1	UTAH ENERGY ACT AMENDMENTS
2	2024 GENERAL SESSION
3	STATE OF UTAH
4	Chief Sponsor: Colin W. Jack
5 6	Senate Sponsor: David P. Hinkins
7	LONG TITLE
8	General Description:
9	This bill modifies the Utah Energy Act.
10	Highlighted Provisions:
11	This bill:
12	 modifies reporting requirements for the Office of Energy Development;
13	modifies the purposes of the Office of Energy Development to include:
14	 developing strategies to advocate for state interests on federal energy and
15	environmental programs;
16	 overseeing legal strategy on federal overreach and permitting delays; and
17	 engaging in federal rulemaking and advocacy for regulatory reform;
18	 directs the Office of Energy Development to adopt a master plan with data-driven
19	modeling at a statewide level;
20	 requires adoption of best practices in development of state energy plans; and
21	makes technical changes.
22	Money Appropriated in this Bill:
23	None
24	Other Special Clauses:
25	None



)	Utah Code Sections Affected:
,	AMENDS:
	79-6-203, as renumbered and amended by Laws of Utah 2021, Chapter 280
	79-6-401, as last amended by Laws of Utah 2023, Chapter 196
	Be it enacted by the Legislature of the state of Utah:
	Section 1. Section 79-6-203 is amended to read:
	79-6-203. Reports.
	(1) The energy advisor shall report annually to:
	(a) the appointing authority; and
	(b) the [Natural Resources, Agriculture, and Environment Interim Committee] Public
	Utilities, Energy, and Technology Interim Committee.
	(2) The report required in Subsection (1) shall:
	(a) summarize the status and development of the state's energy resources;
	(b) summarize the activities and accomplishments of the [Office of Energy
	Development] office;
	(c) address the energy advisor's activities under this part; [and]
	(d) recommend any energy-related executive or legislative action the energy advisor or
	office considers beneficial to the state, including updates to the state energy policy under
	Section 79-6-301[:]; and
	(e) address long-term energy planning required under Subsection 79-6-401(10).
	Section 2. Section 79-6-401 is amended to read:
	79-6-401. Office of Energy Development Creation Director Purpose
	Rulemaking regarding confidential information Fees Transition for employees.
	(1) There is created an Office of Energy Development in the Department of Natural
	Resources.
	(2) (a) The energy advisor shall serve as the director of the office or, on or before June
	30, 2029, appoint a director of the office.
	(b) The director:
	(i) shall, if the energy advisor appoints a director under Subsection (2)(a), report to the
	energy advisor; and

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57	(ii) may appoint staff as funding within existing budgets allows.
58	(c) The office may consolidate energy staff and functions existing in the state energy
59	program.
60	(3) The purposes of the office are to:
61	(a) serve as the primary resource for advancing energy and mineral development in the
62	state;
63	(b) implement:
64	(i) the state energy policy under Section 79-6-301; and
65	(ii) the governor's energy and mineral development goals and objectives;
66	(c) advance energy education, outreach, and research, including the creation of
67	elementary, higher education, and technical college energy education programs;
68	(d) promote energy and mineral development workforce initiatives; [and]
69	(e) support collaborative research initiatives targeted at Utah-specific energy and
70	mineral development[-];
71	(f) in coordination with the Department of Environmental Quality and other relevant
72	state agencies:
73	(i) develop effective policy strategies to advocate for and protect the state's interests
74	relating to federal energy and environmental entities, programs, and regulations;
75	(ii) participate in the federal environmental rulemaking process by:
76	(A) advocating for positive reform of federal energy and environmental regulations and
77	permitting;
78	(B) coordinating with other states to develop joint advocacy strategies; and
79	(C) conducting other government relations efforts; and
80	(iii) direct the funding of legal effort to combat federal overreach and unreasonable
81	delays regarding energy and environmental permitting; and
82	(g) fund the development of detailed and accurate forecasts of the state's long-term
83	energy supply and demand, including a baseline projection of expected supply and demand and
84	analysis of potential alternative scenarios.
85	(4) By following the procedures and requirements of Title 63J, Chapter 5, Federal
86	Funds Procedures Act, the office may:
87	(a) seek federal grants or loans;

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oil, oil shale, and oil sands;

88	(b) seek to participate in federal programs; and
89	(c) in accordance with applicable federal program guidelines, administer federally
90	funded state energy programs.
91	(5) The office shall perform the duties required by Sections 11-42a-106, 59-5-102,
92	59-7-614.7, 59-10-1029, 63C-26-202, Part 5, Alternative Energy Development Tax Credit Act,
93	and Part 6, High Cost Infrastructure Development Tax Credit Act.
94	(6) (a) For purposes of administering this section, the office may make rules, by
95	following Title 63G, Chapter 3, Utah Administrative Rulemaking Act, to maintain as
96	confidential, and not as a public record, information that the office receives from any source.
97	(b) The office shall maintain information the office receives from any source at the
98	level of confidentiality assigned by the source.
99	(7) The office may charge application, filing, and processing fees in amounts
100	determined by the office in accordance with Section 63J-1-504 as dedicated credits for
101	performing office duties described in this part.
102	(8) (a) An employee of the office is an at-will employee.
103	(b) For an employee of the office on July 1, 2021, the employee shall have the same
104	salary and benefit options the employee had when the office was part of the office of the
105	governor.
106	(9) (a) The office shall prepare a strategic energy plan to achieve the state's energy
107	policy, including:
108	(i) technological and infrastructure innovation needed to meet future energy demand
109	including:
110	(A) energy production technologies;
111	(B) battery and storage technologies;
112	(C) smart grid technologies;
113	(D) energy efficiency technologies; and
114	(E) any other developing energy technology, energy infrastructure planning, or
115	investments that will assist the state in meeting energy demand;
116	(ii) the state's efficient [utilization] use and development of:
117	(A) [nonrenewable] energy resources, including natural gas, coal, clean coal, hydrogen,

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119	(B) renewable energy resources, including geothermal, solar, hydrogen, wind, biomass,
120	biofuel, and hydroelectric;
121	(C) nuclear power; and
122	(D) earth minerals;
123	(iii) areas of energy-related academic research;
124	(iv) specific areas of workforce development necessary for an evolving energy
125	industry;
126	(v) the development of partnerships with national laboratories; and
127	(vi) a proposed state budget for economic development and investment.
128	(b) In preparing the strategic energy plan, the office shall:
129	(i) consult with stakeholders, including representatives from:
130	[(i)] (A) energy companies in the state;
131	[(ii)] (B) private and public institutions of higher education within the state conducting
132	energy-related research; and
133	[(iii)] (C) other state agencies[-];
134	(ii) use modeling and industry standard data to:
135	(A) define the energy services required by a growing economy;
136	(B) calculate energy needs;
137	(C) develop state strategy for energy transportation, including transmission lines,
138	pipelines, and other infrastructure needs;
139	(D) optimize investments to meet energy needs at the least cost and least risk while
140	meeting the policy outlined in this section; and
141	(E) address state needs and investments through a prospective 30-year period, divided
142	into five-year working plans; and
143	(F) update the plan at least every two years.
144	(c) On or before the October 2023 interim meeting, the office shall report to the Public
145	Utilities, Energy, and Technology Interim Committee and the Executive Appropriations
146	Interim Committee describing:
147	(i) progress towards creation of the strategic energy plan; and
148	(ii) a proposed budget for the office to continue development of the strategic energy
149	plan.

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150	(10) The office shall include best practices in developing actionable goals and
151	recommendations as part of preparing and updating every two years the strategic energy plan
152	required under Subsection (9).
153	(11) The office shall maintain and regularly update a public website that provides an
154	accessible dashboard of relevant metrics and reports and make available the data used to create
155	the strategic energy plan.
156	Section 3. Effective date.
157	This bill takes effect on May 1, 2024.