

**Representative Keven J. Stratton** proposes the following substitute bill:

**LEGISLATIVE APPROVAL OF LAND TRANSFERS**

2015 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Keven J. Stratton**

Senate Sponsor: \_\_\_\_\_

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**LONG TITLE**

**General Description:**

This bill describes the procedure for selling or exchanging governmentally controlled land.

**Highlighted Provisions:**

This bill:

- ▶ defines terms;
- ▶ requires the governor or a governmental entity to submit a proposal to sell or exchange 500 acres or more of governmentally controlled land for legislative approval;
- ▶ requires the governor or a governmental entity to notify the Legislative Management Committee of any proposal to sell or exchange less than 500 acres of governmentally controlled land to the federal government; and
- ▶ requires the governor or a governmental entity that enters into a discussion with a federal agent that may result in certain actions to provide written notice to the Legislature.

**Money Appropriated in this Bill:**

None

**Other Special Clauses:**



26 None

27 **Utah Code Sections Affected:**

28 AMENDS:

29 **63L-2-201**, as last amended by Laws of Utah 2014, Chapters 157 and 328



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

32 Section 1. Section **63L-2-201** is amended to read:

33 **63L-2-201. Federal government acquisition of real property in the state.**

34 (1) As used in this chapter:

35 [~~(a) "Agency" is defined in Section **63G-10-102**.]~~

36 [~~(b) "Agency" includes:~~

37 [~~(i) the School and Institutional Trust Lands Administration created in Section~~  
38 ~~**53C-1-201**; and]~~

39 [~~(ii) the School and Institutional Trust Lands Board of Trustees created in Section~~  
40 ~~**53C-1-202**.]~~

41 (a) "Governmental entity" means:

42 (i) an agency, as that term is defined in Subsection **63G-10-102(2)**;

43 (ii) the School and Institutional Trust Lands Administration created in Section  
44 **53C-1-201**; ~~↔~~ or ~~↔~~

45 (iii) the School and Institutional Trust Lands Board of Trustees created in Section  
46 **53C-1-202** ~~↔~~ [~~or~~].

47 [~~(iv) a political subdivision of the state, including a:~~

48 ~~(A) county;~~

49 ~~(B) city;~~

50 ~~(C) town;~~

51 ~~(D) school district;~~

52 ~~(E) local district; or~~

53 ~~(F) special service district.] ~~↔~~~~

54 (b) "Governmentally controlled land" means land owned or managed by a  
55 governmental entity.

56 (2) (a) Before legally binding the state by executing an agreement to sell or transfer to

57 the United States government [~~10,000~~] 500 or more acres of [~~any state lands~~] governmentally  
58 controlled land or school and institutional trust lands, [~~an agency~~] the governor or a  
59 governmental entity shall submit the agreement or proposal:

60 (i) to the Legislature for its approval or rejection; or

61 (ii) in the interim, to the Legislative Management Committee for review of the  
62 agreement or proposal.

63 (b) The Legislative Management Committee may:

64 (i) recommend that the [~~agency~~] governor or the governmental entity execute the  
65 agreement or proposal;

66 (ii) recommend that the [~~agency~~] governor or the governmental entity reject the  
67 agreement or proposal; or

68 (iii) recommend to the governor that the governor call a special session of the  
69 Legislature to review and approve or reject the agreement or proposal.

70 (3) Before legally binding the state by executing an agreement to sell or transfer to the  
71 United States government less than [~~10,000~~] 500 acres of any [~~state lands~~] governmentally  
72 controlled land or school and institutional trust lands, [~~an agency~~] the governor or a  
73 governmental entity shall notify the Natural Resources, Agriculture, and Environment Interim  
74 Committee.

75 (4) Notwithstanding Subsections (2) and (3), the Legislature approves all conveyances  
76 of school trust lands to the United States government made for the purpose of completing the  
77 Red Cliffs National Conservation Area in Washington County.

78 (5) The governor or a governmental entity shall give written notice to the Legislative  
79 Management Committee as soon as the governor or the governmental entity enters into a  
80 discussion with a federal agent or entity that may result in:

81 (a) the sale, exchange, or transfer of governmentally controlled land or school and  
82 institutional trust lands to the federal government;

83 (b) designation of governmentally controlled land or school and institutional trust lands  
84 as a federal park, monument, or wilderness area; or

85 (c) a significant change to a management policy affecting a tract of governmentally  
86 controlled land or school and institutional trust land.