

SALE OF STATE LANDS ACT

2017 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Gene Davis

House Sponsor: _____

LONG TITLE

General Description:

This bill declares policy and establishes procedures for the sale of state land.

Highlighted Provisions:

This bill:

- ▶ establishes a preference for leasing state land over selling state land; and
- ▶ establishes approval requirements for the sale of state land.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

ENACTS:

63L-9-101, Utah Code Annotated 1953

63L-9-201, Utah Code Annotated 1953

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

Section 1. Section **63L-9-101** is enacted to read:

CHAPTER 9. SALE OF STATE LAND ACT

Part 1. General Provisions

63L-9-101. Title and policy.



28 (1) This chapter is known as the "Sale of State Land Act."

29 (2) The Legislature declares that it is the policy of the state that:

30 (a) state land may not be sold except as consistent with this chapter; and

31 (b) the leasing of state land is preferred over the sale of state land.

32 Section 2. Section **63L-9-201** is enacted to read:

33 **Part 2. Procedures for the Sale of State Land**

34 **63L-9-201. Sale of state land.**

35 (1) As used in this chapter:

36 (a) "Agency" means the same as that term is defined in Section [63G-4-103](#).

37 (b) (i) "State land" means land owned by the state, including the state's:

38 (A) legislative and judicial branches;

39 (B) departments, divisions, agencies, boards, commissions, councils, and committees;

40 and

41 (C) institutions of higher education as defined under Section [53B-3-102](#).

42 (ii) "State land" does not mean:

43 (A) land owned by a political subdivision of the state;

44 (B) land owned by a school district;

45 (C) private land; or

46 (D) school and institutional trust lands as defined in Section [53C-1-103](#).

47 (2) (a) Before legally binding the state by executing an agreement to sell or transfer 300

48 or more acres of state land, an agency shall:

49 (i) make findings that:

50 (A) the sale or transfer of state land is in the public interest; and

51 (B) a lease of the state land in question, as described in the policy outlined in

52 Subsection [63L-9-101](#)(2)(b), would not be as beneficial to the public interest as the sale or

53 transfer of the state land; and

54 (ii) submit the agreement or proposal along with the findings described in Subsection

55 (2)(a)(i):

56 (A) to the Legislature for approval or rejection; or

57 (B) in the interim, to the Legislative Management Committee for review of the

58 agreement or proposal.

- 59 (b) The Legislative Management Committee may:
60 (i) recommend that the agency execute the agreement or proposal;
61 (ii) recommend that the agency reject the agreement or proposal; or
62 (iii) recommend to the governor that the governor call a special session of the
63 Legislature to review and approve or reject the agreement or proposal.
64 (3) Before legally binding the state by executing an agreement to sell or transfer fewer
65 than 300 acres of any state land, the state shall notify the Legislative Management Committee.
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Legislative Review Note
Office of Legislative Research and General Counsel