FIRE AMENDMENTS
2024 GENERAL SESSION
STATE OF UTAH
Chief Sponsor: Casey Snider
Senate Sponsor:
LONG TITLE
General Description:
This bill modifies provisions concerning control and funding related to fire.
Highlighted Provisions:
This bill:
 modifies provisions related to calculating amounts to be transferred to a Medicaid
fund and the Wildland-urban Interface Prevention, Preparedness, and Mitigation
Fund;
 modifies definitions related to the State Appropriations and Tax Limitation Act and
the Wildland-urban Interface Prevention, Preparedness, and Mitigation Fund;
 addresses timing of transfers related to the Industrial Assistance Account and the
Wildland-urban Interface Prevention, Preparedness, and Mitigation Fund;
 modifies provisions related to cooperative fire protection agreements;
 requires the Division of Forestry, Fire, and State Lands to analyze certain issues
related to the wildfire risk assessment mapping tool;
 permits adjustments to participation commitments based on the wildfire risk
assessment mapping tool;
 adjusts the calculation for billing a county or municipality without a cooperative
agreement;
 addresses the definition of wildfire suppression costs made by rule;
 modifies money to be deposited into the Wildland-urban Interface Prevention,

28	Preparedness, and Mitigation Fund; and
29	 makes technical changes.
30	Money Appropriated in this Bill:
31	None
32	Other Special Clauses:
33	None
34	Utah Code Sections Affected:
35	AMENDS:
36	63J-1-315, as last amended by Laws of Utah 2023, Chapter 329
37	63J-3-103, as last amended by Laws of Utah 2022, Chapter 456
38	63N-3-106, as last amended by Laws of Utah 2023, Chapter 499
39	65A-8-203, as last amended by Laws of Utah 2023, Chapter 16
40	65A-8-203.2, as enacted by Laws of Utah 2016, Chapter 174
41	65A-8-204, as last amended by Laws of Utah 2023, Chapter 153
42	65A-8-215, as enacted by Laws of Utah 2023, Chapter 153
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43 44	Be it enacted by the Legislature of the state of Utah:
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44 45	Section 1. Section 63J-1-315 is amended to read:
44 45 46	Section 1. Section 63J-1-315 is amended to read: 63J-1-315. Medicaid Growth Reduction and Budget Stabilization Account
44 45 46 47	Section 1. Section 63J-1-315 is amended to read: 63J-1-315. Medicaid Growth Reduction and Budget Stabilization Account Transfers of Medicaid growth savings Base budget adjustments.
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 44 45 46 47 48 49 50 51 52 53 	 Section 1. Section 63J-1-315 is amended to read: 63J-1-315. Medicaid Growth Reduction and Budget Stabilization Account Transfers of Medicaid growth savings Base budget adjustments. (1) As used in this section: (a) "Department" means the Department of Health and Human Services created in Section 26B-1-201. (b) "Division" means the Division of Integrated Healthcare created in Section 26B-3-102. (c) "General Fund revenue surplus" means a situation where actual General Fund
 44 45 46 47 48 49 50 51 52 53 54 	Section 1. Section 63J-1-315 is amended to read: 63J-1-315. Medicaid Growth Reduction and Budget Stabilization Account Transfers of Medicaid growth savings Base budget adjustments. (1) As used in this section: (a) "Department" means the Department of Health and Human Services created in Section 26B-1-201. (b) "Division" means the Division of Integrated Healthcare created in Section 26B-3-102. (c) "General Fund revenue surplus" means a situation where actual General Fund revenues collected in a completed fiscal year exceed the estimated revenues for the General
 44 45 46 47 48 49 50 51 52 53 54 55 	 Section 1. Section 63J-1-315 is amended to read: 63J-1-315. Medicaid Growth Reduction and Budget Stabilization Account Transfers of Medicaid growth savings Base budget adjustments. (1) As used in this section: (a) "Department" means the Department of Health and Human Services created in Section 26B-1-201. (b) "Division" means the Division of Integrated Healthcare created in Section 26B-3-102. (c) "General Fund revenue surplus" means a situation where actual General Fund revenues collected in a completed fiscal year exceed the estimated revenues for the General Fund for that fiscal year that were adopted by the Executive Appropriations Committee of the

59 target.

60 (e) "Medicaid growth target" means Medicaid program expenditures for the previous61 year multiplied by 1.08.

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(f) "Medicaid program" is as defined in Section 26B-3-101.

(g) "Medicaid program expenditures" means total state revenue expended for the
Medicaid program from the General Fund, including restricted accounts within the General
Fund, during a fiscal year.

(h) "Medicaid program expenditures for the previous year" means total state revenue
expended for the Medicaid program from the General Fund, including restricted accounts
within the General Fund, during the fiscal year immediately preceding a fiscal year for which
Medicaid program expenditures are calculated.

(i) "Operating deficit" means that, at the end of the fiscal year, the unassigned fund
balance in the General Fund is less than zero.

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(j) "State revenue" means revenue other than federal revenue.

(k) "State revenue expended for the Medicaid program" includes money transferred or
 appropriated to the Medicaid Growth Reduction and Budget Stabilization Account only to the
 extent the money is appropriated for the Medicaid program by the Legislature.

76 (2) There is created within the General Fund a restricted account to be known as the
77 Medicaid Growth Reduction and Budget Stabilization Account.

(3) (a) (i) Except as provided in Subsection (6), if, at the end of a fiscal year, there is a
General Fund revenue surplus, the Division of Finance shall transfer an amount equal to
Medicaid growth savings from the General Fund to the Medicaid Growth Reduction and
Budget Stabilization Account.

(ii) If the amount transferred is reduced to prevent an operating deficit, as provided in
Subsection (6), the Legislature shall include, to the extent revenue is available, an amount
equal to the reduction as an appropriation from the General Fund to the account in the base
budget for the second fiscal year following the fiscal year for which the reduction was made.

(b) If, at the end of a fiscal year, there is not a General Fund revenue surplus, the
Legislature shall include, to the extent revenue is available, an amount equal to Medicaid
growth savings as an appropriation from the General Fund to the account in the base budget for
the second fiscal year following the fiscal year for which the reduction was made.

90	(c) Subsections (3)(a) and (3)(b) apply only to the fiscal year in which the department
91	implements the proposal developed under Section 26B-3-202 to reduce the long-term growth in
92	state expenditures for the Medicaid program, and to each fiscal year after that year.
93	(4) The Division of Finance shall calculate the amount to be transferred under
94	Subsection (3):
95	(a) before transferring revenue from the General Fund revenue surplus to:
96	(i) the General Fund Budget Reserve Account under Section 63J-1-312;
97	(ii) (A) the Wildland Fire Suppression Fund created in Section $65A-8-204$, as
98	described in Section 63J-1-314; [and] or
99	(B) the Wildland-urban Interface Prevention, Preparedness, and Mitigation Fund under
100	Section 63J-1-314; and
101	(iii) the State Disaster Recovery Restricted Account under Section 63J-1-314;
102	(b) before earmarking revenue from the General Fund revenue surplus to the Industrial
103	Assistance Account under Section 63N-3-106; and
104	(c) before making any other year-end contingency appropriations, year-end set-asides,
105	or other year-end transfers required by law.
106	(5) (a) If, at the close of any fiscal year, there appears to be insufficient money to pay
107	additional debt service for any bonded debt authorized by the Legislature, the Division of
108	Finance may hold back from any General Fund revenue surplus money sufficient to pay the
109	additional debt service requirements resulting from issuance of bonded debt that was
110	authorized by the Legislature.
111	(b) The Division of Finance may not spend the hold back amount for debt service
112	under Subsection (5)(a) unless and until it is appropriated by the Legislature.
113	(c) If, after calculating the amount for transfer under Subsection (3), the remaining
114	General Fund revenue surplus is insufficient to cover the hold back for debt service required by
115	Subsection (5)(a), the Division of Finance shall reduce the transfer to the Medicaid Growth
116	Reduction and Budget Stabilization Account by the amount necessary to cover the debt service
117	hold back.
118	(d) Notwithstanding Subsections (3) and (4), the Division of Finance shall hold back
119	the General Fund balance for debt service authorized by this Subsection (5) before making any
120	transfers to the Medicaid Growth Reduction and Budget Stabilization Account or any other

121 designation or allocation of General Fund revenue surplus. 122 (6) Notwithstanding Subsections (3) and (4), if, at the end of a fiscal year, the Division 123 of Finance determines that an operating deficit exists and that holding back earmarks to the 124 Industrial Assistance Account under Section 63N-3-106, transfers to the Wildland Fire 125 Suppression Fund and State Disaster Recovery Restricted Account under Section 63J-1-314, 126 transfers to the General Fund Budget Reserve Account under Section 63J-1-312, or earmarks 127 and transfers to more than one of those accounts, in that order, does not eliminate the operating 128 deficit, the Division of Finance may reduce the transfer to the Medicaid Growth Reduction and 129 Budget Stabilization Account by the amount necessary to eliminate the operating deficit. 130 (7) The Legislature may appropriate money from the Medicaid Growth Reduction and 131 Budget Stabilization Account only: 132 (a) if Medicaid program expenditures for the fiscal year for which the appropriation is 133 made are estimated to be 108% or more of Medicaid program expenditures for the previous 134 year; and 135 (b) for the Medicaid program. 136 (8) The Division of Finance shall deposit interest or other earnings derived from investment of Medicaid Growth Reduction and Budget Stabilization Account money into the 137 138 General Fund. 139 Section 2. Section 63J-3-103 is amended to read: 63J-3-103. Definitions. 140 141 As used in this chapter: 142 (1) (a) "Appropriations" means actual unrestricted capital and operating appropriations 143 from unrestricted General Fund and Income Tax Fund sources. 144 (b) "Appropriations" includes appropriations that are contingent upon available 145 surpluses in the General Fund and Income Tax Fund. 146 (c) "Appropriations" does not mean: 147 (i) public education expenditures; 148 (ii) Utah Education and Telehealth Network expenditures in support of public 149 education; 150 (iii) Utah Board of Higher Education expenditures in support of public education;

151 (iv) State Tax Commission expenditures related to collection of income taxes in

152	support of public education;
153	(v) debt service expenditures;
154	(vi) emergency expenditures;
155	(vii) expenditures from all other fund or subfund sources;
156	(viii) transfers or appropriations from the Income Tax Fund to the Uniform School
157	Fund;
158	(ix) transfers into, or appropriations made to, the General Fund Budget Reserve
159	Account established in Section 63J-1-312;
160	(x) transfers into, or appropriations made to, the Income Tax Fund Budget Reserve
161	Account established in Section 63J-1-313;
162	(xi) transfers in accordance with Section 63J-1-314 into, or appropriations made to the
163	Wildland Fire Suppression Fund created in Section 65A-8-204 [or], the Wildland-urban
164	Interface Prevention, Preparedness, and Mitigation Fund created in Section 65A-8-215, or the
165	State Disaster Recovery Restricted Account created in Section 53-2a-603;
166	(xii) money appropriated to fund the total one-time project costs for the construction of
167	capital development projects as defined in Section 63A-5b-401;
168	(xiii) transfers or deposits into or appropriations made to the Centennial Highway Fund
169	created by Section 72-2-118;
170	(xiv) transfers or deposits into or appropriations made to the Transportation Investment
171	Fund of 2005 created by Section 72-2-124;
172	(xv) transfers or deposits into or appropriations made to:
173	(A) the Department of Transportation from any source; or
174	(B) any transportation-related account or fund from any source; or
175	(xvi) supplemental appropriations from the General Fund to the Division of Forestry,
176	Fire, and State Lands to provide money for wildland fire control expenses incurred during the
177	current or previous fire years.
178	(2) "Base year real per capita appropriations" means the result obtained for the state by
179	dividing the fiscal year 1985 actual appropriations of the state less debt money by:
180	(a) the state's July 1, 1983 population; and
181	(b) the fiscal year 1983 inflation index divided by 100.
182	(3) "Calendar year" means the time period beginning on January 1 of any given year

and ending on December 31 of the same year.

(4) "Fiscal emergency" means an extraordinary occurrence requiring immediate
expenditures and includes the settlement under Laws of Utah 1988, Fourth Special Session,
Chapter 4.

187 (5) "Fiscal year" means the time period beginning on July 1 of any given year and188 ending on June 30 of the subsequent year.

(6) "Fiscal year 1985 actual base year appropriations" means fiscal year 1985 actual
capital and operations appropriations from General Fund and non-Uniform School Fund
income tax revenue sources, less debt money.

(7) "Inflation index" means the change in the general price level of goods and services
as measured by the Gross National Product Implicit Price Deflator of the Bureau of Economic
Analysis, U.S. Department of Commerce calculated as provided in Section 63J-3-202.

(8) (a) "Maximum allowable appropriations limit" means the appropriations that could
be, or could have been, spent in any given year under the limitations of this chapter.

(b) "Maximum allowable appropriations limit" does not mean actual appropriationsspent or actual expenditures.

(9) "Most recent fiscal year's inflation index" means the fiscal year inflation index two
fiscal years previous to the fiscal year for which the maximum allowable inflation and
population appropriations limit is being computed under this chapter.

(10) "Most recent fiscal year's population" means the fiscal year population two fiscal
 years previous to the fiscal year for which the maximum allowable inflation and population
 appropriations limit is being computed under this chapter.

(11) "Population" means the number of residents of the state as of July 1 of each year
 as calculated by the Governor's Office of Planning and Budget according to the procedures and
 requirements of Section 63J-3-202.

(12) "Revenues" means the revenues of the state from every tax, penalty, receipt, and
other monetary exaction and interest connected with it that are recorded as unrestricted revenue
of the General Fund and from non-Uniform School Fund income tax revenues, except as
specifically exempted by this chapter.

(13) "Security" means any bond, note, warrant, or other evidence of indebtedness,
whether or not the bond, note, warrant, or other evidence of indebtedness is or constitutes an

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214 "indebtedness" within the meaning of any provision of the constitution or laws of this state. 215 Section 3. Section 63N-3-106 is amended to read: 216 63N-3-106. Structure of loans, grants, and assistance -- Repayment -- Earned 217 credits. 218 (1) (a) Subject to Subsection (1)(b), the administrator has authority to determine the 219 structure, amount, and nature of any loan, grant, or other financial assistance from the restricted 220 account. 221 (b) Loans made under this part shall be structured so the intended repayment or return 222 to the state, including cash or credit, equals at least the amount of the assistance together with 223 an annual interest charge as negotiated by the administrator. 224 (c) Payments resulting from grants awarded from the restricted account shall be made 225 only after the administrator has determined that the company has satisfied the conditions upon 226 which the payment or earned credit was based. 227 (2) (a) The administrator may provide for a system of earned credits that may be used 228 to support grant payments or in lieu of cash repayment of a restricted account loan obligation. 229 (b) The value of the credits described in Subsection (2)(a) shall be based on factors 230 determined by the administrator, including: 231 (i) the number of Utah jobs created: 232 (ii) the increased economic activity in Utah; or 233 (iii) other events and activities that occur as a result of the restricted account assistance. 234 (3) (a) A cash loan repayment or other cash recovery from a company receiving 235 assistance under this section, including interest, shall be deposited into the restricted account. 236 (b) The administrator and the Division of Finance shall determine the manner of 237 recognizing and accounting for the earned credits used in lieu of loan repayments or to support 238 grant payments as provided in Subsection (2). 239 (4) (a) (i) At the end of each fiscal year, the Division of Finance shall set aside the 240 balance of the General Fund revenue surplus as defined in Section 63J-1-312 after the transfers 241 of General Fund revenue surplus described in Subsection (4)(b) to the Industrial Assistance 242 Account in an amount equal to any credit that has accrued under this part. 243 (ii) The set aside under Subsection (4)(a)(i) shall be capped at \$50,000,000, at which 244 time no subsequent contributions may be made and any interest accrued above the \$50,000,000

245	cap shall be deposited into the General Fund.
246	(b) The set aside required by Subsection (4)(a) shall be made after the transfer of
247	surplus General Fund revenue surplus is made:
248	(i) to the Medicaid Growth Reduction and Budget Stabilization Restricted Account, as
249	provided in Section 63J-1-315;
250	(ii) to the General Fund Budget Reserve Account, as provided in Section 63J-1-312;
251	and
252	(iii) to the Wildland Fire Suppression Fund, the Wildland-urban Interface Prevention,
253	Preparedness, and Mitigation Fund, or State Disaster Recovery Restricted Account, as provided
254	in Section 63J-1-314.
255	(c) These credit amounts may not be used for purposes of the restricted account as
256	provided in this part until appropriated by the Legislature.
257	Section 4. Section 65A-8-203 is amended to read:
258	65A-8-203. Cooperative fire protection agreements with counties, cities, towns, or
259	special service districts.
260	(1) As used in this section:
261	(a) "Eligible entity" means:
262	(i) a county, a municipality, or a special service district, special district, or service area
263	with:
264	(A) wildland fire suppression responsibility as described in Section 11-7-1; and
265	(B) wildland fire suppression cost responsibility and taxing authority for a specific
266	geographic jurisdiction; or
267	(ii) upon approval by the director, a political subdivision established by a county,
268	municipality, special service district, special district, or service area that is responsible for:
269	(A) providing wildland fire suppression services; and
270	(B) paying for the cost of wildland fire suppression services.
271	(b) "Fire service provider" means a public or private entity that fulfills the duties of
272	Subsection 11-7-1(1).
273	(2) (a) The governing body of any eligible entity may enter into a cooperative
274	agreement with the division to receive financial and wildfire management cooperation and
275	assistance from the division, as described in this part.

276 (b) A cooperative agreement shall last for a term of no more than five years and be 277 renewable if the eligible entity continues to meet the requirements of this chapter. 278 [(3) (a) An eligible entity may not receive financial cooperation or financial assistance 279 under Subsection (2)(a) until a cooperative agreement is executed by the eligible entity and the 280 division.] 281 [(b)] (3) (a) The state shall assume an eligible entity's cost of suppressing catastrophic 282 wildfire as defined in the cooperative agreement if the eligible entity has entered into, and is in 283 full compliance with, a cooperative agreement with the division, as described in this section. 284 [(c)] (b) A county or municipality that is not covered by a cooperative agreement with the division, as described in this section, shall be responsible for wildland fire costs within the 285 286 county or municipality's jurisdiction, as described in Section 65A-8-203.2. 287 (4) [In order to] To enter into a cooperative agreement with the division, the eligible 288 entity shall: 289 (a) if the eligible entity is a county, adopt and enforce on unincorporated land a 290 wildland fire ordinance based upon minimum standards established by the division or Uniform 291 Building Code Commission; 292 (b) require that the fire department or equivalent fire service provider under contract 293 with, or delegated by, the eligible entity on unincorporated land meet minimum standards for wildland fire training, certification, and suppression equipment based upon nationally accepted 294 295 standards as specified by the division; 296 (c) invest in prevention, preparedness, and mitigation efforts, as agreed to with the 297 division, that will reduce the eligible entity's risk of catastrophic wildfire; 298 (d) (i) file with the division an annual accounting of wildfire prevention, preparedness, 299 mitigation actions, and associated costs; (ii) meet the eligibility entity's participation commitment by making direct payments to 300 301 the division; or 302 (iii) do a combination of Subsections (4)(d)(i) and (ii); 303 (e) return the financial statement described in Subsection (6), signed by the chief 304 executive of the eligible entity, to the division on or before the date set by the division; and 305 (f) if the eligible entity is a county, have a designated fire warden as described in 306 Section 65A-8-209.1.

307	(5) (a) The state forester may execute a cooperative agreement with the eligible entity.
308	(b) The division shall make rules, in accordance with Title 63G, Chapter 3, Utah
309	Administrative Rulemaking Act, governing the:
310	(i) cooperative agreements described in this section;
311	(ii) manner in which an eligible entity shall provide proof of compliance with
312	Subsection (4);
313	(iii) manner by which the division may revoke a cooperative agreement if an eligible
314	entity ceases to meet the requirements described in this section;
315	(iv) accounting system for determining suppression costs;
316	(v) manner in which the division shall determine the eligible entity's participation
317	commitment; and
318	(vi) manner in which an eligible entity may appeal a division determination.
319	(6) (a) The division shall send a financial statement to each eligible entity participating
320	in a cooperative agreement that details the eligible entity's participation commitment for the
321	coming fiscal year, including the prevention, preparedness, and mitigation actions agreed to
322	under Subsection (4)(c).
323	(b) Each eligible entity participating in a cooperative agreement shall:
324	(i) have the chief executive of the eligible entity sign the financial statement, or the
325	legislative body of the eligible entity approve the financial statement by resolution, confirming
326	the eligible entity's participation for the upcoming year; and
327	(ii) return the financial statement to the division, on or before a date set by the division.
328	(c) A financial statement shall be effective for one calendar year, beginning on the date
329	set by the division, as described in Subsection (6)(b).
330	(7) (a) An eligible entity may revoke a cooperative agreement before the end of the
331	cooperative agreement's term by:
332	(i) informing the division, in writing, of the eligible entity's intention to revoke the
333	cooperative agreement; or
334	(ii) failing to sign and return its annual financial statement, as described in Subsection
335	(6)(b), unless the director grants an extension.
336	(b) An eligible entity may not revoke a cooperative agreement before the end of the
337	term of a signed annual financial statement, as described in Subsection (6)(c).

338	(8) (a) The division shall develop and maintain a wildfire risk assessment mapping tool
339	that is online and publicly accessible.
340	(b) (i) The division shall analyze adding an additional high-risk category within the
341	wildfire risk assessment mapping tool described in Subsection (8)(a):
342	(A) using a scientific assessment; and
343	(B) that is focused on the risk to dwellings within the wildland-urban interface area.
344	(ii) The division shall report the results of the division's analysis under this Subsection
345	(8)(b) to the Natural Resources, Agriculture, and Environment Interim Committee by no later
346	than the 2024 November interim meeting of that committee.
347	(c) With regard to the categories used within the wildfire risk assessment mapping tool
348	described in Subsection (8)(a), the division may adjust the assessment for participation
349	commitments if the adjustment is based on the Consumer Price Index for All Urban Consumers
350	as published by the Bureau of Labor Statistics of the United States Department of Labor, in
351	accordance with a formula established by the division by rule made in accordance with Title
352	63G, Chapter 3, Utah Administrative Rulemaking Act.
353	[(9) By no later than the 2021 November interim meeting of the Natural Resources,
354	Agriculture, and Environment Interim Committee, the division shall report on the eligible
355	entities' adherence to and implementation of their participation commitment under this
356	chapter.]
357	Section 5. Section 65A-8-203.2 is amended to read:
358	65A-8-203.2. Billing a county or municipality not covered by a cooperative
359	agreement Calculating cost of wildfire suppression.
360	(1) The division shall bill a county that is not covered by a cooperative agreement with
361	the division, as described in Section 65A-8-203, for the cost of wildfire suppression within the
362	jurisdiction of that county accrued by the state.
363	(2) The division shall bill a municipality that is not covered by a cooperative agreement
364	with the division, as described in Section 65A-8-203, for the cost of wildfire suppression
365	within the jurisdiction of that municipality accrued by the state.
366	(3) The cost of wildfire suppression to a county or municipality that is not covered by a
367	cooperative agreement with the division, as described in Section 65A-8-203, shall be calculated
368	by determining the number of acres burned within the borders of a county or municipality,

369	dividing that number by the total number of <u>nonfederal</u> acres burned by a wildfire, and
370	multiplying the resulting percentage by the state's total cost of wildfire suppression for that
371	wildfire.
372	(4) A county or municipality that receives a bill from the division, pursuant to this
373	section, shall pay the bill, or make arrangements to pay the bill, within 90 days of receipt of the
374	bill, subject to the county or municipality's right to appeal, as described in Subsection
375	65A-8-203(5)(b)(vi).
376	Section 6. Section 65A-8-204 is amended to read:
377	65A-8-204. Wildland Fire Suppression Fund created.
378	(1) There is created an expendable special revenue fund known as the "Wildland Fire
379	Suppression Fund."
380	(2) The Wildland Fire Suppression Fund shall be administered by the division to pay
381	wildfire suppression costs on eligible lands, [as wildfire suppression costs are defined by the
382	division by rule made in accordance with Title 63G, Chapter 3, Utah Administrative
383	Rulemaking Act,] including for an eligible entity that has entered into a cooperative agreement,
384	as described in Section 65A-8-203.
385	(3) Subject to Section 65A-8-213, the contents of the Wildland Fire Suppression Fund
386	shall include:
387	(a) interest and earnings from the investment of fund money;
388	(b) money appropriated by the Legislature;
389	(c) federal funds received by the division for wildfire management costs;
390	(d) suppression costs billed to an eligible entity that does not participate in a
391	cooperative agreement;
392	(e) suppression costs paid to the division by another state agency;
393	(f) costs recovered from settlements and civil or administrative actions related to
394	wildfire suppression;
395	(g) restitution payments ordered by a court following a criminal adjudication;
396	(h) the balance of the fund as of July 1, 2016;
397	(i) money deposited by the Division of Finance, pursuant to Section 59-21-2; and
398	(j) money transferred by the Division of Finance, pursuant to Section 63J-1-314.
399	(4) Fund money shall be invested by the state treasurer with the earnings and interest

400	accruing to the Wildland Fire Suppression Fund.
401	(5) The division shall define "wildfire suppression costs" by rule made in accordance
402	with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, which shall include:
403	(a) pre-fire treatment; and
404	(b) post-fire restoration.
405	Section 7. Section 65A-8-215 is amended to read:
406	65A-8-215. Wildland-urban interface fire prevention, preparedness, and
407	mitigation.
408	(1) As used in this section:
409	(a) "Prevention, preparedness, and mitigation fund" means the Wildland-urban
410	Interface Prevention, Preparedness, and Mitigation Fund created in this section.
411	(b) "Suppression fund" means the Wildland Fire Suppression Fund created in Section
412	65A-8-204.
413	(c) "Wildland-urban interface" means the zone where structures and other human
414	development meets, or intermingles with, undeveloped wildland.
415	(2) (a) There is created an expendable special revenue fund known as the
416	"Wildland-urban Interface Prevention, Preparedness, and Mitigation Fund."
417	(b) The prevention, preparedness, and mitigation fund shall consist of:
418	(i) interest and earnings from the investment of money from the prevention,
419	preparedness, and mitigation fund;
420	(ii) money received as direct payment from cooperative wildfire system participation
421	commitments;
422	[(iii)] (iii) money appropriated by the Legislature; and
423	[(iii)] (iv) money transferred to the prevention, preparedness, and mitigation fund
424	under Section 63J-1-314.
425	(c) The division shall administer the prevention, preparedness, and mitigation fund to:
426	(i) pay costs of prevention and preparedness efforts on wildland-urban interface within
427	the state, as defined by the division by rule made in accordance with Title 63G, Chapter 3, Utah
428	Administrative Rulemaking Act, including costs of an eligible entity that has entered into a
429	cooperative agreement, as described in Section 65A-8-203;
430	(ii) issue fire department assistance grants, which in the aggregate may not exceed 10%

431	of the money in the prevention, preparedness, and mitigation fund each fiscal year; and
432	(iii) in cases of catastrophic need as determined by the state forester, pay costs that
433	could be paid from the suppression fund under Section 65A-8-204.
434	(d) Disbursements from the prevention, preparedness, and mitigation fund may only be
435	made upon written order of the state forester or the state forester's authorized representative.
436	(3) (a) The division may by rule, made in accordance with Title 63G, Chapter 3, Utah
437	Administrative Rulemaking Act, establish criteria for community wildfire preparedness plans
438	addressing wildland-urban interface. The criteria shall require action that is:
439	(i) qualitative and quantitative; and
440	(ii) leads to reduced wildfire risk.
441	(b) An eligible entity, as defined in Section 65A-8-203, shall agree to implement
442	prevention, preparedness, and mitigation actions identified in a community wildfire
443	preparedness plan addressing wildland-urban interface that is approved by the division.
444	Section 8. Effective date.
445	This bill takes effect on May 1, 2024.