

# HB0188S02 compared with HB0188

~~text~~ shows text that was in HB0188 but was deleted in HB0188S02.

text shows text that was not in HB0188 but was inserted into HB0188S02.

**DISCLAIMER:** This document is provided to assist you in your comparison of the two bills. Sometimes this automated comparison will NOT be completely accurate. Therefore, you need to read the actual bills. This automatically generated document could contain inaccuracies caused by: limitations of the compare program; bad input data; or other causes.

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 ~~reporting of~~ water use by golf courses ~~or driving ranges~~.

#### Highlighted Provisions:

This bill:

- ▶ defines terms;
- ▶ requires ~~reporting of water use for the operation of a golf course or driving range;~~  
and  
~~provides for the publication of the information on websites;~~ 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.

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### 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:*

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

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

(1) As used in this section:

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

(~~f~~a~~b~~) "Division" means the Division of Water Resources.

(~~f~~b) (~~i~~)~~c~~) "Golf course ~~f~~ or driving range~~f~~" means:

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

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

(~~f~~ii) "Golf course or driving range" does not include a clubhouse, pro shop, restaurant, or other building that is associated with a golf course or driving range~~f~~)~~d~~) "Institute" means the Utah State University Institute of Land, Air, and Water.

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

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

(i) surveying practices in similar climate states;

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

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

(iv) recommending methods for capturing possible water savings.

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

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

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

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

~~(3) (a) An owner or operator of a golf course for driving range shall report to the division and publish on a website by no later than July 1 of each year:~~

~~—— (i) the annual amount of water used in gallons in the previous calendar year for the operation and maintenance of the golf course or driving range;~~

~~—— (A) including any water used to expand or alter the golf course or driving range; and~~

~~—— (B) excluding water that is reused by the golf course or driving range; and~~

~~—— (ii) the one or more sources of the water described in Subsection (2)(a)(i).~~

~~—— (b) The} in the state shall work with the institute as part of the study under Subsection (2).~~

(b) Water data provided by an owner or operator {shall ensure that the website and information required to be published} of a golf course to the institute is not considered a record for purposes of Title 63G, Chapter 2, Government Records Access and Management Act.

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

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

(c) When issuing grants under this Subsection (2):

~~—— (i) is available to the public at a website to where the public is directed to find information about the golf course such as how to schedule tee times; and~~

~~—— (ii) remains posted throughout the year.~~

~~—— (3)4), the division may prioritize a grant that benefits a golf course that has high water use compared to other golf courses.~~

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(d) The division ~~{shall publish the information reported}~~ may make rules, in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, providing the process for obtaining a grant under this Subsection (4).

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

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

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

(iii) one member appointed by the governor; and

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

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

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

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

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

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

(i) Section 63A-3-106;

(ii) Section 63A-3-107; and

(iii) rules made by the Division of Finance pursuant to Sections 63A-3-106 and 63A-3-107.

(f) The advisory board shall advise the division in implementing the grant program under this section and shall review a grant application before the division may issue the grant under Subsection ~~(f2)4~~ ~~{ on a website that the division maintains that is available to the public }.~~