

**Representative Douglas R. Welton** proposes the following substitute bill:

**GOLF RELATED WATER MODIFICATIONS**

2023 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Douglas R. Welton**

Senate Sponsor: Daniel McCay

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**LONG TITLE**

**General Description:**

This bill addresses the water use by golf courses.

**Highlighted Provisions:**

This bill:

- ▶ defines terms;
- ▶ requires a study of water use by golf courses;
- ▶ addresses whether water data is a record subject to Government Records Access and Management Act; and
- ▶ creates a grant program, including the creation of a related committee.

**Money Appropriated in this Bill:**

None

**Other Special Clauses:**

None

**Utah Code Sections Affected:**

ENACTS:

**73-1-22**, Utah Code Annotated 1953

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



26 Section 1. Section 73-1-22 is enacted to read:

27 **73-1-22. Reporting water use by golf courses.**

28 (1) As used in this section:

29 (a) "Advisory board" means the board created in Subsection (5).

30 (b) "Division" means the Division of Water Resources.

31 (c) "Golf course" means:

32 (i) real property that may be used for golf, golf practice areas, or a driving range by the  
33 public or by the members and guests of a private club; and

34 (ii) improvements to the real property described in Subsection (1)(c)(i), including turf,  
35 bunkers, trees, irrigation, lakes, lake liners, bridges, practice ranges, golf greens, golf tees,  
36 paths, and trails.

37 (d) "Institute" means the Utah State University Institute of Land, Air, and Water.

38 (2) (a) The Utah State University Institute of Land, Air, and Water shall study the use  
39 of water on golf courses in the state.

40 (b) As part of the study under this Subsection (2), the institute shall identify standards  
41 for water use on desert golf courses, including:

42 (i) surveying practices in similar climate states;

43 (ii) determining how much water is used by golf courses;

44 (iii) determining how much irrigable acreage is playing vs non-playing areas; and

45 (iv) recommending methods for capturing possible water savings.

46 (c) The institute shall work with owners and operators of golf courses to identify  
47 strategic water savings opportunities.

48 (d) The institute shall report the findings of the study, in a manner that does not  
49 identify golf courses, to the following by no later than June 30, 2026:

50 (i) the Utah Water Task Force created within the Department of Natural Resources;  
51 and

52 (ii) the Natural Resources, Agriculture, and Environmental Quality Appropriations  
53 Subcommittee.

54 (3) (a) An owner or operator of a golf course in the state shall work with the institute as  
55 part of the study under Subsection (2).

56 (b) Water data provided by an owner or operator of a golf course to the institute is not

57 considered a record for purposes of Title 63G, Chapter 2, Government Records Access and  
58 Management Act.

59 (4) (a) Subject to Subsection (5)(f) and up to an aggregate total of \$30,000,000, the  
60 division may issue a grant to an operator or owner of a golf course to implement methods of  
61 efficiently using water on the golf course.

62 (b) A grant issued under this section may provide for implementation of an irrigation  
63 plan, including the use of third-party contracts.

64 (c) When issuing grants under this Subsection (4), the division may prioritize a grant  
65 that benefits a golf course that has high water use compared to other golf courses.

66 (d) The division may make rules, in accordance with Title 63G, Chapter 3, Utah  
67 Administrative Rulemaking Act, providing the process for obtaining a grant under this  
68 Subsection (4).

69 (5) (a) There is created an advisory board known as the "Golf Advisory Board" that  
70 consists of the following six members:

71 (i) two members appointed by the president of the Senate;

72 (ii) two members appointed by the speaker of the House of Representatives;

73 (iii) one member appointed by the governor; and

74 (iv) the executive director of the Department of Natural Resources or the executive  
75 director's designee.

76 (b) Four members of the advisory board constitutes a quorum. The action of at least  
77 three members when a quorum is present constitutes action by the advisory board.

78 (c) The executive director of the Department of Natural Resources or executive  
79 director's designee shall chair the advisory board.

80 (d) (i) Except as required by Subsection (5)(d)(ii), appointed members of the advisory  
81 board are appointed to four-year terms.

82 (ii) The president of the Senate, the speaker of the House of Representatives, and the  
83 governor shall jointly, at the time of appointment or reappointment, adjust the length of terms  
84 to ensure that the terms of appointed board members are staggered so that approximately half  
85 of the advisory board is appointed every two years.

86 (e) A member of the advisory board may not receive compensation or benefits for the  
87 member's service, but may receive per diem and travel expenses in accordance with:

- 88            (i) Section [63A-3-106](#);  
89            (ii) Section [63A-3-107](#); and  
90            (iii) rules made by the Division of Finance pursuant to Sections [63A-3-106](#) and  
91 [63A-3-107](#).  
92            (f) The advisory board shall advise the division in implementing the grant program  
93 under this section and shall review a grant application before the division may issue the grant  
94 under Subsection (4).