

1 **ENERGY AMENDMENTS**

2 2017 GENERAL SESSION

3 STATE OF UTAH

4 **Chief Sponsor: David P. Hinkins**

5 House Sponsor: Ken Ivory

---

---

7 **LONG TITLE**

8 **General Description:**

9 This bill amends a provision related to the governor's Office of Energy Development.

10 **Highlighted Provisions:**

11 This bill:

12 ▶ gives the governor's Office of Energy Development the authority to charge  
13 application, filing, and processing fees under certain circumstances.

14 **Money Appropriated in this Bill:**

15 None

16 **Other Special Clauses:**

17 None

18 **Utah Code Sections Affected:**

19 AMENDS:

20 **63M-4-401**, as last amended by Laws of Utah 2015, Chapters 356 and 378

---

---

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

23 Section 1. Section **63M-4-401** is amended to read:

24 **63M-4-401. Office of Energy Development -- Creation -- Director -- Purpose --**

25 **Rulemaking regarding confidential information -- Fees.**

26 (1) There is created an Office of Energy Development.

27 (2) (a) The governor's energy advisor shall serve as the director of the office or appoint  
28 a director of the office.

29 (b) The director:

30 (i) shall, if the governor's energy advisor appoints a director under Subsection (2)(a),  
31 report to the governor's energy advisor; and

32 (ii) may appoint staff as funding within existing budgets allows.

33 (c) The office may consolidate energy staff and functions existing in the state energy  
34 program.

35 (3) The purposes of the office are to:

36 (a) serve as the primary resource for advancing energy and mineral development in the  
37 state;

38 (b) implement:

39 (i) the state energy policy under Section [63M-4-301](#); and

40 (ii) the governor's energy and mineral development goals and objectives;

41 (c) advance energy education, outreach, and research, including the creation of  
42 elementary, higher education, and technical college energy education programs;

43 (d) promote energy and mineral development workforce initiatives; and

44 (e) support collaborative research initiatives targeted at Utah-specific energy and  
45 mineral development.

46 (4) By following the procedures and requirements of Title 63J, Chapter 5, Federal  
47 Funds Procedures Act, the office may:

48 (a) seek federal grants or loans;

49 (b) seek to participate in federal programs; and

50 (c) in accordance with applicable federal program guidelines, administer federally  
51 funded state energy programs.

52 (5) The office shall perform the duties required by Sections [59-7-614.7](#), [59-10-1029](#),  
53 Part 5, Alternative Energy Development Tax Credit Act, and Part 6, High Cost Infrastructure  
54 Development Tax Credit Act.

55 (6) (a) For purposes of administering this section, the office may make rules, by  
56 following the procedures and requirements of Title 63G, Chapter 3, Utah Administrative  
57 Rulemaking Act, to maintain as confidential, and not as a public record, information that the

58 office receives from any source.

59 (b) The office shall maintain information the office receives from any source at the  
60 level of confidentiality assigned by the source.

61 (7) The office may charge application, filing, and processing fees in amounts  
62 determined by the office in accordance with Section [63J-1-504](#) as dedicated credits for  
63 performing office duties described in this part.