

SOVEREIGN LANDS REVENUE AMENDMENTS

2022 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Timothy D. Hawkes

Senate Sponsor: _____

LONG TITLE

General Description:

This bill addresses issues related to revenues received by the state from activities on sovereign lands.

Highlighted Provisions:

This bill:

- ▶ modifies the Sovereign Lands Management Account statute, including changing what revenue is deposited into the account and changing uses of the money in the account;
- ▶ creates the Great Salt Lake Account, including defining terms, addressing what revenue is deposited into the account, and specifying uses of the money in the account; and
- ▶ makes technical changes.

Money Appropriated in this Bill:

None

Other Special Clauses:

This bill provides a special effective date.

Utah Code Sections Affected:

AMENDS:

65A-5-1, as last amended by Laws of Utah 2021, Chapter 97

65A-5-2, as last amended by Laws of Utah 2014, Chapter 313



28 ENACTS:

29 [65A-5-1.5](#), Utah Code Annotated 1953



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

32 Section 1. Section **65A-5-1** is amended to read:

33 **65A-5-1. Sovereign Lands Management Account.**

34 (1) There is created within the General Fund a restricted account known as the
35 "Sovereign Lands Management Account."

36 (2) The ~~[account]~~ Sovereign Lands Management Account shall consist of the
37 following:

38 (a) the revenues derived from sovereign lands, except for revenues deposited into the
39 Great Salt Lake Account under Section [65A-5-1.5](#);

40 (b) that portion of the revenues derived from mineral leases on other lands managed by
41 the division necessary to recover management costs;

42 (c) ~~[any]~~ fees deposited by the division; and

43 (d) amounts deposited into the account in accordance with Section [59-23-4](#).

44 (3) (a) The expenditures of the division relating directly to the management of ~~[state]~~
45 sovereign lands shall be funded by appropriation by the Legislature from the Sovereign Lands
46 Management Account or other sources.

47 (b) Money in the Sovereign Lands Management Account may be used only for the
48 direct benefit of sovereign lands, including the management of sovereign lands.

49 (c) In appropriating money from the Sovereign Lands Management Account, the
50 Legislature shall prefer appropriations that benefit the sovereign land from which the money is
51 derived unless compelling circumstances require that money be appropriated for sovereign land
52 other than the sovereign land from which the money is derived.

53 ~~[(4) The Legislature may appropriate money in the account to reimburse one or more~~
54 ~~state government entities for money spent on the operation of national parks, national~~
55 ~~monuments, national forests, and national recreation areas in the state during a fiscal~~
56 ~~emergency, as defined in Section [79-4-1102](#).]~~

57 ~~[(5)]~~ (4) The division shall use the amount deposited into the account under Subsection
58 (2)(d) for the Great Salt Lake as described in Section [65A-10-8](#) as directed by the Great Salt

59 Lake Advisory Council created in Section ~~73-30-201~~.

60 ~~[(6) After the expenditures under Subsections (3) through (5), the division shall use~~
 61 ~~money appropriated from the Sovereign Lands Management Account to provide for salary~~
 62 ~~increases to state personnel employed by the division to perform wildland fire management~~
 63 ~~with the division prioritizing salary increases for county fire wardens and assistant wardens.]~~

64 Section 2. Section **65A-5-1.5** is enacted to read:

65 **65A-5-1.5. Great Salt Lake Account.**

66 (1) As used in this section:

67 (a) "Account" means the Great Salt Lake Account created in this section.

68 (b) "Mining" means the process of producing, extracting, leaching, evaporating, or
 69 otherwise removing a mineral from a natural deposit of the mineral.

70 (2) (a) There is created within the General Fund a restricted account known as the
 71 "Great Salt Lake Account" consisting of:

72 (i) revenues deposited into the account under Subsection (3);

73 (ii) appropriations from the Legislature; and

74 (iii) interest and other earnings described in Subsection (2)(b).

75 (b) The Office of the Treasurer shall deposit interest and other earnings derived from
 76 investment of money in the account into the account.

77 (3) The division shall deposit into the account the royalty income received by the state
 78 from mining that occurs on or after July 1, 2022, of a mineral from the sovereign lands of the
 79 Great Salt Lake if during the fiscal year beginning July 1, 2020, the state did not receive royalty
 80 income from the mining of that same mineral from the sovereign lands of the Great Salt Lake.

81 (4) Upon appropriation by the Legislature, money in the account may be used to
 82 manage the water levels of the Great Salt Lake.

83 Section 3. Section **65A-5-2** is amended to read:

84 **65A-5-2. Deposit and allocation of money received.**

85 (1) (a) ~~[Subject to Subsection (3), the]~~ The division shall pay to the state treasurer ~~[all]~~
 86 money received, accompanied by a statement showing the respective sources of ~~[this]~~ the
 87 money.

88 (b) Each source shall be classified as to sales, rentals, royalties, interest, fees, penalties,
 89 and forfeitures.

90 (2) (a) ~~[All money]~~ Money received by the division as a first or down payment on
91 ~~[applications]~~ an application to purchase, permit, or lease state lands or minerals shall be paid
92 to the state treasurer and held in suspense pending final action on ~~[those applications]~~ the
93 application.

94 (b) After final action ~~[these payments]~~ a payment described in Subsection (2)(a) shall
95 either be credited to the appropriate fund or account, or refunded to the applicant in accordance
96 with the action taken.

97 ~~[(3) The division shall provide a separate accounting for all fees received under~~
98 ~~Subsection 65A-5-1(4).]~~

99 Section 4. **Effective date.**

100 This bill takes effect on July 1, 2022.