

Effective 5/4/2022

63L-11-305 Facilitating the acquisition of federal land.

(1) As used in this section:

- (a) "Federal land" means land that the secretary is authorized to dispose of under the federal land disposal law.
- (b) "Federal land disposal law" means the Recreation and Public Purposes Act, 43 U.S.C. Sec. 869 et seq.
- (c) "Government entity" means any state or local government entity allowed to submit a land application under the federal land disposal law.
- (d) "Land application" means an application under the federal land disposal law requesting the secretary to sell or lease federal land.
- (e) "Land application process" means the actions involved in the process of submitting and obtaining a final decision on a land application.
- (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 federal land as requested in the land application;
- (b) work to educate government entities concerning:
 - (i) the availability of federal land pursuant to the federal land disposal law; and
 - (ii) the land application process;
- (c) advise and consult with a government entity that requests assistance from the office to formulate and submit a land application and to pursue a decision on the land application;
- (d) advise and consult with a government entity that requests assistance from the office to identify and quantify the amount of any funds needed to provide the public use described in a land application;
- (e) adopt a list of factors to be considered in determining the degree to which a land application or potential land application is in the public interest;
- (f) recommend a prioritization of land applications or potential land applications in the state according to the extent to which the land applications are in the public interest, based on the factors adopted under Subsection (2)(e);
- (g) prepare and submit a written report of land applications:
 - (i) to the Natural Resources, Agriculture, and Environment Interim Committee and the Federalism Commission;
 - (ii)
 - (A) annually no later than August 31; and
 - (B) at other times, if and as requested by the committee or commission; and
 - (iii)
 - (A) on the activities of the office under this section;
 - (B) on the land applications and potential land applications in the state;
 - (C) on the decisions of the secretary on land applications submitted by government entities in the state; and
 - (D) the quantity of land acquired under the land applications;
- (h) present a summary of information contained in the report described in Subsection (2)(g):
 - (i) at a meeting of the Natural Resources, Agriculture, and Environment Interim Committee and at a meeting of the Federalism Commission;
 - (ii) annually no later than August 31; and

- (iii) at other times, if and as requested by the committee or commission; and
 - (i) report to the Executive Appropriations Committee of the Legislature, as frequently as the executive director 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.

Amended by Chapter 313, 2022 General Session