

1 **WILDFIRE PREPAREDNESS AMENDMENTS**

2 2019 GENERAL SESSION

3 STATE OF UTAH

4 **Chief Sponsor: Derrin R. Owens**

5 Senate Sponsor: Ralph Okerlund

7 **LONG TITLE**

8 **General Description:**

9 This bill establishes the Wildland Fire Preparedness Grants Fund.

10 **Highlighted Provisions:**

11 This bill:

- 12 ▶ creates the Wildland Fire Preparedness Grants Fund, including sources of money;
- 13 ▶ directs the state forester to make one or more grants to fire departments or volunteer
14 fire departments to assist in the suppression of wildland fire;
- 15 ▶ requires the Division of Forestry, Fire, and State Lands to make rules establishing
16 criteria for receiving a grant from the Wildland Fire Preparedness Grants Fund; and
- 17 ▶ makes technical and conforming amendments.

18 **Money Appropriated in this Bill:**

19 None

20 **Other Special Clauses:**

21 None

22 **Utah Code Sections Affected:**

23 AMENDS:

24 **65A-8-204**, as last amended by Laws of Utah 2017, Chapter 210

25 ENACTS:

26 **65A-8-213**, Utah Code Annotated 1953

27
28 *Be it enacted by the Legislature of the state of Utah:*

29 Section 1. Section **65A-8-213** is enacted to read:

30 **65A-8-213. Creation of the Wildland Fire Preparedness Grants Fund -- Awarding**
31 **of grants -- Rulemaking.**

32 (1) (a) There is created an expendable special revenue fund known as the "Wildland
33 Fire Preparedness Grants Fund."

34 (b) The Wildland Fire Preparedness Grants Fund shall consist of:

35 (i) voluntary contributions received;

36 (ii) appropriations the Legislature makes to the Wildland Fire Preparedness Grants
37 Fund;

38 (iii) 10% of the costs recovered annually related to wildfire suppression described in
39 Subsections [65A-8-204\(3\)\(g\)](#) and (h); and

40 (iv) interest or other earnings accrued in accordance with Subsection (1)(c)(ii).

41 (c) The state treasurer shall:

42 (i) invest the money in the Wildland Fire Preparedness Grants Fund described in
43 Subsection (1)(a) following the procedures and requirements of Title 51, Chapter 7, State
44 Money Management Act; and

45 (ii) deposit all interest or other earnings derived from each investment described in
46 Subsection (1)(c)(i) into the Wildland Fire Preparedness Grants Fund.

47 (2) (a) The state forester shall make one or more grants from the Wildland Fire
48 Preparedness Grants Fund to one or more local fire departments or volunteer fire departments
49 to assist in building capacity for the suppression of wildland fire.

50 (b) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the
51 division shall make rules establishing criteria for receiving a grant under this section.

52 Section 2. Section **65A-8-204** is amended to read:

53 **65A-8-204. Wildland Fire Suppression Fund created.**

54 (1) There is created an expendable special revenue fund known as the "Wildland Fire
55 Suppression Fund."

56 (2) The fund shall be administered by the division to pay wildfire suppression costs on
57 eligible lands, including for an eligible entity that has entered into a cooperative agreement, as
58 described in Section [65A-8-203](#).

59 (3) [~~The~~] Subject to Section [65A-8-213](#), the contents of the fund shall include:

- 60 (a) interest and earnings from the investment of fund money;
- 61 (b) money appropriated by the Legislature;
- 62 (c) costs recovered from successful investigations;
- 63 (d) federal funds received by the division for wildfire management costs;
- 64 (e) suppression costs billed to an eligible entity that does not participate in a
65 cooperative agreement;
- 66 (f) suppression costs paid to the division by another state agency;
- 67 (g) costs recovered from settlements and civil actions related to wildfire suppression;
- 68 (h) restitution payments ordered by a court following a criminal adjudication;
- 69 (i) the balance of the fund as of July 1, 2016;
- 70 (j) money deposited by the Division of Finance, pursuant to Section [59-21-2](#); and
- 71 (k) money transferred by the Division of Finance, pursuant to Section [63J-1-314](#).

72 (4) Fund money shall be invested by the state treasurer with the earnings and interest
73 accruing to the fund.