

agricultural industry and natural resources, such as working agricultural land.

(b) "State conservation efforts" does not include the purpose of opening private property to public access without the consent of the owner of the private property.

(12) (a) "Working agricultural land" means agricultural land for which an owner or producer engages in the activity of producing for commercial purposes crops, orchards, livestock, poultry, aquaculture, livestock products, or poultry products and the facilities, equipment, and property used to facilitate the activity.

(b) "Working agricultural land" includes an agricultural protection area established under Title 17, Chapter 41, Agriculture, Industrial, or Critical Infrastructure Materials Protection Areas.

Section 2. Section **4-46-202** is amended to read:

4-46-202. Board duties and powers -- No regulatory authority -- Criteria.

(1) The board shall:

(a) administer the ~~[program]~~ fund as provided in this chapter; and

(b) fulfill other responsibilities imposed on the board by the Legislature.

(2) The board may not exercise any regulatory authority.

(3) In carrying out the board's powers and duties under this chapter, the board shall adopt ranking criteria that is substantially similar to the ranking criteria used by the Agriculture Conservation Easement Program and Agriculture Land Easement as determined by the Natural Resources Conservation Service under the United States Department of Agriculture.

Section 3. Section **4-46-301** is amended to read:

Part 3. Working Farm and Ranch Protection Fund

4-46-301. Working Farm and Ranch Protection Fund.

(1) There is created a ~~fund~~ **→** ~~[program]~~ fund **←** ~~fund~~ entitled the "~~LeRay McAllister Critical~~
~~Land~~
~~Conservation Program~~ Working Farm and Ranch Protection Fund."

(2) Funding for the ~~[program]~~ fund shall be a line item in the budget of the board. The line item shall be nonlapsing.

Section 4. Section **4-46-302** is amended to read:

4-46-302. Use of money in fund -- Criteria -- Administration.

(1) Subject to Subsection (2), the board may authorize the use of money in the ~~[program]~~ fund, by grant, to: