

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27

**PUBLIC LANDS FUNDING AMENDMENTS**  
2024 THIRD SPECIAL SESSION  
STATE OF UTAH  
**Chief Sponsor: Walt Brooks**  
Senate Sponsor: Jerry W. Stevenson

---

---

**LONG TITLE**

**General Description:**

This bill modifies provisions related to public lands funding.

**Highlighted Provisions:**

This bill:

- renames the Public Lands Litigation Restricted Account as the Federal Overreach Restricted Account (account);
- allows for account funds to be used for educating the public on federalism issues;
- requires entities that receive account funds to report to the Executive Appropriations Committee; and
- makes technical changes.

**Money Appropriated in this Bill:**

This bill appropriates in fiscal year 2024:

- to General Fund Restricted - Federal Overreach Restricted Account as a one-time appropriation:
  - from Nonlapsing Balances - Department of Government Operations - Finance - Mandated - Public Lands Litigation Program, One-time, \$3,000,000
  - from Nonlapsing Balances - Attorney General - Contract Attorneys, One-time, \$3,700,000

This bill appropriates in fiscal year 2025:

- to Legislature - Legislative Services - Pass Through as an ongoing appropriation:
  - from the General Fund, (\$157,500)
- to Department of Natural Resources - Administration - Executive Director as a one-time appropriation:
  - from the General Fund Restricted - Federal Overreach Restricted Account, One-time, \$2,142,000

- 28       ▶ to General Fund Restricted - Federal Overreach Restricted Account as a one-time
- 29       appropriation:
- 30       • from Nonlapsing Balances - Legislature - Legislative Services - Pass Through, One-time,
- 31       \$490,000
- 32       • from Nonlapsing Balances - Department of Natural Resources - Public Lands Policy
- 33       Coordinating Office, One-time, \$2,900,000
- 34       ▶ to Department of Natural Resources - Public Lands Policy Coordinating Office - Public Lands
- 35       Policy Coordinating Office as a one-time appropriation:
- 36       • from the General Fund Restricted - Federal Overreach Restricted Account, One-time,
- 37       \$1,500,000
- 38       ▶ to Attorney General - Contract Attorneys - Contract Attorneys as a one-time appropriation:
- 39       • from the General Fund Restricted - Federal Overreach Restricted Account, One-time,
- 40       \$1,675,000

41 **Other Special Clauses:**

42       This bill provides a special effective date.

43 **Utah Code Sections Affected:**

44 AMENDS:

45       **63C-4a-404**, as renumbered and amended by Laws of Utah 2019, Chapter 246



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

48       Section 1. Section **63C-4a-404** is amended to read:

49       **63C-4a-404 . Creation of Federal Overreach Restricted Account -- Sources of**  
 50 **funds -- Uses of funds -- Reports.**

- 51 (1) There is created a restricted account within the General Fund known as the [~~Public~~
- 52 ~~Lands Litigation~~] Federal Overreach Restricted Account.
- 53 (2) The account created in Subsection (1) consists of money from the following revenue
- 54 sources:
- 55 (a) [~~money received by the commission from other state agencies~~] voluntary contributions;
- 56       and
- 57 (b) appropriations made by the Legislature.
- 58 (3) The Legislature may annually appropriate money from the account for the purposes of:
- 59 (a) asserting, defending, or litigating state and local government rights to the disposition
- 60 and use of federal lands within the state as those rights are granted by the United
- 61 States Constitution, the Utah Enabling Act, and other applicable law; or

62 (b) educating the general public in matters relating to federalism or state sovereignty.

63 (4)~~(a)~~ Any entity that receives money from the account shall, before disbursing the  
 64 money to another person for the purposes described in Subsection (3), or before  
 65 spending the money appropriated, report to the ~~[commission]~~ Executive  
 66 Appropriations Committee regarding:

67 ~~[(i)]~~ (a) the amount of the disbursement;

68 ~~[(ii)]~~ (b) who will receive the disbursement; and

69 ~~[(iii)]~~ (c) the planned use for the disbursement.

70 ~~[(b) The commission may, upon receiving the report under Subsection (4)(a):]~~

71 ~~[(i) advise the Legislature and the entity of the commission finding that the~~  
 72 ~~disbursement is consistent with the purposes in Subsection (3); or]~~

73 ~~[(ii) advise the Legislature and the entity of the commission finding that the~~  
 74 ~~disbursement is not consistent with the purposes in Subsection (3).]~~

75 **Section 2. FY 2024 Appropriation.**

76 The following sums of money are appropriated for the fiscal year beginning July 1,  
 77 2023, and ending June 30, 2024. These are additions to amounts previously  
 78 appropriated for fiscal year 2024.

79 Subsection 2(a) **Restricted Fund and Account Transfers**

80 The Legislature authorizes the State Division of Finance to transfer the following  
 81 amounts between the following funds or accounts as indicated. Expenditures and  
 82 outlays from the funds to which the money is transferred must be authorized by an  
 83 appropriation.

84	ITEM 1 To General Fund Restricted - Federal Overreach Restricted Account	
85	From Nonlapsing Balances - Attorney General - Contract	
86	Attorneys	\$3,700,000
87	From Nonlapsing Balances - Department of Government	
88	Operations - Finance - Mandated - Public Lands Litigation Program	\$3,000,000
89	Schedule of Programs:	
90	General Fund Restricted - Federal Overreach	
91	Restricted Account	\$6,700,000

92 The Legislature intends that the Division of Finance transfer the amounts indicated  
 93 above to the newly renamed Federal Overreach Restricted Account during fiscal year  
 94 2024.

95 **Section 3. FY 2025 Appropriation.**

96 The following sums of money are appropriated for the fiscal year beginning July 1,  
 97 2024, and ending June 30, 2025. These are additions to amounts previously  
 98 appropriated for fiscal year 2025.

99 Subsection 3(a) **Operating and Capital Budgets**

100 Under the terms and conditions of Title 63J, Chapter 1, Budgetary Procedures Act,  
 101 the Legislature appropriates the following sums of money from the funds or accounts  
 102 indicated for the use and support of the government of the state of Utah.

103 ITEM 2 To Attorney General - Contract Attorneys  
 104 From General Fund Restricted - Federal Overreach  
 105 Restricted Account, One-time \$1,675,000

106 Schedule of Programs:  
 107 Contract Attorneys \$1,675,000

108 ITEM 3 To Department of Natural Resources - Administration  
 109 From General Fund Restricted - Federal Overreach  
 110 Restricted Account, One-time \$2,142,000

111 Schedule of Programs:  
 112 Executive Director \$2,142,000

113 The Legislature intends that the Division of Finance disburse the \$2,142,000  
 114 appropriated by this item in quarterly equal amounts, only after the Department of  
 115 Natural Resources reports to the Executive Appropriations Committee (EAC) on  
 116 their planned use of the funds and the EAC approves the disbursement. Use of these  
 117 funds is limited to costs associated with countering federal overreach on public lands  
 118 in Utah.

119 ITEM 4 To Department of Natural Resources - Public Lands Policy Coordinating Office  
 120 From General Fund Restricted - Federal Overreach  
 121 Restricted Account, One-time \$1,500,000

122 Schedule of Programs:  
 123 Public Lands Policy Coordinating Office \$1,500,000

124 ITEM 5 To Legislature - Legislative Services  
 125 From General Fund (\$157,500)  
 126 Schedule of Programs:

127 Pass Through (\$157,500)

128 Subsection 3(b)

129 The Legislature authorizes the State Division of Finance to transfer the following

130 amounts between the following funds or accounts as indicated. Expenditures and  
131 outlays from the funds to which the money is transferred must be authorized by an  
132 appropriation.

133	ITEM 6	To General Fund Restricted - Federal Overreach Restricted Account	
134		From Nonlapsing Balances - Department of Natural	
135		Resources - Public Lands Policy Coordinating Office	\$2,900,000
136		From Nonlapsing Balances - Legislature - Legislative	
137		Services - Pass Through	\$490,000
138		Schedule of Programs:	
139		General Fund Restricted - Federal Overreach	
140		Restricted Account	\$3,390,000

141 Section 4. **Effective date.**

- 142 (1) Except as provided in Subsection (2), if approved by two-thirds of all the members
- 143 elected to each house, this bill takes effect upon approval by the governor, or the day
- 144 following the constitutional time limit of Utah Constitution, Article VII, Section 8,
- 145 without the governor's signature, or in the case of a veto, the date of veto override.
- 146 (2) If this bill is not approved by two-thirds of all members elected to each house, this bill
- 147 takes effect on August 19, 2024.