



# Legislative Update

January 23, 2024

The 2024 Utah Legislature General Session started last Tuesday, and we are off to a fast start. Nearly 500 bills are already introduced, and many more are under development. Bills that our policy team feel touch agriculture or anything found in the [2024 Utah Farm Bureau Policy Book](#) are included on the bill watchlist on our website. You can find the watchlist by clicking [here](#). We hope that you will reach out to your regional manager or Terry and Wade on the policy team with any questions related to the legislative session.



On Wednesday, the policy team provided comments on bills in two different committees. First, the policy team testified in support of S.B. 67, Public Thoroughfare Amendments (Sen. Sandall), before the Senate Transportation, Public Utilities, Energy, and Technology Committee. This bill enhances private property rights by amending provisions related to public use of a private road to establish the road as a public thoroughfare. Specifically, the bill institutes a requirement of 10 years of continuous use in the most recent 50-year period to establish and maintain a public thoroughfare. The bill also clarifies that a road returns to private ownership if continuous use ceases. The committee favorably recommended the bill by a vote of 3-2-2.

Second, the policy team testified in support of S.B. 39, Water Shareholder Amendments (Sen. Sandall) and S.B. 77, Water Rights Restricted Account Amendments (Sen. Sandall), before the Senate Natural Resources, Agriculture, and Environment Committee. S.B. 39 amends Utah code regarding shareholder change applications. Previously, if a shareholder filed a proposed change application with a water company, the water company had 120 days to respond if it was a permanent change application and 60 days to respond if it was a temporary change application. This bill would make it a 120-day deadline for the water company, irrespective of whether the change application is permanent or temporary. S.B. 77 modifies the purposes for which money in the Water Rights Restricted Account may expended.

Specifically, the bill allows funds to be spent on installing, operating, and maintaining measurement infrastructure and sharing the costs of installed United States Geological Survey stream gauges. The bill also allows the division to use up to 5% of the funding toward costs incurred by the division to acquire, manage, and analyze surface and groundwater data.

On Thursday morning, the House Natural Resources, Agriculture, and Environmental Quality Appropriations Subcommittee met and listened to a presentation from the Utah Department of Agriculture and Food Land Conservation Board. The presentation focused on the LeRay McCallister Working Farm and Ranch Fund. The Utah Farm Bureau sent a letter to chairs Sen. Sandall and Rep. Barlow expressing our firm support of the LeRay McCallister Working Farm and Ranch Fund. You can read this letter by clicking [HERE](#).

Thursday afternoon, the policy team testified on two bills before the House Natural Resources, Agriculture, and Environment Committee. First, the policy team testified in opposition to H.B. 11 Water Efficient Landscaping Requirements (Rep. Owens). This bill mandates that after May 1, 2024, certain government entities in the Great Salt Lake Basin cannot use grass or turf in more than 20% of the landscaped area of a new construction or reconstruction of a building or facility. Certain land such as land for sporting purposes, parks, amphitheaters, golf courses (including driving ranges and putting greens), cemeteries, retention basins, and other areas that use grass and turf for a special use are not included in the 20% restriction. This bill also authorizes a municipality or county to impose landscaping requirements on state government facilities or require certain government entities to obtain approval for their landscaping. Despite Utah Farm Bureau opposition to the bill, as well as opposition from turfgrass producers, the committee favorably reported the bill.

Second, the policy team spoke in favor of H.B. 61, Water Measuring and Accounting Amendments (Rep. Albrecht). This bill modifies the current state water policy to allow for the use of telemetry in water data collection and permits the State Engineer to make rules governing telemetry and water distribution accounting. The bill also removes outdated language regarding rulemaking authority on preferences of water rights under Section 73-3-21.5, which was repealed in 2023. The committee favorably recommended this bill.

On Friday, the policy team testified before two committees, Senate Business and Labor, and House Judiciary. The Senate Business and Labor Committee held a hearing on S.B. 73, State Food Supply Amendments (Sen. Winterton). This bill provides that local food is exempt from regulation by the federal government and restricts state regulations and rules on local food. Utah Farm Bureau expressed concerns about the bill and its necessity.

The policy team also testified on H.B. 31, Agricultural Tourism Amendments (Rep. Albrecht) before the House Judiciary Committee. This bill, written by Utah Farm Bureau, with input from policy issue research committee members and the Utah Department of Agriculture and Food, would make important improvements to Utah's existing agritourism statute. Specifically, the bill adds agritourism to Utah's 'Right to Farm' statute, clarifies that an agricultural tourism operation may be included in an agricultural protection area, strengthens liability protections for certain inherent risks, creates standard warning sign requirements, and establishes a voluntary registry maintained by the Utah Department of Agriculture and Food. The House Judiciary Committee favorably recommended the bill.

Later today, the policy team will be commenting on S.B. 18, Water Modifications (Sen. Sandall), before the Senate Natural Resources, Agriculture, and Environment Committee. This bill is a priority for the Utah Farm Bureau this session. This bill is a follow-up to S.B. 277, Water Conservation and Augmentation, which passed last session. Among other things, S.B. 277 established a process for water users who install agricultural water optimization projects to file applications with the Division of Water Rights to put the “saved water” to another beneficial use. S.B. 18 revises those provisions, moving them into the State Engineer’s section of code and adding language clarifying the definition of saved water and the administrative procedures to secure its separate use and protect it from forfeiture. The bill also clarifies that saved water cannot increase the depletion of the underlying water right.

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 [2024 Utah Farm Bureau Policy Book](#), which can also be found under the policy section of our website. You can view upcoming committee schedules by visiting [le.utah.gov](http://le.utah.gov). Finally, we encourage you to mark your calendar for Farm Bureau Day on the Hill on Friday, February 23.

**Terry Camp**  
(801) 718-2769  
[terry.camp@fbfs.com](mailto:terry.camp@fbfs.com)

**Wade Garrett**  
(435) 660-9292  
[wade.garrett@fbfs.com](mailto:wade.garrett@fbfs.com)