



Federalism Commission

Brief Overview and Updates for 2025 Interim | May 1, 2025

Statutory Authority

Enabling Statute: Utah Code Section **63C-4a-302**

Membership:

- Fourteen voting members (legislators).¹
 - Five members from Senate (four from majority party; one from minority party).
 - Nine members from House (seven from majority party; two from minority party).
- Any number of nonvoting members.
 - Fourteen nonvoting members (listed [here](#)) appointed by LMC on 12/9/24.

Appointing Authority:

- Senate members appointed by President of Senate.
- House members appointed by Speaker of House.
- Nonvoting members recommended by chairs and appointed by LMC for a two-year term.

Meetings: Nine meetings authorized within interim period (additional meetings allowed with LMC approval).

Scheduled Sunset/Repeal Date: July 1, 2028.

¹ Highlighted text indicates changes from 2025 General Session.



Duties

Mandatory:

- Develop a federalism curriculum (accessible under “related links” on Commission’s [2022 webpage](#)).
- Report relevant federalism issues/activities to interim committees.
- Review and make recommendations regarding public lands issues.
- Report results of any evaluation of federal law conducted by the Commission to the Legislature.
- Coordinate efforts among state entities for the transfer of public lands to the state.
- Maintain information on the Legislature’s website regarding the Commission’s activities.
- Coordinate with and make recommendations to the Center for Constitutional Studies and the Herbert Institute for Public Policy at Utah Valley University (“UVU”) regarding UVU’s federalism duties and report annually to LMC on UVU’s progress (see [H.B. 488](#), described below).

Discretionary:

- Evaluate federal laws in accordance with the standards/requirements of Utah Code Section [63C-4a-304](#).
- Engage with appropriate govt. officials upon determining a federal law violates federalism principles.
- Recommend the Governor to call a special session following the evaluation of a federal law.
- Coordinate with other states on the evaluation and response to federal laws.
- Recommend changes to the Statewide Resource Management Plan (and prepare legislation if so).
- Contract with state institutions of higher education for purposes of monitoring federal laws.
- Receive grants and donations to assist in developing a federalism curriculum.
- Meet with DEQ as needed to discuss any issues related to DEQ’s functions.
- Assist interim committees with committee bills related to federalism.
- Open up to two committee bills per interim (one bill in addition to the previously authorized committee bill to recommend changes to the Statewide Resource Management Plan).



Federalism-Related Bills from 2025 General Session (Enacted)

H.B. 488, Federalism Amendments

- Modifies the Commission's voting membership (number and appointment).
- Authorizes the Commission to open one additional committee bill each interim (total of two).
- Establishes the following federalism duties for the Center for Constitutional Studies at UVU:
 - *develop a federalism education and training program for government employees;*
 - *organize an annual federalism conference for state representatives and leaders;*
 - *study and advise the Commission on the creation of a state-led national federalism organization;*
 - *coordinate with private actors for out-of-state outreach to support Commission's federalism efforts; and*
 - *report on progress to the Commission as requested.*
- Establishes the following federalism duties for the Herbert Institute for Public Policy at UVU:
 - *serve as liaison b/w the Commission and the Center for Constitutional Studies;*
 - *conduct outreach and coordination to support Commission's federalism efforts; and*
 - *report on progress to the Commission as requested.*
- Requires the Commission to coordinate with and make recommendations to UVU regarding UVU's federalism duties and report annually to LMC on UVU's progress.
- Requires state agencies to designate a point-of-contact for the Commission upon request.
- Appropriates funds to UVU for UVU's federalism duties.



S.B. 198, Federal Guidance Letter Amendments

- Requires state agencies to publish federal guidance letters received by the agency online for public access and transmit copies to LMC and the Commission.

H.B. 380, Presumption of State Jurisdiction Amendments

- Codifies a “presumption of state jurisdiction” and other federalism principles and clarifies that the presumption of state jurisdiction can be overcome only upon the federal government demonstrating federal jurisdiction over the subject matter in question.

S.B. 265, Utah Constitutional Sovereignty Act Amendments

- Changes the bill format for legislative action under the Utah Constitutional Sovereignty Act (to challenge a federal directive that violates the principles of state sovereignty) and makes technical changes.

S.B. 158, Sale or Lease of Federally Managed Public Land Amendments

- Requires the Public Lands Policy Coordinating Office (“PLPCO”) to monitor and survey land applications submitted for federally managed public land and report to NRAE and the Commission.

S.B. 149, Natural Resources Modifications

- Requires PLPCO to present any “R.S. 2477 plans” approved under Utah Code Section [63C-4a-403](#) to NRAE and provide hard copies to NRAE, the Commission, and legislative leadership.
- Makes organizational changes to PLPCO and repeals the requirement for PLPCO to prepare and submit a constitutional defense plan.