

UTAH LAKE MODIFICATIONS

2024 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Michael K. McKell

House Sponsor: Brady Brammer

LONG TITLE

General Description:

This bill addresses Utah Lake.

Highlighted Provisions:

This bill:

- ▶ repeals the Utah Lake Restoration Act;
- ▶ repeals the provisions related to the Utah Lake Diking Project; and
- ▶ makes technical and conforming changes.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

11-65-206, as last amended by Laws of Utah 2023, Chapter 34

REPEALS:

65A-15-101, as enacted by Laws of Utah 2018, Chapter 381

65A-15-102, as enacted by Laws of Utah 2018, Chapter 381

65A-15-103, as enacted by Laws of Utah 2018, Chapter 381

65A-15-201, as last amended by Laws of Utah 2022, Chapter 60

65A-15-202, as enacted by Laws of Utah 2018, Chapter 381



- 28 [73-12-1](#), as Utah Code Annotated 1953
- 29 [73-12-2](#), as Utah Code Annotated 1953
- 30 [73-12-3](#), as Utah Code Annotated 1953
- 31 [73-12-4](#), as Utah Code Annotated 1953



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

34 Section 1. Section **11-65-206** is amended to read:

35 **11-65-206. Applicability of other law -- Cooperation of state and local**
 36 **governments -- Authority of other agencies not affected -- Attorney general to provide**
 37 **legal services.**

38 (1) The lake authority is subject to and governed by Sections [63E-2-106](#), [63E-2-107](#),
 39 [63E-2-108](#), [63E-2-109](#), [63E-2-110](#), and [63E-2-111](#), but is not otherwise subject to or governed
 40 by Title 63E, Independent Entities Code.

41 (2) A department, division, or other agency of the state and a political subdivision of
 42 the state is encouraged, upon the board's request, to cooperate with the lake authority to provide
 43 the support, information, or other assistance reasonably necessary to help the lake authority
 44 fulfill the lake authority's duties and responsibilities under this chapter.

45 (3) Nothing in this chapter may be construed to affect or impair:

46 (a) the authority of the Department of Environmental Quality, created in Section
 47 [19-1-104](#), to regulate under Title 19, Environmental Quality Code, consistent with the purposes
 48 of this chapter; or

49 (b) the authority of the Division of Wildlife Resources, created in Section [23A-2-201](#),
 50 to regulate under Title 23A, Wildlife Resources Act, consistent with the purposes of this
 51 chapter.

52 (4) In accordance with Utah Constitution, Article XVII, Section 1, nothing in this
 53 chapter may be construed to override, supersede, interfere with, or modify:

- 54 (a) any water right in the state;
- 55 (b) the operation of a water facility or project; or
- 56 (c) the role or authority of the state engineer.

57 (5) (a) Except as otherwise explicitly provided, nothing in this chapter may be
 58 construed to authorize the lake authority to interfere with or take the place of another

59 governmental entity in that entity's process of considering an application or request for a
60 license, permit, or other regulatory or governmental permission for an action relating to water
61 of Utah Lake or land within the lake authority boundary.

62 (b) The lake authority shall respect and, if applicable and within the lake authority's
63 powers, implement a license, permit, or other regulatory or governmental permission described
64 in Subsection (5)(a).

65 [~~(6) Nothing in this chapter may be construed to allow the authority to:~~]

66 [~~(a) consider an application for the disposal of land within the lake authority boundary
67 under Title 65A, Chapter 15, Utah Lake Restoration Act; or]~~

68 [~~(b) issue bonding or other financing for a project under Title 65A, Chapter 15, Utah
69 Lake Restoration Act.]~~

70 [~~(7)~~] (6) The attorney general shall provide legal services to the board.

71 Section 2. **Repealer.**

72 This bill repeals:

73 Section **65A-15-101, Title.**

74 Section **65A-15-102, Definitions.**

75 Section **65A-15-103, Legislative findings.**

76 Section **65A-15-201, Division recommendation on disposal of state land in
77 exchange for Utah Lake restoration project -- Approval of Legislature and governor
78 required -- Criteria -- Division recommendations for defining and meeting objectives.**

79 Section **65A-15-202, Status of state lands after a change in ownership.**

80 Section **73-12-1, Governor authorized to convey to the United States lands or
81 interests in said lands in bed of or on margin of Utah Lake.**

82 Section **73-12-2, Manner of executing and attesting deeds.**

83 Section **73-12-3, Description of land.**

84 Section **73-12-4, Purposes for which land is to be used.**

85 Section 3. **Effective date.**

86 This bill takes effect on May 1, 2024.