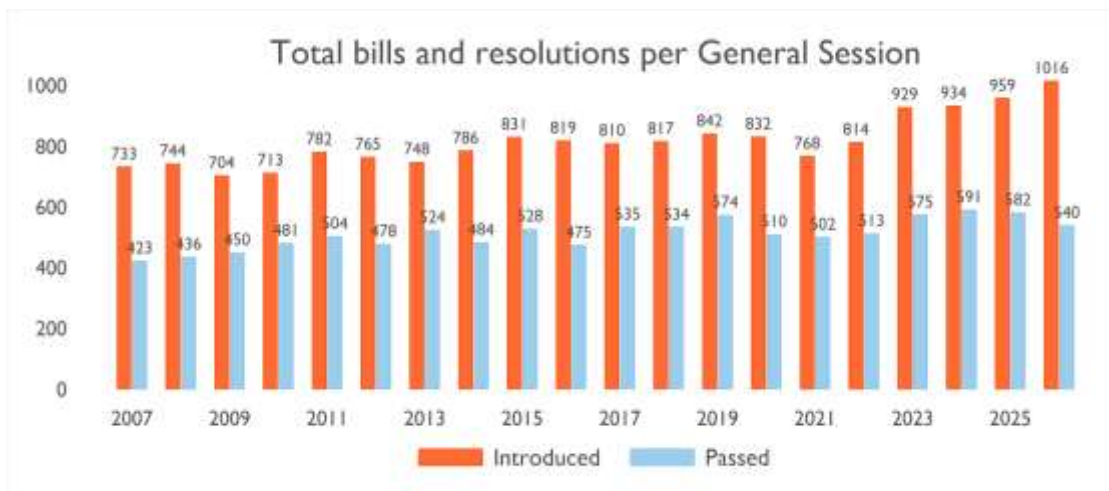




# Legislative Update

April 8, 2026

The 2026 General Session concluded on March 6. It was a remarkably busy session with a record number of bills and resolutions introduced. In total, 1,016 bills and resolutions were introduced and 540 were approved and sent to the governor. Many positive bills for agriculture were approved during the session. A few bills of interest to Farm Bureau members, however, also “died on the board/vine” awaiting action before the midnight deadline.



Graphic Courtesy of Adam Brown (X: @poliARB)

In addition to legislation, lawmakers also approved key appropriations that will help shape policy priorities in the years ahead. Despite it being a more limited budget year, the Utah Farm Bureau successfully advocated for several appropriations of import to Utah agriculture. Below is a list of some of the agriculture-related items that were funded during the 2026 session.

## Appropriations

| Funding Item  | Amount                 |
|---|------------------------|
| UDAF AGVIP  | \$1.3 million one-time |
| Great Salt Lake Cloud Seeding Program                 | \$2 million ongoing    |
| Rural Business & Agricultural E-Commerce Accelerator  | \$200,000 ongoing      |
| Rural Health Transformation Program (RHTP) \$ to UDAF | \$11 million one-time  |
| Statewide R.S. 2477 Legal Services                    | \$500,000 ongoing      |
| Utah FFA Association                                  | \$695,300 ongoing      |
| Wildfire Crews & Detection Technology                 | \$1.1 million ongoing  |

## **Legislation**

The following list of bills is not exhaustive but includes bills that the Utah Farm Bureau believes will affect agriculture in our state.

### **H.B. 11 - Dyed Diesel Fuel Search Amendments**

This bill, sponsored by [Rep. Stephanie Gricius](#), amends current law to prohibit inspection of fuel in a fuel supply tank to determine if it contains dyed diesel fuel unless a government official has probable cause, receives consent of the owner of the vehicle, or if they are conducting a search at a port-of-entry. The bill also specifies that probable cause is not established simply by observing an individual drive a motor vehicle that uses diesel fuel on a highway.

### **H.B. 16 - Solar Power Plant Amendments**

This legislation, sponsored by [Rep. Colin Jack](#), makes changes to state incentives and permitting requirements for utility-scale solar projects. The bill eliminates state tax incentives for solar developments located on prime farmland, farmland of statewide importance, farmland of local importance, or farmland of unique importance, as designated by the Natural Resources Conservation Service, irrigated cropland; or non-irrigated cropland of a capability class one through four, as designated by the Natural Resources Conservation Service. Projects on lower-quality lands may receive half of eligible solar project state incentives.

In addition, the bill establishes new requirements for solar project siting and development, including identifying agriculture protection areas. It also requires permitting approvals, decommissioning plans, and financial assurances for large-scale solar facilities. Projects with existing agreements or approvals prior to the effective dates are generally exempt from the new restrictions. Overall, the legislation aims to preserve productive agricultural land while allowing solar development to continue in less impactful locations.

### **H.B. 47 – Vehicle Registration and Insurance Amendments**

This bill, sponsored by [Rep. Jason Kyle](#), clarifies that Utah’s mandatory auto liability insurance requirement applies when a vehicle is actually operated on a highway, quasi-public road, or parking area, rather than merely being registered, thereby fixing a prior change that unintentionally captured vehicles that sit unused or are only operated seasonally, such as certain farm vehicles that are not driven year-round.

### **H.B. 60 - Water Rights Amendments**

This important bill, sponsored by [Rep. David Shallenberger](#), modernizes and streamlines Utah’s water change application process while reaffirming the state’s prior appropriation doctrine of “first in time, first in right.” It clarifies that the state engineer may only consider protests to the extent they address issues that provide a legal basis to approve or reject an application, helping to limit baseless or purely political objections. The bill also confirms that the state engineer is not required to publish notice of temporary change applications and allows applicants whose temporary changes are denied to pursue permanent or fixed-time changes instead. In evaluating whether an application is detrimental to the public welfare, the state engineer is directed to focus on the beneficial use of water and the quantity, quality, or availability of water, along with other factors specifically identified in statute, and is restricted from denying an application on public-welfare grounds when another agency is better suited to address the concern or when the alleged harm is not directly tied to, or has only a negligible effect on, those core water factors. Finally, the bill provides that a person may seek judicial review of a state engineer decision only if they have suffered or will suffer a particularized injury from the application, which refines standing and adds certainty for water users.

## **H.B. 63 – Livestock Watering Amendments**

This legislation, sponsored by [Rep. Scott Chew](#), establishes a legal framework for formally recognizing “sub-basin livestock watering claims” to document historic livestock watering uses within defined sub-drainage areas and simplify water rights management for grazers who opt into sub-basin management. It defines key terms, including “livestock” (domestic animals raised for profit or personal use), “small pond” (up to 2 acre-feet), and “large pond” (over 2 acre-feet). Water right holders may file sub-basin livestock watering claims with the State Engineer as diligence claims, water user claims in a general adjudication, or change applications, and must identify the sub-drainage area and base their claims on historically documented use on private land or public land with a valid grazing permit; such claims are subject to forfeiture for nonuse and to the requirements that apply to the underlying diligence claim, water user claim, or change application. The bill maintains restrictions against expanding beneficial use beyond historic levels, limits depletions to historic use, and prohibits moving water between sub-basins if doing so would impair existing rights. It also provides guidance on pond construction, allowing small ponds to be built without a change application, while large ponds require approval and must comply with dam safety standards when applicable.

## **H.B. 66 – Soil Health Program Amendments**

This bill, sponsored by [Rep. Carl Albrecht](#), extends the sunset date for the successful Utah Soil Health Program by 10 years to July 1, 2036.

## **H.B. 76 – Data Center Water Transparency Amendments**

This bill, sponsored by [Rep. Jill Koford](#), requires any data center that uses more than 75 acre-feet of water per year to submit annual reports on several criteria listed in the bill and imposes a daily fine on an operator that fails to report as required.

## **H.B. 111 – Wildlife Amendments**

H.B. 111, sponsored by [Rep. Bridger Bolinder](#), makes several targeted updates to Utah’s wildlife laws. The bill clarifies who may verify illness, injury, or disability for certain wildlife licenses and permits, helping ensure consistent treatment of applicants. It also updates notice requirements when the Division of Wildlife Resources (DWR) acquires real property for wildlife purposes. Importantly, H.B. 111 amends the Wolf and Grizzly Bear Management Act to add grizzly bears and directs DWR to manage them in a way that prevents the establishment of grizzly populations in Utah while they remain under federal protection. Finally, the bill adjusts Utah’s “improper discharge of a dangerous weapon” statute to create a specific rule for waterfowl and wildlife management areas, allowing firearm discharge within the usual buffer distance from homes or structures when the shooter meets new statutory conditions, including obtaining written permission from the nearby landowner or person in charge.

## **H.B. 179 - Milk Amendments**

During the 2026 session, three separate raw milk proposals were ultimately consolidated into a single framework in H.B. 179, after extensive work between legislators, Utah Farm Bureau, UDAF, and other stakeholders. The final bill updates definitions and general requirements for raw milk and raw milk products, clarifies permitting/notification expectations for producers, sets handling, temperature, and labeling standards, and spells out pathogen and bacterial testing requirements. It allows permitted raw milk to reach more retail outlets and enables producers to use designated agents or third parties to deliver product, while preserving enforcement tools and clear testing protocols to address potential foodborne illness concerns. Utah Farm Bureau

is comfortable with the bill as it expands marketing options for responsible producers, keeps consumers informed through labeling, and maintains a workable public-health backstop.

### **H.B. 185 – Carbon Credit Amendments**

H.B. 185, sponsored by [Rep. Troy Shelley](#), sets up a framework for how state entities handle carbon credits and how those activities are reported and overseen. It defines and updates key terms related to carbon credits, creates the Carbon Credit Litigation Fund to help cover legal and enforcement costs tied to carbon-credit-related claims, and requires state entities that sell or exchange carbon credits to report core details of those transactions, such as the digital identification number, the underlying emission offset, and the terms of the sale or exchange, to the Office of Energy Development. The bill also directs the Office of Energy Development to compile that information and report annually to the Natural Resources, Agriculture, and Environmental Quality Appropriations Subcommittee, ensuring that policymakers and the public have better transparency into how state-owned carbon credits are created, valued, and sold.

### **H.B. 187 – Water Amendments**

This legislation, sponsored by [Rep. Colin Jack](#), modifies Utah water code to give additional protection to certain Colorado River water supplies managed by water conservancy districts in the lower basin. It creates a new exception to Utah’s seven-year nonuse forfeiture rule for water rights that are or will be owned, leased, or used by a water conservancy district when those rights are diverted or used in the lower basin (the area draining to the Colorado River below Glen Canyon Dam), so long as they meet the statutory criteria. This exemption is broader than the existing protection for other public water suppliers elsewhere in Utah, who must tie nonuse protection to a 40-year “reasonable future water requirement” plan. The bill also tightens change-application rules in the lower basin by prohibiting most private water right holders from filing instream flow change applications under Utah Code [73-3-30](#) when the point of diversion is in the lower basin, and by limiting certain instream-flow-related change applications by state divisions for reservoir operations in that same area.

### **H.B. 222 – Limitation of Actions Amendments**

This bill, sponsored by [Rep. Carl Albrecht](#), makes it significantly harder for individuals or groups to sue a business or other entity in Utah over climate-related damage tied to greenhouse gas emissions. The bill adds a new shield in Utah Code Section [78B-4-515](#): a person or company can’t be held liable, and courts can’t order them to pay damages or change their behavior, just because their emissions might have contributed to climate effects, unless a court first finds by clear and convincing evidence that the defendant violated a specific, enforceable emission limit, permit, or legal restriction, and that identifiable harm flowed directly from that violation. The law applies across the board, not just to Utah-based parties, and it forces plaintiffs to pin their case to a concrete violation of a rule, limit, or permit, instead of broad climate-impact claims. This means persons following state and federal emission standards are protected from climate-driven lawsuits, and legal responsibility is limited to situations where there is a clear, documented breach of an actual environmental law or permit condition. This is a valuable bill for agriculture, as this provides greater certainty by shielding farms and ranches from speculative climate-liability claims as long as they operate within applicable air-quality and environmental rules.

### **H.B. 251 – Diligence Claims Water Amendments**

H.B. 251, sponsored by [Rep. Scott Chew](#), amends Utah’s diligence-claim statute (Utah Code Section [73-5-13](#)) to clarify the process for claiming water rights related to livestock watering ponds on homestead parcels. The bill creates a rebuttable presumption that the owner of a homestead has a right to use a precipitation-fed stock water pond on that parcel if the total use for all such ponds on the parcel is under 20 acre-feet, the pond

supported the homestead, the land and surface water was used before 1903 to support livestock, the pond existed before the parcel was conveyed by patent, and the owner files a complete diligence claim and pays the required diligence-claim fee. The presumption can be may be rebutted by a person protesting a claim based on the impairment of a water right held by the person protesting the claim. If the claimant and the protesting party reach an agreement on how to address or mitigate potential impairment, that agreement can be included in the state engineer’s review file for the diligence claim, giving affected water users a clear, written way to resolve conflicts without going straight to litigation.

### **HB 348 – Dedicated Water Amendments**

H.B. 348, sponsored by [Rep. Jill Koford](#), fine-tunes Utah’s water tools so farmers can lease water to specific uses for instream flows, use on sovereign lands (meaning Great Salt Lake), or for “a project to deliver water to a reservoir located partially or entirely within the Colorado River System (the Colorado River demand reduction program) without giving up the underlying rights. It creates a new “dedicated water application” for these use. This could apply to split-season arrangements where water is used on the farm part of the year and dedicated to one of these uses for the rest of the water year, or for a full water year. Approval does not change “an existing element of the underlying water right, extend existing deadlines, or require the owner to make water available in any particular year or amount, The state engineer processes these applications under normal change procedures, but gives them priority. The state engineer can deny an application if it would leave an agricultural field unirrigated for a full season in more than two years of a five-year period. The state engineer may also require annual notices and volume information, and a dedicated water approval automatically lapses if the base right is lost or if the owner fails to meet the conditions of approval.

### **H.B. 369 – Agriculture and Food Amendments**

H.B. 369, sponsored by [Rep. Carl Albrecht](#), is UDAF’s annual “cleanup” bill. The bill renames the S.J. and Jessie E. Quinney College of Agriculture and Natural Resources at Utah State University within the relevant statutes, adjusts language related to the Agricultural Advisory Board, and revises the definition of “brand” to clarify that an identifiable mark can include the shaping or cutting of ears. The bill also creates a Weights and Measures Fund, a special revenue account used to maintain, repair, and purchase specialized equipment such as heavy-duty vehicles, cranes, lifts, weight carts, and laboratory instruments used in field metrology and fuel testing. It limits Agriculture Resource Development Loan (ARDL) disaster-relief loans to no more than 10% of the combined balance in the fund plus the total amount of outstanding loans from that same fund, and it states that an applicant for a water optimization grant “may” complete a pre-filing consultation with the Utah Water Division of Water Right rather than saying the applicant “shall” do so.

### **H.B. 378 – Fugitive Dust Mitigation Amendments**

This bill, sponsored by [Rep. Stephanie Gricius](#), authorizes the Utah Division of Air Quality to impose an aggregate compliance fee up to certain amounts on a covered facility to support additional inspectors and inspections, and requires covered facilities to post informational signage that is clearly visible so that members of the public know who to contact at the site to share concerns about fugitive dust. Utah Farm Bureau will continue working with the bill sponsor and rock aggregate companies to find more ways to mitigate fugitive dust, which negatively impacts our fruit-growing regions.

### **HB 410 – Water Leasing Amendments**

This legislation, sponsored by [Rep. Jill Koford](#), creates a new program for surface water leases to support Great Salt Lake that is more focused on preserving agricultural production. It does not change existing water lease programs but simply adds a new opportunity to lease water. The bill enacts Utah Code 73-3-30.5 to define the types of leases that qualify for the program, directs the state engineer to prioritize change applications on water

rights that will be the subject of the qualifying leases. To qualify, a lease must be for surface-water rights, in river commissioner-administered system, that are already being put to beneficial use for irrigation, industrial, or municipal uses. These applications may allow split-season use. The applications must be filed no later than December 1 for a lease agreement intended to commence on or after April 1 in the following year; with enough detail to show how farmland use will be managed. Applications or split season leases must show at least four consecutive weeks of agricultural use. The state engineer may adjust prioritization (but not the priority date) of a change application if protests or other concerns arise. The bill further amends [73-5-3](#) to protect leased water in transit so intervening users cannot divert or control it between the release point and the approved use under the change application, leaving regulation to the state engineer, who may treat the water like natural streamflow and require dam or reservoir owners to pass the water through at their own cost unless a separate written agreement exists.

H.B. 410 also enacts Utah Code 73-34-101 through -402, creating a new Great Salt Lake agricultural water leasing program and Great Salt Lake Preservation Board, a five-member board (three voting members: an agriculture representative, the DNR executive director, and the UDAF commissioner, plus two non-voting members: the state engineer and the Great Salt Lake commissioner's designee), The board oversees the new leasing program, sets annual lease rates, and accepts applications from agricultural water users (including a water companies) who volunteer to lease water to the lake. The board is directed to favor senior adjudicated rights and generally limits leased water to no more than two full irrigation seasons in any five-year period on the same field, with each lease backed by a corresponding water-right application reviewed by the state engineer only for the lease period. The state engineer can require monitoring and annual reporting and must report back to the Legislative Water Development Commission challenges faced by the state in the measuring and monitoring of agricultural water leased under the program. The board will report to the Legislative Water Development Commission on any program-specific challenges and must publicly report each year on water delivered to the lake, leases issued, and program costs. The bill also sets out processes by which the Great Salt Lake Preservation Board can use enforce lease contracts, if needed.

### **[H.B. 431 – Wildlife Crossing Amendments](#)**

This bill, sponsored by [Rep. Scott Chew](#), creates the Wildlife Crossing Account within the Transportation Investment Fund of 2005 and dedicates funding to plan and build wildlife-crossing structures where big-game migration routes cross highways. The bill directs the Utah Department of Transportation and the Division of Wildlife Resources to collaborate on identifying priority crossings, evaluating project feasibility, and using the account to design, construct, and maintain fences, overpasses, underpasses, and related improvements to reduce vehicle-wildlife collisions and help protect livestock. It also allows voluntary contributions from individuals, organizations, and other entities to be deposited into the Wildlife Crossing Account, including through mechanisms like vehicle registration and certain licenses, so producers and the public can directly support projects that benefit both wildlife along major migration corridors and agricultural operations based on needs and evaluation of problematic livestock incident areas.

### **[H.B. 444 – State Land Access Road Amendments](#)**

H.B. 444, sponsored by [Rep. Troy Shelley](#), makes technical updates to the rules for abandoning and closing Class D roads, particularly those that cross state lands and School and Institutional Trust Lands Administration (SITLA) lands. The bill establishes an expedited deadline for the Public Lands Policy Coordinating Office and SITLA to identify, map, and record the location of relevant roads on those lands. It also clarifies the process counties and the state must follow to legally abandon a Class D road, including requirements for public notice and meetings. The legislation specifies that existing easements and access rights for public utilities and water infrastructure are not affected when a road is abandoned, and it updates the standards for closing a Class D road

due to lack of public use so they apply consistently whether the road crosses private, public entity, or institutional land. The bill also includes minor technical updates related to off-highway vehicle equipment requirements and firearm discharge provisions near Class D roads. For rural landowners and producers, the bill helps make access-related procedures more predictable while protecting ongoing utility and water-related access.

### **H.B. 591 – Nuisance Amendments**

H.B. 591, sponsored by [Rep. Colin Jack](#), overhauls Utah’s nuisance laws by moving and modernizing existing statutes, clearly defining what constitutes a public or private nuisance, and specifying who can bring nuisance claims and what defenses are available. The bill strengthens protections for normal agricultural operations by refining the definitions of “agricultural production,” “agricultural protection area,” and “crops, livestock, and livestock products,” and by requiring local ordinances to exclude legitimate, law-abiding farm activities from being classified as a public nuisance. For agriculture, this means farmers and ranchers have greater certainty that routine practices, like crop production, livestock feeding and care, and on-farm processing where most products come from the farm itself, are less vulnerable to nuisance complaints as surrounding areas develop.

### **S.B. 12 – Sunset and Repeal Date Amendments**

Among other things, this bill, sponsored by [Sen. Todd Weiler](#), extends the State Weed Committee and Land Use and Eminent Domain Advisory Board sunset dates to July 1, 2036

### **S.B. 21 – Geothermal Amendments**

S.B. 21, sponsored by [Sen. Mike McKell](#), clarifies that in Utah a geothermal resource follows the surface estate, not a separate water right or mineral interest, and specifically reserves geothermal resources underlying state trust lands to the applicable trust. The bill amends the Utah Geothermal Resource Conservation Act to make clear that the surface owner holds title to geothermal resources, even where the mineral estate has been severed, unless those geothermal rights are expressly conveyed in a recorded deed or other instrument. It also updates definitions and regulatory language for geothermal wells and leases, strengthens bonding requirements, and revises the rules for geothermal well logs held by the Division of Water Resources. Under the bill, well logs are generally public records, but owners may request confidentiality for a limited time, up to five years after production or injection begins (other than for testing), two years after a well is abandoned, or two years after a monitoring, exploration, investigation, or test well is completed if it does not move to production, with that confidentiality not applying to state regulators, tax assessors, or persons the owner has authorized in writing to view the log. The bill is consistent with Utah Farm Bureau policy and supports farmers and ranchers who are typically surface right owners by reinforcing their ability to manage geothermal resources beneath their land.

### **S.B. 217 – Local Food Amendments**

This bill, sponsored by [Sen. Kirk Cullimore](#), makes several updates to Utah’s Home Consumption and Homemade Food Act, which governs the direct sale of homemade foods to consumers. The bill clarifies definitions in statute and specifies when a producer or a producer’s designated representative may sell homemade food products at a direct-to-sale location, while affirming that the producer retains ownership of the product unless otherwise agreed. It also removes a signage requirement for direct-to-sale farmers markets, provides a state sales tax exemption for food and food ingredients sold by a home cook at a direct-to-sale farmers market or other direct-to-sale location, and makes several technical and conforming changes to state law.

## **Policy Resources**

The 2026 Policy Book is online, and you can read it by clicking [here](#). You can find your state representative and senator by typing your address in the search bar on this [page](#).

As always, we encourage you to actively send our policy team questions or comments on topics of concern. We appreciate the input and feedback we received from members throughout the 2026 legislative session, which helps guide our advocacy efforts on behalf of Utah agriculture. Over the next month, we look forward to visiting many county Farm Bureaus for spring issue surfacing meetings.

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