



# Legislative Update

June 24, 2023

## Interim Update

Last week, the Utah Legislature held its June Interim meetings and convened its Second Special Session. On June 12, the Utah Farm Bureau testified before the Federalism Commission regarding small farms and what farmers and ranchers are doing to increase sustainability. The Utah Department of Agriculture and Food (UDAF) also testified and highlighted the programs they offer to ensure that small farms remain economically viable. Additionally, at the meeting, Redge Johnson, director of the Utah Public Lands Policy Coordinating Office discussed the possibility of a new national monument on the Arizona Strip, the Southern Monroe Mountain Grazing Final Environmental Impact Statement and Draft Record of Decision, and the Bureau of Land Management's proposed Conservation and Landscape Health rule. The commission also discussed regenerative agriculture and heard from Sheldon Kensel, president of Win/Win CO2 Solutions Alliance. You can view a recording of the meeting by clicking [here](#).

On June 14, the Natural Resources, Agriculture, and Environment Interim Committee met. Agenda items included a presentation by UDAF regarding its Predator Control Program and a discussion of the Agricultural and Wildlife Damage Prevention Board. Additionally, the committee discussed the recent Utah Supreme Court decision on streambed access. On May 18, 2023, the Utah Supreme Court ruled in favor of the privately owned Victory Ranch, located on the Provo River, and against the Utah Stream Access Coalition. Through this ruling, the Utah Supreme Court definitively settled a longstanding dispute regarding public access to riverbeds by determining that there is no constitutional protection for the public's right to touch privately owned streambeds underlying state waters. The court also stated in the ruling that the policy considerations that the Utah Stream Access Coalition is advancing are better directed to the legislature. This decision was a major victory for private property rights. You can read the Utah Supreme Court's opinion back clicking [here](#). You can watch a recording of the meeting by clicking [here](#).

The Special Session on June 14 was prompted by the resignation of U.S. Representative Chris Stewart (R-UT-2). On June 6, 2023, Representative Stewart submitted a letter of resignation to the governor stating that his final day in the House of Representatives will be September 15, 2023. On June 7, Governor Spencer Cox issued a proclamation calling the Legislature into Special Session to consider amending Utah election law, and issued a [Writ of Election, Proclamation, and Notice of Election](#), which calls for and gives notice of a primary special congressional election and a general special congressional election.

During the Special Session, the Legislature considered and approved [H.B. 2001, Election Amendments](#). [Utah Code § 20A-1-502.5](#) provides that once a U.S. representative submits an irrevocable letter of resignation, the governor shall issue a proclamation calling a special congressional election and include a date for a primary special congressional election and for a general special congressional election. If the governor selects dates that are different than the dates specified in [Utah Code § 20A-1-502.5\(1\)\(a\)](#), the governor is required to call a special session for the Legislature to appropriate money to hold the special elections.

Given existing restraints, including technological constraints, it was not possible for election officers to conduct municipal and special congressional elections during overlapping time periods, unless the election dates completely coincided. Therefore, to hold the special congressional election as quickly as possible, H.B. 2001 changed the 2023 municipal election dates for primary and general elections to coincide with the primary and general election dates for the special congressional election. Specifically, H.B. 2001 modified certain municipal election provisions, including:

- Changing the date of the municipal primary election from August 15, 2023, to September 5, 2023, and the municipal general election from November 7, 2023, to November 21, 2023;
- Requiring that the counties, rather than the municipalities, conduct the municipal elections; and
- Changing the canvassing and other deadlines related to the municipal elections.

If these changes had not been made, the earliest the special congressional primary election could have occurred was November 7, 2023 (normal municipal general election date), and the special congressional general election would have occurred on March 5, 2024 (date of Utah's upcoming presidential primary election). H.B. 2001 also modified deadlines for changing party affiliation status in relation to the special congressional election primary election date and provided \$2,500,000 in one-time appropriations to fund the special congressional primary and general elections.

The next dates for Interim Session are August 8-9. You can view the upcoming schedule by visiting [le.utah.gov](http://le.utah.gov).

As always, we encourage you to actively send our policy team questions or comments on topics of concern. We also encourage you to read through the [2023 Utah Farm Bureau Policy Book](#) which can also be found under the policy section of our website.

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