



# Federalism Bills

Legislative Session | 2025

## **HCR 1 Concurrent Resolution Regarding the Grand County Water Conservancy District**

*(Rep. Albrecht, C.)*

- Urges Congress to transfer to the Grand County Water Conservancy District unused water infrastructure owned by the federal government.
- The infrastructure is unused. However, it was originally created to take water from the Green River to the Moab Uranium Mill Tailings Remedial Action project site.

## **HR 5 House Concurrent Resolution on Permitting Reform *(Rep. Ballard, M.)***

- Urges Congress to enact specific reforms to federal permitting and environmental review policies to accelerate deployment of new energy infrastructure.
- Discusses importance of domestic energy for national security and the economy.
- Current federal permitting processes delay and therefore harm energy infrastructure development.
- Emphasizes the need for streamlined permitting while maintaining environmental protection.
- Encourages Congress to engage in meaningful permitting reform to expedite energy projects.
- Recognizes the importance of domestic energy production for national security and economic competitiveness.
- Highlights issues with current federal permitting processes that delay energy infrastructure development.

## **HB 41 State Water Policy Amendments *(Rep. Albrecht, C.)***

- Aims to turn more attention and study to groundwater.
- Adds groundwater to lakes and rivers in their study of water quality to ensure it complies with state drinking water status and public health guidelines.
- Establishes watershed monitoring councils to ensure protection and upkeep of watersheds that produce to drinking water systems.
- Promotes state water planning and accounts for regional water reuse.
- Utah Supports the timely and appropriate negotiated settlement of federally reserved water right claims for both Native American trust lands and other existing federal reservations, and opposes any future designation of public lands that does not quantify any associated federally reserved water rights.

## **HB 47 Public Lands Watering Rights Amendments *(Rep. Albrecht, C.)***

- Addresses livestock watering rights on public lands.
- Clarifies the requirements for a Public Water Reserve No.107 claims for a spring or water hole on federally owned public land.
- Clarifies that No.107 may not be recognized as such if a claim is closer than ¼ mile from another No. 107 claim, as well as if it has watering of wildlife as its primary use.
- Strikes out language and requirements for livestock water use certificates.
- Addresses the ability to adjust and obtain watering allotments and lays out how a beneficiary can make some recoveries to water lost due to federal land management reducing grazing allotments. The state engineer approves the nonuse applications filed.
- Clarifies that ownership is categorized as “public land” by adding the Division of Forestry, Fire, and State Lands, and removing the Division of Outdoor Recreation.

## **HB 67 Precious Metals Investment and Administration Amendments *(Rep. Ivory, K.)***

- Allows the state treasurer to deduct administrative costs for investing in precious metals from earnings generated by the investments in certain funds.



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## **HB 85** Environmental Permitting Modifications (*Rep. Clancy, T.*)

- Requires the Division of Air Quality (division) to develop and publish guidance and rules related to federal plantwide applicability limitations.
- Include at least five new categories of sources in the division's permit by rule.
- Adds a repeal date for the sections related to plantwide applicability limitations and permit by rule registration.
- Report of results of the division's review of the permit by rule program are to be given to the Natural Resources, Agriculture, and Environment Interim Committee.

## **HB 200** Outdoor Recreation Amendments (*Rep. Cutler, P.*)

- During a government shutdown, this bill allows the governor to work with the federal government to keep lands managed by the US Fish and Wildlife Service open.

## **HB 254** Waste Classification Amendments (*Rep. Bolinder, B.*)

- Ties the statutory definition of "high-level" and "low-level" nuclear waste to federal definitions.

## **HB 380** Presumption of State Jurisdiction Amendments (*Rep. Ivory, K.*)

- Addresses state sovereignty and establishes a presumption of state jurisdiction over matters not explicitly granted to the federal government in the U.S. Constitution.
- Emphasizes the state's reserved rights under the Ninth and Tenth Amendments of the U.S. Constitution.
- Asserts the state's general governing authority under its inherent police power jurisdiction over all governing matters within the state affecting public welfare, safety, health, and morality, including without limitation, natural resources, water resources and water rights, agriculture, education, and energy resources.
- Places the burden on the federal government to demonstrate constitutional authorization when asserting jurisdiction in these areas.
- Tasks the Federalism Commission with coordinating and resolving jurisdictional disputes between the state and federal entities.

## **HB 464** State Sovereignty Fund (*Rep. Elison, J.*)

- Creates a new permanent fund which consists of:
  - Any reserve account surplus.
  - Half of any General Fund savings from a decrease in Federal Medical Assistance Percentages.
  - 25% of the extra money that is offered by the Federal Government will be deposited into the fund.
  - Any excess revenue collections.
  - Interests, dividends, or other earnings attributable to the fund.
  - Additional money appropriated by the Legislature.
  - 25% of General Fund revenue surplus for the fiscal year (the Division of Finance are in control and responsible for this addition and its calculations).
- The Legislature may not appropriate money from the fund before fiscal year 2075- 2076.
  - Beginning fiscal year 2075-2076 the Legislature may appropriate up to 50% of the annual earnings (interest) from the investment fund.
  - Money can only be appropriated to offset reduced federal funding or to provide state tax relief.
  - After appropriations, the division shall deposit the remaining earnings into the fund for reinvestment.
- The Legislature may only appropriate principal from the fund by a 2/3 affirmative vote by both bodies of the Legislature (house and senate), for the purpose of offsetting reduced federal funding or providing state tax relief.



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- The State Treasurer shall invest the money for the benefit of the people of the state.
- The State Treasurer may deduct any administrative costs incurred by managing the fund from earnings generated by investments in the fund.
- The Division of Finance will oversee any excess general funds to be added and any appropriations made by the Legislature from the Sovereignty Fund.
- This legacy fund seeks to put Utah on a trajectory to become financially independent of the Federal Government.

## **HB 488 Federalism Amendments** *(Rep. Ivory, K.)*

- Expands the membership of the Federalism Commission and modifies the way members are appointed.
- Increases the number of committee bill files the commission is permitted to open each year.
- Commission is to make recommendations to the center and to the institute regarding the entities' federalism-related duties and report annually to the Legislative Management Committee regarding the entities' progress.
- Designates the Center for Constitutional Studies (UVU) to develop continuing education programs for state and local government employees regarding federalism issues, organize an annual federalism conference and study the creation of a state-led national federalism organization, form working groups and report to the commission.
- Designates Herbert Institute at Utah Valley University to serve as a liaison between the commission, the center, and government entities on federalism issues, and conduct outreach and coordination to support the commission's federalism efforts and report to the commission.

## **SB 51 State Resource Management Plan Amendments** *(Sen. Stratton, K.)*

- Adopts a state resource management plan to replace a previously adopted plan.
- Recommends the Federalism Commission.
- The office shall, to the extent possible and as funding allows, monitor federal, state, and local government compliance with the plan.

## **SB 61 Energy Corridor Amendments** *(Sen. Owens, D.)*

- Requires a utility using eminent domain for an energy corridor to attempt to work with the federal government to site energy corridors on public lands.
- Requires a siting analysis showing why condemnation is preferable to using federal public lands.

## **SCR 3 Concurrent Resolution Regarding Utah's Authority to Determine its Energy Future**

*(Sen. Harper, W.)*

- Asserts the state's right to determine its own energy future under the United States Constitution.
- Calls on the federal government to recognize this authority and limit energy regulation.
- Requests that federal agencies consult with the state on policy.

## **SB 158 Sale or Lease of Federally Managed Public Land Amendments** *(Sen. Stratton, K.)*

- Addresses the use of the federal Recreation and Public Purposes Act.
- Facilitates the acquisition of federally managed public land by government entities through the Recreation and Public Purposes Act by defining terms, providing support and monitoring, and requiring reports and a survey of past applications.
- Includes several provisions related to the sale or lease of federally managed public land.



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- Requires the Utah Public Lands Policy Coordinating Office (PLPCO) to monitor state applications for the acquisition of federally managed land. Requires PLPCO to study applications over the last ten years to determine nature and outcomes.

## **SB 172 Local Health Department Amendments** *(Sen. Sandall, S.)*

- Requires the Utah Department of Environmental Quality (department) and local health departments (LHDs) to review strings attached to federal funding.
- Requires coordination between the department and LHDs to identify ways to exempt LHDs from federal funding requirements associated with pass-through funds.

## **SB 198 Federal Guidance Letter Amendments** *(Sen. Stratton, K.)*

- Establishes publication and reporting requirements for federal guidance letters received by state agencies.
- Requires a state agency to publish a federal guidance letter it receives on its website, post the letter on the state's open data portal, and share the letter with the Legislative Management Committee and the Federalism Commission.

## **SB 265 Utah Constitutional Sovereignty Act Amendments** *(Sen. Sandall, B.)*

- Amends the Legislature's authority to direct state entities to not comply with a federal mandate that infringes on the state's sovereign constitutional rights.

## **SJ R6 Joint Resolution Supporting State Jurisdiction Under the Principle of Federalism** *(Sen. Harper, W.)*

- Reaffirms Utah's sovereignty under the principle of federalism.
- Assertion based on the Tenth Amendment and the principle of federalism.
- Highlights the importance of the Supreme Court's "Loper Bright" decision, protects states from federal overreach by eliminating the Chevron doctrine.
- Urges state agencies to review federal regulations considering the Loper Bright decision.
- Calls on the federal government to respect the state's sovereignty.
- Commits Utah to safeguarding its sovereignty against unconstitutional federal actions.
- Directs that copies be sent to key figures in the U.S. Congress and Utah's congressional delegation.