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H.B. 121

WILDLIFE HABITAT ACCOUNT AMENDMENTS

2023 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Thomas W. Peterson

Senate Sponsor: Scott D. Sandall

LONG TITLE

General Description:

This bill modifies provisions related to the Wildlife Habitat Account.

Highlighted Provisions:

This bill:

- addresses amounts that go to wetlands that are beneficial to waterfowl;
- addresses amounts that go to upland game projects; and
- makes technical changes.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

23-19-43, as last amended by Laws of Utah 2000, Chapter 195

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

Section 1. Section **23-19-43** is amended to read:

23-19-43. Wildlife Habitat Account -- Contents -- Use of fund money.

(1) There is created a restricted account within the General Fund known as the "Wildlife Habitat Account."

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(2) The contents of the account shall consist of:

(a) revenue from the sale of licenses, permits, stamps, certificates of registration, and Wildlife Heritage certificates as provided in Section 23-19-47;

(b) money donated to the division for a purpose specified in Subsection (6); and

(c) interest and earnings on account money.

(3) Revenue from the sale of licenses, permits, stamps, certificates of registration, and Wildlife Heritage certificates that is deposited to the account pursuant to Section 23-19-47 shall be used by the division, after appropriation by the Legislature, as provided in Subsections (4) through (6).

(4) (a) Each year up to $70,000 or [~~4%~~] 10% of the annual deposits to the account, whichever amount is greater, shall be allocated for the development, restoration, and preservation of wetlands that are beneficial to waterfowl.

(b) Up to 20% of the money allocated to waterfowl projects may be appropriated by the Legislature for use by a nonprofit conservation organization for wetland development projects within the state that benefit waterfowl.

(5) (a) Each year up to $230,000 or [~~12~~] 10% of the annual deposits to the account, whichever amount is greater, shall be allocated to upland game projects as follows:

(i) the control of predators;

(ii) the development, improvement, restoration, or maintenance of critical habitat through the establishment of landowner incentives, cooperative programs, or other means;

(iii) the acquisition or preservation of critical habitat;

(iv) landowner habitat education and assistance programs;

(v) public access to private lands; and

(vi) upland game transplant and reintroduction programs.

(b) As used in this section "upland game" means pheasant, quail, chukar, partridge, sage grouse, sharp-tailed grouse, Hungarian partridge, ruffed grouse, blue grouse, ptarmigan, mourning dove, band-tailed pigeon, turkey, cottontail rabbit, or snowshoe hare.

(c) Money allocated to upland game may not be used for the acquisition, development, improvement, restoration, or maintenance of habitat within commercial hunting areas.

(d) No more than 5% of the money allocated to upland game may be used for landowner habitat education programs.

(e) The money allocated to upland game shall be used for programs and activities relating to upland game species based generally upon the proportion of average annual hunter participation for each species.

(f) Projects for which free public access is assured shall receive first priority for funding from money allocated to upland game.

(g) Projects for which public access is assured shall receive second priority for funding from money allocated to upland game.

(6) The remaining money in the account shall be used for the following purposes:

(a) the enhancement, acquisition, preservation, protection, and management of aquatic and terrestrial wildlife habitat; and

(b) to improve access for fishing and hunting.

(7) The division shall seek the advice and recommendations of the Habitat Council, created by the division, regarding the expenditure of account money.

(8) Donations of money deposited into the account and interest earned on that money shall be expended:

(a) as directed by the donor; and

(b) without being appropriated by the Legislature.