

Effective 5/1/2024

Part 10
Utah San Rafael State Energy Lab

79-6-1001 Definitions.

As used in this part:

- (1) "Board" means the Utah Energy Research Board established in Section 79-6-1003.
- (2) "Council" means the Utah Energy Council established in Section 79-6-1101.
- (3) "Director" means the director of the Office of Energy Development as defined in Section 79-6-401.
- (4) "Fund" means the Utah Energy Research Fund established in Section 79-6-1002.
- (5) "Institute" means the Utah Advanced Nuclear and Energy Institute established as a partnership between the state, the Idaho National Laboratory, and public and private institutions of higher education located in the state.
- (6) "Lab" means the Utah San Rafael Energy Lab established in Section 79-6-1004.
- (7) "Lab director" means the director appointed under Section 79-6-1004 to oversee the lab.
- (8) "Project proposal" means a formal written submission to the board applying for approval of a specific research initiative conducted at the lab.
- (9) "Office" means the Office of Energy Development as defined in Section 79-6-401.

Amended by Chapter 375, 2025 General Session

79-6-1002 Utah Energy Research Fund.

- (1) There is created an enterprise fund known as the "Utah Energy Research Fund."
- (2) The fund consists of:
 - (a) grants, entitlements, and other money received by the office from the federal government;
 - (b) revenues from users of the Utah San Rafael Energy Lab, deposited into the fund under Subsection 79-6-1004(2)(d);
 - (c) transfers, grants, bequests, and money made available from any source to implement this part; and
 - (d) money appropriated to the fund by the Legislature.
- (3) The money in the fund shall be invested by the state treasurer according to the procedures and requirements of Title 51, Chapter 7, State Money Management Act, except that all interest or other earnings derived from money in the fund shall be deposited in the fund.
- (4) As funding allows, the office may use money in the fund for:
 - (a) administering the Utah Energy Research Grant Program created in Section 79-6-403; and
 - (b) funding the ongoing operation of the Utah San Rafael Energy Lab, including compensation for lab staff.

Enacted by Chapter 496, 2024 General Session

79-6-1003 Utah Energy Research Board -- Duties -- Expenses.

- (1) There is established in the office the Utah Energy Research Board that is composed of the following voting board members:
 - (a) the director, or the director's designee, who shall serve as the chair of the board;

- (b) the president, or the president's designee, of each public and private university in the state that is classified as a Research 1 institution by the Carnegie Classification of Institutions of Higher Education;
 - (c) the commissioner of higher education, as described in Section 53H-1-302, or the commissioner's designee;
 - (d) one member, who is not a legislator, with experience in the non-regulated energy industry appointed by the speaker of the House of Representatives;
 - (e) one member, who is not a legislator, with experience in energy commercialization appointed by the president of the Senate;
 - (f) one member appointed by the governor who resides in a county of the third, fourth, fifth, or sixth class as classified under Section 17-60-104;
 - (g) one member appointed by the director representing the Idaho National Laboratory; and
 - (h) two members appointed by the director with relevant expertise in energy research and development.
- (2)
- (a) The term of an appointed board member is four years.
 - (b) Notwithstanding Subsection (2)(a), the person making an appointment shall, at the time of appointment or reappointment, adjust the length of board member terms to ensure the terms of board members are staggered so that approximately half of the board is constituted of new members every two years.
 - (c) The person who appoints a member under Subsection (1) may remove an appointee who was appointed by the person for cause.
 - (d) The person who appoints a member under Subsection (1) shall fill a vacancy on the board in the same manner as provided in Subsection (1).
 - (e) An individual appointed to fill a vacancy shall serve the remaining unexpired term.
 - (f) Unless removed for cause under Subsection (2)(c) a board member shall serve until a successor is appointed.
- (3)
- (a) A majority of the board constitutes a quorum.
 - (b) A majority vote of the quorum is required for an action to be taken by the board.
- (4) The board shall:
- (a) oversee and supervise the management of:
 - (i) the lab; and
 - (ii) the institute;
 - (b) appoint directors for the lab and institute, who shall serve at the pleasure of the board;
 - (c) establish reasonable compensation for:
 - (i) the lab director; and
 - (ii) the institute director;
 - (d) develop and implement:
 - (i) bylaws to govern the lab; and
 - (ii) bylaws to govern the institute;
 - (e) establish policies for:
 - (i) joint appointments between the Idaho National Laboratory and public and private institutions of higher education;
 - (ii) research partnerships between institutions;
 - (iii) technology commercialization; and
 - (iv) workforce development initiatives;

- (f) foster innovation and support technological development in the energy sector by collaborating with industry leaders, researchers, entrepreneurs, investors, and other stakeholders;
- (g) identify areas of economic growth and workforce development opportunities related to emerging energy technologies and solutions;
- (h) seek potential investors and partners from the technology, finance, and business sectors to support innovative research and early-stage ventures focused on developing commercially viable energy technologies in the state;
- (i) develop evaluation criteria for approving project proposals, with input from the lab director, including:
 - (i) alignment with state energy policy priorities;
 - (ii) commercialization potential;
 - (iii) economic impact; and
 - (iv) other relevant factors as determined by the board;
- (j) approve providing matching grants to applicants under the Utah Energy Research Grant Program created in Section 79-6-403; and
- (k) make recommendations to the council regarding funding allocations for:
 - (i) research projects;
 - (ii) facility operations;
 - (iii) workforce development programs; and
 - (iv) technology commercialization initiatives;
- (l) administer the funds allocated by the council to the board;
- (m) coordinate energy research activities between:
 - (i) the lab;
 - (ii) the institute;
 - (iii) public and private institutions of higher education;
 - (iv) the Idaho National Laboratory; and
 - (v) industry partners;
- (n) review and approve annual reports from the lab and institute directors;
- (o) report annually to:
 - (i) the governor;
 - (ii) the Public Utilities, Energy, and Technology Interim Committee; and
 - (iii) the Education Interim Committee;
- (p) engage with industry partners to:
 - (i) identify research needs;
 - (ii) develop workforce programs;
 - (iii) commercialize technologies; and
 - (iv) secure additional funding sources;
- (q) coordinate with federal agencies on:
 - (i) research initiatives;
 - (ii) grant opportunities; and
 - (iii) regulatory compliance;
- (r) provide quarterly reports to the Utah Energy Council regarding:
 - (i) ongoing research projects and the research projects' alignment with state energy goals;
 - (ii) potential commercialization opportunities;
 - (iii) emerging technologies and the potential impact on the state's energy landscape; and
 - (iv) recommendations for policy changes or initiatives to support energy innovation; and
- (s) coordinate with the council on:
 - (i) strategic planning for statewide energy research initiatives;

- (ii) identifying priority research areas that align with state energy policy;
 - (iii) developing frameworks for public-private partnerships in energy research; and
 - (iv) establishing metrics for measuring research outcomes and impact.
- (5) 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.
- (6) The board shall meet at least quarterly and may hold additional meetings as necessary to review project proposals.

Amended by Chapter 17, 2025 Special Session 1

79-6-1004 Utah San Rafael Energy Lab established -- Lab director.

- (1) There is established within the office a program and facility known as the Utah San Rafael Energy Lab to facilitate innovative energy research and development projects.
- (2) The lab shall:
- (a) receive and evaluate project proposals;
 - (b) submit recommendations to the board for approval regarding specific project proposals based on the lab's evaluation;
 - (c) conduct innovative energy technology research and development projects that have commercialization potential and support the state's energy policy goals;
 - (d) enter into financial contracts with entities seeking to use the lab, with revenues deposited into the Utah Energy Research Fund created in Section 79-6-1002;
 - (e) assess the viability of emerging energy solutions for deployment within the state, considering:
 - (i) cost-effectiveness;
 - (ii) dispatchability;
 - (iii) sustainability;
 - (iv) reliability; and
 - (v) environmental impact;
 - (f) provide analysis and recommendations to policymakers regarding energy system planning, infrastructure needs, and the value of different energy initiatives being considered within the state; and
 - (g) collaborate with universities, industry partners, entrepreneurs, community representatives, and other research entities.

Amended by Chapter 375, 2025 General Session

79-6-1005 Project proposal solicitation and approval process.

- (1) The lab shall have an open project proposal solicitation process to facilitate innovative energy research and development conducted at the lab that is aligned with the state energy policy.
- (2) The lab shall receive project proposals from:
- (a) academics and research faculty from universities and research institutions;
 - (b) private sector companies, including technology entrepreneurs and small businesses;
 - (c) government agencies and national laboratories;
 - (d) nonprofit organizations and foundations engaged in energy research; and
 - (e) other qualified research teams.
- (3)

- (a) The lab shall evaluate the feasibility, merit, and potential impact of project proposals received under Subsection (2).
- (b) After evaluating the project proposals, the lab shall submit recommendations to the board for specific project proposals that the lab advises approving, based on the evaluation criteria.
- (4) The board shall review the project proposals and recommendations submitted by the lab and make final decisions on approval of project proposals for funding and implementation, based on criteria developed by the board under Section 79-6-1003.
- (5) The office may make rules, in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, establishing detailed project proposal evaluation criteria and selection procedures.

Enacted by Chapter 496, 2024 General Session