

**Natural Resources, Agriculture, and Environment Technical Changes**

2026 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Keven J. Stratton**

House Sponsor: Carl R. Albrecht

---

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

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

Legislative Vote: 11 voting for 0 voting against 8 absent

**General Description:**

This bill addresses obsolete programs and makes other technical changes to statutes within the purview of natural resources, agriculture, and environment or related legislative committees.

**Highlighted Provisions:**

This bill:

- repeals language related to outdated authorizations to borrow or lend money from the Agricultural Water Optimization Account;
- repeals sections codifying the titles of a title, chapter, or part;
- requires certain annual reports to legislative committees be submitted by no later than October 1;
- repeals outdated reviews, reports, or studies;
- repeals outdated transitional language related to membership of boards;
- repeals outdated language regarding fees;
- corrects typographical errors;
- makes conforming amendments to sunset provisions;
- clarifies language regarding the federal Recreation and Public Purposes Act;
- repeals outdated deadlines for required management plans for water conveyance facilities;
- clarifies the procedure for the Great Salt Lake commissioner's submission of a strategic plan;
- repeals obsolete provisions related to mercury switch removal;
- repeals outdated provisions related to presenting rules for carbon capture and geological storage;
- repeals completed study of transportation, heating, and electricity-generating fuel storage

reserves;

- repeals outdated provisions related to regulatory certainty;
- repeals outdated requirement to participate in a survey;
- repeals outdated emergency water resources chapter; and
- makes technical and conforming amendments.

**Money Appropriated in this Bill:**

None

**Other Special Clauses:**

None

**Utah Code Sections Affected:**

**AMENDS:**

**4-18-106 (Effective 05/06/26)**, as last amended by Laws of Utah 2025, Chapter 91  
**4-18-201 (Effective 05/06/26)**, as enacted by Laws of Utah 2017, Chapter 345  
**4-26-101 (Effective 05/06/26)**, as last amended by Laws of Utah 2017, Chapter 345  
**4-46-303 (Effective 05/06/26)**, as last amended by Laws of Utah 2025, Chapter 271  
**11-13-228 (Effective 05/06/26)**, as enacted by Laws of Utah 2024, Chapter 522  
**11-65-202 (Effective 05/06/26)**, as enacted by Laws of Utah 2022, Chapter 59  
**19-1-105 (Effective 05/06/26)**, as last amended by Laws of Utah 2025, Chapter 14  
**19-1-108 (Effective 05/06/26)**, as last amended by Laws of Utah 2022, Chapter 336  
**19-1-403.3 (Effective 05/06/26)**, as enacted by Laws of Utah 2016, Chapter 369  
**19-2-101 (Effective 05/06/26) (Repealed 07/01/29)**, as renumbered and amended by  
Laws of Utah 1991, Chapter 112  
**19-4-103 (Effective 05/06/26) (Repealed 07/01/29)**, as last amended by Laws of Utah  
2025, Chapter 57  
**19-4-106 (Effective 05/06/26) (Repealed 07/01/29)**, as last amended by Laws of Utah  
2023, Chapter 238  
**19-5-122 (Effective 05/06/26) (Repealed 07/01/29)**, as last amended by Laws of Utah  
2009, Chapter 183  
**19-6-102.1 (Effective 05/06/26) (Repealed 07/01/29)**, as last amended by Laws of Utah  
2020, Chapters 256, 354  
**19-6-118.5 (Effective 05/06/26) (Repealed 07/01/29)**, as last amended by Laws of Utah  
2010, Chapter 17  
**19-6-119 (Effective 05/06/26) (Repealed 07/01/29)**, as last amended by Laws of Utah  
2025, First Special Session, Chapter 16

65 **19-10-101 (Effective 05/06/26)**, as last amended by Laws of Utah 2006, Chapter 51  
66 **19-10-102 (Effective 05/06/26)**, as enacted by Laws of Utah 2003, Chapter 44  
67 **23A-3-205 (Effective 05/06/26)**, as last amended by Laws of Utah 2025, First Special  
68 Session, Chapter 15  
69 **23A-4-702 (Effective 05/06/26)**, as last amended by Laws of Utah 2023, Chapter 345  
70 and renumbered and amended by Laws of Utah 2023, Chapter 103  
71 **23A-6-205 (Effective 05/06/26)**, as enacted by Laws of Utah 2023, Chapter 345  
72 **23A-11-302 (Effective 05/06/26)**, as last amended by Laws of Utah 2025, Chapter 116  
73 **23A-12-303 (Effective 05/06/26)**, as last amended by Laws of Utah 2025, Chapter 140  
74 **63A-1-116 (Effective 05/06/26)**, as last amended by Laws of Utah 2016, Chapter 187  
75 **63A-9-401 (Effective 05/06/26)**, as last amended by Laws of Utah 2023, Chapter 16  
76 **63G-4-102 (Effective 05/06/26)**, as last amended by Laws of Utah 2025, Chapters 14,  
77 260 and 340  
78 **63I-1-219 (Effective 05/06/26)**, as last amended by Laws of Utah 2025, Chapters 14, 121  
79 and 522  
80 **63I-1-265 (Effective 05/06/26)**, as last amended by Laws of Utah 2024, Third Special  
81 Session, Chapter 5  
82 **63J-1-602.2 (Effective 05/06/26) (Partially Repealed 07/01/29)**, as last amended by Laws  
83 of Utah 2025, First Special Session, Chapter 17  
84 **63J-8-106 (Effective 05/06/26)**, as last amended by Laws of Utah 2021, Chapter 382  
85 **63L-11-305 (Effective 05/06/26)**, as last amended by Laws of Utah 2025, Chapters 140,  
86 148  
87 **65A-6-4 (Effective 05/06/26)**, as last amended by Laws of Utah 2025, Chapter 151  
88 **65A-16-301 (Effective 05/06/26)**, as last amended by Laws of Utah 2025, Chapter 93  
89 **73-10-33 (Effective 05/06/26)**, as last amended by Laws of Utah 2014, Chapter 355  
90 **73-10g-204 (Effective 05/06/26) (Repealed 07/01/28)**, as last amended by Laws of Utah  
91 2025, Chapter 99  
92 **73-10g-305 (Effective 05/06/26)**, as last amended by Laws of Utah 2024, Chapter 335  
93 **73-10g-703 (Effective 05/06/26) (Repealed 07/01/34)**, as last amended by Laws of Utah  
94 2025, Chapter 93  
95 **73-32-202 (Effective 05/06/26)**, as last amended by Laws of Utah 2025, Chapter 93  
96 **73-32-204 (Effective 05/06/26)**, as last amended by Laws of Utah 2024, Chapter 25  
97 **73-32-303 (Effective 05/06/26) (Repealed 07/01/27)**, as last amended by Laws of Utah  
98 2025, Chapter 93

99       **76-17-401 (Effective 05/06/26)**, as renumbered and amended by Laws of Utah 2025,  
100       Chapter 173  
101       **79-2-406 (Effective 05/06/26)**, as last amended by Laws of Utah 2024, Chapter 88  
102       **79-2-408 (Effective 05/06/26)**, as last amended by Laws of Utah 2024, Chapter 38  
103       **79-2-504 (Effective 05/06/26)**, as enacted by Laws of Utah 2016, Chapter 358  
104       **79-8-203 (Effective 05/06/26)**, as last amended by Laws of Utah 2025, Chapters 83, 271

## REPEALS:

106       **4-1-101 (Effective 05/06/26)**, as renumbered and amended by Laws of Utah 2017,  
107       Chapter 345  
108       **4-2-101 (Effective 05/06/26)**, as enacted by Laws of Utah 2017, Chapter 345  
109       **4-2-501 (Effective 05/06/26)**, as enacted by Laws of Utah 2015, Chapter 128  
110       **4-3-101 (Effective 05/06/26)**, as enacted by Laws of Utah 2017, Chapter 345  
111       **4-4-101 (Effective 05/06/26)**, as renumbered and amended by Laws of Utah 2017,  
112       Chapter 345  
113       **4-4a-101 (Effective 05/06/26)**, as enacted by Laws of Utah 2021, Chapter 323  
114       **4-5-101 (Effective 05/06/26)**, as renumbered and amended by Laws of Utah 2017,  
115       Chapter 345  
116       **4-5a-101 (Effective 05/06/26)**, as enacted by Laws of Utah 2018, Chapter 377  
117       **4-7-101 (Effective 05/06/26)**, as renumbered and amended by Laws of Utah 2017,  
118       Chapter 345  
119       **4-8-101 (Effective 05/06/26)**, as renumbered and amended by Laws of Utah 2017,  
120       Chapter 345  
121       **4-9-101 (Effective 05/06/26)**, as enacted by Laws of Utah 2017, Chapter 345  
122       **4-10-101 (Effective 05/06/26)**, as renumbered and amended by Laws of Utah 2017,  
123       Chapter 345  
124       **4-11-101 (Effective 05/06/26)**, as renumbered and amended by Laws of Utah 2017,  
125       Chapter 345  
126       **4-12-101 (Effective 05/06/26)**, as renumbered and amended by Laws of Utah 2018,  
127       Chapter 355  
128       **4-14-101 (Effective 05/06/26)**, as renumbered and amended by Laws of Utah 2017,  
129       Chapter 345  
130       **4-15-101 (Effective 05/06/26)**, as renumbered and amended by Laws of Utah 2017,  
131       Chapter 345  
132       **4-16-101 (Effective 05/06/26)**, as renumbered and amended by Laws of Utah 2017,

133 Chapter 345  
134 **4-17-101 (Effective 05/06/26)**, as renumbered and amended by Laws of Utah 2017,  
135 Chapter 345  
136 **4-18-101 (Effective 05/06/26)**, as renumbered and amended by Laws of Utah 2013,  
137 Chapter 227  
138 **4-18-301 (Effective 05/06/26) (Repealed 07/01/26)**, as enacted by Laws of Utah 2021,  
139 Chapter 178  
140 **4-19-101 (Effective 05/06/26)**, as enacted by Laws of Utah 2017, Chapter 345  
141 **4-20-101 (Effective 05/06/26)**, as renumbered and amended by Laws of Utah 2017,  
142 Chapter 345  
143 **4-21-101 (Effective 05/06/26)**, as enacted by Laws of Utah 2018, Chapter 393  
144 **4-22-101 (Effective 05/06/26)**, as enacted by Laws of Utah 2017, Chapter 345  
145 **4-23-101 (Effective 05/06/26)**, as renumbered and amended by Laws of Utah 2017,  
146 Chapter 345  
147 **4-24-101 (Effective 05/06/26)**, as renumbered and amended by Laws of Utah 2017,  
148 Chapter 345  
149 **4-25-101 (Effective 05/06/26)**, as enacted by Laws of Utah 2017, Chapter 345  
150 **4-30-101 (Effective 05/06/26)**, as enacted by Laws of Utah 2017, Chapter 345  
151 **4-31-101 (Effective 05/06/26)**, as enacted by Laws of Utah 2012, Chapter 331  
152 **4-32-101 (Effective 05/06/26)**, as renumbered and amended by Laws of Utah 2017,  
153 Chapter 345  
154 **4-32a-101 (Effective 05/06/26)**, as enacted by Laws of Utah 2019, Chapter 315  
155 **4-34-101 (Effective 05/06/26)**, as enacted by Laws of Utah 2017, Chapter 345  
156 **4-35-101 (Effective 05/06/26)**, as last amended by Laws of Utah 2020, Chapter 326  
157 **4-37-101 (Effective 05/06/26)**, as enacted by Laws of Utah 1994, Chapter 153  
158 **4-38-101 (Effective 05/06/26)**, as renumbered and amended by Laws of Utah 2017,  
159 Chapter 345  
160 **4-39-101 (Effective 05/06/26)**, as enacted by Laws of Utah 1997, Chapter 302  
161 **4-41-101 (Effective 05/06/26)**, as last amended by Laws of Utah 2020, Chapter 14  
162 **4-41-401 (Effective 05/06/26)**, as last amended by Laws of Utah 2019, Chapter 23  
163 **4-41a-101 (Effective 05/06/26)**, as renumbered and amended by Laws of Utah 2018,  
164 Third Special Session, Chapter 1  
165 **4-44-101 (Effective 05/06/26)**, as enacted by Laws of Utah 2019, Chapter 81  
166 **4-45-101 (Effective 05/06/26)**, as enacted by Laws of Utah 2019, Chapter 329

167 **19-1-101 (Effective 05/06/26)**, as enacted by Laws of Utah 1991, Chapter 112  
168 **19-1-207 (Effective 05/06/26)**, as last amended by Laws of Utah 2024, Chapter 178  
169 **19-1-501 (Effective 05/06/26)**, as enacted by Laws of Utah 2010, Chapter 170  
170 **19-1-601 (Effective 05/06/26)**, as last amended by Laws of Utah 2018, Chapter 281  
171 **19-2-201 (Effective 05/06/26) (Repealed 07/01/29)**, as enacted by Laws of Utah 2014,  
172 Chapter 295  
173 **19-2-301 (Effective 05/06/26) (Repealed 07/01/29)**, as enacted by Laws of Utah 2015,  
174 Chapter 381  
175 **19-2a-101 (Effective 05/06/26)**, as enacted by Laws of Utah 2018, Chapter 120  
176 **19-3-101 (Effective 05/06/26)**, as enacted by Laws of Utah 1991, Chapter 112  
177 **19-3-320 (Effective 05/06/26)**, as last amended by Laws of Utah 2021, Chapter 184  
178 **19-4-101 (Effective 05/06/26) (Repealed 07/01/29)**, as renumbered and amended by  
179 Laws of Utah 1991, Chapter 112  
180 **19-5-101 (Effective 05/06/26) (Repealed 07/01/29)**, as renumbered and amended by  
181 Laws of Utah 1991, Chapter 112  
182 **19-5-203 (Effective 05/06/26) (Repealed 07/01/29)**, as enacted by Laws of Utah 2022,  
183 Chapter 66  
184 **19-6-101 (Effective 05/06/26) (Repealed 07/01/29)**, as renumbered and amended by  
185 Laws of Utah 1991, Chapter 112  
186 **19-6-201 (Effective 05/06/26)**, as renumbered and amended by Laws of Utah 1991,  
187 Chapter 112  
188 **19-6-301 (Effective 05/06/26) (Repealed 07/01/30)**, as renumbered and amended by  
189 Laws of Utah 1991, Chapter 112  
190 **19-6-501 (Effective 05/06/26)**, as renumbered and amended by Laws of Utah 1991,  
191 Chapter 112  
192 **19-6-701 (Effective 05/06/26) (Repealed 07/01/29)**, as enacted by Laws of Utah 1993,  
193 Chapter 283  
194 **19-6-801 (Effective 05/06/26) (Repealed 07/01/30)**, as renumbered and amended by  
195 Laws of Utah 2000, Chapter 51  
196 **19-6-901 (Effective 05/06/26)**, as enacted by Laws of Utah 2004, Chapter 249  
197 **19-6-1001 (Effective 05/06/26) (Repealed 07/01/27)**, as enacted by Laws of Utah 2006,  
198 Chapter 187  
199 **19-6-1002 (Effective 05/06/26) (Repealed 07/01/27)**, as last amended by Laws of Utah  
200 2015, Chapter 451

201       **19-6-1003 (Effective 05/06/26) (Repealed 07/01/27)**, as last amended by Laws of Utah  
202       2012, Chapter 360  
203       **19-6-1004 (Effective 05/06/26) (Repealed 07/01/27)**, as last amended by Laws of Utah  
204       2012, Chapter 360  
205       **19-6-1005 (Effective 05/06/26) (Repealed 07/01/27)**, as last amended by Laws of Utah  
206       2012, Chapter 360  
207       **19-6-1006 (Effective 05/06/26) (Repealed 07/01/27)**, as enacted by Laws of Utah 2006,  
208       Chapter 187  
209       **19-6-1101 (Effective 05/06/26)**, as enacted by Laws of Utah 2009, Chapter 340  
210       **19-6-1201 (Effective 05/06/26)**, as enacted by Laws of Utah 2011, Chapter 213  
211       **19-7-101 (Effective 05/06/26)**, as enacted by Laws of Utah 1995, Chapter 304  
212       **19-8-101 (Effective 05/06/26)**, as enacted by Laws of Utah 1997, Chapter 247  
213       **19-12-101 (Effective 05/06/26)**, as enacted by Laws of Utah 2014, Chapter 24  
214       **19-13-101 (Effective 05/06/26)**, as renumbered and amended by Laws of Utah 2020,  
215       Chapter 360  
216       **40-2-101 (Effective 05/06/26)**, as enacted by Laws of Utah 2008, Chapter 113  
217       **54-17-701 (Effective 05/06/26)**, as last amended by Laws of Utah 2024, Chapter 178  
218       **65A-8a-101 (Effective 05/06/26)**, as enacted by Laws of Utah 2001, Chapter 80  
219       **65A-10-5 (Effective 05/06/26) (Repealed 07/01/27)**, as enacted by Laws of Utah 2024,  
220       Chapter 384  
221       **65A-14-101 (Effective 05/06/26)**, as enacted by Laws of Utah 2010, Chapter 21  
222       **73-2-1.7 (Effective 05/06/26)**, as enacted by Laws of Utah 2022, Chapter 75  
223       **73-3b-101 (Effective 05/06/26)**, as enacted by Laws of Utah 1991, Chapter 146  
224       **73-3c-101 (Effective 05/06/26)**, as enacted by Laws of Utah 2006, Chapter 179  
225       **73-10-35 (Effective 05/06/26)**, as enacted by Laws of Utah 2020, Chapter 204  
226       **73-10g-101 (Effective 05/06/26)**, as last amended by Laws of Utah 2018, Chapter 143  
227       **73-10g-201 (Effective 05/06/26) (Repealed 07/01/28)**, as enacted by Laws of Utah 2018,  
228       Chapter 143  
229       **73-10g-309 (Effective 05/06/26)**, as enacted by Laws of Utah 2020, Chapter 309  
230       **73-10g-405 (Effective 05/06/26)**, as enacted by Laws of Utah 2022, Chapter 81  
231       **73-18c-101 (Effective 05/06/26)**, as last amended by Laws of Utah 2006, Chapter 211  
232       **73-20-1 (Effective 05/06/26)**, as enacted by Laws of Utah 1977, First Special Session,  
233       Chapters 6, 6  
234       **73-20-2 (Effective 05/06/26)**, as last amended by Laws of Utah 2021, Chapter 126

235 **73-20-3 (Effective 05/06/26)**, as enacted by Laws of Utah 1977, First Special Session,  
236 Chapters 6, 6  
237 **73-20-4 (Effective 05/06/26)**, as last amended by Laws of Utah 2021, Chapter 126  
238 **73-20-5 (Effective 05/06/26)**, as last amended by Laws of Utah 2021, Chapter 126  
239 **73-20-6 (Effective 05/06/26)**, as enacted by Laws of Utah 1977, First Special Session,  
240 Chapters 6, 6  
241 **73-20-7 (Effective 05/06/26)**, as enacted by Laws of Utah 1977, First Special Session,  
242 Chapters 6, 6  
243 **73-20-8 (Effective 05/06/26)**, as last amended by Laws of Utah 1988, Chapter 169  
244 **73-20-9 (Effective 05/06/26)**, as enacted by Laws of Utah 1977, First Special Session,  
245 Chapters 6, 6  
246 **73-20-10 (Effective 05/06/26)**, as last amended by Laws of Utah 1988, Chapter 169  
247 **73-20-11 (Effective 05/06/26)**, as enacted by Laws of Utah 1978, Chapter 37  
248 **73-26-101 (Effective 05/06/26)**, as enacted by Laws of Utah 1991, Chapter 251  
249 **73-28-101 (Effective 05/06/26)**, as enacted by Laws of Utah 2006, Chapter 216  
250 **73-29-101 (Effective 05/06/26)**, as enacted by Laws of Utah 2010, Chapter 410  
251 **73-31-101 (Effective 05/06/26) (Repealed 12/31/30)**, as enacted by Laws of Utah 2020,  
252 Chapter 342  
253 **79-1-101 (Effective 05/06/26)**, as enacted by Laws of Utah 2009, Chapter 344  
254 **79-2-101 (Effective 05/06/26)**, as enacted by Laws of Utah 2009, Chapter 344  
255 **79-2-405 (Effective 05/06/26)**, as enacted by Laws of Utah 2021, Chapter 87  
256 **79-2-501 (Effective 05/06/26)**, as enacted by Laws of Utah 2016, Chapter 358  
257 **79-3-101 (Effective 05/06/26)**, as enacted by Laws of Utah 2009, Chapter 344  
258 **79-4-1201 (Effective 05/06/26)**, as enacted by Laws of Utah 2019, Chapter 360  
259 **79-5-101 (Effective 05/06/26)**, as enacted by Laws of Utah 2009, Chapter 344  
260 **79-6-101 (Effective 05/06/26)**, as renumbered and amended by Laws of Utah 2021,  
261 Chapter 280  
262 **79-6-406 (Effective 05/06/26)**, as enacted by Laws of Utah 2024, Chapter 62  
263 **79-6-501 (Effective 05/06/26)**, as renumbered and amended by Laws of Utah 2021,  
264 Chapter 280  
265 **79-6-601 (Effective 05/06/26)**, as renumbered and amended by Laws of Utah 2021,  
266 Chapter 280  
267 **79-8-101 (Effective 05/06/26)**, as enacted by Laws of Utah 2021, Chapter 280  
268 **79-8-301 (Effective 05/06/26)**, as renumbered and amended by Laws of Utah 2021,



## Chapter 280

---

*Be it enacted by the Legislature of the state of Utah:*Section 1. Section **4-18-106** is amended to read:**4-18-106 (Effective 05/06/26). Agriculture Resource Development Fund --  
Contents -- Use of fund money -- Advisory board.**

(1) As used in this section:

- (a) "Disaster" means an extraordinary circumstance, including a flood, drought, or fire, that results in:
  - (i) the president of the United States declaring an emergency or major disaster in the state;
  - (ii) the governor declaring a state of emergency under Title 53, Chapter 2a, Part 2, Disaster Response and Recovery Act; or
  - (iii) the chief executive officer of a local government declaring a local emergency under Title 53, Chapter 2a, Part 2, Disaster Response and Recovery Act.
- (b) "Fund" means the Agriculture Resource Development Fund created in this section.
- (c) "Local government" means the same as that term is defined in Section 53-2a-602.

(2) There is created a revolving loan fund known as the "Agriculture Resource Development Fund."

(3) The fund shall consist of:

- (a) money appropriated to the fund by the Legislature;
- (b) money received for the repayment of loans made from the fund;
- (c) money from a preferential user to reimburse the commission for loans made from the fund in accordance with Title 73, Chapter 3d, Part 4, Compensation;
- (d) money made available to the state for agriculture resource development or for a temporary water shortage emergency, as defined in Section 73-3d-101, from any source; and
- (e) interest earned on the fund.

(4) The commission may make loans from the fund for:

- (a) a rangeland improvement and management project;
- (b) a watershed protection or flood prevention project;
- (c) a soil and water conservation project;
- (d) a program designed to promote energy efficient farming practices;
- (e) an improvement program for agriculture product storage or program designed to

- 303 protect a crop or animal resource;
- 304 (f) a hydroponic or aquaponic system, including a hydroponic fodder production system;
- 305 (g) a project or program to improve water quality;
- 306 (h) a project to address other environmental issues;
- 307 (i) subject to Subsection (5), a disaster relief program designed to aid the sustainability
- 308 of agriculture during and immediately following a disaster; or
- 309 (j) subject to Subsection (6), authorized for temporary water shortage emergencies as
- 310 provided in Title 73, Chapter 3d, Part 4, Compensation.
- 311 (5)(a) Loans made through a disaster relief program described in Subsection (4)(i) may
- 312 not comprise more than 10% of the funds appropriated by the Legislature to the fund.
- 313 (b) Notwithstanding Subsection (5)(a), the department may use the money appropriated
- 314 to the fund by the Legislature or another source, without limitation, if the money is
- 315 appropriated specifically for use in a disaster relief program.
- 316 ~~[(c)(i) Until December 31, 2024, the department is authorized to borrow up to~~
- 317 ~~\$3,000,000 of General Fund appropriations from the Agricultural Water~~
- 318 ~~Optimization Account created in Section 73-10g-204 to be used in making loans~~
- 319 ~~through a disaster relief program described in Subsection (4)(i).]~~
- 320 ~~[(ii) If the department borrows from the Agricultural Water Optimization Account~~
- 321 ~~under Subsection (5)(c)(i), the department shall deposit the repayment of principal~~
- 322 ~~and interest on loans made through a disaster relief program, regardless of the~~
- 323 ~~source of the funds used to make those loans, into the Agricultural Water~~
- 324 ~~Optimization Account, with preference over the repayment of any other source of~~
- 325 ~~funds, until the Agricultural Water Optimization Account is repaid in full.]~~
- 326 (6) The commission may not have at one time an aggregate amount of loans made under
- 327 Subsection (4)(j) that exceeds \$5,000,000.
- 328 (7) The commission may appoint an advisory board to:
- 329 (a) oversee the award process for loans, as described in this section;
- 330 (b) approve loans; and
- 331 (c) recommend policies and procedures for the fund that are consistent with statute.
- 332 (8) The department shall obtain an approved annual budget from the commission to use
- 333 money from the fund to pay for the costs of administering the fund and loans made from
- 334 the fund.

335 Section 2. Section **4-18-201** is amended to read:

336 **4-18-201 (Effective 05/06/26). Definitions.**

337 [~~(1)~~ This part is known as "Salinity Offset Fund."]

338 [~~(2)~~] As used in this part, "Colorado River Salinity Offset Program" means a program,  
339 administered by the Division of Water Quality, allowing oil, gas, or mining companies  
340 and other entities to provide [~~funds~~] money to finance salinity reduction projects in the  
341 Colorado River Basin by purchasing salinity credits as offsets against discharges made  
342 by the company under permits issued by the Division of Water Quality.

343 Section 3. Section **4-26-101** is amended to read:

344 **4-26-101 (Effective 05/06/26). Failure to close entrance to enclosure -- Class C**  
345 **misdemeanor -- Damages.**

346 [~~(1)~~ This chapter is known as "Enclosures and Fences."]

347 [~~(2)~~] A person who willfully throws down a fence or opens bars or gates into [~~any~~] an  
348 enclosure other than the person's own enclosure or into [~~any~~] an enclosure jointly owned  
349 or occupied by [~~such~~] the person and others, and leaves the enclosure open:

350 [~~(a)~~] (1) is guilty of a class C misdemeanor; and

351 [~~(b)~~] (2) is liable in damage for [~~any~~] an injury sustained by [~~any~~] a person as a result of [~~such~~  
352 an] the act.

353 Section 4. Section **4-46-303** is amended to read:

354 **4-46-303 (Effective 05/06/26). Board to report annually.**

355 The board shall submit, by no later than October 1, an annual report to the  
356 Transportation and Infrastructure and Natural Resources, Agriculture, and Environmental  
357 Quality Appropriations Subcommittees:

358 (1) specifying the amount of each disbursement from the fund;

359 (2) identifying the recipient of each disbursement and describing the project for which  
360 money was disbursed; and

361 (3) detailing the conditions, if any, placed by the board on disbursements from the fund.

362 Section 5. Section **11-13-228** is amended to read:

363 **11-13-228 (Effective 05/06/26). Water District Water Development Council.**

364 (1) As used in this section:

365 (a) "Council" means the Water District Water Development Council created pursuant to  
366 this section.

367 (b) "Division" means the Division of Water Resources.

368 (c) "Generational" means sufficient to meet anticipated demand for 50 to 75 years.

369 (d) "Generational water infrastructure" means physical facilities or other physical assets  
370 designed to meet generational demands for water.

(e) "State or local entity" means:

(i) a department, division, commission, agency, or other instrumentality of state government; or

(ii) a political subdivision or the political subdivision's instrumentalities.

(f) "Water agent" means the Utah water agent appointed by the governor under Section 73-10g-702.

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

(2)(a) Subject to ~~[the provisions of]~~ this part, the four largest water conservancy districts in the state based on operating budgets shall enter into an agreement with one another and the division to form the Water District Water Development Council as a joint administrator of a joint or cooperative undertaking.

(b) The members of the council shall consist of:

(i) the general manager or the general manager's designee for each of the water conservancy districts described in Subsection (2)(a); and

(ii) the director of the division, who will represent the needs of the portions of the state that are not served by the water conservancy districts in the agreement.

(c) ~~[Members]~~ A member of the council may not receive compensation, per diem, or expenses for service on the council.

(d) The council shall appoint a director to manage operations of the council. The council shall set the salary for the director and the director serves at the pleasure of the council.

(e) The council shall establish and maintain office space and staff for the council and the water agent. The water conservancy districts that enter into the agreement shall pay the costs of the office space and staff that are directly related to the activities of the council, including staff from a water conservancy district that is assigned to work with the council, except that, to the extent appropriated by the Legislature, the state shall pay the costs of the water agent and ~~[any]~~ costs for non-district staff hired to solely work for the council or water agent.

(3)(a) The council may not own or operate water infrastructure, but may advise a water conservancy district that enters into the agreement about the development of generational water infrastructure by a water conservancy district.

(b) For the generational water needs of the citizens of Utah and within the authorities given to the water conservancy districts represented on the council in Title 17B,

Chapter 2a, Part 10, Water Conservancy District Act, the council shall jointly plan for generational water infrastructure and advance the responsible development of water within the jurisdiction of the water conservancy districts represented on the council to address water users' generational need for adequate and reliable water supplies, including:

- (i) assessing generational water needs based on population growth and economic development;
- (ii) identifying possible sources to meet the generational water needs;
- (iii) exploring physical interconnections and joint operations of generational water infrastructure that exist as of May 1, 2024, and into the future;
- (iv) assessing water conservation as a component of generational water supplies and environmental conservation efforts;
- (v) scoping solutions to determine the most viable pathways for meeting generational water needs;
- (vi) collecting and analyzing data necessary to make informed decisions regarding generational water needs;
- (vii) coordinating with other water suppliers within the state as needed;
- (viii) making recommendations to the Legislature regarding projects, funding, and policy changes to provide for generational water needs; and
- (ix) annually reporting findings and recommendations, by no later than October 1, to:
  - (A) the governor;
  - (B) the president of the Senate;
  - (C) the speaker of the House of Representatives;
  - (D) the Legislative Water Development Commission created by Section 73-27-102;
  - (E) the Natural Resources, Agriculture, and Environment Interim Committee; and
  - (F) the Water Development Coordinating Council created by Sections 79-2-201 and 73-10c-3.

(c) The council shall coordinate with the division regarding the need for generational water infrastructure and how to meet that need and, as part of this coordination the council shall assist the division in the division's development of a state water plan under Section 73-10-15.

(d) The council shall receive input from and coordinate with the water agent.

(e) The council may not levy, assess, or collect ad valorem property taxes or issue bonds.

(f) The council shall adopt policies for procurement that enable the council to efficiently

fulfill the council's responsibilities under the agreement.

(g) The council is advisory and may not establish policy for the state.

(h) The council does not control money used to fund water infrastructure.

(4) Subject to Title 63G, Chapter 2, Government Records Access and Management Act, upon request of the council, a state or local entity shall provide to the water agent a document, report, or information available within the state or local entity.

(5) Nothing in this section restricts the ability of a water conservancy district to contract under Subsection 17B-2a-1004(2).

Section 6. Section **11-65-202** is amended to read:

**11-65-202 (Effective 05/06/26). Lake authority powers and duties.**

(1)(a) The lake authority has land use authority over publicly owned land within the lake authority boundary.

(b) The lake authority shall work with other government entities with jurisdiction over sovereign land and the watershed affecting Utah Lake water to improve the quality of water flowing into and out of Utah Lake, subject to and consistent with Title 19, Environmental Quality Code, and Title 73, Water and Irrigation.

(c) The lake authority may make recommendations and provide advice to an adjacent political subdivision relating to issues affecting both the lake authority and the adjacent political subdivision.

(d) The lake authority has no jurisdictional control or power over:

(i) another political subdivision, except as provided in an agreement between the lake authority and the other political subdivision;

(ii) the regulation of water quality;

(iii) water rights;

(iv) water collection, storage, or delivery;

(v) a project for water collection, storage, or delivery; and

(vi) water facilities that the lake authority does not own.

(2) The lake authority may coordinate the efforts of all applicable state and local government entities, property owners, owners of water rights, and other private parties, and other stakeholders to:

(a) develop and implement a management plan for Utah Lake, including:

(i) an environmental sustainability component, developed in conjunction with the Department of Environmental Quality and the Division of Wildlife Resources incorporating strategies and best management practices to meet applicable federal

- 473 and state standards, including:
- 474 (A) water quality monitoring and reporting; and
- 475 (B) strategies that use the best available technology and practices to mitigate
- 476 environmental impacts from management and uses on Utah Lake;
- 477 (ii) strategies that enhance the aesthetic qualities and recreational use and enjoyment
- 478 of Utah Lake; and
- 479 (iii) strategies that enhance economic development in communities adjacent to Utah
- 480 Lake;
- 481 (b) plan and facilitate the management of Utah Lake uses; and
- 482 (c) manage ~~[any]~~land owned or leased by the lake authority that is not sovereign land.
- 483 (3) The lake authority has primary responsibility and authority for the management of Utah
- 484 Lake, subject to and in accordance with this chapter.
- 485 (4) The lake authority may:
- 486 (a) engage in education efforts to encourage and facilitate:
- 487 (i) the improvement of water and environmental quality;
- 488 (ii) the use of Utah Lake for recreation;
- 489 (iii) the improvement of economic development on Utah Lake; and
- 490 (iv) other management of Utah Lake consistent with the policies and objectives
- 491 described in Subsection (2);
- 492 (b) facilitate and provide funding for the management of Utah Lake, including the
- 493 development of publicly owned infrastructure and improvements and other
- 494 infrastructure and improvements on or related to Utah Lake;
- 495 (c) engage in marketing activities and efforts to encourage and facilitate management of
- 496 Utah Lake;
- 497 (d) as determined by the board appropriate to accomplish or further the policies and
- 498 objectives described in Subsection (2):
- 499 (i) take all necessary actions to acquire ~~[any]~~grants or other available funds from
- 500 federal or other governmental or private entities, including providing matching
- 501 funds;
- 502 (ii) award grants of lake authority funds; or
- 503 (iii) provide waivers of financial obligations to the lake authority;
- 504 (e) as the lake authority considers necessary or advisable to carry out ~~[any of]~~the lake
- 505 authority's duties or responsibilities under this chapter:
- 506 (i) buy, obtain an option upon, or otherwise acquire ~~[any]~~ an interest in real or

- 507                   personal property;
- 508           (ii) sell, convey, grant, dispose of by gift, or otherwise dispose of [~~any~~] an interest in
- 509                   real property that is not sovereign land or [~~any~~] an interest in personal property; or
- 510           (iii) enter into a lease agreement on real or personal property, either as lessee or
- 511                   lessor;
- 512   (f) sue and be sued;
- 513   (g) enter into contracts generally;
- 514   (h) provide funding for the development of publicly owned infrastructure and
- 515           improvements or other infrastructure and improvements on or related to Utah Lake;
- 516   (i) exercise powers and perform functions under a contract, as authorized in the contract;
- 517   (j) accept financial or other assistance from [~~any~~] a public or private source for the lake
- 518           authority's activities, powers, and duties, and expend [~~any~~]-funds [~~so~~]-received for
- 519           any of the purposes of this chapter;
- 520   (k) borrow money, contract with, or accept financial or other assistance from the federal
- 521           government, a public entity, or any other source for any of the purposes of this
- 522           chapter and comply with any conditions of the loan, contract, or assistance;
- 523   (l) issue bonds to finance the undertaking of any management objectives of the lake
- 524           authority, including bonds under this chapter, bonds under Chapter 17, Utah
- 525           Industrial Facilities and Development Act, bonds under Chapter 42, Assessment Area
- 526           Act, and bonds under Chapter 42a, Commercial Property Assessed Clean Energy Act;
- 527   (m) hire employees, including contract employees;
- 528   (n) transact other business and exercise all other powers provided for in this chapter;
- 529   (o) engage one or more consultants to advise or assist the lake authority in the
- 530           performance of the lake authority's duties and responsibilities;
- 531   (p) work with adjacent political subdivisions and neighboring property owners and
- 532           communities to mitigate potential negative impacts from the management of Utah
- 533           Lake;
- 534   (q) help to facilitate development in a municipality or community reinvestment agency
- 535           whose boundary abuts the lake authority boundary if the development also benefits
- 536           the lake authority or the management of Utah Lake;
- 537   (r) subject to Subsection (5)(a), manage one or more marina facilities if the lake
- 538           authority considers the lake authority managing the marina facility to be necessary or
- 539           desirable;
- 540   (s) subject to Subsection (5)(b), own and operate publicly owned infrastructure and



improvements in a project area outside the lake authority land; and

(t) exercise powers and perform functions that the lake authority is authorized by statute to exercise or perform.

(5)(a) Notwithstanding Subsection (4)(r), the lake authority may not interfere with or replace the management of a privately operated marina.

(b) Notwithstanding Subsection (4)(s), the lake authority may not provide service through publicly owned infrastructure and improvements to an area outside the lake authority boundary.

(c) The lake authority may not impair or affect:

(i) a right to store, use, exchange, release, or deliver water under a water right and associated contract; or

(ii) a project or facility to store, release, and deliver water.

(6) The lake authority may consult, coordinate, enter into agreements, or engage in mutually beneficial projects or other activities with a municipality, community reinvestment agency, or adjacent political subdivision, as the board considers appropriate.

(7) The lake authority shall:

(a) no later than December 31, 2022, prepare an accurate digital map of the lake authority boundary, subject to any later changes to the boundary enacted by the Legislature; and

(b) maintain the digital map of the lake authority boundary that is easily accessible by the public.

(8)(a) The lake authority may establish a community enhancement program designed to address the impacts that management or uses within the lake authority boundary have on adjacent communities.

(b)(i) The lake authority may use lake authority money to support the community enhancement program and to pay for efforts to address the impacts described in Subsection (8)(a).

(ii) Lake authority money designated for use under Subsection (8)(b)(i) is exempt from execution or any other process in the collection of a judgment against or debt or other obligation of the lake authority arising out of the lake authority's activities with respect to the community enhancement program.

~~[(c) On or before October 31, 2023, the lake authority shall report on the lake authority's actions under this Subsection (8) to the Natural Resources, Agriculture, and~~

Environment Interim Committee of the Legislature.]

Section 7. Section **19-1-105** is amended to read:

**19-1-105 (Effective 05/06/26). Divisions of department -- Control by division directors.**

(1) The following divisions are created within the department:

- (a) the Division of Air Quality, to administer Chapter 2, Air Conservation Act;
- (b) the Division of Drinking Water, to administer Chapter 4, Safe Drinking Water Act;
- (c) the Division of Environmental Response and Remediation, to administer:
  - (i) Chapter 6, Part 3, Hazardous Substances Mitigation Act; and
  - (ii) Chapter 6, Part 4, Petroleum Storage Tank Act;
- (d) the Division of Waste Management and Radiation Control, to administer:
  - (i) Chapter 3, Radiation Control Act;
  - (ii) Chapter 6, Part 1, Solid and Hazardous Waste Act;
  - (iii) Chapter 6, Part 2, Hazardous Waste Facility Siting Act;
  - (iv) Chapter 6, Part 5, Solid Waste Management Act;
  - (v) Chapter 6, Part 6, Lead Acid Battery Disposal;
  - (vi) Chapter 6, Part 7, Used Oil Management Act;
  - (vii) Chapter 6, Part 8, Waste Tire Recycling Act;
  - ~~[(viii) Chapter 6, Part 10, Mercury Switch Removal Act;]~~
  - ~~[(ix)]~~ (viii) Chapter 6, Part 11, Industrial Byproduct Reuse; and
  - ~~[(x)]~~ (ix) Chapter 6, Part 12, Disposal of Electronic Waste Program; and
- (e) the Division of Water Quality, to administer Chapter 5, Water Quality Act.

(2) Each division is under the immediate direction and control of a division director appointed by the executive director.

(3)(a) A division director shall possess the administrative skills and training necessary to perform the duties of division director.

- (b) A division director shall hold one of the following degrees from an accredited college or university:
  - (i) a four-year degree in physical or biological science or engineering;
  - (ii) a related degree; or
  - (iii) a degree in law.

(4) The executive director may remove a division director at will.

(5) A division director shall serve as the executive secretary to the policymaking board, created in Section 19-1-106, that has rulemaking authority over the division director's

609 division.

610 Section 8. Section **19-1-108** is amended to read:

611 **19-1-108 (Effective 05/06/26). Environmental Quality Restricted Account.**

- 612 (1) There is created the Environmental Quality Restricted Account.
- 613 (2) The sources of money for the Environmental Quality Restricted Account are:
- 614 (a) radioactive waste disposal fees collected under Sections 19-3-106 and 19-3-106.4
- 615 and other fees collected under Subsection 19-3-104(5) or 19-3-104(6);
- 616 (b) hazardous waste disposal fees collected under Section 19-6-118;
- 617 (c) PCB waste disposal fees collected under Section 19-6-118.5;
- 618 (d) nonhazardous solid waste [~~disposal~~]fees collected under Section 19-6-119; and
- 619 (e) the investment income derived from money in the Environmental Quality Restricted
- 620 Account.
- 621 (3) In each fiscal year the balance of the money collected from the waste disposal fees listed
- 622 in Subsection (2), collectively, shall be deposited into the Environmental Quality
- 623 Restricted Account.
- 624 (4) The Legislature may annually appropriate money from the Environmental Quality
- 625 Restricted Account to the department for the costs of administering:
- 626 (a) radiation control programs; and
- 627 (b) solid and hazardous waste programs.
- 628 (5) Each fiscal year beginning on or after July 1, 2018, and ending on or before June 30,
- 629 2022, the Division of Finance shall transfer \$200,000 from the Environmental Quality
- 630 Restricted Account to the Hazardous Substances Mitigation Fund, to provide money to:
- 631 (a) meet the state's cost share requirements for cleanup under the Comprehensive
- 632 Environmental Response, Compensation and Liability Act of 1980, 42 U.S.C. Sec.
- 633 9601 et seq. as amended; and
- 634 (b) respond to an emergency as provided in Section 19-6-309.
- 635 (6) After the requirements of Subsection (3) are met, sources of money for the
- 636 Environmental Quality Restricted Account described in Subsection (2)(a) may only be
- 637 used for the purpose described in Subsection (4)(a).
- 638 (7) To stabilize funding for the radiation control programs and the solid and hazardous
- 639 waste programs, the Legislature shall in years of excess revenues reserve in the
- 640 Environmental Quality Restricted Account sufficient money to meet departmental needs
- 641 in years of projected shortages.
- 642 (8) The Legislature may not appropriate money from the General Fund to the department as

a supplemental appropriation to cover the costs of the radiation control programs and the solid and hazardous waste programs in an amount exceeding 25% of the amount of waste disposal fees collected during the most recent prior fiscal year.

(9) Money appropriated under this part that is not expended at the end of the fiscal year lapses into the Environmental Quality Restricted Account.

(10)(a) The balance in the Environmental Quality Restricted Account may not exceed \$4,000,000 above the anticipated revenue need for the money in the Environmental Quality Restricted Account for the fiscal year.

(b) Excess funds under Subsection (10)(a) shall be credited on a proportionate basis to each person who paid money to the Environmental Quality Restricted Account in the previous fiscal year.

Section 9. Section **19-1-403.3** is amended to read:

**19-1-403.3 (Effective 05/06/26). Conversion to Alternative Fuel Grant Program Fund -- Contents -- Grants made with fund money.**

(1)(a) There is created an expendable special revenue fund known as the "Conversion to Alternative Fuel Grant Program Fund."

(b) The fund consists of:

(i) appropriations to the fund;

(ii) other public and private contributions made under Subsection (1)(c);

(iii) fees established by the department, as described in Subsection (3)(a), and deposited into the fund; and

(iv) interest earnings on cash balances.

(c) The department may accept contributions from other public and private sources for deposit into the fund.

(2) The department may make a grant with money available in the fund to a person who installs conversion equipment on an eligible vehicle, as described in Sections ~~19-2-301~~ 19-2-302 through 19-2-304.

(3) The department may:

(a) establish an application fee for a grant from the fund by following the procedures and requirements of Section 63J-1-504; and

(b) reimburse ~~[itself]~~ the department for the costs incurred in administering the fund from:

(i) the fund; or

(ii) application fees established under Subsection (3)(a).

(4)(a) The fund balance may not exceed \$10,000,000.

(b) Interest on cash balances in excess of the amount necessary to maintain the fund balance at \$10,000,000 shall be deposited into the General Fund.

Section 10. Section **19-2-101** is amended to read:

**19-2-101 (Effective 05/06/26) (Repealed 07/01/29). Policy of state and purpose of chapter -- Support of local and regional programs -- Provision of coordinated statewide program.**

~~[(1) This chapter is known as the "Air Conservation Act."]~~

~~[(2)]~~ (1) It is the policy of this state and the purpose of this chapter to achieve and maintain levels of air quality which will protect human health and safety, and to the greatest degree practicable, prevent injury to plant and animal life and property, foster the comfort and convenience of the people, promote the economic and social development of this state, and facilitate the enjoyment of the natural attractions of this state.

~~[(3)]~~ (2) Local and regional air pollution control programs shall be supported to the extent practicable as essential instruments to secure and maintain appropriate levels of air quality.

~~[(4)]~~ (3) The purpose of this chapter is to:

- (a) provide for a coordinated statewide program of air pollution prevention, abatement, and control;
- (b) provide for an appropriate distribution of responsibilities among the state and local units of government;
- (c) facilitate cooperation across jurisdictional lines in dealing with problems of air pollution not confined within single jurisdictions; and
- (d) provide a framework within which air quality may be protected and consideration given to the public interest at all levels of planning and development within the state.

Section 11. Section **19-4-103** is amended to read:

**19-4-103 (Effective 05/06/26) (Repealed 07/01/29). Drinking Water Board -- Members -- Organization -- Meetings -- Per diem and expenses.**

(1) The board consists of the following nine members:

- (a) the following non-voting member, except that the member may vote to break a tie vote between the voting members:
  - (i) the executive director; or
  - (ii) an employee of the department designated by the executive director; and
- (b) the following eight voting members, who shall be appointed by the governor with the advice and consent of the Senate in accordance with Title 63G, Chapter 24, Part 2,

Vacancies:

- (i) one representative who is a Utah-licensed professional engineer with expertise in civil or sanitary engineering;
- (ii) two representatives who are elected officials from a municipal government that is involved in the management or operation of a public water system;
- (iii) one representative from an improvement district, a water conservancy district, or a metropolitan water district;
- (iv) one representative from an entity that manages or operates a public water system;
- (v) one representative from:
  - (A) the state water research community; or
  - (B) an institution of higher education that has comparable expertise in water research to the state water research community;
- (vi) one representative from the public who represents:
  - (A) an environmental nongovernmental organization; or
  - (B) a nongovernmental organization that represents community interests and does not represent industry interests; and
- (vii) one representative from the public who is trained and experienced in public health.

(2) A member of the board shall:

- (a) be knowledgeable about drinking water and public water systems, as evidenced by a professional degree, a professional accreditation, or documented experience;
- (b) represent different geographical areas within the state insofar as practicable;
- (c) be a resident of Utah;
- (d) attend board meetings in accordance with the attendance rules made by the department under Subsection 19-1-201(1)(d)(i)(A); and
- (e) comply with all applicable statutes, rules, and policies, including the conflict of interest rules made by the department under Subsection 19-1-201(1)(d)(i)(B) and the conflict of interest provisions described in Title 63G, Chapter 24, Part 3, Conflicts of Interest.

(3)(a) As terms of current board members expire, the governor shall appoint ~~[each]~~ a new member or reappointed member to a four-year term.

- (b) Notwithstanding the requirements of Subsection (3)(a), the governor shall, at the time of appointment or reappointment, adjust the length of terms to ensure that the terms of board members are staggered so that half of the appointed board is

appointed every two years.

~~[(e)(i) Notwithstanding Subsection (3)(a), the term of a board member who is appointed before May 1, 2013, shall expire on April 30, 2013.]~~

~~[(ii) On May 1, 2013, the governor shall appoint or reappoint board members in accordance with this section.]~~

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

(5) When the governor makes a new appointment or reappointment under Subsection (3)(a), or a vacancy appointment under Subsection (4), the governor's new appointment, reappointment, or vacancy appointment shall be with the advice and consent of the Senate in accordance with Title 63G, Chapter 24, Part 2, Vacancies.

(6) ~~[Each]~~ A member holds office until the expiration of the member's term, and until a successor is appointed, but not for more than 90 days after the expiration of the term.

(7) The board shall elect annually a chair and a vice chair from ~~[its]~~ the board's members.

(8)(a) The board shall meet at least quarterly.

(b) Special meetings may be called by the chair upon the chair's own initiative, upon the request of the director, or upon the request of three members of the board.

(c) Reasonable notice shall be given to ~~[each]~~ a member of the board before ~~[any]~~ a meeting.

(9) Five members constitute a quorum at ~~[any]~~ a meeting and the action of the majority of the members present is the action of the board.

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

(a) Section 63A-3-106;

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

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

Section 12. Section **19-4-106** is amended to read:

**19-4-106 (Effective 05/06/26) (Repealed 07/01/29). Director -- Appointment -- Authority.**

(1) The executive director shall appoint the director. The director shall serve under the administrative direction of the executive director.

(2) The director shall:

(a) develop programs to promote and protect the quality of the public drinking water

- 779 supplies of the state;
- 780 (b) advise, consult, and cooperate with other agencies of this and other states, the federal  
781 government, and with other groups, political subdivisions, and industries in  
782 furtherance of the purpose of this chapter;
- 783 (c) review plans, specifications, and other data pertinent to proposed or expanded water  
784 supply systems to ensure proper design and construction;[~~and~~]
- 785 (d) subject to[~~the provisions of~~] this chapter, enforce rules made by the board through  
786 the issuance of orders that may be subsequently revoked, which orders may require:  
787 (i) discontinuance of use of unsatisfactory sources of drinking water;  
788 (ii) suppliers to notify the public concerning the need to boil water; or  
789 (iii) suppliers in accordance with existing rules, to take remedial actions necessary to  
790 protect or improve an existing water system; and
- 791 (e) as authorized by the board and subject to[~~the provisions of~~] this chapter, act as  
792 executive secretary of the board under the direction of the chair of the board.
- 793 (3) The director may authorize employees or agents of the department, after reasonable  
794 notice and presentation of credentials, to enter any part of a public water system at  
795 reasonable times to inspect the facilities and water quality records required by board  
796 rules, conduct sanitary surveys, take samples, and investigate the standard of operation  
797 and service delivered by public water systems.
- 798 (4) As provided in this chapter and in accordance with rules made by the board, the director  
799 may:
- 800 (a) issue and enforce a notice of violation and an administrative order; and
- 801 (b) assess and make a demand for payment of an administrative penalty arising from a  
802 violation of this chapter, a rule or order issued under the authority of this chapter, or  
803 the terms of a permit or other administrative authorization issued under the authority  
804 of this chapter.
- 805 [~~(5)(a) The director shall study how water providers, municipalities, counties, and state  
806 agencies may find greater efficiencies through improved coordination, consolidation,  
807 and regionalization related to:~~]
- 808 [~~(i) water use and conservation; and]~~
- 809 [~~(ii) administrative and economic efficiencies.]~~
- 810 [~~(b) The study under this Subsection (5) shall consider recommendations including  
811 incentives, funding, regulatory changes, and statutory changes to promote greater  
812 coordination and efficiency and to help meet water infrastructure needs statewide.]~~



813 ~~[(e) The director shall:]~~

814 ~~[(i) conduct the study in conjunction with the Division of Water Resources; and]~~

815 ~~[(ii) consult with a diverse group consisting of water providers, state agencies, local~~  
816 ~~governments, and relevant stakeholders to help the director conduct the study and~~  
817 ~~develop recommendations described in this Subsection (5).]~~

818 ~~[(d) On or before October 30, 2024, the director shall provide a written report of the~~  
819 ~~study's findings, including any recommended legislative action, to the Natural~~  
820 ~~Resources, Agriculture, and Environment Interim Committee.]~~

821 Section 13. Section **19-5-122** is amended to read:

822 **19-5-122 (Effective 05/06/26) (Repealed 07/01/29). Underground wastewater**  
823 **disposal systems -- Fee imposed on new systems.**

824 (1) Beginning July 1, 2001, a one-time fee is imposed on [each] a new underground  
825 wastewater disposal system installed.

826 ~~[(2)(a) From July 1, 2001 through June 30, 2002, the fee shall be \$25.]~~

827 ~~[(b)]~~ (2) Beginning July 1, 2002, the fee shall be established by the department in  
828 accordance with Section 63J-1-504.

829 (3)(a) The fee shall be paid when plans and specifications for the construction of a new  
830 underground wastewater disposal system are approved by the local health department  
831 or the Department of Environmental Quality.

832 (b) A local health department shall remit the fee revenue to the Division of Finance  
833 quarterly.

834 (4) The fee revenue shall be:

835 (a) deposited into the Underground Wastewater Disposal Restricted Account created in  
836 Section 19-5-123; and

837 (b) used to pay for costs of underground wastewater disposal system training programs.

838 Section 14. Section **19-6-102.1** is amended to read:

839 **19-6-102.1 (Effective 05/06/26) (Repealed 07/01/29). Treatment or disposal --**  
840 **Exclusions.**

841 As used in Subsections 19-6-108(3)(b)[;] and 19-6-108(3)(c)(ii)(B)[, and 19-6-119(1)(a)],  
842 the term "treatment or disposal" specifically excludes the recycling, use, reuse, or reprocessing  
843 of:

844 (1) fly ash waste, bottom ash waste, slag waste, or flue gas emission control waste  
845 generated primarily from the combustion of coal or other fossil fuels;

846 (2) waste from the extraction, beneficiation, and processing of ores and minerals; or

- (3) cement kiln dust, including recycle, reuse, use, or reprocessing for road sanding, sand blasting, road construction, railway ballast, construction fill, aggregate, and other construction-related purposes.

Section 15. Section **19-6-118.5** is amended to read:

**19-6-118.5 (Effective 05/06/26) (Repealed 07/01/29). PCB disposal fee.**

- ~~[(1)(a) On or after July 1, 2010, but on or before June 30, 2011, the owner or operator of a waste facility shall pay a fee of \$4.75 per ton on all wastes containing polychlorinated biphenyls (PCBs) that are:]~~

~~[(i) regulated under 15 U.S.C. Sec. 2605; and]~~

~~[(ii) received at a facility for disposal or treatment.]~~

- ~~[(b)]~~ (1) On and after July 1, 2011, the department shall establish a fee for disposal or treatment of wastes containing polychlorinated biphenyls in accordance with Section 63J-1-504.

- (2) The owner or operator of a facility receiving PCBs for disposal or treatment shall:

~~[(a) calculate the fees imposed under Subsection (1)(a) by multiplying the total tonnage of waste received during the calendar month, computed to the first decimal place, by the required fee rate of \$4.75 per ton;]~~

~~[(b)]~~ (a) pay the fees imposed by this section to the department by the 15th day of the month following the month in which the fees accrued; and

~~[(c)]~~ (b) with the fees required under this section, submit to the department, on a form prescribed by the department, information that verifies the amount of waste received and the fees that the owner or operator is required to pay.

- (3) The department shall deposit the fees received under this section into the Environmental Quality Restricted Account created in Section 19-1-108.

- (4) The owner or operator of a waste facility that is subject to a fee under this section is not subject to a fee for the same waste under Section 19-3-106, even if the waste contains radioactive materials.

Section 16. Section **19-6-119** is amended to read:

**19-6-119 (Effective 05/06/26) (Repealed 07/01/29). Nonhazardous solid waste disposal fees.**

- ~~[(1)(a) Through December 31, 2018, and except as provided in Subsection (4), the owner or operator of a commercial nonhazardous solid waste disposal facility or incinerator shall pay the following fees for waste received for treatment or disposal at the facility if the facility or incinerator is required to have operation plan approval]~~

under Section 19-6-108 and primarily receives waste generated by off-site sources not owned, controlled, or operated by the facility or site owner or operator:]

[(i) 13 cents per ton on all municipal waste and municipal incinerator ash;]

[(ii) 50 cents per ton on the following wastes if the facility disposes of one or more of the following wastes in a cell exclusively designated for the waste being disposed:]

[(A) construction waste or demolition waste;]

[(B) yard waste, including vegetative matter resulting from landscaping, land maintenance, and land clearing operations;]

[(C) dead animals;]

[(D) waste tires and materials derived from waste tires disposed of in accordance with Chapter 6, Part 8, Waste Tire Recycling Act; and]

[(E) petroleum contaminated soils that are approved by the director; and]

[(iii) \$2.50 per ton on:]

[(A) all nonhazardous solid waste not described in Subsections (1)(a)(i) and (ii); and]

[(B)(I) fly ash waste;]

[(H) bottom ash waste;]

[(H) slag waste;]

[(IV) flue gas emission control waste generated primarily from the combustion of coal or other fossil fuels;]

[(V) waste from the extraction, beneficiation, and processing of ores and minerals; and]

[(VI) cement kiln dust wastes.]

[(b) A commercial nonhazardous solid waste disposal facility or incinerator subject to the fees under Subsection (1)(a)(i) or (ii) is not subject to the fee under Subsection (1)(a)(iii) for those wastes described in Subsections (1)(a)(i) and (ii).]

[(c) The owner or operator of a facility described in Subsection 19-6-102(3)(b)(iii) shall pay a fee of 13 cents per ton on all municipal waste received for disposal at the facility.]

[(2)(a) Through December 31, 2018, and except as provided in Subsections (2)(c) and (4), a waste facility that is owned by a political subdivision shall pay the following annual facility fee to the department by January 15 of each year:]

[(i) \$800 if the facility receives 5,000 or more but fewer than 10,000 tons of municipal waste each year;]

- 915           ~~[(ii) \$1,450 if the facility receives 10,000 or more but fewer than 20,000 tons of~~  
916           ~~municipal waste each year;]~~
- 917           ~~[(iii) \$3,850 if the facility receives 20,000 or more but fewer than 50,000 tons of~~  
918           ~~municipal waste each year;]~~
- 919           ~~[(iv) \$12,250 if the facility receives 50,000 or more but fewer than 100,000 tons of~~  
920           ~~municipal waste each year;]~~
- 921           ~~[(v) \$14,700 if the facility receives 100,000 or more but fewer than 200,000 tons of~~  
922           ~~municipal waste each year;]~~
- 923           ~~[(vi) \$33,000 if the facility receives 200,000 or more but fewer than 500,000 tons of~~  
924           ~~municipal waste each year; and]~~
- 925           ~~[(vii) \$66,000 if the facility receives 500,000 or more tons of municipal waste each~~  
926           ~~year.]~~
- 927           ~~[(b) The fee identified in Subsection (2)(a) for 2018 shall be paid by January 15, 2019.]~~
- 928           ~~[(c) Through December 31, 2018, and except as provided in Subsection (4), a waste~~  
929           ~~facility that is owned by a political subdivision shall pay \$2.50 per ton for:]~~
- 930           ~~[(i) nonhazardous solid waste that is not a waste described in Subsection (1)(a)(i) or~~  
931           ~~(ii) received for disposal if the waste is:]~~
- 932           ~~[(A) generated outside the boundaries of the political subdivision; and]~~
- 933           ~~[(B) received from a single generator and exceeds 500 tons in a calendar year; and]~~
- 934           ~~[(ii) waste described in Subsection (1)(a)(iii)(B) received for disposal if the waste is:]~~  
935           ~~[(A) generated outside the boundaries of the political subdivision; and]~~  
936           ~~[(B) received from a single generator and exceeds 500 tons in a calendar year.]~~
- 937           ~~[(d) Waste received at a facility owned by a political subdivision under Subsection (2)(c)~~  
938           ~~may not be counted as part of the total tonnage received by the facility under~~  
939           ~~Subsection (2)(a).]~~
- 940           ~~[(3)(a) As used in this Subsection (3):]~~
- 941           ~~[(i) "Recycling center" means a facility that extracts valuable materials from a waste~~  
942           ~~stream or transforms or remanufactures the material into a usable form that has~~  
943           ~~demonstrated or potential market value.]~~
- 944           ~~[(ii) "Transfer station" means a permanent, fixed, supplemental collection and~~  
945           ~~transportation facility that is used to deposit collected solid waste from off-site~~  
946           ~~into a transfer vehicle for transport to a solid waste handling or disposal facility.]~~
- 947           ~~[(b) Through December 31, 2018, and except as provided in Subsection (4), the owner~~  
948           ~~or operator of a transfer station or recycling center shall pay to the department the~~

following fees on waste sent for disposal to a nonhazardous solid waste disposal or treatment facility that is not subject to a fee under this section:]

[(i) \$1.25 per ton on:]

[(A) all nonhazardous solid waste; and]

[(B) waste described in Subsection (1)(a)(iii)(B);]

[(ii) 10 cents per ton on all construction and demolition waste; and]

[(iii) 5 cents per ton on all municipal waste or municipal incinerator ash.]

[(e) Wastes subject to fees under Subsection (3)(b)(ii) or (iii) are not subject to the fee required under Subsection (3)(b)(i).]

[(4) The owner or operator of a waste disposal facility that receives nonhazardous solid waste described in Subsection (1)(a)(iii)(B) is not required to pay any fee on those nonhazardous solid wastes if received solely for the purpose of recycling, reuse, or reprocessing.]

[(5) Through December 31, 2018, and except as provided in Subsection (2)(a), a facility required to pay fees under this section shall:]

[(a) calculate the fees by multiplying the total tonnage of nonhazardous solid waste received during the calendar month, computed to the first decimal place, by the required fee rate;]

[(b) pay the fees imposed by this section to the department by the 15th day of the month following the month in which the fees accrued; and]

[(c) with the fees required under Subsection (6)(b), submit to the department, on a form prescribed by the department, information that verifies the amount of nonhazardous solid waste received and the fees that the owner or operator is required to pay.]

[(6)] (1)(a) In accordance with Section 63J-1-504, on or before July 1, 2018, and each fiscal year [thereafter] after July 1, 2018, the department shall establish a fee schedule for the treatment, transfer, and disposal of all nonhazardous solid waste.

(b) The department shall, before establishing the annual fee schedule described in Subsection [(6)(a)] (1)(a), consult with industry and local government and complete a review of program costs and indirect costs of regulating nonhazardous solid waste in the state and use the findings of the review to create the fee schedule.

(c) The fee schedule described in Subsection [(6)(a)] (1)(a) shall:

(i) create an equitable and fair, though not necessarily equal or uniform, fee to be paid by all persons whose treatment, transfer, or disposal of nonhazardous solid waste creates a regulatory burden to the department, based on the actual cost, and

- 983 taking into consideration whether the owner or operator of a facility elects to  
984 self-inspect under Section 19-6-109, except as provided in Subsection ~~[(6)(d)]~~  
985 ~~(1)(d)~~;
- 986 (ii) cover the fully burdened costs of the program and provide for reasonable and  
987 timely oversight by the department;
- 988 (iii) adequately meet the needs of industry, local government, and the department,  
989 including enabling the department to employ the appropriate number of qualified  
990 personnel to appropriately oversee industry and local government regulation;
- 991 (iv) provide stable funding for the Environmental Quality Restricted Account created  
992 in Section 19-1-108; and
- 993 (v) for solid waste managed at a transfer facility, be no greater than the cost of  
994 regulatory services provided to the transfer facility.
- 995 (d) ~~[Any]~~ A person who treats, transfers, stores, or disposes of solid waste from the  
996 extraction, beneficiation, and processing of ores and minerals on a site owned,  
997 controlled, or operated by that person may not be charged a fee under this section for  
998 the treatment, transfer, storage, or disposal of solid waste from the extraction,  
999 beneficiation, and processing of ores and minerals that are generated:
- 1000 (i) on-site by the person; or
- 1001 (ii) by off-site sources owned, controlled, or operated by the person.
- 1002 ~~[(e) The fees in the fee schedule established by Subsection (6)(a) shall take effect on~~  
1003 ~~January 1, 2019.]~~
- 1004 ~~[(7)]~~ (2) On and after January 1, 2019, a facility required to pay fees under this section shall:
- 1005 (a) pay the fees imposed by this section to the department by the 15th day of the month  
1006 following the quarter in which the fees accrued; and
- 1007 (b) with the fees required under Subsection ~~[(7)(a)]~~ (2)(a), submit to the department, on a  
1008 form prescribed by the department, information that verifies the amount of  
1009 nonhazardous solid waste received and the fees that the owner or operator is required  
1010 to pay.
- 1011 ~~[(8)]~~ (3) In setting the fee schedule described in Subsection ~~[(6)(a)]~~ (1)(a), the department  
1012 shall ensure that a party is not charged multiple fees for the same solid waste, except the  
1013 department may charge a separate fee for a transfer station.
- 1014 ~~[(9)]~~ (4) The department shall:
- 1015 (a) deposit all fees received under this section into the Environmental Quality Restricted  
1016 Account created in Section 19-1-108; and

(b) in preparing [its] the department's budget for the governor and the Legislature, separately indicate the amount of the department's budget necessary to administer the solid and hazardous waste program established by this part.

~~[(10)]~~ (5) The department may contract or agree with a county to assist in performing nonhazardous solid waste management activities, including agreements for:

- (a) the development of a solid waste management plan required under Section 17E-7-101; and
- (b) pass-through of available funding.

~~[(11)]~~ (6) This section does not exempt [any] a facility from applicable regulation under the Atomic Energy Act, 42 U.S.C. [See.] Secs. 2014 and 2021 through 2114.

~~[(12) The department shall report to the Natural Resources, Agriculture, and Environment Interim Committee by November 30, 2017, on the fee schedule described in Subsection (6)(a).]~~

Section 17. Section **19-10-101** is amended to read:

**19-10-101 (Effective 05/06/26). Scope.**

~~[(1) This chapter is known as the "Environmental Institutional Control Act."]~~

~~[(2)]~~ (1)[(a)] This chapter applies to an environmental institutional control created before May 1, 2006.

~~[(b)]~~ (2) Title 57, Chapter 25, Uniform Environmental Covenants Act, governs an environmental covenant created on or after May 1, 2006.

Section 18. Section **19-10-102** is amended to read:

**19-10-102 (Effective 05/06/26). Definitions.**

As used in this chapter:

(1) "Environmental institutional control" or "institutional control" means, with respect to real property, [any] a deed restriction, restrictive covenant, easement, reservation, environmental notice, engineering control, or other restriction or obligation that is designed to protect human health or the environment and:

- (a) is established in connection with a cleanup or risk assessment that is reviewed, overseen, conducted, or administered by the department; and
- (b)(i) limits the use of the real property, groundwater, or surface water;
- (ii) limits activities that may be performed on or at the property; or
- (iii) requires maintenance of [any] an engineering or other control.

(2) "Executive director" means the executive director of the [state-]Department of [Environment] Environmental Quality or the executive director's designated

representative.

Section 19. Section **23A-3-205** is amended to read:

**23A-3-205 (Effective 05/06/26). Wildlife Conservation Fund.**

(1) As used in this section:

(a) "Fund" means the Wildlife Conservation Fund created by this section.

(b) "Land use authority" means:

(i) a land use authority, as that term is defined in Section 10-20-102, of a municipality; or

(ii) a land use authority, as that term is defined in Section 17-79-102, of a county.

(c) "Wildlife conservation permit program" means a program under which the division issues permit opportunities to be sold by a conservation organization for auction to the highest bidder at a fund-raising event.

(d) "Wildlife exposition program" means a program under which the division allocates permits to a drawing administered by a selected conservation organization as part of a regional or national exposition for the purpose of generating revenue to fund wildlife conservation activities in Utah.

(2) There is created an expendable special revenue fund known as the "Wildlife Conservation Fund."

(3) The fund consists of:

(a) wildlife conservation permit program revenue transferred to the division in accordance with rules, made by the Wildlife Board in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act;

(b) wildlife exposition program revenue transferred to the division in accordance with rules, made by the Wildlife Board in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act;

(c) money appropriated to the fund by the Legislature;

(d) contributions, grants, gifts, transfers, bequests, and donations to the fund accepted by the division and specifically directed to the fund; and

(e) interest and earnings on the fund.

(4)(a) The fund shall earn interest and other earnings.

(b) The interest and earnings described in Subsection (4)(a) shall be deposited into the fund.

(5)(a) The division shall use proceeds in the fund to carry out the purposes of the wildlife conservation permit program or wildlife exposition program.



(b) Deposits into and expenditures from the fund shall specifically identify the wildlife conservation permit program or wildlife exposition program to which the deposits and expenditures apply.

(c) The division shall make expenditures from the fund consistent with the rules governing the applicable program.

(6)(a) Before the division may use or approve the use of money in the fund to purchase or acquire a grazing permit, the division shall obtain approval from:

(i) the land use authority for the land in which the grazing permit is located;

(ii) the Department of Natural Resources created in Section 79-2-201; and

(iii) the Department of Agriculture and Food created in Section 4-2-102.

(b) If a request to purchase or acquire a grazing permit under Subsection (6)(a) is not denied by a land use authority, the Department of Natural Resources, or the Department of Agriculture and Food within 60 days after the day on which the division submits the request, the division may consider the request as approved.

(c) An action of a land use authority under this Subsection (6) is not a land use decision subject to:

(i) Title 10, Chapter 20, Municipal Land Use, Development, and Management Act; or

(ii) Title 17, Chapter 79, County Land Use, Development, and Management Act.

(7) The division shall annually report, by no later than October 1, to the Natural Resources, Agriculture, and Environmental Quality Appropriations Subcommittee regarding:

(a) the amount of money in the fund;

(b) the sources of money in the fund; and

(c) how the money is expended.

Section 20. Section **23A-4-702** is amended to read:

**23A-4-702 (Effective 05/06/26). Air rifle hunting.**

(1) As used in this section, "pre-charged pneumatic air rifle" means a rifle that fires a single projectile with compressed air released from a chamber:

(a) built into the rifle; and

(b) pressurized at a minimum of 2,000 pounds per square inch from an external high compression device or source, such as a hand pump, compressor, or scuba tank.

(2) An individual may use a pre-charged pneumatic air rifle to hunt:

(a) a species of protected wildlife designated by the Wildlife Board;

(b) a cottontail rabbit;

(c) a snowshoe hare; or

(d) a turkey, with a fall turkey permit.

~~[(3) The division shall review available funding to pay the costs of regulating hunting with pre-charged pneumatic air rifles, including eligibility for federal excise taxes, and report the division's findings to the Natural Resources, Agriculture, and Environment Interim Committee by no later than the November 2024 interim committee meeting.]~~

Section 21. Section **23A-6-205** is amended to read:

**23A-6-205 (Effective 05/06/26). Wildlife Land and Water Acquisition Program.**

(1) As used in this section, "program" means the Wildlife Land and Water Acquisition Program created in Subsection (2).

(2) There is created a program known as the "Wildlife Land and Water Acquisition Program" under which the division may lease or acquire land or water assets that achieve one or more of the following:

(a) protect and enhance wildlife populations;

(b) provide the public the opportunity to hunt, trap, or fish; and

(c) conserve, protect, and enhance wildlife habitat.

(3) In making a decision as to whether to lease or acquire land or water assets, the division shall:

(a) consult the relevant state or county resource management plan;

(b) prioritize leases or acquisitions that involve land that:

(i) is adjacent to land already owned by the division; or

(ii) provides access to other public land;

(c) develop a management plan for the land or water asset in a manner consistent with Section 23A-6-301; and

(d) facilitate grazing as a management tool if consistent with the management plan described in Subsection (3)(c).

(4) The division shall annually report, by no later than October 1, to the Natural Resources, Agriculture, and Environmental Quality Appropriations Subcommittee regarding how the division expends money in the program.

Section 22. Section **23A-11-302** is amended to read:

**23A-11-302 (Effective 05/06/26). Big game protection -- Director authority.**

(1) It is the policy of the state that big game animals are of great importance to the citizens of the state, the citizen's quality of life, and the long term sustainability of the herds for future generations.

(2)(a) Unless the condition described in Subsection (2)(b) is determined, the director

shall take immediate action to reduce the number of predators within a management unit when the big game population is under the established herd size objective for that management unit.

(b) Subsection (2)(a) does not apply if the division determines that predators are not significantly contributing to the big game population being under the herd size objective for the management unit.

(3) Immediate action under Subsection (2) includes any of the following management tools:

(a) increasing take permits or tags for cougar and bear until the herd size objective is met;

(b) allowing big game hunters to harvest predators with the appropriate permit during a big game hunting season, including issuing over-the-counter predator permits;

(c) professional trapping and predator control by the following, including aerial control measures:

(i) the Department of Agriculture and Food's predator control program;

(ii) private contracts; and

(iii) the general public; and

(d) other management tools as determined by the director.

(4) The director shall annually give a status report on predator control measures implemented pursuant to this chapter and Chapter 8, Part 4, Damage by Big Game, by no later than October 1, to the Natural Resources, Agriculture, and Environmental Quality Appropriations Subcommittee and Natural Resources, Agriculture, and Environment Interim Committee.

Section 23. Section **23A-12-303** is amended to read:

**23A-12-303 (Effective 05/06/26). Rulemaking -- Notice.**

(1) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the Wildlife Board shall make rules:

(a) designating and establishing the boundaries of a waterfowl management area;

(b) governing the management and use of a waterfowl management area in accordance with this part; and

(c) ~~[to create]~~ creating an annual permit process by which commercial guides and outfitters may use waterfowl management areas in accordance with this part.

(2) The annual permit process described in Subsection (1)(c) shall:

(a) preserve the opportunity for non-guided hunters to use waterfowl management areas; and

(b) require a permit holder to comply with safety standards established by the Wildlife Board.

(3) The division shall provide an annual report, by no later than October 1, to the Natural Resources, Agriculture, and Environment Interim Committee regarding ~~[any]~~ rules made or changed in accordance with this part.

(4) The Wildlife Board shall publish a map of the boundaries of each waterfowl management area.

(5) Nothing in this part modifies or limits:

(a) Section 23A-6-403, or the discretion of the division to manage waterfowl management areas for other beneficial purposes, including for the benefit of the public, shorebirds, waterfowl, and other protected wildlife; or

(b) the authority of the division, the director, or the Wildlife Board under Chapter 6, Lands and Waters for Wildlife Purposes.

Section 24. Section **63A-1-116** is amended to read:

**63A-1-116 (Effective 05/06/26). Appointment of coordinator of resource stewardship -- Duties of the coordinator of resource stewardship.**

(1) The executive director of the department shall appoint a state coordinator of resource stewardship and establish the coordinator of resource stewardship's salary.

(2) The coordinator of resource stewardship shall report to the executive director or the executive director's designee.

(3) The coordinator of resource stewardship shall:

(a) work with agencies to implement best practices and stewardship measures to improve air quality; and

(b) make an annual report, by no later than October 1, on best practices and stewardship efforts to improve air quality to the Natural Resources, Agriculture, and Environment Interim Committee.

(4) ~~[Each agency will retain]~~ An agency retains absolute discretion whether ~~[or not]~~ to incorporate ~~[any of the]~~ practices or measures suggested by the coordinator.

Section 25. Section **63A-9-401** is amended to read:

**63A-9-401 (Effective 05/06/26). Division -- Duties.**

(1) The division shall:

(a) perform all administrative duties and functions related to management of state vehicles;

(b) coordinate all purchases of state vehicles;

- 1221 (c) establish one or more fleet automation and information systems for state vehicles;
- 1222 (d) make rules establishing requirements for:
  - 1223 (i) maintenance operations for state vehicles;
  - 1224 (ii) use requirements for state vehicles;
  - 1225 (iii) fleet safety and loss prevention programs;
  - 1226 (iv) preventative maintenance programs;
  - 1227 (v) procurement of state vehicles, including:
    - 1228 (A) vehicle standards;
    - 1229 (B) alternative fuel vehicle requirements;
    - 1230 (C) short-term lease programs;
    - 1231 (D) equipment installation; and
    - 1232 (E) warranty recovery programs;
  - 1233 (vi) fuel management programs;
  - 1234 (vii) cost management programs;
  - 1235 (viii) business and personal use practices, including commute standards;
  - 1236 (ix) cost recovery and billing procedures;
  - 1237 (x) disposal of state vehicles;
  - 1238 (xi) reassignment of state vehicles and reallocation of vehicles throughout the fleet;
  - 1239 (xii) standard use and rate structures for state vehicles; and
  - 1240 (xiii) insurance and risk management requirements;
- 1241 (e) establish a parts inventory;
- 1242 (f) create and administer a fuel dispensing services program that meets the requirements
- 1243 of Subsection (2);
- 1244 (g) emphasize customer service when dealing with agencies and agency employees;
- 1245 (h) conduct an annual audit of all state vehicles for compliance with division
- 1246 requirements;
- 1247 (i) before charging a rate, fee, or other amount to an executive branch agency, or to a
- 1248 subscriber of services other than an executive branch agency:
  - 1249 (i) submit the proposed rates, fees, and cost analysis to the Rate Committee
  - 1250 established in Section 63A-1-114; and
  - 1251 (ii) obtain the approval of the Legislature as required by Section 63J-1-410 or
  - 1252 63J-1-504; and
- 1253 (j) conduct an annual market analysis of proposed rates and fees, which analysis shall
- 1254 include a comparison of the division's rates and fees with the fees of other public or

- private sector providers where comparable services and rates are reasonably available.
- (2) The division shall operate a fuel dispensing services program in a manner that:
- (a) reduces the risk of environmental damage and subsequent liability for leaks involving state-owned underground storage tanks;
  - (b) eliminates fuel site duplication and reduces overall costs associated with fuel dispensing;
  - (c) provides efficient fuel management and efficient and accurate accounting of fuel-related expenses;
  - (d) where practicable, privatizes portions of the state's fuel dispensing system;
  - (e) provides central planning for fuel contingencies;
  - (f) establishes fuel dispensing sites that meet geographical distribution needs and that reflect usage patterns;
  - (g) where practicable, uses alternative sources of energy; and
  - (h) provides safe, accessible fuel supplies in an emergency.
- (3) The division shall:
- (a) ensure that the state and each of [its] the state's agencies comply with state and federal law and state and federal rules and regulations governing underground storage tanks;
  - (b) coordinate the installation of new state-owned underground storage tanks and the upgrading or retrofitting of existing underground storage tanks;
  - (c) by no later than June 30, 2025, ensure that an underground storage tank qualifies for a rebate, provided under Subsection 19-6-410.5(5)(d), of a portion of the environmental assurance fee described in Subsection 19-6-410.5(4), if the underground storage tank is owned by:
    - (i) the state;
    - (ii) a state agency; or
    - (iii) a county, municipality, school district, special district, special service district, or federal agency that has subscribed to the fuel dispensing service provided by the division under Subsection (6)(b); and
  - ~~[(d) report to the Natural Resources, Agriculture, and Environmental Quality Appropriations Subcommittee by no later than:]~~
    - ~~[(i) November 30, 2020, on the status of the requirements of Subsection (3)(c); and]~~
    - ~~[(ii) November 30, 2024, on whether:]~~
      - ~~[(A) the requirements of Subsection (3)(c) have been met; and]~~

1289                   ~~[(B) additional funding is needed to accomplish the requirements of Subsection~~  
1290                   ~~(3)(e); and]~~

1291           ~~[(e)]~~ (d) ensure that counties, municipalities, school districts, special districts, and special  
1292           service districts subscribing to services provided by the division sign a contract that:  
1293           (i) establishes the duties and responsibilities of the parties;  
1294           (ii) establishes the cost for the services; and  
1295           (iii) defines the liability of the parties.

1296 (4) In fulfilling the requirements of Subsection (3)(c), the division may give priority to  
1297           underground storage tanks owned by the state or a state agency under Subsections  
1298           (3)(c)(i) and (ii).

1299 (5)(a) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act,  
1300           the director of the Division of Fleet Operations:

- 1301           (i) may make rules governing fuel dispensing; and
- 1302           (ii) shall make rules establishing standards and procedures for purchasing the most  
1303           economically appropriate size and type of vehicle for the purposes and driving  
1304           conditions for which the vehicle will be used, including procedures for granting  
1305           exceptions to the standards by the executive director of the Department of  
1306           Government Operations.

1307 (b) Rules made under Subsection (5)(a)(ii):

- 1308           (i) shall designate a standard vehicle size and type that shall be designated as the  
1309           statewide standard vehicle for fleet expansion and vehicle replacement;
- 1310           (ii) may designate different standard vehicle size and types based on defined  
1311           categories of vehicle use;
- 1312           (iii) may, when determining a standard vehicle size and type for a specific category  
1313           of vehicle use, consider the following factors affecting the vehicle class:
  - 1314                   (A) size requirements;
  - 1315                   (B) economic savings;
  - 1316                   (C) fuel efficiency;
  - 1317                   (D) driving and use requirements;
  - 1318                   (E) safety;
  - 1319                   (F) maintenance requirements;
  - 1320                   (G) resale value; and
  - 1321                   (H) the requirements of Section 63A-9-403; and
- 1322           (iv) shall require agencies that request a vehicle size and type that is different from

the standard vehicle size and type to:

(A) submit a written request for a nonstandard vehicle to the division that contains the following:

(I) the make and model of the vehicle requested, including acceptable alternate vehicle makes and models as applicable;

(II) the reasons justifying the need for a nonstandard vehicle size or type;

(III) the date of the request; and

(IV) the name and signature of the person making the request; and

(B) obtain the division's written approval for the nonstandard vehicle.

(6)(a)(i) ~~[Each]~~ A state agency and ~~[each]~~ a higher education institution shall subscribe to the fuel dispensing services provided by the division.

(ii) A state agency may not provide or subscribe to any other fuel dispensing services, systems, or products other than those provided by the division.

(b) Counties, municipalities, school districts, special districts, special service districts, and federal agencies may subscribe to the fuel dispensing services provided by the division if:

(i) the county or municipal legislative body, the school district, or the special district or special service district board recommends that the county, municipality, school district, special district, or special service district subscribe to the fuel dispensing services of the division; and

(ii) the division approves participation in the program by that government unit.

(7) The director, with the approval of the executive director, may delegate functions to institutions of higher education, by contract or other means authorized by law, if:

(a) the agency or institution of higher education has requested the authority;

(b) in the judgment of the director, the state agency or institution has the necessary resources and skills to perform the delegated responsibilities; and

(c) the delegation of authority is in the best interest of the state and the function delegated is accomplished according to provisions contained in law or rule.

Section 26. Section **63G-4-102** is amended to read:

**63G-4-102 (Effective 05/06/26). Scope and applicability of chapter.**

(1) Except as set forth in Subsection (2), and except as otherwise provided by a statute superseding provisions of this chapter by explicit reference to this chapter, the provisions of this chapter apply to every agency of the state and govern:

(a) state agency action that determines the legal rights, duties, privileges, immunities, or



other legal interests of an identifiable person, including agency action to grant, deny, revoke, suspend, modify, annul, withdraw, or amend an authority, right, or license; and

(b) judicial review of the action.

(2) This chapter does not govern:

(a) the procedure for making agency rules, or judicial review of the procedure or rules;

(b) the issuance of a notice of a deficiency in the payment of a tax, the decision to waive a penalty or interest on taxes, the imposition of and penalty or interest on taxes, or the issuance of a tax assessment, except that this chapter governs an agency action commenced by a taxpayer or by another person authorized by law to contest the validity or correctness of the action;

(c) state agency action relating to extradition, to the granting of a pardon or parole, a commutation or termination of a sentence, or to the rescission, termination, or revocation of parole or probation, to the discipline of, resolution of a grievance of, supervision of, confinement of, or the treatment of an inmate or resident of a correctional facility, the Utah State Hospital, the Utah State Developmental Center, or a person in the custody or jurisdiction of the Office of Substance Use and Mental Health, or a person on probation or parole, or judicial review of the action;

(d) state agency action to evaluate, discipline, employ, transfer, reassign, or promote a student or teacher in a school or educational institution, or judicial review of the action;

(e) an application for employment and internal personnel action within an agency concerning [its] the agency's own employees, or judicial review of the action;

(f) the issuance of a citation or assessment under Title 34A, Chapter 6, Utah Occupational Safety and Health Act, and Title 58, Occupations and Professions, except that this chapter governs an agency action commenced by the employer, licensee, or other person authorized by law to contest the validity or correctness of the citation or assessment;

(g) state agency action relating to management of state funds, the management and disposal of school and institutional trust land assets, and contracts for the purchase or sale of products, real property, supplies, goods, or services by or for the state, or by or for an agency of the state, except as provided in those contracts, or judicial review of the action;

(h) state agency action under Title 7, Chapter 1, Part 3, Powers and Duties of

- 1391 Commissioner of Financial Institutions, Title 7, Chapter 2, Possession of Depository  
1392 Institution by Commissioner, Title 7, Chapter 19, Acquisition of Failing Depository  
1393 Institutions or Holding Companies, and Chapter 7, Governmental Immunity Act of  
1394 Utah, or judicial review of the action;
- 1395 (i) the initial determination of a person's eligibility for unemployment benefits, the initial  
1396 determination of a person's eligibility for benefits under Title 34A, Chapter 2,  
1397 Workers' Compensation Act, and Title 34A, Chapter 3, Utah Occupational Disease  
1398 Act, or the initial determination of a person's unemployment tax liability;
- 1399 (j) state agency action relating to the distribution or award of a monetary grant to or  
1400 between governmental units, or for research, development, or the arts, or judicial  
1401 review of the action;
- 1402 (k) the issuance of a notice of violation or order under Title 19, Chapter 2, Air  
1403 Conservation Act, Title 19, Chapter 3, Radiation Control Act, Title 19, Chapter 4,  
1404 Safe Drinking Water Act, Title 19, Chapter 5, Water Quality Act, Title 19, Chapter 6,  
1405 Part 1, Solid and Hazardous Waste Act, Title 19, Chapter 6, Part 4, Petroleum  
1406 Storage Tank Act, or Title 19, Chapter 6, Part 7, Used Oil Management Act, [~~or Title~~  
1407 ~~19, Chapter 6, Part 10, Mercury Switch Removal Act,~~] except that this chapter  
1408 governs an agency action commenced by a person authorized by law to contest the  
1409 validity or correctness of the notice or order;
- 1410 (l) state agency action, to the extent required by federal statute or regulation, to be  
1411 conducted according to federal procedures;
- 1412 (m) the initial determination of a person's eligibility for government or public assistance  
1413 benefits;
- 1414 (n) state agency action relating to wildlife licenses, permits, tags, and certificates of  
1415 registration;
- 1416 (o) a license for use of state recreational facilities;
- 1417 (p) state agency action under Chapter 2, Government Records Access and Management  
1418 Act, except as provided in Section 63G-2-603;
- 1419 (q) state agency action relating to the collection of water commissioner fees and  
1420 delinquency penalties, or judicial review of the action;
- 1421 (r) state agency action relating to the installation, maintenance, and repair of headgates,  
1422 caps, valves, or other water controlling works and weirs, flumes, meters, or other  
1423 water measuring devices, or judicial review of the action;
- 1424 (s) the issuance and enforcement of an initial order under Section 73-2-25;

- 1425 (t)(i) a hearing conducted by the Division of Securities under Section 61-1-11.1; and  
1426 (ii) an action taken by the Division of Securities under a hearing conducted under  
1427 Section 61-1-11.1, including a determination regarding the fairness of an issuance  
1428 or exchange of securities described in Subsection 61-1-11.1(1);
- 1429 (u) state agency action relating to water well driller licenses, water well drilling permits,  
1430 water well driller registration, or water well drilling construction standards, or  
1431 judicial review of the action;
- 1432 (v) the issuance of a determination and order under Title 34A, Chapter 5, Utah  
1433 Antidiscrimination Act;
- 1434 (w) state environmental studies and related decisions by the Department of  
1435 Transportation approving state or locally funded projects, or judicial review of the  
1436 action;
- 1437 (x) the suspension of operations under Subsection 32B-1-304(3);
- 1438 (y) the issuance of a determination of violation by the Governor's Office of Economic  
1439 Opportunity under Section 11-41-104; or
- 1440 (z) a challenge to an aspect of a distribution management plan under Section 73-33-202.
- 1441 (3) This chapter does not affect a legal remedy otherwise available to:
- 1442 (a) compel an agency to take action; or
- 1443 (b) challenge an agency's rule.
- 1444 (4) This chapter does not preclude an agency, prior to the beginning of an adjudicative  
1445 proceeding, or the presiding officer during an adjudicative proceeding from:
- 1446 (a) requesting or ordering a conference with parties and interested persons to:
- 1447 (i) encourage settlement;
- 1448 (ii) clarify the issues;
- 1449 (iii) simplify the evidence;
- 1450 (iv) facilitate discovery; or
- 1451 (v) expedite the proceeding; or
- 1452 (b) granting a timely motion to dismiss or for summary judgment if the requirements of  
1453 Rule 12(b) or Rule 56 of the Utah Rules of Civil Procedure are met by the moving  
1454 party, except to the extent that the requirements of those rules are modified by this  
1455 chapter.
- 1456 (5)(a) A declaratory proceeding authorized by Section 63G-4-503 is not governed by  
1457 this chapter, except as explicitly provided in that section.
- 1458 (b) Judicial review of a declaratory proceeding authorized by Section 63G-4-503 is

governed by this chapter.

- (6) This chapter does not preclude an agency from enacting a rule affecting or governing an adjudicative proceeding or from following the rule, if the rule is enacted according to the procedures outlined in Chapter 3, Utah Administrative Rulemaking Act, and if the rule conforms to the requirements of this chapter.
- (7)(a) If the attorney general issues a written determination that a provision of this chapter would result in the denial of funds or services to an agency of the state from the federal government, the applicability of the provision to that agency shall be suspended to the extent necessary to prevent the denial.
- (b) The attorney general shall report the suspension to the Legislature at its next session.
- (8) Nothing in this chapter may be interpreted to provide an independent basis for jurisdiction to review final agency action.
- (9) Nothing in this chapter may be interpreted to restrict a presiding officer, for good cause shown, from lengthening or shortening a time period prescribed in this chapter, except the time period established for judicial review.
- (10) Notwithstanding any other provision of this section, this chapter does not apply to a special adjudicative proceeding, as defined in Section 19-1-301.5, except to the extent expressly provided in Section 19-1-301.5.
- (11) Subsection (2)(w), regarding action taken based on state environmental studies and policies of the Department of Transportation, applies to any claim for which a court of competent jurisdiction has not issued a final unappealable judgment or order before May 14, 2019.

Section 27. Section **63I-1-219** is amended to read:

**63I-1-219 (Effective 05/06/26). Repeal dates: Title 19.**

- (1) Title 19, Chapter 2, Air Conservation Act, is repealed July 1, 2029.
- (2) Section 19-2-109.6, Plantwide applicability limitation -- Publication of guidance required -- Report to committee -- Rulemaking, is repealed July 1, 2026.
- (3) Section 19-2-109.7, Permit by rule registration expansion study, is repealed July 1, 2026.
- (4) Title 19, Chapter 4, Safe Drinking Water Act, is repealed July 1, 2029.
- (5) Section 19-4-115, Drinking water quality in schools and child care centers, is repealed July 1, 2027.
- (6) Title 19, Chapter 5, Water Quality Act, is repealed July 1, 2029.
- (7) Title 19, Chapter 6, Part 1, Solid and Hazardous Waste Act, is repealed July 1, 2029.
- (8) Title 19, Chapter 6, Part 3, Hazardous Substances Mitigation Act, is repealed July 1,

- 1493 2030.
- 1494 (9) Title 19, Chapter 6, Part 4, Petroleum Storage Tank Act, is repealed July 1, 2028.
- 1495 (10) Section 19-6-510, Study of glass recycling, is repealed July 1, 2026.
- 1496 (11) Title 19, Chapter 6, Part 6, Lead Acid Battery Disposal, is repealed July 1, 2026.
- 1497 (12) Title 19, Chapter 6, Part 7, Used Oil Management Act, is repealed July 1, 2029.
- 1498 (13) Title 19, Chapter 6, Part 8, Waste Tire Recycling Act, is repealed July 1, 2030.
- 1499 [~~(14) Title 19, Chapter 6, Part 10, Mercury Switch Removal Act, is repealed July 1, 2027.~~]
- 1500 Section 28. Section **63I-1-265** is amended to read:
- 1501 **63I-1-265 (Effective 05/06/26). Repeal dates: Title 65A.**
- 1502 [~~Section 65A-10-5, Utah lake study, is repealed July 1, 2027~~] Reserved.
- 1503 Section 29. Section **63J-1-602.2** is amended to read:
- 1504 **63J-1-602.2 (Effective 05/06/26) (Partially Repealed 07/01/29). List of nonlapsing**
- 1505 **appropriations to programs.**
- 1506 Appropriations made to the following programs are nonlapsing:
- 1507 (1) The Legislature and the Legislature's committees.
- 1508 (2) The State Board of Education, including all appropriations to agencies, line items, and
- 1509 programs under the jurisdiction of the State Board of Education, in accordance with
- 1510 Section 53F-9-103.
- 1511 (3) The Rangeland Improvement Act created in [~~Section 4-20-101~~] Title 4, Chapter 20,
- 1512 Rangeland Improvement Act.
- 1513 (4) The Percent-for-Art Program created in Section 9-6-404.
- 1514 (5) The LeRay McAllister Working Farm and Ranch Fund Program created in Title 4,
- 1515 Chapter 46, Part 3, LeRay McAllister Working Farm and Ranch Fund.
- 1516 (6) The Utah Lake Authority created in Section 11-65-201.
- 1517 (7) Dedicated credits accrued to the Utah Marriage Commission as provided under
- 1518 Subsection 17-66-303(2)(d)(ii).
- 1519 (8) The Wildlife Land and Water Acquisition Program created in Section 23A-6-205.
- 1520 (9) Sanctions collected as dedicated credits from Medicaid providers under Subsection
- 1521 26B-3-108(7).
- 1522 (10) The primary care grant program created in Section 26B-4-310.
- 1523 (11) The Opiate Overdose Outreach Pilot Program created in Section 26B-4-512.
- 1524 (12) The Utah Health Care Workforce Financial Assistance Program created in Section
- 1525 26B-4-702.
- 1526 (13) The Rural Physician Loan Repayment Program created in Section 26B-4-703.

- 1527 (14) The Utah Medical Education Council for the:
- 1528 (a) administration of the Utah Medical Education Program created in Section 26B-4-707;
- 1529 (b) provision of medical residency grants described in Section 26B-4-711; and
- 1530 (c) provision of the forensic psychiatric fellowship grant described in Section 26B-4-712.
- 1531 (15) The Division of Services for People with Disabilities, as provided in Section 26B-6-402.
- 1532 (16) The Communication Habits to reduce Adolescent Threats (CHAT) Pilot Program
- 1533 created in Section 26B-7-122.
- 1534 (17) Funds that the Department of Alcoholic Beverage Services retains in accordance with
- 1535 Subsection 32B-2-301(8)(a) or (b).
- 1536 (18) The General Assistance program administered by the Department of Workforce
- 1537 Services, as provided in Section 35A-3-401.
- 1538 (19) The Utah National Guard, created in Title 39A, National Guard and Militia Act.
- 1539 (20) The Search and Rescue Financial Assistance Program, as provided in Section
- 1540 53-2a-1102.
- 1541 (21) The Emergency Medical Services Grant Program, as provided in Section 53-2d-207.
- 1542 (22) The Motorcycle Rider Education Program, as provided in Section 53-3-905.
- 1543 (23) The Utah Board of Higher Education for teacher preparation programs, as provided in
- 1544 Section 53H-5-402.
- 1545 (24) Innovation grants under Section 53G-10-608, except as provided in Subsection
- 1546 53G-10-608(3).
- 1547 (25) The Division of Fleet Operations for the purpose of upgrading underground storage
- 1548 tanks under Section 63A-9-401.
- 1549 (26) The Division of Technology Services for technology innovation as provided under
- 1550 Section 63A-16-903.
- 1551 (27) The State Capitol Preservation Board created by Section 63O-2-201.
- 1552 (28) The Office of Administrative Rules for publishing, as provided in Section 63G-3-402.
- 1553 (29) The Colorado River Authority of Utah, created in Title 63M, Chapter 14, Colorado
- 1554 River Authority of Utah Act.
- 1555 (30) The Governor's Office of Economic Opportunity to fund the Enterprise Zone Act, as
- 1556 provided in Title 63N, Chapter 2, Part 2, Enterprise Zone Act.
- 1557 (31) The Governor's Office of Economic Opportunity's Rural Employment Expansion
- 1558 Program, as described in Title 63N, Chapter 4, Part 4, Rural Employment Expansion
- 1559 Program.
- 1560 (32) County correctional facility contracting program for state inmates as described in

Section 64-13e-103.

(33) County correctional facility reimbursement program for state probationary inmates and state parole inmates as described in Section 64-13e-104.

(34) Programs for the Jordan River Recreation Area as described in Section 65A-2-8.

(35) The Division of Human Resource Management user training program, as provided in Section 63A-17-106.

(36) A public safety answering point's emergency telecommunications service fund, as provided in Section 69-2-301.

(37) The Traffic Noise Abatement Program created in Section 72-6-112.

(38) The money appropriated from the Navajo Water Rights Negotiation Account to the Division of Water Rights, created in Section 73-2-1.1, for purposes of participating in a settlement of federal reserved water right claims.

(39) The Judicial Council for compensation for special prosecutors, as provided in Section 77-10a-19.

(40) A state rehabilitative employment program, as provided in Section 78A-6-210.

(41) The Utah Geological Survey, as provided in Section 79-3-401.

(42) The Bonneville Shoreline Trail Program created under Section 79-5-503.

(43) Adoption document access as provided in Sections 81-13-103, 81-13-504, and 81-13-505.

(44) Indigent defense as provided in Title 78B, Chapter 22, Part 4, Utah Indigent Defense Commission.

(45) The program established by the Division of Facilities Construction and Management under Section 63A-5b-703 under which state agencies receive an appropriation and pay lease payments for the use and occupancy of buildings owned by the Division of Facilities Construction and Management.

(46) The State Tax Commission for reimbursing counties for deferrals in accordance with Section 59-2-1802.5.

(47) The Veterinarian Education Loan Repayment Program created in Section 4-2-902. Section 30. Section **63J-8-106** is amended to read:

**63J-8-106 (Effective 05/06/26). County supported federal land use designation proposed in proposed congressional land use legislation -- Process for legislative review of proposed federal legislation land use within a county.**

(1)(a) Notwithstanding any other provision of this chapter, the Legislature may, in accordance with this section, recommend to the Utah congressional delegation

1595 proposed congressional land use legislation that is supported by a county.

1596 (b) A county that fails to comply with the requirements of this section may not  
1597 communicate or otherwise represent in any way that a federal land use designation  
1598 contained in proposed congressional land use legislation has the support or approval  
1599 of the Legislature.

1600 (2) If a county supports a federal land use designation contained in proposed congressional  
1601 land use legislation, the county shall:

- 1602 (a) prepare a report on the proposed congressional land use legislation in accordance  
1603 with Subsection (3);  
1604 (b) draft a concurrent resolution for a legislative committee's consideration, in  
1605 accordance with Subsection (7)(a), in support of the proposed congressional land use  
1606 legislation; and  
1607 (c) subject to Subsection (4)(a), deliver the report and draft concurrent resolution to the  
1608 office.

1609 (3) The report required in Subsection (2)(a) shall include:

- 1610 (a) a copy of the proposed congressional land use legislation;  
1611 (b) a detailed description of the land or watercourse proposed for a federal land use  
1612 designation, including:  
1613 (i) the total acres of federal land proposed for a federal land use designation;  
1614 (ii)(A) a map showing the location of the land or watercourse; and  
1615 (B) the proposed type of federal land use designation for each location;  
1616 (iii) a proposed land conveyance or land proposed for auction by the BLM, if any; and  
1617 (iv)(A) school and institutional trust land, as defined in Section 53C-1-103,  
1618 proposed for a land exchange, if any; and  
1619 (B) whether the county has coordinated with SITLA on the proposed land  
1620 exchange;  
1621 (c) an explanation of whether a federal land use designation will assist in resolving  
1622 long-standing public lands issues, such as wilderness disputes, economic  
1623 development, recreational use, and access to public lands;  
1624 (d) a narrative description of the economic, recreational, and cultural impacts, taken as a  
1625 whole, on a county and the state that would occur if Congress adopted the proposed  
1626 congressional land use legislation, including an impact on state revenues;  
1627 (e) an account of actions, if any, proposed in a federal land use designation to minimize  
1628 impacts on:



- 1629 (i) resource extraction activities occurring on the land or in the watercourse proposed  
1630 for a federal land use designation, including mining and energy development; and  
1631 (ii) motorized recreational use and public access;
- 1632 (f) a summary of potential benefits gained by the county and state if Congress adopts the  
1633 proposed congressional land use legislation;
- 1634 (g) a description of the stakeholders and their positions on a federal land use designation;
- 1635 (h) whether land identified for a federal land use designation is BLM recommended  
1636 wilderness;
- 1637 (i) an explanation of what the proposed congressional land use legislation proposes for  
1638 federal land located in the county other than land identified for the federal land use  
1639 designation;
- 1640 (j)(i) a description of the impact that, if adopted by Congress, the proposed  
1641 congressional land use legislation would have on access to roads currently  
1642 identified as part of an adopted county transportation plan as described in Section  
1643 63L-11-303; and
- 1644 (ii) if a federal land use designation proposes to close a road described in Subsection  
1645 (3)(j)(i), an explanation for the road closure and a copy of the minutes of any  
1646 county public hearing in which the proposed road closures were discussed and  
1647 public comment was taken;
- 1648 (k)(i) a description of a proposed resolution for an R.S. 2477 right-of-way, if any,  
1649 located within the area identified in a federal land use designation; and
- 1650 (ii) whether a proposed resolution described in Subsection (3)(k)(i) would include a  
1651 quiet title action concerning an R.S. 2477 right-of-way;
- 1652 (l) an explanation of whether a federal land use designation proposes a hard release of all  
1653 public lands and watercourses not included in the federal land use designation,  
1654 placing the land and watercourses in multiple use management;
- 1655 (m) an explanation of whether a federal land use designation proposes a prohibition on  
1656 further federal action under the Antiquities Act of 1906, 16 U.S.C. Sec. 431 et seq.;
- 1657 (n) a narrative description of a federal land use designation's interaction with, if any, a  
1658 regional haze rule adopted by the United States Environmental Protection Agency;
- 1659 (o) an explanation of whether a federal land use designation would authorize best  
1660 management practices as part of an active effort to control on the land or watercourse  
1661 proposed for a federal land use designation:
- 1662 (i) wildfire;

- 1663 (ii) invasive species, including insects; and  
1664 (iii) disease;
- 1665 (p) if applicable, a statement as to whether a federal land use designation would allow  
1666 for the continuation of existing grazing permits;
- 1667 (q) a statement as to the presence or need of passive water management facilities or  
1668 activities for livestock or wildlife, such as guzzlers or fencing, for the management of  
1669 wildlife or livestock;
- 1670 (r) if a federal land use designation identifies land that has oil, gas, or mineral deposits,  
1671 an explanation as to why the federal land use designation includes the land;
- 1672 (s)(i) a statement as to whether a federal land use designation:  
1673 (A) affects land or a watercourse located exclusively within the county; or  
1674 (B) affects, whether by an actual federal land use designation or by implication if  
1675 a federal land use designation is adopted, land or a watercourse located in  
1676 another county; and
- 1677 (ii) if the land use proposal would affect land or a watercourse located in another  
1678 county, whether that county supports the proposed congressional land use  
1679 legislation;
- 1680 (t) an explanation of whether a proposed land use designation designates land as  
1681 wilderness in the National Wilderness Preservation System or designates land as a  
1682 national conservation area that is not part of:  
1683 (i) BLM recommended wilderness; or  
1684 (ii) Forest Service land recommended for wilderness designation in RARE II; and
- 1685 (u) a statement explaining whether and to what extent members of Utah's congressional  
1686 delegation and their staff were consulted in preparing the proposed congressional  
1687 land use legislation and the federal land use designation contained therein.
- 1688 (4)(a) No later than 60 days before delivering a report and draft concurrent resolution in  
1689 accordance with Subsection (2), a county shall contact and inform the office of the  
1690 county's intention to prepare and deliver the report and draft concurrent resolution.
- 1691 (b) The office may give general guidance to a county described in Subsection (4)(a), as  
1692 requested, as to compliance with this section.
- 1693 (5) The office shall prepare an evaluation of the county's report, including whether the  
1694 county has addressed each matter described in Subsection (3).
- 1695 (6) The office shall deliver the evaluation described in Subsection (5), including a copy of  
1696 the county's report, the proposed congressional land use legislation, and the draft

concurrent resolution, no later than 30 days after receiving the county's report:

(a) if the Legislature is not in session, and subject to Subsection (6)(b), to the ~~chair~~  
chairs of the Natural Resources, Agriculture, and Environment Interim Committee; or

(b) if the Legislature is in session or there are no scheduled meetings of the Natural Resources, Agriculture, and Environment Interim Committee before the beginning of the next legislative session, to the chair of either the House Natural Resources, Agriculture, and Environment Committee or the Senate Natural Resources, Agriculture, and Environment Committee.

(7)(a) At a committee's next scheduled meeting after receiving a report, the draft concurrent resolution, and a copy of the proposed congressional land use legislation, the committee shall:

(i) review:

(A) the county's report;

(B) the draft concurrent resolution, if the concurrent resolution has a legislative sponsor; and

(C) the office's evaluation;

(ii) if the draft concurrent resolution is presented to the committee, consider whether to approve or reject the draft concurrent resolution;

(iii) if the draft concurrent resolution is rejected, provide direction to the county as to the reasons the resolution was rejected and the actions that the county might take to secure committee approval of the resolution; and

(iv) take any additional action the committee finds necessary.

(b) A legislative committee may not accept for review a county-supported federal land use designation contained in proposed congressional land use legislation that does not meet the requirements of this section.

(8)(a) If the committee rejects the draft concurrent resolution, a county may resubmit a revised report and draft concurrent resolution to the office in accordance with the terms of this section.

(b) Upon receipt of a revised report and draft concurrent resolution, the office shall comply with the procedures set forth in this section.

(c) Upon receipt of a revised report, evaluation, and draft concurrent resolution by the office, a committee described in Subsection (6) shall comply with the procedures set forth in this section.

(9) The governor may call a special session to consider the concurrent resolution presented

to and approved by a committee described in Subsection (7)(a).

- (10) If a concurrent resolution described in this section is adopted by the Legislature and signed by the governor, the Office of the Governor shall forward a copy of the concurrent resolution, the county's report, and the proposed congressional land use legislation to Utah's congressional delegation.

Section 31. Section **63L-11-305** is amended to read:

**63L-11-305 (Effective 05/06/26). Facilitating the acquisition of federally managed public land under the Recreation and Public Purposes Act.**

- (1) As used in this section:

(a) "Federally managed public land" means federally managed public land that the secretary is authorized to dispose of under the ~~[federally managed public land disposal law]~~ Recreation and Public Purposes Act.

~~[(b)]~~ ~~"Federally managed public land disposal law" means the Recreation and Public Purposes Act, 43 U.S.C. Sec. 869 et seq.]~~

~~[(e)]~~ (b) "Government entity" means ~~[any]~~ a state or local government entity allowed to submit a land application under the ~~[federally managed public land disposal law]~~ Recreation and Public Purposes Act.

~~[(d)]~~ (c) "Land application" means an application under the ~~[federally managed public land disposal law]~~ Recreation and Public Purposes Act requesting the secretary to sell or lease federally managed public land.

~~[(e)]~~ (d) "Land application process" means the actions involved in the process of submitting and obtaining a final decision on a land application.

(e) "Recreation and Public Purposes Act" means the tool for the disposal of federally managed public land enacted as the Recreation and Public Purposes Act, 43 U.S.C. Sec. 869 et seq.

(f) "Secretary" means the Secretary of the Interior of the United States.

- (2) The office shall:

(a) develop expertise:

(i) in the land application process; and

(ii) concerning the factors that tend to increase the chances that a land application will result in the secretary selling or leasing federally managed public land as requested in the land application;

(b) work to educate government entities concerning:

(i) the availability of federally managed public land pursuant to the ~~[federally~~

- 1765 ~~managed public land disposal law]~~ Recreation and Public Purposes Act; and
- 1766 (ii) the land application process;
- 1767 (c) advise and consult with a government entity that requests assistance from the office
- 1768 to formulate and submit a land application and to pursue a decision on the land
- 1769 application;
- 1770 (d) advise and consult with a government entity that requests assistance from the office
- 1771 to identify and quantify the amount of any funds needed to provide the public use
- 1772 described in a land application;
- 1773 (e) adopt a list of factors to be considered in determining the degree to which a land
- 1774 application or potential land application is in the public interest;
- 1775 (f) recommend a prioritization of land applications or potential land applications in the
- 1776 state according to the extent to which the land applications are in the public interest,
- 1777 based on the factors adopted under Subsection (2)(e);
- 1778 (g) monitor land applications submitted by government entities for federally managed
- 1779 public land located within the state, including annually contacting and collecting
- 1780 relevant data from government entities to determine whether the government entities
- 1781 have submitted land applications;
- 1782 (h) prepare and submit a written report:
- 1783 (i) to the Natural Resources, Agriculture, and Environment Interim Committee and
- 1784 the Federalism Commission;
- 1785 (ii)(A) annually by no later than August 31; and
- 1786 (B) at other times, if and as requested by the committee or commission; and
- 1787 (iii)(A) on the activities of the office under this section;
- 1788 (B) on the land applications and potential land applications in the state, including
- 1789 information based on the monitoring of land applications under Subsection
- 1790 (2)(g);
- 1791 (C) on the decisions of the secretary on land applications submitted by
- 1792 government entities in the state; and
- 1793 (D) on the quantity of land acquired under the land applications;
- 1794 (i) present a summary of information contained in the report described in Subsection
- 1795 (2)(h):
- 1796 (i) at a meeting of the Natural Resources, Agriculture, and Environment Interim
- 1797 Committee and at a meeting of the Federalism Commission;
- 1798 (ii) annually no later than August 31; and

- (iii) at other times, if and as requested by the committee or commission; and
- (j) report to the Executive Appropriations Committee of the Legislature, as frequently as the advisor considers appropriate or as requested by the Executive Appropriations Committee, on the need for legislative appropriations to provide funds for the public purposes described in land applications.

(3) The office may:

- (a) assist a government entity or the secretary in the filing and processing of a land application; and
- (b) enter into an agreement with the secretary related to the office assisting in processing a land application.

~~[(4)(a) The office shall conduct a survey of the land applications for federally managed public land located within the state that were submitted by a government entity from July 1, 2014, to July 1, 2024, to determine:]~~

~~[(i) which government entities submitted a land application during that time frame;]~~

~~[(ii) when a government entity submitted a land application during that time frame;]~~

~~[(iii) the location and quantity of federally managed public land for which a land application was submitted during that time frame; and]~~

~~[(iv) the status of a land application submitted during that time frame.]~~

~~[(b) The office shall complete the survey required by this Subsection (4) and report the results of the survey to the Natural Resources, Agriculture, and Environment Interim Committee and Federalism Commission by no later than August 31, 2025.]~~

Section 32. Section **65A-6-4** is amended to read:

**65A-6-4 (Effective 05/06/26). Mineral leases -- Multiple leases on same land -- Rentals and royalties -- Lease terms -- Great Salt Lake.**

(1) As used in this section:

(a) "Great Salt Lake element or mineral" means:

(i) a rare earth element;

(ii) a trace element or mineral; or

(iii) a chemical compound that includes a rare earth element or trace element or mineral.

(b) "Operator" means, for purposes of provisions applicable to the extraction of a Great Salt Lake element or mineral, a person qualified to do business in the state who is pursuing the extraction of a Great Salt Lake element or mineral.

(c) "Rare earth element" is one of the following ores, minerals, or elements located in

1833 the brines or the sovereign lands of the Great Salt Lake:

1834 (i) lanthanum;

1835 (ii) cerium;

1836 (iii) praseodymium;

1837 (iv) neodymium;

1838 (v) samarium;

1839 (vi) europium;

1840 (vii) gadolinium;

1841 (viii) terbium;

1842 (ix) dysprosium;

1843 (x) holmium;

1844 (xi) erbium;

1845 (xii) thulium;

1846 (xiii) ytterbium;

1847 (xiv) lutetium; and

1848 (xv) yttrium.

1849 (d) "Trace element or mineral" means an element or mineral that is located in the brines  
1850 or the sovereign lands of the Great Salt Lake that is not in production by July 1, 2020,  
1851 and for which the state has not received a royalty payment by July 1, 2020.

1852 (2)(a) Mineral leases, including oil, gas, and hydrocarbon leases, may be issued for  
1853 prospecting, exploring, developing, and producing minerals covering any portion of  
1854 state lands or the reserved mineral interests of the state.

1855 (b)(i) Leases may be issued for different types of minerals on the same land.

1856 (ii) If leases are issued for different types of minerals on the same land, the leases  
1857 shall include stipulations for simultaneous operations, except that for leases  
1858 related to the Great Salt Lake the leases shall include stipulations for simultaneous  
1859 operations that will not interfere with, impede, limit, or require changes to  
1860 pre-existing rights.

1861 (c) No more than one lease may be issued for the same resource on the same land.

1862 (d) The division shall require a separate royalty agreement for extraction of Great Salt  
1863 Lake elements or minerals from brines of the Great Salt Lake when:

1864 (i) a mineral lease, a royalty agreement, or both that are in effect before the operator  
1865 seeks to extract a particular Great Salt Lake element or mineral do not expressly  
1866 include the right to extract the particular Great Salt Lake element or mineral; or

(ii) the proposed operation will use brines from the Great Salt Lake, but will not occupy sovereign lands for the direct production of Great Salt Lake elements or minerals other than for incidental structures such as pumps and intake and outflow pipelines.

(3)(a) ~~[Each]~~ A mineral lease issued by the division shall provide for an annual rental of not less than \$1 per acre per year, except that a mineral lease issued by the division involving the extraction of a Great Salt Lake element or mineral from brines in the Great Salt Lake shall provide for an annual rental of not less than \$100 per acre per year.

(b) However, a lease may provide for a rental credit, minimum rental, or minimum royalty upon commencement of production, as prescribed by rule.

(4) The primary term of a mineral lease may not exceed:

(a) 20 years for oil shale and tar sands; and

(b) 10 years for oil and gas and any other mineral.

(5)(a) In addition to the requirements of Chapter 17, Part 3, Mineral or Element Extraction, and subject to the other provisions of this Subsection (5), for a mineral lease or royalty agreement involving the extraction of Great Salt Lake elements and minerals from brines in the Great Salt Lake, the division shall ensure that the following terms, as applicable, are included:

(i) an extraction operation or extraction method shall adhere to commercially viable technologies that minimize water depletion;

(ii) a provision authorizing the division to curtail or limit Great Salt Lake element or mineral production at any time the condition of the Great Salt Lake reaches the emergency trigger, as defined in Section 65A-17-101;

(iii) a provision authorizing the division to withdraw lands, operations, extraction methods, or technologies from Great Salt Lake element or mineral production or Great Salt Lake element or mineral operations;

(iv) a provision allowing the division to require an existing operator to use commercially viable, innovative technologies to minimize water depletions caused by the planned mineral extraction as a condition of continued operations if the technology:

(A) has been successfully implemented on a commercial scale in similar circumstances;

(B) has been shown to be economically viable; and



- 1901 (C) is reasonably compatible with the operator's overall extraction process; and  
1902 (v) a provision that provides for the reductions of the following after the primary  
1903 term of a mineral lease or royalty agreement:
- 1904 (A) the acreage subject to the mineral lease by the acreage the operator does not  
1905 use to extract a Great Salt Lake element or mineral during the primary term of  
1906 the mineral lease under conditions that do not constitute waste, as defined in  
1907 Section 65A-17-101; and
- 1908 (B) the volume of water that the operator may divert from the Great Salt Lake, by  
1909 the volume of water that the operator does not use during the longer of the  
1910 primary term of the mineral lease or seven years if the operator fails to use the  
1911 volume of water for a beneficial use, except if the failure to use the volume of  
1912 water is as a result of a reduction of water usage under Section 73-33-201 or is  
1913 excused under Section 73-1-4.
- 1914 (b) If under Subsection (5)(a)(iv) the division requires an existing operator to use a  
1915 commercially viable, innovative technology, the division may not require use of a  
1916 technology not yet proven to be commercially viable on the Great Salt Lake and may  
1917 not require implementation of the technology to begin until after a reasonable period  
1918 determined by the division that is at least five years but does not exceed seven years.
- 1919 (c)(i) If the volume of water that the operator may divert from the Great Salt Lake is  
1920 reduced under Subsection (5)(a)(v), the division shall pursue a judicial action to  
1921 declare all or a portion of the water right forfeited under Subsection 73-1-4(2).
- 1922 (ii) If the division secures the reduction under this Subsection (5)(c), the division  
1923 shall petition the state engineer to order a reversal of the application approval in  
1924 accordance with the terms of the reduction or forfeiture of the water right.
- 1925 (iii) Nothing in this Subsection (5) modifies or otherwise affects Section 73-1-4 or  
1926 73-3-30.
- 1927 (6)(a) Before issuing a royalty agreement under Subsection (2)(d), the division may  
1928 require an operator to engage in a feasibility assessment and may issue a royalty  
1929 agreement without compliance of Subsection (5)(a) if the agreement:
- 1930 (i) has a term of 12 months or less; and  
1931 (ii) requires a minimum use of five acre-feet of brines from the Great Salt Lake  
1932 during the term of the agreement.
- 1933 (b) Subsection (6)(a)(ii) requiring a minimum use of five acre-feet of brines from the  
1934 Great Salt Lake does not apply to an operator who filed an application with the

- 1935 division for a feasibility assessment before January 1, 2025.
- 1936 (c) The division may make rules, in accordance with Title 63G, Chapter 3, Utah
- 1937 Administrative Rulemaking Act, for implementing this Subsection (6).
- 1938 (7)(a) Upon nomination from a prospective operator, the division shall by rule, made in
- 1939 accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act,
- 1940 establish a royalty rate and calculation methodology for a Great Salt Lake element or
- 1941 mineral that:
- 1942 (i) provides for a full and fair return to the state from the production of the Great Salt
- 1943 Lake element or mineral;
- 1944 (ii) is consistent with market royalty rates applicable to the production of the Great
- 1945 Salt Lake element or mineral or of the production of oil and gas;
- 1946 (iii) provides a base royalty rate;
- 1947 (iv) provides a reduced royalty rate from the royalty rate under Subsection (7)(a)(iii)
- 1948 if the royalty agreement:
- 1949 (A) relates to a non-evaporative method of producing the Great Salt Lake element
- 1950 or mineral; or
- 1951 (B) provides an incentive to use commercially viable, innovative technology to
- 1952 minimize water depletion and evaporation as determined by the division;
- 1953 (v) provides a reduced royalty rate from the royalty rate under Subsection (7)(a)(iii) if
- 1954 the prospective operator for the extraction of lithium demonstrates to the
- 1955 satisfaction of the division that the prospective operator has an agreement with a
- 1956 person who will process or manufacture a product in this state, exclusive of [any]
- 1957 primary or secondary lithium processing or manufacturing, using the lithium
- 1958 extracted by the prospective operator; and
- 1959 (vi) subject to Subsection (7)(e), provides for a royalty rate that is based on the
- 1960 highest market value prevailing at the time of the sale or disposal of the following:
- 1961 (A) the Great Salt Lake element or mineral; or
- 1962 (B) a product the lessee produces from the Great Salt Lake element or mineral.
- 1963 (b) Before entering into a royalty agreement permitting the extraction of Great Salt Lake
- 1964 elements or minerals, the operator shall:
- 1965 (i) demonstrate the proposed operation's commercial viability;
- 1966 (ii) certify before operation begins that the operator is not negatively impacting the
- 1967 biota or chemistry of the Great Salt Lake; and
- 1968 (iii) obtain the approval of the division and the Department of Environmental Quality

- 1969                   that the certification supports a finding that the operation will not negatively  
1970                   impact the biota or chemistry of the Great Salt Lake.
- 1971           (c) A new mineral lease for a Great Salt Lake element or mineral in production in the  
1972           Great Salt Lake as of May 3, 2023, is subject to new royalty rates due to emergent  
1973           technologies.
- 1974           (d) An operator who as of July 1, 2020, had a mineral lease with the division but not a  
1975           royalty agreement and who is subject to a severance tax under Subsection 59-5-202(5)  
1976           shall pay a royalty under this section in addition to the severance tax.
- 1977           (e) The royalty rate described in Subsection (7)(a)(vi) may not be reassessed during the  
1978           primary term of an initial royalty agreement issued under this section, but may be  
1979           reassessed upon the conclusion of the primary term.
- 1980           (8)(a) Except as provided in Subsection (8)(b), an operator who extracts a Great Salt  
1981           Lake element or mineral from tailings from the production of Great Salt Lake  
1982           elements or minerals from brines in the Great Salt Lake is subject to this section to  
1983           the same extent as an operator producing a Great Salt Lake element or mineral from  
1984           brines in the Great Salt Lake.
- 1985           (b) An operator that, as of May 3, 2023, has an agreement to recover a Great Salt Lake  
1986           element or mineral from existing tailings, discarded material, end-use products, or  
1987           waste products produced from the evaporation and processing of Great Salt Lake  
1988           brines is not subject to this section, except as to the payment of royalties set by the  
1989           division under Subsection (7)(a). The division shall make rules, in accordance with  
1990           Title 63G, Chapter 3, Utah Administrative Rulemaking Act, regarding the issuance  
1991           and termination of a royalty agreement for mineral extraction from tailings, discarded  
1992           material, end-use products, or waste products produced from the evaporation and  
1993           processing of Great Salt Lake brines.
- 1994           (c) An operator that, as of May 3, 2023, has an underlying agreement to recover a Great  
1995           Salt Lake element or mineral shall obtain an additional agreement for any additional  
1996           Great Salt Lake element or mineral produced from the tailings, discarded material,  
1997           end-use products, or waste products newly produced under the underlying agreement.  
1998           The additional agreement is subject to this section.
- 1999           (9) The division shall annually report, by no later than October 1, to the Natural Resources,  
2000           Agriculture, and Environmental Quality Appropriations Subcommittee regarding the  
2001           amount of money collected under this section from royalties provided for in Subsection  
2002           (7).

- (10)(a) In the issuance of royalty agreements for the extraction of lithium from the Great Salt Lake, the division shall prioritize applicants that do not use evaporative concentration of Great Salt Lake brines in any stage of the extractive process.
- (b) The division may make rules, in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, creating a process for implementing this Subsection (10).
- (11) Except in relationship to mineral leases related to the Great Salt Lake, the division shall make rules regarding the continuation of a mineral lease after the primary term has expired, which shall provide that a mineral lease shall continue so long as:
- (a) the mineral covered by the lease is being produced in paying quantities from:
- (i) the leased premises;
- (ii) lands pooled, communitized, or unitized with the leased premises; or
- (iii) lands constituting an approved mining or drilling unit with respect to the leased premises; or
- (b)(i) the lessee is engaged in diligent operations, exploration, research, or development which is reasonably calculated to advance development or production of the mineral covered by the lease from:
- (A) the leased premises;
- (B) lands pooled, communitized, or unitized with the leased premises; or
- (C) lands constituting an approved mining or drilling unit with respect to the leased premises; and
- (ii) the lessee pays a minimum royalty.
- (12) For the purposes of Subsection (11), diligent operations with respect to oil, gas, and other hydrocarbon leases may include cessation of operations not in excess of 90 days in duration.
- ~~[(13)(a) The division shall study and analyze each mineral lease and mineral royalty agreement issued on the Great Salt Lake and compare and evaluate whether the mineral leases and royalty agreements are representative of current market conditions. As part of this study, the division shall:]~~
- ~~[(i) make the following determinations for mineral leases:]~~
- ~~[(A) whether the entire surface area described within the mineral lease is being used; and]~~
- ~~[(B) whether the annual lease payments are representative of current market conditions; and]~~

2037           ~~[(ii) for royalty agreements, perform studies and comparative analyses to determine~~  
 2038           ~~whether the state is receiving royalty rates consistent with current market~~  
 2039           ~~conditions.]~~

2040           ~~[(b) By no later than the 2023 November interim meeting, the division shall report the~~  
 2041           ~~division's findings of the study required by this Subsection (13) to the Natural~~  
 2042           ~~Resources, Agriculture, and Environment Interim Committee.]~~

2043           ~~[(14)]~~ (13) The division may make rules, in accordance with Title 63G, Chapter 3, Utah  
 2044           Administrative Rulemaking Act, for implementing this section.

2045           ~~[(15)]~~ (14) The provisions in this section related to extraction of a Great Salt Lake element  
 2046           or mineral under a mineral lease or royalty agreement apply to a mineral lease or royalty  
 2047           agreement in effect on May 1, 2024, and any mineral lease or royalty agreement entered  
 2048           into after May 1, 2024.

2049           Section 33. Section **65A-16-301** is amended to read:

2050           **65A-16-301 (Effective 05/06/26). Water trust -- Powers and duties -- Advisory**  
 2051           **councils.**

2052           (1) The grantee under this chapter shall establish a water trust that:

2053           (a) is organized:

2054           (i) as a private nonprofit organization; or

2055           (ii) as an agreement between two or more conservation organizations; and

2056           (b) complies with this section.

2057           (2) A water trust created under this section shall:

2058           (a) use a fiduciary to hold and administer grant money appropriated under this chapter;

2059           (b) subject to Subsection (6):

2060           (i) register with the lieutenant governor as a limited purpose entity pursuant to  
 2061           Section 51-2a-201.5;

2062           (ii) file with the state auditor on or before June 30 of each year the accounting report  
 2063           that:

2064           (A) satisfies Subsection 51-2a-201.5(2);

2065           (B) includes an itemized accounting of the in-kind contributions and other  
 2066           monetary contributions described in Subsection (4); and

2067           (C) includes an itemized accounting of the costs incurred under Subsection (3)(a);

2068           (iii) provide a copy of the accounting report described in Subsection (2)(b)(ii) to:

2069           (A) the division;

2070           (B) the commissioner;

- 2071 (C) the Division of Water Quality;  
2072 (D) the council; and  
2073 (E) the Natural Resources, Agriculture, and [~~Environment~~] Environmental Quality  
2074 Appropriations Subcommittee;
- 2075 (iv) file with the division on or before January 31 of each year a report that satisfies  
2076 the requirements of Subsection 51-2a-201.5(4); and  
2077 (v) provide a copy of the report described in Subsection (2)(b)(iv) to:  
2078 (A) the Division of Water Quality;  
2079 (B) the council; and  
2080 (C) the Natural Resources, Agriculture, and [~~Environment~~] Environmental Quality  
2081 Appropriations Subcommittee; and
- 2082 (c) comply with applicable laws, regulations, ordinances, and rules.
- 2083 (3) A water trust established by a grantee under this section:
- 2084 (a) may use grant money for costs to establish, operate, or administer the water trust,  
2085 including the hiring of staff or contractors;
- 2086 (b) shall use no less than 25% of the grant money to protect and restore wetlands and  
2087 habitats in the Great Salt Lake's surrounding ecosystem to benefit the hydrology of  
2088 the Great Salt Lake; and
- 2089 (c) may invest grant money the water trust receives under this chapter or [~~any~~] private  
2090 money the water trust may receive, except that the water trust shall:
- 2091 (i) invest and account for grant money and private money separately; and  
2092 (ii) use the earnings received from the investment of grant money to carry out the  
2093 purposes described in Subsection 65A-16-201(1).
- 2094 (4) The water trust shall provide a significant match of in-kind contributions or other  
2095 monetary contributions to support the water trust's operations and for the purposes  
2096 described in Subsection 65A-16-201(1).
- 2097 (5)(a) A water trust established under this section shall create and consult with one or  
2098 more advisory councils on matters related to the mission and objectives of the water  
2099 trust.
- 2100 (b) One of the advisory councils shall be known as the "Great Salt Lake Trust Council"  
2101 and consist of 10 members:
- 2102 (i) the commissioner or the commissioner's designee; and  
2103 (ii) a representative from the following:  
2104 (A) agriculture;

- (B) a private land owner adjacent to the Great Salt Lake;
- (C) a conservation organization dedicated to the preservation of migratory waterfowl;
- (D) a conservation organization dedicated to the protection of non-game avian species;
- (E) another conservation organization working on Great Salt Lake issues;
- (F) aquaculture;
- (G) mineral extraction;
- (H) a water conservancy district; and
- (I) wastewater treatment facilities.

- (6) The duties of the water trust under Subsection (2)(b) apply to the water trust notwithstanding whether the holdings, revenues, or expenditures of the water trust include grant money or other money from the state.

Section 34. Section **73-10-33** is amended to read:

**73-10-33 (Effective 05/06/26). Management plan for water conveyance facilities.**

- (1) As used in this section:
- (a) "Board" means the Board of Water Resources created by Section 73-10-1.5.
  - (b) "Conservation district" means a conservation district created under Title 17D, Chapter 3, Conservation District Act.
  - (c) "Division" means the Division of Water Resources created by Section 73-10-18.
  - (d) "Facility owner or operator" means:
    - (i) a water company as defined in Subsection 73-3-3.5(1)(b); or
    - (ii) an owner or operator of a water conveyance facility.
  - (e) "Management plan" means a written document meeting the requirements of Subsection (3).
  - (f) "Potential risk" means a condition where, if a water conveyance facility fails, the failure would create a high probability of:
    - (i) causing loss of human life; or
    - (ii) causing extensive economic loss, including damage to critical transportation facilities, utility facilities, or public buildings.
  - (g) "Potential risk location" means a segment of a water conveyance facility that constitutes a potential risk due to:
    - (i) location;
    - (ii) elevation;

- 2139 (iii) soil conditions;  
2140 (iv) structural instability;  
2141 (v) water volume or pressure; or  
2142 (vi) other conditions.
- 2143 (h)(i) "Water conveyance facility" means a water conveyance defined in Section  
2144 57-13a-101.
- 2145 (ii) "Water conveyance facility" does not include:
- 2146 (A) a pipeline conveying water for industrial use, or municipal use, within a  
2147 public water system as defined in Section 19-4-102;
- 2148 (B) a natural channel used to convey water for use within a water conveyance  
2149 facility; or
- 2150 (C) a fully piped irrigation system.
- 2151 (2)(a) For a water conveyance facility that has a potential risk location, the board or  
2152 division may issue a grant or loan to the facility owner or operator, and the facility  
2153 owner or operator may receive state money for water development or water  
2154 conveyance facility repair or improvements, only if the facility owner or operator  
2155 promptly adopts a management plan in accordance with this section.
- 2156 (b) For a management plan to be considered to be promptly adopted for purposes of this  
2157 Subsection (2), the facility owner or operator shall:
- 2158 (i) adopt the management plan by an affirmative vote of the facility owner or  
2159 operator's board of directors, or persons occupying a similar status or performing  
2160 similar functions before receiving money under Subsection (2)(a); and
- 2161 ~~[(ii)(A) adopt the management plan as described in Subsection (2)(b)(i) by no~~  
2162 ~~later than:]~~
- 2163 ~~[(I) May 1, 2013, for a water conveyance facility in operation on May 11,~~  
2164 ~~2011; or]~~
- 2165 ~~[(II) for a water conveyance facility that begins operation after May 11, 2011,~~  
2166 ~~one year after the day on which the water conveyance facility begins~~  
2167 ~~operation; or]~~
- 2168 ~~[(B)(I) adopt the management plan as described in Subsection (2)(b)(i); and]~~  
2169 ~~[(II) provide written justification satisfactory to the board as to why the facility~~  
2170 ~~owner or operator was unable to adopt a management plan during the time~~  
2171 ~~period provided in Subsection (2)(b)(ii)(A); and]~~
- 2172 ~~[(iii)]~~ (ii) update the management plan adopted under Subsection (2)(b)(i) no less



2173 frequently than every 10 years.

2174 (3) A management plan described in Subsection (2) shall include at least the following:

2175 (a) a GIS coverage or drawing of each potential risk location of a water conveyance  
2176 facility identifying any:

2177 (i) existing canal and lateral alignment of the canal facility;

2178 (ii) point of diversion;

2179 (iii) bridge;

2180 (iv) culvert;

2181 (v) screen or trash rack; and

2182 (vi) spill point;

2183 (b) an evaluation of ~~[any]~~ potential slope instability that may cause a potential risk,  
2184 including:

2185 (i) failure of the facility;

2186 (ii) land movement that might result in failure of the facility; or

2187 (iii) land movement that might result from failure of the facility;

2188 (c) proof of insurance coverage or other means of financial responsibility against  
2189 liability resulting from failure of the water conveyance facility;

2190 (d) a maintenance and improvement plan;

2191 (e) a schedule for implementation of a maintenance and improvement plan;

2192 (f) an emergency response plan that:

2193 (i) is developed after consultation with local emergency response officials;

2194 (ii) is updated annually; and

2195 (iii) includes, in the case of an emergency, how a first responder can:

2196 (A) contact the facility owner or operator; and

2197 (B) obtain information described in Subsection (3)(a);

2198 (g) any potential source of financing for maintenance and improvements under a  
2199 maintenance and improvement plan;

2200 (h) identification of each municipality or county through which water is conveyed or  
2201 delivered by the water conveyance facility;

2202 (i) a statement concerning whether storm water enters the water conveyance facility; and

2203 (j) if storm water enters the water conveyance facility:

2204 (i) an estimate of the maximum volume and flow of all water present in the water  
2205 conveyance facility as a result of a six-hour, 25-year storm event;

2206 (ii) on the basis of information provided in accordance with Subsection (4),

2207 identification of the points at which ~~[any]~~ storm structures introduce water into the  
2208 water conveyance facility and the anticipated flow that may occur at each  
2209 structure; and

2210 (iii) the name of each governmental agency that has responsibility for storm water  
2211 management within the area from which storm water drains into the water  
2212 conveyance facility.

2213 (4) A private or public entity that introduces storm water into a water conveyance facility  
2214 shall provide the facility owner or operator with an estimate of the maximum volume  
2215 and flow of water that may occur at each structure that introduces storm water into the  
2216 water conveyance facility.

2217 (5)(a) A facility owner or operator of a water conveyance facility shall provide a  
2218 municipality or county in which is located a potential risk location of the water  
2219 conveyance facility an outline of the information provided in Subsection (3)(f).

2220 (b) A facility owner or operator shall give notice to the planning and zoning department  
2221 of each municipality and county identified in Subsection (3)(h) outlining the  
2222 information provided in Subsections (3)(f), (i), and (j).

2223 (c) An outline of information provided under this Subsection (5) is a protected record  
2224 under Section 63G-2-305.

2225 (6)(a) The division may provide information and technical resources to a facility owner  
2226 or operator of a water conveyance facility, regardless of whether the water  
2227 conveyance facility has a potential risk location.

2228 (b) In providing the information and resources described in Subsection (6)(a), the  
2229 division may coordinate with efforts of any association of conservation districts that  
2230 may provide similar information and technical resources.

2231 (c) The information and technical resources described in Subsection (6)(a) include:

2232 (i) engaging state and local water users in voluntary completion of a management  
2233 plan;

2234 (ii) developing standard guidelines, checklists, or templates that may be used by a  
2235 facility owner or operator;

2236 (iii) using conservation districts as points of contact with a facility owner or operator;

2237 (iv) providing training to help a facility owner or operator to adopt a management  
2238 plan; and

2239 (v) assisting, at the request and under the direction of, a facility owner or operator  
2240 with efforts to adopt or implement a management plan.

(7)(a) A facility owner or operator of a water conveyance facility that has a potential risk location shall provide the board or division upon request:

- (i) written certification signed under oath by a person authorized to act for the board of directors or persons occupying a similar status or performing similar functions, certifying that the management plan complies with this section; and
- (ii) an opportunity to review a management plan.

(b) A management plan received by the board or division under this section is a protected record under Section 63G-2-305.

~~[(8) The board shall report concerning compliance with this section to the Natural Resources, Agriculture, and Environment Interim Committee of the Legislature before November 30, 2013.]~~

~~[(9)]~~ (8) The division and board may make rules, in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, concerning the requirements of this section.

~~[(10)]~~ (9) This section does not:

- (a) create a private right of action for a violation of this section; or
- (b) limit, impair, or enlarge a person's right to sue and recover damages from a facility owner or operator in a civil action for a cause of action that is not based on a violation of this section.

~~[(11)]~~ (10) The following may not be introduced as evidence in~~[-any]~~ civil litigation on the issue of negligence, injury, or the calculation of damages:

- (a) a management plan prepared in accordance with this section;
- (b) the failure to prepare or adopt a management plan in accordance with this section; or
- (c) the failure to update a management plan in accordance with this section.

Section 35. Section **73-10g-204** is amended to read:

**73-10g-204 (Effective 05/06/26) (Repealed 07/01/28). Agricultural Water Optimization Account.**

(1) There is created a restricted account within the General Fund called the "Agricultural Water Optimization Account."

(2) The account consists of:

- (a) appropriations from the Legislature;
- (b) federal funds; and
- (c) grants or donations from other public or private sources.

(3) Subject to appropriation, the conservation commission may use money in the account to:

- 2275 (a) issue grants in accordance with Section 73-10g-206 to improve agricultural water  
2276 optimization; and
- 2277 (b) fund research approved by the committee under Subsection 73-10g-205(7).
- 2278 ~~[(4) Until December 31, 2024, the department may loan up to \$3,000,000 of General Fund~~  
2279 ~~money in the account to the Agriculture Resource Development Fund, subject to the~~  
2280 ~~conditions described in Section 4-18-106.]~~
- 2281 ~~[(5)]~~ (4)(a) The department shall maintain the account and record the debits and credits  
2282 made to the account by the department.
- 2283 (b) The Office of the Treasurer shall deposit interest and other earnings derived from  
2284 investment of money in the account into the account.
- 2285 ~~[(6)]~~ (5) The department and the Department of Natural Resources may use money in the  
2286 account for the administration of this part, except that the aggregate amount expended  
2287 under this Subsection ~~[(6)]~~ (5) may not exceed 1.5% of the money appropriated to the  
2288 grant program described in Section 73-10g-206.
- 2289 Section 36. Section **73-10g-305** is amended to read:
- 2290 **73-10g-305 (Effective 05/06/26). Role of the state council -- Reporting.**
- 2291 (1) The state council shall:
- 2292 (a) serve as a forum to encourage and facilitate discussion and collaboration by and  
2293 among the stakeholders relative to the water-related interests of the state and the  
2294 state's people and institutions;
- 2295 (b) facilitate communication and coordination between the Department of Natural  
2296 Resources, the Department of Agriculture and Food, the Department of  
2297 Environmental Quality, and other state and federal agencies in the administration and  
2298 implementation of water-related activities;
- 2299 (c) facilitate the establishment of local councils by certifying a local council:
- 2300 (i) for the watersheds defined in Section 73-10g-303; and
- 2301 (ii) after reviewing the proceedings and documents submitted by proposed local  
2302 councils, to ensure that the local council meets the certification requirements in  
2303 Section 73-10g-306;
- 2304 (d) provide resources and support for the administration of local councils;
- 2305 (e) consult and seek guidance from local councils;
- 2306 (f) advise the Water Development Coordinating Council regarding a unified water  
2307 infrastructure plan in accordance with Section 73-10g-602; and
- 2308 (g) provide advice to the governor and Legislature on water issues.

(2) The state council shall provide updates on the state council's activities annually, by no later than October 1, or as invited, to:

(a) the Natural Resources, Agriculture, and Environment Interim Committee;

(b) the Legislative Water Development Commission; and

(c) the Utah Water Task Force.

Section 37. Section **73-10g-703** is amended to read:

**73-10g-703 (Effective 05/06/26) (Repealed 07/01/34). Powers and duties of water agent.**

(1)(a) In consultation with the speaker of the House of Representatives, president of the Senate, and governor, the water agent shall explore and negotiate with officials of other states, tribes, and other government entities regarding possible water augmentation projects, including:

(i) for the citizens of Utah, representing the state concerning waters of out-of-state rivers, lakes, and other sources of supply of waters except when representation is otherwise provided in statute;

(ii) identifying potential out-of-state water resources, including land or a facility necessary for the use of the water resources;

(iii) working with the council and division to match the water resources described in Subsection (1)(a)(ii) to needs identified by the council or division;

(iv) establishing a strategy to designate what out-of-state water resources to pursue and how to execute that strategy;

(v) negotiating directly with out-of-state partners to execute the strategy described in Subsection (1)(a)(iv);

(vi) represent the state in interstate conferences between the state and one or more sister states held for the purpose of entering into compacts between such states for the division of the waters of interstate rivers, lakes, or other sources of water supply, and to represent the state upon commissions or other governing bodies provided for by ~~any~~ compacts that have been or may be entered into between the state and one or more sister states, except that a compact is not binding on the state until the compact is ratified and approved by the Legislature and the legislatures of other states that are parties to the compact;

(vii) recommending to the Legislature and to the council actions that may assist in the development of, strategies for, and execution of water augmentation projects; and

(viii) annually, by no later than October 1, reporting findings and recommendations

2343 to:

2344 (A) the governor;

2345 (B) the president of the Senate;

2346 (C) the speaker of the House of Representatives;

2347 (D) the Legislative Water Development Commission created in Section 73-27-102;

2348 (E) the Natural Resources, Agriculture, and Environment Interim Committee; and

2349 (F) the Board of Water Resources created in Section 73-10-1.5.

2350 (b) The water agent may recommend to the Board of Water Resources, created in  
2351 Section 73-10-1.5, a water augmentation project that the water agent negotiates under  
2352 this section, if the water augmentation project is in the best interest of the people of  
2353 this state and the state's water resources.

2354 (2) The water agent shall consult and work with the council, state entities, the Colorado  
2355 River Authority of Utah, and other bodies established by the state for interstate water  
2356 negotiations.

2357 (3) Subject to Title 63G, Chapter 2, Government Records Access and Management Act,  
2358 upon request of the water agent, a state or local entity shall provide to the water agent a  
2359 document, report, or information available within the state or local entity.

2360 (4) The water agent may negotiate with tribes in accordance with this section.

2361 (5) This chapter may not be interpreted to override, substitute, or modify a water right  
2362 within the state or the role and authority of the state engineer.

2363 (6) In implementing this part, the water agent shall at least monthly coordinate with and  
2364 receive input from the relevant divisions within the Department of Natural Resources  
2365 regarding the water agent's activities.

2366 Section 38. Section **73-32-202** is amended to read:

2367 **73-32-202 (Effective 05/06/26). Duties and authorizations of the commissioner.**

2368 (1) The commissioner, under the administrative oversight of the executive director, shall:

2369 (a) subject to Section 73-32-204, prepare an approved strategic plan for the long-term  
2370 health of the Great Salt Lake and update the strategic plan regularly;

2371 (b) oversee the execution of the strategic plan by other state agencies as provided in  
2372 Section 73-32-203;

2373 (c) maintain information that measures Great Salt Lake levels, salinity, and overall  
2374 health;

2375 (d) meet regularly with the executive director and with the executive director of the  
2376 Department of Environmental Quality;

- 2377 (e) consult with the Division of Forestry, Fire, and State Lands regarding Title 65A,  
2378 Chapter 16, Great Salt Lake Watershed Enhancement Program;
- 2379 (f) monitor the integrated water assessment conducted under Chapter 10g, Part 4, Great  
2380 Salt Lake Watershed Integrated Water Assessment;
- 2381 (g) inform the governor, the president of the Senate, and the speaker of the House of  
2382 Representatives, at least annually, about the status of the strategic plan and the  
2383 progress regarding implementation of the strategic plan;
- 2384 (h) at least annually, by no later than October 1, report to the Executive Appropriations  
2385 Committee regarding the expenditure of money under this chapter;
- 2386 (i) work cooperatively with and receive input and recommendations from the Great Salt  
2387 Lake Trust Council created under Section 65A-16-301 in accordance with Section  
2388 65A-16-302;
- 2389 (j) coordinate and work collaboratively with water conservancy districts that serve water  
2390 users within the Great Salt Lake watershed;
- 2391 (k) consult on projects funded by state appropriations that are designed to acquire or  
2392 lease water or water rights for the Great Salt Lake to ensure the project is consistent  
2393 with the strategic plan; and
- 2394 (l) annually report, by no later than October 1, to the Natural Resources, Agriculture,  
2395 and Environment Interim Committee regarding the activities of the commissioner.
- 2396 (2) The commissioner may:
- 2397 (a) access information from other state or federal agencies related to the Great Salt Lake;
- 2398 (b) develop cooperative agreements between the state, political subdivisions, and  
2399 agencies of the federal government for involvement in the strategic plan;
- 2400 (c) produce research, documents, maps, studies, analysis, or other information that  
2401 supports the strategic plan for the Great Salt Lake;
- 2402 (d) facilitate and coordinate the exchange of information, comments, and  
2403 recommendations on Great Salt Lake policies between and among:
- 2404 (i) state agencies;
- 2405 (ii) political subdivisions;
- 2406 (iii) institutions of higher education that conduct research relevant to the Great Salt  
2407 Lake;
- 2408 (iv) nonprofit entities; and
- 2409 (v) private business;
- 2410 (e) communicate with the Great Salt Lake Watershed Council created under Chapter

- 2411 10g, Part 3, Watershed Councils Act;
- 2412 (f) subject to Subsection (4), negotiate agreements, leases, or other means to acquire or
- 2413 lease water or water rights for the Great Salt Lake pursuant to the exemption under
- 2414 Subsection 63G-6a-107.6(2); and
- 2415 (g) perform other duties that the commissioner considers necessary or expedient to carry
- 2416 out the purposes of this chapter.
- 2417 (3)(a) The commissioner may not expend money for the purpose of acquiring or leasing
- 2418 water or water rights without first obtaining a review and recommendations regarding
- 2419 the expenditure from the Great Salt Lake Trust Council created in accordance with
- 2420 Section 65A-16-301.
- 2421 (b) The Great Salt Lake Trust Council shall review an expenditure described in
- 2422 Subsection (3)(a) and may make a favorable recommendation if the Great Salt Lake
- 2423 Trust Council finds that the expenditure is consistent with:
- 2424 (i) the strategic plan; and
- 2425 (ii) activities of the water trust created in Title 65A, Chapter 16, Great Salt Lake
- 2426 Watershed Enhancement Program.
- 2427 (4)(a) A change application for a water right acquired or leased under Subsection (2)(f)
- 2428 for use on sovereign lands in the Great Salt Lake shall be administered in accordance
- 2429 with Section 73-3-30.
- 2430 (b) The commissioner shall consult with the commissioner of the Department of
- 2431 Agriculture and Food regarding terms and conditions for leasing agricultural water
- 2432 for the Great Salt Lake.
- 2433 (5) In fulfilling the duties under this chapter, the commissioner shall consult and coordinate,
- 2434 as necessary, with:
- 2435 (a) divisions within the department;
- 2436 (b) the Department of Agriculture and Food;
- 2437 (c) the Department of Environmental Quality;
- 2438 (d) other applicable state agencies;
- 2439 (e) political subdivisions of the state;
- 2440 (f) federal agencies;
- 2441 (g) elected officials; and
- 2442 (h) local tribal officials.

2443 Section 39. Section **73-32-204** is amended to read:

2444 **73-32-204 (Effective 05/06/26). Strategic plan.**



- (1)(a) In accordance with this section, the commissioner shall prepare a strategic plan and obtain the approval of the governor of that strategic plan.
- (b) A strategic plan prepared by the commissioner may not be implemented until the governor approves the strategic plan, except as provided in Subsection ~~[(5)]~~ (4).
- (2) The commissioner shall base the strategic plan on a holistic approach that balances the diverse interests related to the health of the Great Salt Lake, and includes provisions concerning:
- (a) coordination of efforts related to the Great Salt Lake;
  - (b) a sustainable water supply for the Great Salt Lake, while balancing competing needs;
  - (c) human health and quality of life;
  - (d) a healthy ecosystem;
  - (e) economic development;
  - (f) water conservation, including municipal and industrial uses and agricultural uses;
  - (g) water and land use planning;
  - (h) regional water sharing; and
  - (i) other provisions that the commissioner determines would be for the benefit of the Great Salt Lake.
- ~~[(3)(a) The commissioner shall obtain the approval of the governor of an initial strategic plan by no later than December 31, 2023.]~~
- ~~[(b) On or before November 30, 2023, the commissioner shall submit an initial strategic plan to the governor, speaker of the House of Representatives, and the president of the Senate.]~~
- ~~[(c) The governor shall approve the strategic plan by no later than December 31, 2023, if the governor determines that the initial strategic plan satisfies this chapter.]~~
- ~~[(d) By no later than January 15, 2024, the commissioner shall provide the following a copy of the initial strategic plan approved by the governor under Subsection (3)(c):]~~
- ~~[(i) the Natural Resources, Agriculture, and Environment Interim Committee;]~~
  - ~~[(ii) the department;]~~
  - ~~[(iii) the Department of Environmental Quality; and]~~
  - ~~[(iv) the Department of Agriculture and Food.]~~
- ~~[(4)]~~ (3) The governor may approve a strategic plan only after consulting with the speaker of the House of Representatives and the president of the Senate.
- ~~[(5)]~~ (4) Once a strategic plan is approved by the governor, the commissioner may make substantive changes to the strategic plan without the approval of the governor, except

2479 that the commissioner shall:

2480 (a) inform the governor, the speaker of the House of Representatives, and the president  
2481 of the Senate of a substantive change to the strategic plan; and

2482 (b) submit the strategic plan every five years for the approval of the governor in a  
2483 process that~~[is consistent with Subsection (3).]~~ requires:

2484 (i) the submission of the proposed strategic plan to the governor, speaker of the  
2485 House of Representatives, and the president of the Senate;

2486 (ii) approval by the governor; and

2487 (iii) the commissioner to provide to the following a copy of the strategic plan  
2488 approved by the governor under this Subsection (4):

2489 (A) the Natural Resources, Agriculture, and Environment Interim Committee;

2490 (B) the department;

2491 (C) the Department of Environmental Quality; and

2492 (D) the Department of Agriculture and Food.

2493 ~~[(6)]~~ (5) The commissioner may work with the Division of Forestry, Fire, and State Lands in  
2494 coordinating the comprehensive management plan created under Section 65A-17-201  
2495 with the strategic plan.

2496 Section 40. Section **73-32-303** is amended to read:

2497 **73-32-303 (Effective 05/06/26) (Repealed 07/01/27). Duties of the council.**

2498 (1)(a) The council shall advise the persons listed in Subsection (1)(b) on the sustainable  
2499 use, protection, and development of the Great Salt Lake in terms of balancing:

2500 (i) sustainable use;

2501 (ii) environmental health; and

2502 (iii) reasonable access for existing and future development.

2503 (b) The council shall advise, as provided in Subsection (1)(a):

2504 (i) the governor;

2505 (ii) the department;

2506 (iii) the Department of Environmental Quality; and

2507 (iv) the commissioner.

2508 (2) The council shall assist the Division of Forestry, Fire, and State Lands in the Division of  
2509 Forestry, Fire, and State Land's responsibilities for the Great Salt Lake described in  
2510 Sections 65A-17-201 and 65A-17-202.

2511 (3) The council:

2512 (a) may recommend appointments to the Great Salt Lake technical team created by the

- 2513 Division of Forestry, Fire, and State Lands; and
- 2514 (b) shall receive and use technical support from the Great Salt Lake technical team.
- 2515 (4) The council shall assist the department, the Department of Environmental Quality, and
- 2516 their applicable boards in accomplishing their responsibilities for the Great Salt Lake.
- 2517 (5) The council shall report annually, by no later than October 1, to the Natural Resources,
- 2518 Agriculture, and Environmental Quality Appropriations Subcommittee on the council's
- 2519 activities.

2520 Section 41. Section **76-17-401** is amended to read:

2521 **76-17-401 (Effective 05/06/26). Definitions.**

2522 As used in this part:

- 2523 (1)(a) "Enterprise" means an individual, sole proprietorship, partnership, corporation,
- 2524 business trust, association, or other legal entity, and a union or group of individuals
- 2525 associated in fact although not a legal entity.
- 2526 (b) "Enterprise" includes illicit as well as licit entities.
- 2527 (2) "Pattern of unlawful activity" means engaging in conduct that constitutes the
- 2528 commission of at least three episodes of unlawful activity, which episodes are not
- 2529 isolated, but have the same or similar purposes, results, participants, victims, or methods
- 2530 of commission, or otherwise are interrelated by distinguishing characteristics. Taken
- 2531 together, the episodes shall demonstrate continuing unlawful conduct and be related
- 2532 either to each other or to the enterprise. At least one of the episodes comprising a
- 2533 pattern of unlawful activity shall have occurred after July 31, 1981. The most recent act
- 2534 constituting part of a pattern of unlawful activity as defined by this part shall have
- 2535 occurred within five years of the commission of the next preceding act alleged as part of
- 2536 the pattern.
- 2537 (3) "Person" includes an individual or entity capable of holding a legal or beneficial interest
- 2538 in property, including state, county, and local governmental entities.
- 2539 (4) "Unlawful activity" means to directly engage in conduct or to solicit, request, command,
- 2540 encourage, or intentionally aid another person to engage in conduct that would constitute
- 2541 an offense described by the following crimes or categories of crimes, or to attempt or
- 2542 conspire to engage in an act that would constitute any of those offenses, regardless of
- 2543 whether the act is in fact charged or indicted by an authority or is classified as a
- 2544 misdemeanor or a felony:
- 2545 (a) an act prohibited by the criminal provisions under Title 13, Chapter 10, Unauthorized
- 2546 Recording Practices Act;

- 2547 (b) an act prohibited by the criminal provisions under Title 19, Environmental Quality  
2548 Code, Sections [~~19-1-101~~] 19-1-102 through 19-7-109;
- 2549 (c) taking, destroying, or possessing wildlife or parts of wildlife for the primary purpose  
2550 of sale, trade, or other pecuniary gain under Title 23A, Wildlife Resources Act, or  
2551 Section 23A-5-311;
- 2552 (d) false claims for medical benefits, kickbacks, or other acts prohibited under Title 26B,  
2553 Chapter 3, Part 11, Utah False Claims Act, Sections 26B-3-1101 through 26B-3-1112;
- 2554 (e) an act prohibited by the criminal provisions under Title 32B, Chapter 4, Criminal  
2555 Offenses and Procedure Act;
- 2556 (f) unlawful marking of pistol or revolver under Section 53-5a-105;
- 2557 (g) alteration of number or mark on pistol or revolver under Section 53-5a-106;
- 2558 (h) an act prohibited by the criminal provisions under Title 57, Chapter 11, Utah  
2559 Uniform Land Sales Practices Act;
- 2560 (i) an act prohibited by the criminal provisions under Title 58, Chapter 37, Utah  
2561 Controlled Substances Act, or Title 58, Chapter 37b, Imitation Controlled Substances  
2562 Act, Title 58, Chapter 37c, Utah Controlled Substance Precursor Act, or Title 58,  
2563 Chapter 37d, Clandestine Drug Lab Act;
- 2564 (j) an act prohibited by the criminal provisions under Title 61, Chapter 1, Utah Uniform  
2565 Securities Act;
- 2566 (k) an act prohibited by the criminal provisions under Title 63G, Chapter 6a, Utah  
2567 Procurement Code;
- 2568 (l) assault under Section 76-5-102;
- 2569 (m) aggravated assault under Section 76-5-103;
- 2570 (n) a threat of terrorism under Section 76-5-107.3;
- 2571 (o) a criminal homicide offense under Section 76-5-201;
- 2572 (p) kidnapping under Section 76-5-301;
- 2573 (q) aggravated kidnapping under Section 76-5-302;
- 2574 (r) human trafficking for labor under Section 76-5-308;
- 2575 (s) human trafficking for sexual exploitation under Section 76-5-308.1;
- 2576 (t) human smuggling under Section 76-5-308.3;
- 2577 (u) human trafficking of a child under Section 76-5-308.5;
- 2578 (v) benefiting from trafficking and human smuggling under Section 76-5-309;
- 2579 (w) aggravated human trafficking under Section 76-5-310;
- 2580 (x) sexual exploitation of a minor under Section 76-5b-201;

2581 (y) aggravated sexual exploitation of a minor under Section 76-5b-201.1;  
2582 (z) sexual extortion under Section 76-5b-204;  
2583 (aa) arson under Section 76-6-102;  
2584 (bb) aggravated arson under Section 76-6-103;  
2585 (cc) causing a catastrophe under Section 76-6-105;  
2586 (dd) burglary under Section 76-6-202;  
2587 (ee) aggravated burglary under Section 76-6-203;  
2588 (ff) burglary of a vehicle under Section 76-6-204;  
2589 (gg) manufacture or possession of an instrument for burglary or theft under Section  
2590 76-6-205;  
2591 (hh) robbery under Section 76-6-301;  
2592 (ii) aggravated robbery under Section 76-6-302;  
2593 (jj) theft under Section 76-6-404;  
2594 (kk) theft by deception under Section 76-6-405;  
2595 (ll) theft by extortion under Section 76-6-406;  
2596 (mm) receiving stolen property under Section 76-6-408;  
2597 (nn) theft of services under Section 76-6-409;  
2598 (oo) forgery under Section 76-6-501;  
2599 (pp) unlawful use of financial transaction card under Section 76-6-506.2;  
2600 (qq) unlawful acquisition, possession, or transfer of financial transaction card under  
2601 Section 76-6-506.3;  
2602 (rr) financial transaction card offenses under Section 76-6-506.6;  
2603 (ss) deceptive business practices under Section 76-6-507;  
2604 (tt) bribery or receiving bribe by person in the business of selection, appraisal, or  
2605 criticism of goods under Section 76-6-508;  
2606 (uu) bribery of a labor official under Section 76-6-509;  
2607 (vv) defrauding creditors under Section 76-6-511;  
2608 (ww) acceptance of deposit by insolvent financial institution under Section 76-6-512;  
2609 (xx) unlawful dealing with property by fiduciary under Section 76-6-513;  
2610 (yy) unlawful influence of a contest under Section 76-6-514;  
2611 (zz) making a false credit report under Section 76-6-517;  
2612 (aaa) criminal simulation under Section 76-6-518;  
2613 (bbb) criminal usury under Section 76-6-520;  
2614 (ccc) insurance fraud under Section 76-6-521;

2615 (ddd) retail theft under Section 76-6-602;  
2616 (eee) computer crimes under Section 76-6-703;  
2617 (fff) identity fraud under Section 76-6-1102;  
2618 (ggg) mortgage fraud under Section 76-6-1203;  
2619 (hhh) sale of a child under Section 76-7-203;  
2620 (iii) bribery or offering a bribe under Section 76-8-103;  
2621 (jjj) threat to influence official or political action under Section 76-8-104;  
2622 (kkk) receiving bribe or bribery by public servant under Section 76-8-105;  
2623 (lll) receiving bribe for endorsement of person as a public servant under Section  
2624 76-8-106;  
2625 (mmm) bribery for endorsement of person as public servant under Section 76-8-106.1;  
2626 (nnn) official misconduct based on unauthorized act or failure of duty under Section  
2627 76-8-201;  
2628 (ooo) official misconduct concerning inside information under Section 76-8-202;  
2629 (ppp) obstruction of justice in a criminal investigation or proceeding under Section  
2630 76-8-306;  
2631 (qqq) acceptance of bribe or bribery to prevent criminal prosecution under Section  
2632 76-8-308;  
2633 (rrr) harboring or concealing offender who has escaped from official custody under  
2634 Section 76-8-309.2;  
2635 (sss) making a false or inconsistent material statement under Section 76-8-502;  
2636 (ttt) making a false or inconsistent statement under Section 76-8-503;  
2637 (uuu) making a written false statement under Section 76-8-504;  
2638 (vvv) tampering with a witness under Section 76-8-508;  
2639 (www) retaliation against a witness, victim, or informant under Section 76-8-508.3;  
2640 (xxx) receiving or soliciting a bribe as a witness under Section 76-8-508.7;  
2641 (yyy) extortion or bribery to dismiss a criminal proceeding under Section 76-8-509;  
2642 (zzz) tampering with evidence under Section 76-8-510.5;  
2643 (aaaa) falsification or alteration of a government record under Section 76-8-511, if the  
2644 record is a record described in Title 20A, Election Code, or Title 36, Chapter 11,  
2645 Lobbyist Disclosure and Regulation Act;  
2646 (bbbb) public assistance fraud by an applicant for public assistance under Section  
2647 76-8-1203.1;  
2648 (cccc) public assistance fraud by a recipient of public assistance under Section

2649           76-8-1203.3;  
2650           (dddd) public assistance fraud by a provider under Section 76-8-1203.5;  
2651           (eeee) fraudulently misappropriating public assistance funds under Section 76-8-1203.7;  
2652           (ffff) false statement to obtain or increase unemployment compensation under Section  
2653           76-8-1301;  
2654           (gggg) false statement to prevent or reduce unemployment compensation or liability  
2655           under Section 76-8-1302;  
2656           (hhhh) unlawful failure to comply with Employment Security Act requirements under  
2657           Section 76-8-1303;  
2658           (iiii) unlawful use or disclosure of employment information under Section 76-8-1304;  
2659           (jjjj) intentionally or knowingly causing one animal to fight with another under  
2660           Subsection 76-13-202(2)(d) or (3), or Section 76-13-205 or 76-13-206 concerning  
2661           dog fighting;  
2662           (kkkk) soliciting, recruiting, enticing, or intimidating a minor to join a criminal street  
2663           gang under Section 76-9-803;  
2664           (llll) aggravated soliciting, recruiting, enticing, or intimidating a minor to join a criminal  
2665           street gang under Section 76-9-803.1;  
2666           (mmmm) intimidating a minor to remain in a criminal street gang under Section  
2667           76-9-803.2;  
2668           (nnnn) aggravated intimidating a minor to remain in a criminal street gang under Section  
2669           76-9-803.3;  
2670           (oooo) unlawful conduct involving an explosive, chemical, or incendiary device under  
2671           Section 76-15-210;  
2672           (pppp) unlawful conduct involving an explosive, chemical, or incendiary part under  
2673           Section 76-15-211;  
2674           (qqqq) unlawful delivery or mailing of an explosive, chemical, or incendiary device  
2675           under Section 76-15-209;  
2676           (rrrr) forging or counterfeiting trademarks, trade name, or trade device under Section  
2677           76-16-302;  
2678           (ssss) selling goods under counterfeited trademark, trade name, or trade devices under  
2679           Section 76-16-303;  
2680           (tttt) sales in containers bearing registered trademark of substituted articles under  
2681           Section 76-16-304;  
2682           (uuuu) selling or dealing with article bearing registered trademark or service mark with

2683 intent to defraud under Section 76-16-306;  
 2684 (vvvvv) participating in gambling under Section 76-9-1402;  
 2685 (wwwwww) permitting gambling under Section 76-9-1403;  
 2686 (xxxxx) online gambling prohibition under Section 76-9-1404;  
 2687 (yyyyy) gambling promotion under Section 76-9-1405;  
 2688 (zzzzz) gambling fraud under Section 76-9-1406;  
 2689 (aaaaa) possessing a gambling device or record under Section 76-9-1407;  
 2690 (bbbbb) obtaining a benefit from a confidence game under Section 76-9-1410;  
 2691 (ccccc) distributing pornographic material under Section 76-5c-202;  
 2692 (dddddd) aiding or abetting a minor in distributing pornographic material under Section  
 2693 76-5c-203;  
 2694 (eeeee) inducing acceptance of pornographic material under Section 76-5c-204;  
 2695 (fffff) distributing material harmful to minors under Section 76-5c-205;  
 2696 (ggggg) aiding or abetting a minor in distributing material harmful to minors under  
 2697 Section 76-5c-206;  
 2698 (hhhhh) distribution of a pornographic file for exhibition under Section 76-5c-305;  
 2699 (iiiiii) indecent public display in the presence of a minor under Section 76-5c-207;  
 2700 (jjjjj) engaging in prostitution under Section 76-5d-202;  
 2701 (kkkkk) aiding prostitution under Section 76-5d-206;  
 2702 (lllll) exploiting prostitution under Section 76-5d-207;  
 2703 (mmmmm) aggravated exploitation of prostitution under Section 76-5d-208;  
 2704 (nnnnn) communications fraud under Section 76-6-525;  
 2705 (ooooo) possession of a dangerous weapon with criminal intent under Section 76-11-208;  
 2706 (ppppp) an act prohibited by the criminal provisions of Chapter 9, Part 16, Money  
 2707 Laundering and Currency Transaction Reporting;  
 2708 (qqqqq) vehicle compartment for contraband under Section 76-9-1902 or 76-9-1903;  
 2709 (rrrrr) an act prohibited by the criminal provisions of the laws governing taxation in this  
 2710 state; or  
 2711 (sssss) an act illegal under the laws of the United States and enumerated in 18 U.S.C.  
 2712 Secs. 1961(1)(B), (C), and (D).  
 2713 Section 42. Section **79-2-406** is amended to read:  
 2714 **79-2-406 (Effective 05/06/26). Wetlands.**  
 2715 ~~[(1) As used in this section, "committee" means the Natural Resources, Agriculture, and~~  
 2716 ~~Environment Interim Committee.]~~



- 2717 [(2)] The department shall publish, on the department's website, the land use permits  
2718 collected by the Utah Geological Survey pursuant to Subsection 79-3-202(1)(q).
- 2719 [(3)(a) The department shall study and make recommendations to the committee on the  
2720 viability of an in-lieu fee program for wetland mitigation, including:]
- 2721 [(i) the viability of the state establishing and administering an in-lieu fee program; and]  
2722 [(ii) the viability of the state partnering with a private organization to establish and  
2723 administer an in-lieu fee program.]
- 2724 [(b) As part of the study described in Subsection (3)(a), the department shall consult  
2725 with public and private individuals and entities that may be necessary or helpful to  
2726 the establishment or administration of an in-lieu fee program for wetland mitigation,  
2727 which may include:]
- 2728 [(i) the Utah Department of Environmental Quality;]  
2729 [(ii) the United States Army Corps of Engineers;]  
2730 [(iii) the United States Fish and Wildlife Service;]  
2731 [(iv) the United States Environmental Protection Agency; or]  
2732 [(v) a non-profit entity that has experience with the establishment and administration  
2733 of in-lieu fee programs.]
- 2734 [(c) The department shall provide a report on the status of the department's study during  
2735 or before the committee's November interim meeting in 2022.]
- 2736 [(d) The department shall provide a final report of the department's study and  
2737 recommendations, including any recommended legislation, during or before the  
2738 committee's first interim meeting in 2023.]

2739 Section 43. Section **79-2-408** is amended to read:

2740 **79-2-408 (Effective 05/06/26). Utah Water Ways.**

- 2741 (1) As used in this section:
- 2742 (a) "Partnership" means the nonprofit, statewide partnership described in Subsections (2)  
2743 and (3).
- 2744 (b) "Water supply entity" means an entity supplying either culinary or irrigation water to  
2745 a water user.
- 2746 (2) The department shall oversee:
- 2747 (a) the creation of a nonprofit, statewide partnership in accordance with this section; and  
2748 (b) the state's participation in the partnership.
- 2749 (3) The partnership shall:
- 2750 (a) be known as "Utah Water Ways";

- (b) have as core purposes to:
- (i) facilitate coordination of efforts to optimize the use of water by:
    - (A) sponsoring policy discussions about the state's water supply;
    - (B) engaging the private sector to help support efforts to optimize the use of water and related activities;
    - (C) coordinating with the Department of Agriculture and Food and the Department of Environmental Quality on water related issues;
    - (D) maintaining communication among partners in the partnership;
    - (E) providing a line of communication from partners to state leaders; and
    - (F) promoting coordination of grants, rebate programs, or sponsorships that support the optimal use of water; and
  - (ii) encourage residents of the state to make changes to optimize the use of water and care for the state's water supply by:
    - (A) providing public education and public awareness campaigns and helping consolidate campaigns about the state's water supply, water quality, and water use; and
    - (B) providing residents of the state with tools to understand what can be done to optimize the use of water;
  - (c) consistent with Subsection (3)(b)(ii)(A) and subject to Subsection (8), coordinate with the State Board of Education to create standards-aligned resources and professional development opportunities to be used in select grades in kindergarten through grade 12 of the public education system, including:
    - (i) an overview of the water cycle;
    - (ii) an overview of Utah's water systems, including reference to watersheds, watershed health, groundwater, river systems, and major water infrastructure;
    - (iii) an overview on how water is used in Utah, such as in the residential, agricultural, and industrial sectors, including information regarding:
      - (A) the pass-through of water used in households to terminal lakes like the Great Salt Lake;
      - (B) the pass-through of water used in many industries to terminal lakes like the Great Salt Lake;
      - (C) the jobs and products created by industrial sections that use water;
      - (D) the importance of agriculture in providing food; and
      - (E) water recycling in areas that do not have terminal lakes like the Great Salt

2785 Lake;

2786 (iv) information on the geological and climate changes for the last 30,000 years that  
2787 created and changed the Great Salt Lake;

2788 (v) strategies for individuals to protect water quality;

2789 (vi) strategies for individuals to optimize the use of water, and the reasons  
2790 optimization is needed; and

2791 (vii) hands-on methods to help students learn the information described in this  
2792 Subsection (3)(c); and

2793 (d) seek grants, gifts, donations, devises, and bequests.

2794 (4) The board of directors for the partnership shall:

2795 (a) consist of 13 individuals as follows:

2796 (i) the executive director of the department, or the executive director's designee;

2797 (ii) the director of the Division of Water Resources, or the director's designee;

2798 (iii) the executive director of the Department of Environmental Quality, or the  
2799 executive director's designee;

2800 (iv) the commissioner of the Department of Agriculture and Food, or the  
2801 commissioner's designee;

2802 (v) a representative of rural Utah selected jointly by the governor, the speaker of the  
2803 House of Representatives, and the president of the Senate;

2804 (vi) the general managers for four water conservancy districts selected jointly by the  
2805 governor, the speaker of the House of Representatives, and the president of the  
2806 Senate; and

2807 (vii) four members of the business community selected jointly by the governor, the  
2808 speaker of the House of Representatives, and the president of the Senate;

2809 (b) hire an executive director by August 1, 2023, who shall serve for an initial term of  
2810 four years; and

2811 (c) adopt policies concerning the board of directors' internal organization and procedures.

2812 (5) The partnership may, consistent with this section, receive a grant, gift, donation, devise,  
2813 or bequest.

2814 (6) The partnership shall annually report, by no later than October 1, to the Natural  
2815 Resources, Agriculture, and Environment Interim Committee.

2816 (7) Notwithstanding the creation of the partnership, a water supply entity may maintain an  
2817 important role with water supply users to encourage the optimized use of water such as  
2818 through localized messaging, rebate programs, or other activities.

- (8) The standards-aligned resources created under Subsection (3)(c) may not include information on human-caused climate change.

Section 44. Section **79-2-504** is amended to read:

**79-2-504 (Effective 05/06/26). Program creation -- Administration.**

- (1) There is created the Sage Grouse Compensatory Mitigation Program to mitigate the impacts of development or disturbance of sage grouse habitat by:
- (a) creating and preserving habitat for the long-term conservation of sage grouse in the state in a manner that minimizes impacts to economic growth;
  - (b) establishing a mechanism by which conservation banks may operate in Utah to achieve compensatory mitigation; and
  - (c) establishing a mechanism by which a person or a governmental entity may voluntarily complete compensatory mitigation.
- (2)(a) The department shall administer the program and may make rules in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, to administer the program in accordance with ~~[the provisions of]~~ this part.
- (b) A rule made under Subsection (2)(a) shall be consistent with:
- (i) the requirements of Section 79-2-505;
  - (ii) the goals and objectives described in the conservation plan, including avoiding and minimizing habitat disturbances and mitigation impacts to sage grouse habitat; and
  - (iii) to the greatest extent possible, any local programs for the conservation of sage grouse habitat.
- (c) Before making~~[-any]~~ rules under this chapter, the department shall~~[:]~~ ~~[(i)]~~ create a plan by which the requirements of this chapter will be met~~[:and]~~ . ~~[(ii) before November 1, 2016, present the plan to the Natural Resources, Agriculture, and Environment Interim Committee.]~~

Section 45. Section **79-8-203** is amended to read:

**79-8-203 (Effective 05/06/26). Award of recreation restoration infrastructure grants.**

- (1) In determining the award of a recreation restoration infrastructure grant, the advisory committee shall prioritize projects that the advisory committee considers to be high demand outdoor recreation amenities or high priority trails.
- (2) The division may give special consideration to a project from a qualified applicant within rural counties to ensure geographic parity of the awarded money.

- (3)(a) An applicant shall use a recreation restoration infrastructure grant to leverage private and other nonstate public money, including cash, resources, goods, or services necessary to complete a project.
- (b) The division may give priority to a project from an applicant that contributes a 50% or greater financial match from the applicant or other private and nonstate public money.
- (c) The division shall apply money from a cooperative agreement entered into with the United States Department of Agriculture or the United States Department of the Interior as a portion of the applicant's match.
- (4) A recreation restoration infrastructure grant may only be awarded by the executive director after consultation with the director and the advisory committee.
- (5) A recreation restoration infrastructure grant is available for rehabilitation or restoration projects for high demand outdoor recreation amenities and high priority trails that relate directly to the visitor including:
- (a) a trail, trail head infrastructure, signage, and crossing infrastructure, for both nonmotorized and motorized recreation;
  - (b) a campground or picnic area;
  - (c) water recreation infrastructure, including a pier, dock, or boat ramp; and
  - (d) recreation facilities that are accessible to visitors with disabilities.
- (6) The following are not eligible for a recreation restoration infrastructure grant:
- (a) general facility operations and administrative costs;
  - (b) land acquisitions;
  - (c) visitor facilities, as defined by the division by rule made in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act;
  - (d) water and utility systems; and
  - (e) employee housing.
- (7) The division shall compile data and annually report, by no later than October 1, to the Natural Resources, Agriculture, and Environmental Quality Appropriations Subcommittee on the:
- (a) effectiveness of the grant program in addressing the deferred maintenance and repair backlog of trails, campgrounds, and other recreation amenities on public lands;
  - (b) estimated value of the rehabilitation or restoration projects;
  - (c) number of miles of trails that are rehabilitated or restored; and
  - (d) leverage of state money to federal and private money and in-kind services such as

2887 volunteer labor.

2888 Section 46. **Repealer.**

2889 This bill repeals:

2890 Section **4-1-101, Title.**

2891 Section **4-2-101, Title.**

2892 Section **4-2-501, Title.**

2893 Section **4-3-101, Title.**

2894 Section **4-4-101, Title.**

2895 Section **4-4a-101, Title.**

2896 Section **4-5-101, Title.**

2897 Section **4-5a-101, Title.**

2898 Section **4-7-101, Title.**

2899 Section **4-8-101, Title.**

2900 Section **4-9-101, Title.**

2901 Section **4-10-101, Title.**

2902 Section **4-11-101, Title.**

2903 Section **4-12-101, Title.**

2904 Section **4-14-101, Title.**

2905 Section **4-15-101, Title.**

2906 Section **4-16-101, Short title.**

2907 Section **4-17-101, Title.**

2908 Section **4-18-101, Title.**

2909 Section **4-18-301, Title.**

2910 Section **4-19-101, Title.**

2911 Section **4-20-101, Title.**

2912 Section **4-21-101, Title.**

2913 Section **4-22-101, Title.**

2914 Section **4-23-101, Title.**

2915 Section **4-24-101, Title.**

2916 Section **4-25-101, Title.**

2917 Section **4-30-101, Title.**

2918 Section **4-31-101, Title.**

2919 Section **4-32-101, Title.**

2920 Section **4-32a-101, Title.**

2921           Section **4-34-101, Title.**

2922           Section **4-35-101, Title.**

2923           Section **4-37-101, Title.**

2924           Section **4-38-101, Title.**

2925           Section **4-39-101, Title.**

2926           Section **4-41-101, Title.**

2927           Section **4-41-401, Title.**

2928           Section **4-41a-101, Title.**

2929           Section **4-44-101, Title.**

2930           Section **4-45-101, Title.**

2931           Section **19-1-101, Short title.**

2932           Section **19-1-207, Regulatory certainty to support economic recovery.**

2933           Section **19-1-501, Title.**

2934           Section **19-1-601, Title.**

2935           Section **19-2-201, Title.**

2936           Section **19-2-301, Title.**

2937           Section **19-2a-101, Title.**

2938           Section **19-3-101, Short title.**

2939           Section **19-3-320, Efforts to prevent siting of any nuclear waste facility to include**

2940 **economic development study regarding Native American reservation lands within the state.**

2941           Section **19-4-101, Short title.**

2942           Section **19-5-101, Short title.**

2943           Section **19-5-203, Participation in survey.**

2944           Section **19-6-101, Short title.**

2945           Section **19-6-201, Short title.**

2946           Section **19-6-301, Short title.**

2947           Section **19-6-501, Short title.**

2948           Section **19-6-701, Short title.**

2949           Section **19-6-801, Title.**

2950           Section **19-6-901, Title.**

2951           Section **19-6-1001, Title.**

2952           Section **19-6-1002, Definitions.**

2953           Section **19-6-1003, Board and director powers.**

2954           Section **19-6-1004, Mercury switch collection plan -- Reimbursement for mercury switch**

- 2955 **removal.**
- 2956       Section **19-6-1005, Reporting requirements.**
- 2957       Section **19-6-1006, Penalties.**
- 2958       Section **19-6-1101, Title.**
- 2959       Section **19-6-1201, Title.**
- 2960       Section **19-7-101, Title.**
- 2961       Section **19-8-101, Title.**
- 2962       Section **19-12-101, Title.**
- 2963       Section **19-13-101, Title.**
- 2964       Section **40-2-101, Title.**
- 2965       Section **54-17-701, Rules for carbon capture and geological storage.**
- 2966       Section **65A-8a-101, Title.**
- 2967       Section **65A-10-5, Utah Lake study.**
- 2968       Section **65A-14-101, Title.**
- 2969       Section **73-2-1.7, Water for power study.**
- 2970       Section **73-3b-101, Short title.**
- 2971       Section **73-3c-101, Title.**
- 2972       Section **73-10-35, Division of Water Resources to conduct certain study.**
- 2973       Section **73-10g-101, Title.**
- 2974       Section **73-10g-201, Title.**
- 2975       Section **73-10g-309, Review of Watershed Councils Act.**
- 2976       Section **73-10g-405, Great Salt Lake related post-construction storm water management.**
- 2977       Section **73-18c-101, Title.**
- 2978       Section **73-20-1, Purpose of act -- Legislative finding.**
- 2979       Section **73-20-2, Definitions.**
- 2980       Section **73-20-3, Authority of Board of Water Resources.**
- 2981       Section **73-20-4, Qualification for financial assistance.**
- 2982       Section **73-20-5, Consultation with the executive committee of the Agricultural Advisory**
- 2983 **Board.**
- 2984       Section **73-20-6, Payment for emergency water resource developments.**
- 2985       Section **73-20-7, Feasibility study required before approval of assistance.**
- 2986       Section **73-20-8, Emergency Water Resources Account -- Creation -- Purpose.**
- 2987       Section **73-20-9, Emergency Water Resources Account -- Appropriation -- Purpose.**
- 2988       Section **73-20-10, Proceeds deposited to Water Resources Construction Fund.**



- 2989           Section **73-20-11, Transfer of funds -- Purposes.**
- 2990           Section **73-26-101, Short title.**
- 2991           Section **73-28-101, Title.**
- 2992           Section **73-29-101, Title.**
- 2993           Section **73-31-101, Title.**
- 2994           Section **79-1-101, Titles.**
- 2995           Section **79-2-101, Title.**
- 2996           Section **79-2-405, Radon study.**
- 2997           Section **79-2-501, Title.**
- 2998           Section **79-3-101, Title.**
- 2999           Section **79-4-1201, Title.**
- 3000           Section **79-5-101, Title.**
- 3001           Section **79-6-101, Title.**
- 3002           Section **79-6-406, Authority to study transportation, heating, and electricity-generating**
- 3003 **fuel storage reserve.**
- 3004           Section **79-6-501, Title.**
- 3005           Section **79-6-601, Title.**
- 3006           Section **79-8-101, Title.**
- 3007           Section **79-8-301, Title.**
- 3008           Section **47. Effective Date.**
- 3009           This bill takes effect on May 6, 2026.