

WILDFIRE PREPAREDNESS AMENDMENTS

2019 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Derrin R. Owens

Senate Sponsor: _____

LONG TITLE

General Description:

This bill establishes the Wildland Fire Preparedness Grants Restricted Account.

Highlighted Provisions:

This bill:

- ▶ creates the Wildland Fire Preparedness Grants Restricted Account, including sources of account money;
- ▶ directs the state forester to make one or more grants to fire departments or volunteer fire departments to assist in the suppression of wildland fire;
- ▶ requires the Division of Forestry, Fire, and State Lands to make rules establishing criteria for receiving a grant from the Wildland Fire Preparedness Grants Restricted Account; and
- ▶ makes technical and conforming amendments.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

65A-8-204, as last amended by Laws of Utah 2017, Chapter 210

ENACTS:



28 65A-8-213, Utah Code Annotated 1953



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

31 Section 1. Section **65A-8-213** is enacted to read:

32 **65A-8-213. Creation of the Wildland Fire Preparedness Grants Restricted**
33 **Account -- Awarding of grants -- Rulemaking.**

34 (1) (a) There is created within the General Fund a restricted account known as the
35 "Wildland Fire Preparedness Grants Restricted Account."

36 (b) The Wildland Fire Preparedness Grants Restricted Account shall consist of:

37 (i) voluntary contributions received;

38 (ii) appropriations the Legislature makes to the Wildland Fire Preparedness Grants
39 Restricted Account;

40 (iii) 10% of the costs recovered annually related to wildfire suppression described in
41 Subsections 65A-8-204(3)(g) and (h); and

42 (iv) interest accrued in accordance with Subsection (1)(c)(ii).

43 (c) The state treasurer shall:

44 (i) invest the money in the Wildland Fire Preparedness Grants Restricted Account
45 described in Subsection (1)(a) following the procedures and requirements of Title 51, Chapter
46 7, State Money Management Act; and

47 (ii) deposit all interest or other earnings derived from each investment described in
48 Subsection (1)(c)(i) into the Wildland Fire Preparedness Grants Restricted Account.

49 (2) (a) Upon appropriation from the Legislature, the state forester shall make one or
50 more grants from the Wildland Fire Preparedness Grants Restricted Account to one or more
51 local fire departments or volunteer fire departments to assist in building capacity for the
52 suppression of wildland fire.

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

55 Section 2. Section **65A-8-204** is amended to read:

56 **65A-8-204. Wildland Fire Suppression Fund created.**

57 (1) There is created an expendable special revenue fund known as the "Wildland Fire
58 Suppression Fund."

59 (2) The fund shall be administered by the division to pay wildfire suppression costs on
60 eligible lands, including for an eligible entity that has entered into a cooperative agreement, as
61 described in Section [65A-8-203](#).

62 (3) ~~[The]~~ Subject to Section [65A-8-213](#), the contents of the fund shall include:

- 63 (a) interest and earnings from the investment of fund money;
- 64 (b) money appropriated by the Legislature;
- 65 (c) costs recovered from successful investigations;
- 66 (d) federal funds received by the division for wildfire management costs;
- 67 (e) suppression costs billed to an eligible entity that does not participate in a
68 cooperative agreement;
- 69 (f) suppression costs paid to the division by another state agency;
- 70 (g) costs recovered from settlements and civil actions related to wildfire suppression;
- 71 (h) restitution payments ordered by a court following a criminal adjudication;
- 72 (i) the balance of the fund as of July 1, 2016;
- 73 (j) money deposited by the Division of Finance, pursuant to Section [59-21-2](#); and
- 74 (k) money transferred by the Division of Finance, pursuant to Section [63J-1-314](#).

75 (4) Fund money shall be invested by the state treasurer with the earnings and interest
76 accruing to the fund.