

Representative Keven J. Stratton proposes the following substitute bill:

LEGISLATIVE APPROVAL OF LAND TRANSFERS

2015 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Keven J. Stratton

Senate Sponsor: David P. Hinkins

LONG TITLE

General Description:

This bill describes the procedure for selling or exchanging governmentally controlled land.

Highlighted Provisions:

This bill:

- ▶ defines terms;
- ▶ requires a governmental entity to submit a proposal to sell or exchange 500 acres or more of governmentally controlled land for legislative approval;
- ▶ requires a governmental entity to notify the Legislative Management Committee of any proposal to sell or exchange less than 500 acres of governmentally controlled land to the federal government; and
- ▶ requires a governmental entity that enters into a discussion with a federal agent that may result in certain actions to provide written notice to the Legislature.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:



26 AMENDS:

27 **63L-2-201**, as last amended by Laws of Utah 2014, Chapters 157 and 328



29 *Be it enacted by the Legislature of the state of Utah:*

30 Section 1. Section **63L-2-201** is amended to read:

31 **63L-2-201. Federal government acquisition of real property in the state.**

32 (1) As used in this chapter:

33 [~~(a) "Agency" is defined in Section 63G-10-102.~~]

34 [~~(b) "Agency" includes:~~]

35 [~~(i) the School and Institutional Trust Lands Administration created in Section~~
36 ~~53C-1-201; and]~~

37 [~~(ii) the School and Institutional Trust Lands Board of Trustees created in Section~~
38 ~~53C-1-202.~~]

39 (a) "Governmental entity" means:

40 (i) an agency, as that term is defined in Subsection 63G-10-102(2);

41 (ii) the School and Institutional Trust Lands Administration created in Section
42 53C-1-201;

43 (iii) the School and Institutional Trust Lands Board of Trustees created in Section
44 53C-1-202; or

45 (iv) a county.

46 (b) "Governmentally controlled land" means land owned or managed by a
47 governmental entity.

48 (2) (a) Before legally binding the state by executing an agreement to sell or transfer to
49 the United States government [~~10,000~~] 500 or more acres of [~~any state lands~~] governmentally
50 controlled land or school and institutional trust lands, [~~an agency~~] a governmental entity shall
51 submit the agreement or proposal:

52 (i) to the Legislature for its approval or rejection; or

53 (ii) in the interim, to the Legislative Management Committee for review of the
54 agreement or proposal.

55 (b) The Legislative Management Committee may:

56 (i) recommend that the [~~agency~~] governmental entity execute the agreement or

57 proposal;

58 (ii) recommend that the [~~agency~~] governmental entity reject the agreement or proposal;

59 or

60 (iii) recommend to the governor that the governor call a special session of the

61 Legislature to review and approve or reject the agreement or proposal.

62 (3) Before legally binding the state by executing an agreement to sell or transfer to the

63 United States government less than [~~10,000~~] 500 acres of any [~~state lands~~] governmentally

64 controlled land or school and institutional trust lands, [~~an agency~~] a governmental entity shall

65 notify the Natural Resources, Agriculture, and Environment Interim Committee.

66 (4) Notwithstanding Subsections (2) and (3), the Legislature approves all conveyances

67 of school trust lands to the United States government made for the purpose of completing the

68 Red Cliffs National Conservation Area in Washington County.

69 (5) A governmental entity ~~§~~→ **[shall] may, in its discretion,** ←~~§~~ give written notice to the

69a Legislative Management

70 Committee of formal negotiations it enters into with a federal agent or entity intended or likely

71 to result in:

72 (a) the sale, exchange, or transfer of specific governmentally controlled land or school

73 and institutional trust lands to the federal government; or

74 (b) designation of specific governmentally controlled land or school and institutional

75 trust lands as a federal park, monument, or wilderness area.