agent, except when limited by Section
 1376 73-10g-703.

1377 Section 8. Section **73-10-32** is amended to read:

1378 **73-10-32 (Effective 07/01/26). Definitions -- Water conservation plan required.**

1379 (1) As used in this section:

1380 (a) "Division" means the Division of Water Resources created under Section 73-10-18.

1381 (b) "Water conservancy district" means an entity formed under Title 17B, Chapter 2a,
 1382 Part 10, Water Conservancy District Act.

1383 (c) "Water conservation plan" means a written document that contains existing and
 1384 proposed water conservation measures describing what will be done by a water
 1385 provider, and the end user of culinary water to help conserve water in the state in
 1386 terms of per capita use of water provided through culinary water infrastructure owned
 1387 or operated by the water provider so that adequate supplies of water are available for
 1388 future needs.

- 1389 (d) "Water provider" means:
- 1390 (i) a retail water supplier, as defined in Section 19-4-102; or
- 1391 (ii) a water conservancy district.
- 1392 (2)(a) A water conservation plan shall contain:
- 1393 (i)(A) a clearly stated overall water use reduction goal that is consistent with
- 1394 Subsection (2)(d); and
- 1395 (B) an implementation plan for each water conservation measure a water provider
- 1396 chooses to use, including a timeline for action and an evaluation process to
- 1397 measure progress;
- 1398 (ii) a requirement that a notification procedure be implemented that includes the
- 1399 delivery of the water conservation plan to the media and to the governing body of
- 1400 each municipality and county served by the water provider;
- 1401 (iii) a copy of the minutes of the meeting regarding a water conservation plan and the
- 1402 notification procedure required in Subsection (2)(a)(ii) that shall be added as an
- 1403 appendix to the water conservation plan; and
- 1404 (iv) for a retail water supplier, as defined in Section 19-4-102, the retail water
- 1405 supplier's rate structure that is:
- 1406 (A) adopted by the retail water supplier's governing body in accordance with
- 1407 Section 73-10-32.5; and
- 1408 (B) current as of the day the retail water supplier files a water conservation plan.
- 1409 (b) A water conservation plan may include information regarding:
- 1410 (i) the installation and use of water efficient fixtures and appliances, including toilets,
- 1411 shower fixtures, and faucets;
- 1412 (ii) residential and commercial landscapes and irrigation that require less water to
- 1413 maintain;
- 1414 (iii) more water efficient industrial and commercial processes involving the use of
- 1415 water;
- 1416 (iv) water reuse systems, both potable and not potable;
- 1417 (v) distribution system leak repair;
- 1418 (vi) dissemination of public information regarding more efficient use of water,
- 1419 including public education programs, customer water use audits, and water saving
- 1420 demonstrations;
- 1421 (vii) water rate structures designed to encourage more efficient use of water;
- 1422 (viii) statutes, ordinances, codes, or regulations designed to encourage more efficient

- 1423 use of water by means such as water efficient fixtures and landscapes;
- 1424 (ix) incentives to implement water efficient techniques, including rebates to water
- 1425 users to encourage the implementation of more water efficient measures;
- 1426 (x) regional conservation planning and shared shortage agreements; and
- 1427 (xi) other measures designed to conserve water.
- 1428 (c) The division may be contacted for information and technical resources regarding
- 1429 measures listed in Subsection (2)(b).
- 1430 (d)(i) The division shall adopt by rule, made in accordance with Title 63G, Chapter 3,
- 1431 Utah Administrative Rulemaking Act, regional water conservation goals that:
- 1432 (A) are developed by the division;
- 1433 (B) take into consideration goals established in the Colorado River management
- 1434 plan adopted ~~[pursuant to]~~ in accordance with Section ~~[63M-14-204]~~ 73-34-204;
- 1435 (C) for areas in the Great Salt Lake watershed, take into consideration the Great
- 1436 Salt Lake, including the water budget associated with the integrated surface
- 1437 and ground water assessment described in Section 73-10g-402;
- 1438 (D) take into consideration how growth and regional conservation goals impact
- 1439 agriculture water use;
- 1440 (E) are reevaluated by December 31, 2030, and every 10 years after December 31,
- 1441 2030; and
- 1442 (F) define what constitutes "water being conserved" under a water conservation
- 1443 goal after considering factors such as depletion, diversion, use, consumption,
- 1444 or return flows.
- 1445 (ii) As part of a water conservation plan, a water provider shall adopt one of the
- 1446 following:
- 1447 (A) the regional water conservation goal applicable to the water provider;
- 1448 (B) a water conservation goal that would result in more water being conserved
- 1449 than would be conserved under the regional water conservation goal; or
- 1450 (C) a water conservation goal that would result in less water being conserved than
- 1451 would be conserved under the regional water conservation goal with a
- 1452 reasonable justification as to why the different water conservation goal is
- 1453 adopted and an explanation of the factors supporting the reasonable
- 1454 justification, such as demographics, geography, lot sizes, make up of water
- 1455 service classes, or availability of secondary water.
- 1456 (3)(a) A water provider shall:

- 1457 (i) prepare and adopt a water conservation plan; and
1458 (ii) file a copy of the water conservation plan with the division.
- 1459 (b)(i) Before adopting or amending a water conservation plan, a water provider shall
1460 hold a public hearing with reasonable, advance public notice in accordance with
1461 this Subsection (3)(b).
- 1462 (ii) The water provider shall provide public notice at least 14 days before the date of
1463 the public hearing.
- 1464 (iii) A water provider meets the requirements of reasonable notice required by this
1465 Subsection (3)(b) if the water provider posts notice of the public hearing:
1466 (A) for the service area of the water provider, as a class A notice under Section
1467 63G-30-102, for at least 14 days; and
1468 (B) if the water provider is a private entity and has a public website, on the water
1469 provider's public website.
- 1470 (iv) Proof that notice described in Subsection (3)(b)(iii) was given is prima facie
1471 evidence that notice was properly given.
- 1472 (v) If notice given under authority of this Subsection (3)(b) is not challenged within
1473 30 days from the date of the public hearing for which the notice was given, the
1474 notice is considered adequate and proper.
- 1475 (c) A water provider shall:
1476 (i) post the water provider's water conservation plan on a public website; or
1477 (ii) if the water provider does not have a public website, make the water provider's
1478 water conservation plan publicly available for inspection upon request.
- 1479 (4)(a) The division shall:
1480 (i) provide guidelines and technical resources to help water providers prepare and
1481 implement water conservation plans;
1482 (ii) assist water providers by identifying water conservation methods upon request;
1483 and
1484 (iii) provide an online submission form that allows for an electronic copy of the water
1485 conservation plan to be filed with the division under Subsection (3)(a)(ii).
- 1486 (b) The division shall post an annual report at the end of a calendar year listing water
1487 providers in compliance with this section.
- 1488 (5) A water provider may only receive state funds for water development if the water
1489 provider complies with the requirements of this section.
- 1490 (6) A water provider specified under Subsection (3)(a) shall:

1491 (a) update the water provider's water conservation plan no less frequently than every five
1492 years; and

1493 (b) follow the procedures required under Subsection (3) when updating the water
1494 conservation plan.

1495 (7) It is the intent of the Legislature that the water conservation plans, amendments to
1496 existing water conservation plans, and the studies and report by the division be handled
1497 within the existing budgets of the respective entities or agencies.

1498 Section 9. Section **73-34-101**, which is renumbered from Section 63M-14-102 is renumbered
1499 and amended to read:

1500 **CHAPTER 34. Colorado River Authority of Utah Act**

1501 **Part 1. General Provisions**

1502 **~~[63M-14-102]~~ 73-34-101 (Effective 07/01/26). Definitions.**

1503 As used in this chapter:

1504 [~~(1)~~] "~~Appointing authority~~" means ~~an authority named in Section 63M-14-202 that appoints~~
1505 ~~an authority member for a Colorado River authority area.~~]

1506 [~~(2)~~] (1) "Authority" means the Colorado River Authority of Utah created by Section [~~63M-14-201]~~ 73-34-201.

1508 [~~(3)~~] (2) "Authority member" means a person appointed as a member of the authority under
1509 Section [~~63M-14-202]~~ 73-34-202 or designated as a member of the authority.

1510 [~~(4)~~] (3) "Chair" means the chair of the authority.

1511 [~~(5)~~] (4) "Colorado River Basin States" means Arizona, California, Colorado, Nevada, New
1512 Mexico, Utah, and Wyoming.

1513 [~~(6)~~] (5) "Colorado River authority area" means the geographic area designated by
1514 Subsection [~~63M-14-202(2)~~] 73-34-202(2).

1515 [~~(7)~~] (6) "Colorado River system" means the entire drainage of the Colorado River in Utah
1516 including both the main stem of the Colorado River and the Colorado River's tributaries.

1517 (7) "Department" means the Department of Natural Resources.

1518 (8) "Law of the river" means the compacts, federal laws, treaties, court decisions and
1519 decrees, contracts, and regulatory guidelines that underlie and authorize the management
1520 and operation of the Colorado River.

1521 (9) "Restricted account" means the Colorado River Authority Restricted Account created in
1522 Section [~~63M-14-501]~~ 73-34-501.

1523 (10) "River commissioner" means the person appointed under Section [~~63M-14-301]~~

1524 73-34-301.

1525 Section 10. Section **73-34-102**, which is renumbered from Section 63M-14-103 is renumbered
1526 and amended to read:

1527 **[~~63M-14-103~~ 73-34-102 (Effective 07/01/26). Scope of chapter.**

1528 [(+) This chapter may not be interpreted to override, supersede, or modify any water right
1529 within the state, or the role and authority of the state engineer.

1530 [~~(2) The Division of Water Resources shall coordinate with the authority and river
1531 commissioner in the implementation of this chapter.]~~

1532 Section 11. Section **73-34-103** is enacted to read:

1533 **73-34-103 (Effective 07/01/26). Transition into the department.**

1534 (1) A resolution of the authority in effect on June 30, 2026, remains in effect until changed
1535 by the authority under Section 73-34-209.

1536 (2) The authority within the department succeeds to a contract of the authority in effect on
1537 June 30, 2026.

1538 Section 12. Section **73-34-201**, which is renumbered from Section 63M-14-201 is renumbered
1539 and amended to read:

1540 **Part 2. Authority**

1541 **[~~63M-14-201~~ 73-34-201 (Effective 07/01/26). Authority created.**

1542 There is created within the [~~governor's office~~] department the Colorado River Authority
1543 of Utah.

1544 Section 13. Section **73-34-202**, which is renumbered from Section 63M-14-202 is renumbered
1545 and amended to read:

1546 **[~~63M-14-202~~ 73-34-202 (Effective 07/01/26). Organization of the authority --**

1547 **Annual conflict of interest disclosure statement -- Penalties.**

1548 (1) The authority is composed of [~~seven~~] 10 authority members:

1549 (a) the river commissioner, who is the chair of the authority;

1550 (b) five authority members who represent Colorado River authority areas;

1551 [~~(b) one authority member who represents the governor; and~~]

1552 (c) one authority member who represents tribal interests[-] ;

1553 (d) the director of the Division of Water Resources;

1554 (e) the executive director of the department, who shall serve as a nonvoting member; and

1555 (f) the state engineer, who shall serve as a nonvoting member.

1556 (2) The five Colorado River authority areas, defined by existing county boundaries that
1557 reflect the historic and current use of the Colorado River system, include:

- 1558 (a) the Central Utah Area composed of Salt Lake, Utah, Juab, Sanpete, Summit,
 1559 Wasatch, Duchesne, and Uintah counties, located within the service area of the
 1560 Central Utah Water Conservancy District;
- 1561 (b) the Uintah Basin Area composed of Duchesne and Uintah counties, notwithstanding
 1562 that these counties fall within the Central Utah Area, and Daggett county;
- 1563 (c) the Price and San Rafael Area composed of Carbon and Emery counties;
- 1564 (d) the Virgin River Area composed of Kane and Washington counties; and
- 1565 (e) the Southeastern Area composed of Garfield, Grand, San Juan, and Wayne counties.
- 1566 [~~(e) the State of Utah Area that represents:~~
 1567 [~~(i) the remaining counties using the Colorado River system;~~
 1568 [~~(ii) the Department of Natural Resources and the Department of Natural Resources'~~
 1569 ~~divisions; and]~~
 1570 [~~(iii) the users of the Colorado River system that are not specifically included in the~~
 1571 ~~other four Colorado River authority areas and include Garfield, Grand, San Juan,~~
 1572 ~~and Wayne counties.]~~
- 1573 (3) The voting members of the authority are:
- 1574 (a) [~~four~~] the river commissioner;
- 1575 (b) five members appointed as follows:
- 1576 (i) for a term that expires June 30, 2027:
- 1577 [(i)] (A) a representative of the Central Utah Area appointed by the board of
 1578 trustees of the Central Utah Water Conservancy District;
- 1579 [(ii)] (B) a representative of the Uintah Basin Area appointed jointly by the boards
 1580 of trustees of the Duchesne County and Uintah Water Conservancy Districts;
- 1581 [(iii)] (C) a representative of the Price and San Rafael Area appointed jointly by
 1582 the county commission of Carbon County and the board of trustees of the
 1583 Emery Water Conservancy District; [~~and]~~
- 1584 [(iv)] (D) a representative of the Virgin River Area appointed by the board of
 1585 trustees of the Washington County Water Conservancy District; and
- 1586 (E) a representative of the Southeastern Area appointed jointly by the boards of
 1587 trustees of the Grand County Water Conservancy District and the San Juan
 1588 County Water Conservancy District; and
- 1589 (ii) in the case of a vacancy or for a term that begins on or after July 1, 2027, the
 1590 following appointed by the governor with the advice and consent of the Senate in
 1591 accordance with Title 63G, Chapter 24, Part 2, Vacancies:

- 1592 (A) a representative of the Central Utah Area appointed from three nominations
 1593 submitted to the governor by the board of trustees of the Central Utah Water
 1594 Conservancy District;
- 1595 (B) a representative of the Uintah Basin Area appointed from three nominations
 1596 submitted to the governor jointly by the boards of trustees of the Duchesne
 1597 County and Uintah Water Conservancy Districts;
- 1598 (C) a representative of the Price and San Rafael Area appointed from three
 1599 nominations submitted to the governor jointly by the county commission of
 1600 Carbon County and the board of trustees of the Emery Water Conservancy
 1601 District;
- 1602 (D) a representative of the Virgin River Area appointed from three nominations
 1603 submitted to the governor jointly by the board of trustees of the Washington
 1604 County Water Conservancy District; and
- 1605 (E) a representative of the Southeastern Area appointed from three nominations
 1606 submitted to the governor jointly by the boards of trustees of the Grand County
 1607 Water Conservancy District and the San Juan County Water Conservancy
 1608 District;
- 1609 ~~[(b)] (c)~~ the director of the Division of Water Resources~~[- as the representative of the~~
 1610 ~~State of Utah Area created in Subsection (2)(e)]; and~~
- 1611 ~~[(e)] the executive director of the Department of Natural Resources as the representative~~
 1612 ~~of the governor; and]~~
- 1613 (d) a representative of tribal interests who is:
- 1614 (i) appointed by the governor; and
- 1615 (ii) a member of a federally recognized Indian tribe if the tribe is, in whole or in part,
 1616 located within the state and within the Colorado River system.
- 1617 (4)(a) A joint appointment required under Subsection ~~[(3)]~~ (3)(b)(i) requires the
 1618 agreement of ~~[both]~~ all appointing authorities before the authority member seat is
 1619 filled.
- 1620 (b) A joint nomination required under Subsection (3)(b)(ii) requires the agreement of all
 1621 nominating authorities before the nomination process is complete.
- 1622 (5) An authority member who is appointed under Subsection (3) shall:
- 1623 (a) be a resident of the state; and
- 1624 (b) have experience and a general knowledge of:
- 1625 (i) Colorado River issues and the use of the Colorado River system in the member's

- 1626 respective Colorado River authority area;
- 1627 (ii) the development of the use of the waters of the Colorado River system; and
- 1628 (iii) the rights of this state concerning the resources and benefits of the Colorado
- 1629 River system.
- 1630 (6)[(a) An appointing authority shall notify the chair of:]
- 1631 [(i) the appointing authority's initial appointment to the authority; and]
- 1632 [(ii) the appointment of a new member or when a vacancy is being filled.]
- 1633 [(b) An appointment of an authority member is effective when received by the chair.]
- 1634 [(e)] (a) The initial term of an appointed authority member appointed under Subsection
- 1635 (3)(b)(i) expires June 30, 2027. Before June 30, 2027, the authority shall adopt a
- 1636 system to stagger the terms of appointed authority members beginning July 1, 2027,
- 1637 and notify [~~each appointing authority~~] the governor of the duration of the term of the [
- 1638 ~~appointing authority's~~] appointed authority member. The staggering of terms after
- 1639 July 1, 2027, shall result in approximately [~~one-third~~] half of the appointed authority
- 1640 members' terms expiring every two years. After the respective terms of adjustment
- 1641 are complete, subsequent appointed authority members shall be appointed by[~~an~~
- 1642 ~~appointing authority for six-year~~] the governor for four-year terms.
- 1643 [(d)] (b) An authority member term shall end on June 30. [~~New terms commence~~] A new
- 1644 term commences on July 1.
- 1645 [(e)] (c) An authority member whose term has expired shall serve until replaced or
- 1646 reappointed by the [~~applicable appointing authority~~] governor.
- 1647 [(f)] (d) [~~An appointing authority may at any time remove the appointing authority's~~
- 1648 ~~authority member~~] The governor may at any time remove an appointed authority
- 1649 member for neglect of duty or malfeasance in office.[~~If the authority member is~~
- 1650 ~~jointly appointed, the authority member may only be removed by joint agreement of~~
- 1651 ~~both appointing authorities.~~]
- 1652 (7) In the event of a vacancy in an appointed member of the authority, the chair shall notify
- 1653 the [~~appointing authority~~] governor of the vacancy and ask that an authority member be
- 1654 promptly appointed.
- 1655 (8)(a) An authority member may not receive compensation or benefits for the authority
- 1656 member's service, but may receive per diem and travel expenses in accordance with:
- 1657 (i) Section 63A-3-106;
- 1658 (ii) Section 63A-3-107; and
- 1659 (iii) rules made by the [~~Department~~] Division of Finance [~~pursuant to~~] in accordance

- 1660 with Sections 63A-3-106 and 63A-3-107.
- 1661 (b) If an authority member is a full-time employee with either the state or a water
1662 conservancy district, the authority member is not eligible for the per diem
1663 compensation.
- 1664 (9) The executive director appointed under Section [~~63M-14-401~~] 73-34-401 shall provide
1665 staff services to the authority.
- 1666 (10) An authority member shall, no sooner than January 1 and no later than January 31 of
1667 each year during which the authority member holds office on the authority:
- 1668 (a) prepare a written conflict of interest disclosure statement that contains a response to
1669 each item of information described in Subsection 20A-11-1604(6); and
- 1670 (b) submit the written disclosure statement to the [~~administrator or clerk~~] executive
1671 director of the authority.
- 1672 (11)(a) No later than 10 business days after the date on which the authority member
1673 submits the written disclosure statement described in Subsection (10) to the [
1674 ~~administrator or clerk~~] executive director of the authority, the [~~administrator or clerk~~]
1675 executive director of the authority shall:
- 1676 (i) post a copy of the written disclosure statement on the authority's website; and
1677 (ii) provide the lieutenant governor with a link to the electronic posting described in
1678 Subsection (11)(a)(i).
- 1679 (b) The [~~administrator or clerk~~] executive director of the authority shall ensure that the
1680 authority member's written disclosure statement remains posted on the authority's
1681 website until the authority member leaves office.
- 1682 (12) The [~~administrator or clerk~~] executive director of the authority shall take the action
1683 described in Subsection (13) if:
- 1684 (a) an authority member fails to timely file the written disclosure statement described in
1685 Subsection (10); or
- 1686 (b) a submitted written disclosure statement does not comply with the requirements of
1687 Subsection 20A-11-1604(6).
- 1688 (13) If a circumstance described in Subsection (12) occurs, the [~~administrator or clerk~~]
1689 executive director of the authority shall, within five days after the day on which the [
1690 ~~administrator or clerk~~] executive director of the authority determines that a violation
1691 occurred, notify the authority member of the violation and direct the authority member
1692 to submit an amended written disclosure statement correcting the problem.
- 1693 (14)(a) It is unlawful for an authority member to fail to submit or amend a written

1694 disclosure statement within seven days after the day on which the authority member
1695 receives the notice described in Subsection (13).

1696 (b) An authority member who violates Subsection (14)(a) is guilty of a class B
1697 misdemeanor.

1698 (c) The [~~administrator or clerk~~] executive director of the authority shall report a violation
1699 of Subsection (14)(a) to the attorney general.

1700 (d) In addition to the criminal penalty described in Subsection (14)(b), the [~~administrator
1701 or clerk~~] executive director of the authority shall impose a civil fine of \$100 against
1702 an authority member who violates Subsection (14)(a).

1703 (15) The [~~administrator or clerk~~] executive director of the authority shall deposit a fine
1704 collected under this section into the authority's restricted account to pay for the costs of
1705 administering this section.

1706 Section 14. Section **73-34-203**, which is renumbered from Section 63M-14-203 is renumbered
1707 and amended to read:

1708 **[63M-14-203] 73-34-203 (Effective 07/01/26). Authority operation --**
1709 **Consultation with tribes.**

1710 (1) [~~An~~] A voting authority member has one vote on authority [~~matters~~] business.

1711 (2)(a) [~~Four~~] Five voting members of the authority constitute a quorum to conduct
1712 authority business.

1713 (b) A vote of [~~four~~] five voting members is needed to pass authority business.

1714 (3)(a)(i) The river commissioner appointed by the governor before March 16, 2021,
1715 shall serve as the chair of the authority until June 30, 2027, if the river
1716 commissioner is a member of the authority.

1717 (ii) Beginning on July 1, 2027, the river commissioner shall be appointed under
1718 Section [~~63M-14-301~~] 73-34-301 and shall serve as chair of the authority for a
1719 term of [~~six~~] four years in accordance with [~~Section 63M-14-302~~] Sections
1720 73-34-301 and 73-34-302.

1721 (b) The authority may elect other officers such as vice chair, secretary, and treasurer.

1722 (c) The chair, vice chair, secretary, and treasurer are required to be authority members.

1723 (d) Other officers of the authority are not required to be authority members. The
1724 authority shall adopt, by resolution, job responsibilities and terms of offices for the
1725 officers appointed under this Subsection (3)(d).

1726 (e) [~~If~~] Except for the river commissioner as chair, if an authority officer no longer
1727 serves as an officer of the authority, the authority shall fill the vacancy for the

1728 unexpired term of the officer who is no longer serving.

1729 (4)~~[(a) The Department of Natural Resources shall cooperate with the authority.]~~

1730 ~~[(b)]~~ At the request of the authority, the executive director of the ~~[Department of Natural~~
1731 ~~Resources]~~ department shall:

1732 ~~[(i)]~~ (a) provide to the authority data or information collected by the ~~[Department of~~
1733 ~~Natural Resources]~~ department; and

1734 ~~[(ii)]~~ (b) ensure that the ~~[Department of Natural Resources present]~~ department presents
1735 information to the authority.

1736 (5) The authority shall seek an appropriate government-to-government relationship on
1737 matters directly related to the authority's general powers and mission as set forth in
1738 Section ~~[63M-14-204]~~ 73-34-204 with all federally recognized Indian tribes located, in
1739 whole or in part, within the state and within the Colorado River system.

1740 Section 15. Section **73-34-204**, which is renumbered from Section 63M-14-204 is renumbered
1741 and amended to read:

1742 **[63M-14-204] 73-34-204 (Effective 07/01/26). Authority's general powers and**
1743 **mission -- Management plan -- Duties and powers.**

1744 (1) The authority may advise, support, gather information, and provide input to the river
1745 commissioner and the Legislature.

1746 (2) The mission of the authority is to protect~~[-conserve, use, and develop Utah's waters of]~~
1747 Utah's right to use waters from the Colorado River system.

1748 (3) The authority may develop a management plan to ensure that Utah can protect Utah's
1749 right to use and develop the Colorado River system and to work to ensure that Utah can
1750 live within the state's apportionment of the Colorado River system.

1751 (4) The authority may assist the Utah water agent, appointed under Section 73-10g-702, in
1752 pursuing the Utah water agent's functions and duties as related to the Colorado River.

1753 (5) The authority may coordinate with the Office of the Attorney General to prepare the
1754 state for potential litigation.

1755 (6) As the authority determines appropriate to further the mission of the authority or
1756 implement the management plan, the authority may:

1757 (a) take a necessary action to acquire a grant or other resource from the federal
1758 government, other government agency, or private entity, including providing
1759 matching money;

1760 (b) award a grant of money from authority money;

1761 (c) enter into a lease agreement for a water right or water share;

- 1762 (d) enter into a contract generally;
 1763 (e) contract with the federal government or other government agency;
 1764 (f) sue and be sued; and
 1765 (g) provide funding for the development of infrastructure and improvements on or
 1766 related to the Colorado River.

1767 Section 16. Section **73-34-205**, which is renumbered from Section 63M-14-205 is renumbered
 1768 and amended to read:

1769 **[63M-14-205] 73-34-205 (Effective 07/01/26). Records.**

- 1770 (1) ~~[The records]~~ The authority shall maintain a record of the authority and the river
 1771 commissioner~~[shall be maintained by the authority]~~.
 1772 (2) The authority may classify a record in accordance with Title 63G, Chapter 2,
 1773 Government Records Access and Management Act, including a record described in
 1774 Subsection 63G-2-305(81).

1775 Section 17. Section **73-34-206**, which is renumbered from Section 63M-14-207 is renumbered
 1776 and amended to read:

1777 **[63M-14-207] 73-34-206 (Effective 07/01/26). Reports.**

- 1778 (1) The authority shall prepare an annual report of the authority's and river commissioner's
 1779 activities and submit the report to the following:
 1780 (a) the governor; and
 1781 (b) the Legislative Management Committee.
 1782 (2) The authority shall respond to and participate in ~~[meetings]~~ a meeting as requested by a
 1783 legislative committee or by the governor.

1784 Section 18. Section **73-34-207**, which is renumbered from Section 63M-14-208 is renumbered
 1785 and amended to read:

1786 **[63M-14-208] 73-34-207 (Effective 07/01/26). Authority meetings.**

1787 The authority shall comply with Title 52, Chapter 4, Open and Public Meetings Act, in
 1788 holding meetings.

1789 Section 19. Section **73-34-208**, which is renumbered from Section 63M-14-209 is renumbered
 1790 and amended to read:

1791 **[63M-14-209] 73-34-208 (Effective 07/01/26). Advisory councils authorized --**
 1792 **Consultations.**

- 1793 (1)(a) The authority may create authorized advisory councils of interested persons for
 1794 consultations with the authority.
 1795 (b) The authority shall by resolution adopt policies governing authorized:

- 1796 (i) ~~authorized~~ advisory councils;
- 1797 (ii) ~~authorized~~ advisory council members;
- 1798 (iii) ~~authorized~~ advisory council leadership; and
- 1799 (iv) ~~authorized~~ topic areas of interest for each authorized advisory council that
- 1800 directly relate to the mission and objectives of the authority.

1801 (c) The authority may consult with an authorized advisory ~~councils~~ council and

1802 consider data, information, and input from ~~these~~ the authorized advisory ~~councils~~

1803 council relevant to the mission and objectives of the authority.

1804 (2) The authority may consult with a relevant watershed ~~councils~~ council created under

1805 Title 73, Chapter 10g, Part 3, Watershed Councils Act.

1806 Section 20. Section **73-34-209**, which is renumbered from Section 63M-14-210 is renumbered

1807 and amended to read:

1808 **~~63M-14-210~~ 73-34-209 (Effective 07/01/26). Application of state laws.**

1809 (1)(a) The authority is not an executive branch procurement unit under Title 63G,

1810 Chapter 6a, Utah Procurement Code, and is not subject to that chapter.

1811 (b) The authority shall by resolution adopt a procurement procedure substantially similar

1812 to Title 63G, Chapter 6a, Utah Procurement Code, or a procurement code adopted by

1813 an ~~appointing authority~~ authority named in Subsection 73-34-202(3)(b)(i) that

1814 nominates an authority member for a Colorado River authority area.

1815 (c) The authority may contract with an ~~appointing authority~~ authority named in

1816 Subsection 73-34-202(3)(b)(i) that nominates an authority member for a Colorado

1817 River authority area that has a local procurement procedure to deal with procurement

1818 in a manner consistent with the resolution adopted under Subsection (1)(b).

1819 (2)(a) The authority shall comply with Title 63A, Chapter 17, Utah State Personnel

1820 Management Act, except as provided in this Subsection (2).

1821 (b)(i) The authority may approve, upon recommendation of the chair, that exemption

1822 for specific positions under Subsections 63A-17-301(1) and 63A-17-307(2) is

1823 required to enable the authority to efficiently fulfill the authority's responsibilities

1824 under the law.

1825 (ii) The chair shall consult with the executive director of the Division of Human

1826 Resource Management before making a recommendation under Subsection

1827 (2)(b)(i).

1828 (iii) The position of executive director is exempt under Subsections 63A-17-301(1)

1829 and 63A-17-307(2).

- 1830 (c)(i) The executive director shall set salaries for exempted positions, except for the
 1831 executive director, after consultation with the executive director of the
 1832 Department of Human Resource Management, within ranges approved by the
 1833 authority. The ~~[chair]~~ executive director of the department shall set the salary of
 1834 the executive director.
- 1835 (ii) The authority and executive director shall consider salaries for similar positions
 1836 in private enterprise and other public employment when setting salary ranges.

1837 (3) In adopting a policy under this chapter, the authority:

- 1838 (a) is not required to comply with Title 63G, Chapter 3, Utah Administrative
 1839 Rulemaking Act; and
- 1840 (b) shall adopt the policy by resolution of the authority.

1841 Section 21. Section **73-34-301**, which is renumbered from Section 63M-14-301 is renumbered
 1842 and amended to read:

1843 **Part 3. River Commissioner**

1844 **[63M-14-301] 73-34-301 (Effective 07/01/26). Appointment of river**
 1845 **commissioner.**

- 1846 (1)(a) If the governor appoints the river commissioner before March 16, 2021, that
 1847 appointment expires on June 30, 2027.
- 1848 (b) If the river commissioner appointed by the governor under Subsection (1)(a) is also
 1849 appointed as a member of the authority, the river commissioner shall serve as the
 1850 chair of the authority for a term expiring June 30, 2027.
- 1851 (c) After June 30, 2027, the ~~[authority shall elect a chair, who shall also serve, subject to~~
 1852 ~~the approval of the governor, as the river commissioner]~~ governor shall appoint the
 1853 river commissioner with the advice and consent of the Senate.
- 1854 (d) If after June 30, 2027, the governor appoints as the river commissioner an individual
 1855 who is a member of the authority appointed under Subsection 73-34-202(1)(b) or (c),
 1856 the individual is no longer a member of the authority under Subsection
 1857 73-34-202(1)(b) or (c) but is a member of the authority as the chair of the authority.
 1858 The governor shall replace the vacancy created by appointment of the river
 1859 commissioner under this Subsection (1) in accordance with Subsection 73-34-202(7).
- 1860 (e) An individual may not hold one of the following positions and be the river
 1861 commissioner at the same time:
- 1862 (i) the director of the Division of Water Resources;
- 1863 (ii) the executive director of the department; or

1864 (iii) the state engineer.

1865 (2) The term of a river commissioner runs concurrently with the term ~~[of the]~~ as chair as
1866 provided in Sections ~~[63M-14-203 and 63M-14-302]~~ 73-34-203 and 73-34-302.

1867 (3) If the river commissioner no longer serves as river commissioner, the ~~[authority]~~
1868 governor shall fill the vacancy in accordance with ~~[Section 63M-14-203]~~ this section and
1869 Section 73-34-203.

1870 (4) Notwithstanding Title 67, Chapter 16, Utah Public Officers' and Employees' Ethics Act,
1871 and except as provided in Subsection (1)(e), a river commissioner may hold another
1872 government position at the same time as being a river commissioner without creating a
1873 conflict of interest.

1874 Section 22. Section **73-34-302**, which is renumbered from Section 63M-14-302 is renumbered
1875 and amended to read:

1876 **[63M-14-302] 73-34-302 (Effective 07/01/26). Term -- Removal of river**
1877 **commissioner.**

1878 (1) ~~[The]~~ After the appointment under Subsection 73-34-301(1)(a) expires, the term of the
1879 river commissioner is ~~[six]~~ four years.

1880 (2) The authority, with the consent of the governor, may remove the river commissioner if
1881 the authority finds that the river commissioner has engaged in neglect of duty or
1882 malfeasance in office. If the river commissioner is removed under this Subsection (2),
1883 the removed river commissioner may not serve as chair of the authority or as a member
1884 of the authority.

1885 Section 23. Section **73-34-303**, which is renumbered from Section 63M-14-304 is renumbered
1886 and amended to read:

1887 **[63M-14-304] 73-34-303 (Effective 07/01/26). Duties and powers.**

1888 (1) Before legal action on behalf of the state or the users of the waters of the Colorado
1889 River system may be taken under this chapter, the river commissioner shall request that
1890 the governor and attorney general take legal action on behalf of the state and the users of
1891 the waters of the Colorado River system~~[to assure, conserve, protect, and preserve~~
1892 ~~Utah's allocation of the waters of the Colorado River system as authorized by the law of~~
1893 ~~the river].~~

1894 (2) Except as provided in Section ~~[63M-14-402]~~ 73-34-402, the attorney general shall
1895 represent the river commissioner and the authority, including the authority's members
1896 and officers, in all matters related to the Colorado River. At the request of the authority
1897 or the river commissioner, the attorney general may institute or join legal actions against

1898 any party to enforce or defend the state's rights in matters related to the Colorado River.

1899 (3) The river commissioner shall act for the state and the Utah Colorado River users in
1900 consultations or negotiations with:

1901 (a) the Upper Colorado River Commission;

1902 (b) the states in the Colorado River Compact; and

1903 (c) the government of the United States.

1904 (4) The river commissioner may make and enter into a compact between Utah and
1905 Colorado River Basin States, either jointly or severally. A compact that defines the
1906 rights of the states or of the United States in the waters of the Colorado River system is
1907 not binding on Utah until ratified and approved by:

1908 (a) the Utah State Legislature by joint resolution;

1909 (b) the governor of this state; and

1910 (c) the appropriate federal agency when the federal agency's approval is required.

1911 (5) The river commissioner within the limits of the river commissioner's authority shall:

1912 (a) represent and act for the state in consultation with other states, the United States,
1913 foreign countries, and private persons, and negotiate and enter into agreements
1914 between the state and those entities, jointly or severally;

1915 (b) represent and act for the state as a member of an interstate or international
1916 commission or other body as may be established relating to the Colorado River
1917 system in transactions with Colorado River Basin States, the federal government, or a
1918 foreign country; and

1919 (c) report to the governor the measures or legislative actions that the river commissioner
1920 considers necessary to carry out the provisions of any law relating to the powers and
1921 duties of the authority.

1922 (6) The river commissioner shall perform the duties imposed by this chapter and perform
1923 all other things the river commissioner considers necessary or expedient to carry out the
1924 purposes of this chapter.

1925 Section 24. Section **73-34-304**, which is renumbered from Section 63M-14-305 is renumbered
1926 and amended to read:

1927 **[63M-14-305] 73-34-304 (Effective 07/01/26). Authority consultation with river**
1928 **commissioner.**

1929 (1) The river commissioner shall consult with the authority in exercising the powers and
1930 performing the duties of the river commissioner enumerated in this chapter.

1931 (2) The river commissioner shall report and make recommendations to the authority at the

1932 request of the authority or when the river commissioner considers [it]proper.

1933 (3) The purpose of consulting with and reporting to the authority is to safeguard and protect
1934 the rights and interests of Utah, Utah's agencies, and Utah's citizens in respect of the
1935 waters of the Colorado River system.

1936 Section 25. Section **73-34-305**, which is renumbered from Section 63M-14-306 is renumbered
1937 and amended to read:

1938 **[63M-14-306] 73-34-305 (Effective 07/01/26). Investigative powers -- Storage of**
1939 **data relating to the use of the Colorado River system.**

1940 (1) The river commissioner may investigate past, present, and potential uses of the water of
1941 the Colorado River system within and without the state.

1942 (2) The river commissioner shall investigate, coordinate, collate, and preserve information,
1943 facts, and data bearing upon the claims of states and of public or private agencies within
1944 and without the state to and in respect of the water and the use of water of the Colorado
1945 River system.

1946 Section 26. Section **73-34-401**, which is renumbered from Section 63M-14-401 is renumbered
1947 and amended to read:

1948 **Part 4. Employees of Authority**

1949 **[63M-14-401] 73-34-401 (Effective 07/01/26). Executive director.**

1950 (1) The [chair] executive director of the department may hire an executive director.

1951 (2) The executive director or the executive director's designee:

1952 (a) is responsible for the administering and carrying out the policies of the authority;

1953 (b) shall direct and supervise the technical and administrative activities of the authority;

1954 (c) [~~subject to the supervision of the chair,~~]is responsible for the conduct of the
1955 administrative function of the river commissioner and the authority; and

1956 (d) shall perform any lawful act necessary to carry out the duties of the authority.

1957 (3) The executive director shall, within the limits of available funding, employ the
1958 employees necessary to carry out the functions and duties of the executive director. The
1959 employees have the duties prescribed by the executive director.

1960 Section 27. Section **73-34-402**, which is renumbered from Section 63M-14-402 is renumbered
1961 and amended to read:

1962 **[63M-14-402] 73-34-402 (Effective 07/01/26). Consultants or other professionals.**

1963 To advise the authority on matters relating to the authority, the executive director may:

1964 (1) employ one or more consultants or other professionals; and

1965 (2) employ or retain legal counsel, with the consent of the attorney general, to advise the

1966 authority or river commissioner on matters relating to the authority's or river
 1967 commissioner's operations.

1968 Section 28. Section **73-34-501**, which is renumbered from Section 63M-14-501 is renumbered
 1969 and amended to read:

1970 **Part 5. Financial Operations**

1971 **[63M-14-501] 73-34-501 (Effective 07/01/26). Colorado River Authority**

1972 **Restricted Account.**

1973 (1) There is created a restricted account in the General Fund known as the "Colorado River
 1974 Authority Restricted Account."

1975 (2) The restricted account shall consist of:

1976 (a) money contributed by the following users of the Colorado River system in an amount
 1977 that the respective governing bodies considers advisable:

1978 (i) an irrigation district;

1979 (ii) a nonprofit corporation;

1980 (iii) a water conservancy district;

1981 (iv) a municipality; or

1982 (v) a metropolitan water district;

1983 (b) appropriations of the Legislature;

1984 (c) contributions from other sources, including federal funding; and

1985 (d) interest or earnings on the restricted account.

1986 (3)(a) The state treasurer shall invest money in the restricted account according to Title
 1987 51, Chapter 7, State Money Management Act.

1988 (b) The state treasurer shall deposit interest or other earnings derived from investment of
 1989 restricted account money into the restricted account.

1990 (4) Subject to appropriation by the Legislature, money in the restricted account is for the
 1991 use of the authority [to:]

1992 [~~(a) fill the authority's statutory duties related to Utah's allocation of water from the~~
 1993 ~~Colorado River system;~~]

1994 [~~(b) pay the compensation of employees, consultants, and legal counsel; and]~~

1995 [~~(c) pay the travel expenses of the river commissioner] or department to implement this~~
 1996 ~~chapter.~~

1997 (5) In addition to money contributed by the users of the Colorado River system described in
 1998 Subsection (2)(a), a user may provide in-kind goods and services to the authority.

1999 Section 29. Section **73-34-502**, which is renumbered from Section 63M-14-502 is renumbered

2000 and amended to read:

2001 **[63M-14-502] 73-34-502 (Effective 07/01/26). Budgeting process.**

2002 (1) Within the legislative appropriations and in-kind goods and services received by the
2003 authority, the authority shall prepare an annual budget of revenues and expenditures for
2004 the authority for each fiscal year.

2005 (2) The authority may not make expenditures in excess of the total expenditures established
2006 in the annual budget as the budget is adopted or amended.

2007 Section 30. Section **79-2-201** is amended to read:

2008 **79-2-201 (Effective 07/01/26) (Partially Repealed 07/01/29). Department of**
2009 **Natural Resources created.**

2010 (1) There is created the Department of Natural Resources.

2011 (2) The department comprises the following:

2012 (a) Board of Water Resources, created in Section 73-10-1.5;

2013 (b) Board of Oil, Gas, and Mining, created in Section 40-6-4;

2014 (c) Office of Energy Development, created in Section 79-6-401;

2015 (d) Wildlife Board, created in Section 23A-2-301;

2016 (e) Board of the Utah Geological Survey, created in Section 79-3-301;

2017 (f) Water Development Coordinating Council, created in Section 73-10c-3;

2018 (g) Division of Water Rights, created in Section 73-2-1.1;

2019 (h) Division of Water Resources, created in Section 73-10-18;

2020 (i) Division of Forestry, Fire, and State Lands, created in Section 65A-1-4;

2021 (j) Division of Oil, Gas, and Mining, created in Section 40-6-15;

2022 (k) Division of State Parks, created in Section 79-4-201;

2023 (l) Division of Outdoor Recreation, created in Section 79-7-201;

2024 (m) Division of Wildlife Resources, created in Section 23A-2-201;

2025 (n) Utah Geological Survey, created in Section 79-3-201;

2026 (o) Utah Outdoor Recreation Infrastructure Advisory Committee, created in Section
2027 79-7-206;

2028 (p)(i) an advisory council that includes in the advisory council's duties advising on
2029 state boating policy, authorized by Section 73-18-3.5; or

2030 (ii) an advisory council that includes in the advisory council's duties advising on
2031 off-highway vehicle use, authorized by Section 41-22-10;

2032 (q) Wildlife Board Nominating Committee, created in Section 23A-2-302;

2033 (r) Wildlife Regional Advisory Councils, created in Section 23A-2-303;

- 2034 (s) Utah Watersheds Council, created in Section 73-10g-304;
- 2035 (t) Public Lands Policy Coordinating Office created in Section 63L-11-201;[-and]
- 2036 (u) the Great Salt Lake commissioner, appointed under Section 73-32-201, and the
- 2037 Office of the Great Salt Lake Commissioner, created in Section 73-32-301[;] ; and
- 2038 (v) the Colorado River Authority and river commissioner under Title 73, Chapter 34,
- 2039 Colorado River Authority of Utah Act.
- 2040 Section 31. **Repealer.**
- 2041 This bill repeals:
- 2042 Section **63M-14-101, Title.**
- 2043 Section **63M-14-303, Compensation.**
- 2044 Section 32. **Effective Date.**
- 2045 This bill takes effect on July 1, 2026.