Effective 11/6/2025
Superseded 5/6/2026
65A-8-217 Utah Wildfire Fund.
(1) As used in this section:
(a) "Eligible entity" means the same as that term is defined in Section 65A-8-203.
(b) "Fund" means the Utah Wildfire Fund created by this section.
(c) "Wildfire" means a fire that consumes:
(i) wildland; or
(ii) wildland urban interface.
(d) "Wildfire costs" means costs associated with the suppression of a wildfire or rehabilitation efforts after a wildfire is suppressed as further defined by the division by rule, made in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, including costs for an eligible entity that has entered into a cooperative agreement, as described in Section 65A-8-203.
(e) "Wildfire prevention costs" means costs for prevention, preparedness, or mitigation efforts before a wildfire, as defined by the division by rule made in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, including costs of an eligible entity that has entered into a cooperative agreement, as described in Section 65A-8-203.
(2)
(a) There is created an expendable special revenue fund known as the "Utah Wildfire Fund."
(b) The fund shall consist of:
(i) interest and earnings from the investment of fund money;
(ii) money appropriated by the Legislature to the fund;
(iii) federal funds received by the division for wildfire management costs, as defined by the division by rule made in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act;
(iv) suppression costs billed to an eligible entity that does not participate in a cooperative agreement;
(v) suppression costs paid to the division by another state agency;
(vi) costs recovered from a settlement or a civil or administrative action related to wildfire suppression;
(vii) restitution payments ordered by a court following a criminal adjudication;
(viii) voluntary contributions received by the division;
(ix) money received as direct payment from cooperative wildfire system participation commitments;
(x) money deposited by the Division of Finance, pursuant to Section 59-21-2;
(xi) money transferred by the Division of Finance, pursuant to Section 63J-1-314; and
(xii) money deposited by the Division of Forestry, Fire, and State Lands, pursuant to Section 17E-7-401.
(c) The state treasurer shall:
(i) invest the money in the fund in accordance with Title 51, Chapter 7, State Money Management Act; and
(ii) deposit interest or other earnings derived from each investment described in Subsection (2)(c)(i) into the fund.
(3)
(a) The division shall administer the fund to:
(i) pay wildfire costs on:
(A) state lands; or

(B) if delegated fire management authority, as described in Section 65A-8-203.1, private land located in an unincorporated area;

(ii) subject to Subsection (4), make one or more grants for the purpose of assisting one or more local fire departments or volunteer fire departments in building capacity for the suppression of wildfire; and

(iii) subject to Subsection (5), pay wildfire prevention costs.

(b) The division may disburse money from the fund only upon written order of the state forester or the state forester's authorized representative.

(c) If the state forester determines money in the fund may be insufficient to cover eligible costs in a fire season, the state forester may:

(i) delay making disbursements from the fund until the close of the fire season; and

(ii) request supplemental appropriations from the Legislature.

(d) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the division shall make rules to administer the fund consistent with the requirements of this section.

(4)

(a) The division may not issue in a fiscal year an aggregate of grants described in Subsection (3)(a)(ii) that exceed $300,000.

(b) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the division shall make rules establishing criteria for receiving a grant under Subsection (3)(a)(ii).

(5)

(a) Except as provided in Subsection (5)(b), the division shall pay wildfire prevention costs during that fiscal year in an amount that is the greater of:

(i) $10,000,000; or

(ii) the sum of:

(A) $3,000,000; and

(B) 10% of the money deposited into the fund but not expended in the previous fiscal year for wildfire costs.

(b) In a case of catastrophic need, as determined by the state forester, the division may use money described in Subsection (5)(a) to pay wildfire costs.

(6) Beginning with the fiscal year ending June 30, 2026, the division shall, by no later than the October 31 immediately following the fiscal year, annually report to the Natural Resources, Agriculture, and Environmental Quality Appropriations Subcommittee:

(a) the balance in the fund at the end of the fiscal year;

(b) the amount of expenditures under Subsections (3)(a)(i), (ii), and (iii) during the fiscal year; and

(c) the revenues deposited into the fund under Subsection (2) during the fiscal year.