

Wildlife Management Area Amendments

2026 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: David Shallenberger

Senate Sponsor:

LONG TITLE**Committee Note:**

The Natural Resources, Agriculture, and Environment Interim Committee recommended this bill.

Legislative Vote: 16 voting for 0 voting against 3 absent

General Description:

This bill addresses wildlife management areas.

Highlighted Provisions:

This bill:

- ▶ creates the Wildlife Management Area Stewardship Fund;
- ▶ repeals language related to access to wildlife management areas requiring a hunting, fishing, or combination license;
- ▶ defines terms;
- ▶ requires that an individual meet certain conditions to access a wildlife management area;
- ▶ directs the Division of Wildlife Resources (division) to approve an educational video and provide digital verification of completion of the educational video;
- ▶ provides for exceptions to the conditions to access a wildlife management area;
- ▶ authorizes rulemaking and requires reporting regarding rulemaking;
- ▶ provides for voluntary financial contributions for the benefit of wildlife management areas;
- ▶ permits the division to oversee the provision of volunteer labor to benefit a wildlife management area, including addressing liability issues;
- ▶ enacts nonrefundable tax credits for contributions to wildlife management areas in accordance with statute and rules;
- ▶ addresses apportionment of a nonrefundable tax credit; and
- ▶ makes technical and conforming changes.

Money Appropriated in this Bill:

None

31 **Other Special Clauses:**

32 This bill provides a special effective date.

33 This bill provides retrospective operation.

34 **Utah Code Sections Affected:**

35 AMENDS:

36 **23A-6-402 (Effective 07/01/26)**, as last amended by Laws of Utah 2025, Chapter 11637 **59-10-1002.2 (Effective 07/01/26) (Applies beginning 01/01/26)**, as last amended by

38 Laws of Utah 2025, Chapter 407

39 ENACTS:

40 **23A-3-217 (Effective 07/01/26)**, Utah Code Annotated 195341 **23A-6-405 (Effective 07/01/26)**, Utah Code Annotated 195342 **59-7-628 (Effective 07/01/26) (Applies beginning 01/01/26)**, Utah Code Annotated

43 1953

44 **59-10-1049 (Effective 07/01/26) (Applies beginning 01/01/26)**, Utah Code Annotated

45 1953

46

47 *Be it enacted by the Legislature of the state of Utah:*48 Section 1. Section **23A-3-217** is enacted to read:49 **23A-3-217 (Effective 07/01/26). Wildlife Management Area Stewardship Fund.**50 (1)(a) There is created an expendable special revenue fund known as the "Wildlife51 Management Area Stewardship Fund."52 (b) As used in this section, "fund" means the Wildlife Management Area Stewardship53 Fund.54 (2) The fund consists of:55 (a) contributions made to the division under Subsection 23A-6-405(6);56 (b) appropriations from the Legislature; and57 (c) interest and earnings on the fund.58 (3) The state treasurer shall invest the money in the fund according to Title 51, Chapter 7,59 State Money Management Act, except that the state treasurer shall deposit the interest or60 other earnings derived from those investments into the fund.61 (4) The division may use money in the fund to provide for:62 (a) habitat restoration and protection;63 (b) trail maintenance and development; and64 (c) volunteer support and coordination.

65 (5) The division shall annually report, by no later than October 1, to the Natural Resources,
 66 Agriculture, and Environmental Quality Appropriations Subcommittee the use of the
 67 funds in the previous fiscal year.

68 Section 2. Section **23A-6-402** is amended to read:

69 **23A-6-402 (Effective 07/01/26). Right of access to lands for hunting, trapping, or**
 70 **fishing reserved to public -- Exceptions.**

71 (1) Except as provided in Section 23A-6-405 or 65A-2-5, there is reserved to the public the
 72 right of access to lands owned by the state, including those lands lying below the official
 73 government meander line or high water line of navigable waters, for the purpose of
 74 hunting, trapping, or fishing.

75 (2) When a department or agency of the state leases or sells land belonging to the state
 76 lying below the official government meander line or the high water line of the navigable
 77 waters within the state, the lease, contract of sale, or deed shall contain a provision that:

78 (a) the lands shall be open to the public for the purpose of hunting, trapping, or fishing
 79 during the lawful season, except as provided by Section 65A-2-5; and

80 (b) the lessee, contractee, or grantee may not charge a person who desires to go upon the
 81 land for the purpose of hunting, trapping, or fishing.

82 (3) Lands referred to in this section shall be regulated or closed to hunting, trapping, or
 83 fishing as provided in this title for other lands and waters.

84 (4) The division may temporarily close that portion of a highway, as defined in Section [
 85 72-1-102] 41-6a-102, that enters into or crosses land owned by the division if closure is
 86 needed for the benefit of wildlife.

87 [~~(5)(a) Except as provided in Subsections (5), (6), and (7), an individual who is 18 years~~
 88 ~~old or older may not enter that portion of a wildlife management area that is located~~
 89 ~~within a county of the first or second class for any use unless the individual:]~~

90 [~~(i) holds a valid hunting, fishing, or combination license;]~~

91 [~~(ii) is permitted to engage in the use under a contract with, or other permission given~~
 92 ~~by, the division; or]~~

93 [~~(iii) is permitted to engage in the use or to access the land in accordance with a~~
 94 ~~property right giving the individual the right to use or access land within the~~
 95 ~~wildlife management area.]~~

96 [(b) If the use engaged in by an individual described in Subsection (5)(a) would require
 97 a specific license, permit, cooperative agreement, or certificate of registration under
 98 this title if engaged in on other lands or waters, the individual shall hold the correct

99 license, permit, cooperative agreement, or certificate of registration to engage in the
100 use.]

101 [~~(6)(a) If an individual is expressly exempt under this title from a requirement to hold a
102 license, permit, cooperative agreement, or certificate of registration to engage in
103 hunting, trapping, or fishing if engaged in on other lands or waters, the individual is
104 not required to hold a hunting, fishing, or combination license to enter a wildlife
105 management area described in Subsection (5)(a).]~~

106 [~~(b) An individual may travel on a highway, as defined in Section 72-1-102, located
107 within a wildlife management area described in Subsection (5)(a) without obtaining a
108 hunting, fishing, or combination license.]~~

109 [~~(c) An individual may participate in an educational program or visit an education or
110 visitor center located within a wildlife management area described in Subsection
111 (5)(a) without obtaining a hunting, fishing, or combination license.]~~

112 [~~(7)(a) The Wildlife Board may make rules, in accordance with Title 63G, Chapter 3,
113 Utah Administrative Rulemaking Act, to define for purposes of Subsection (6):]~~

114 [~~(i) what is meant to be "expressly exempt under this title from a requirement to hold
115 a license, permit, cooperative agreement, or certificate of registration to engage in
116 hunting, trapping, or fishing"; or]~~

117 [~~(ii) what constitutes an "educational program" or "education or visitor center."]~~

118 [~~(b) The Wildlife Board may not exempt an individual under Subsection (6)(a), on the
119 basis that the individual is not engaged in hunting, trapping, or fishing within a
120 wildlife management area.]~~

121 Section 3. Section **23A-6-405** is enacted to read:

122 **23A-6-405 (Effective 07/01/26). Access to wildlife management areas --**

123 **Voluntary contributions -- Volunteer labor.**

124 (1) As used in this section:

125 (a) "Class A state road" means the same as that term is described in Section 72-3-102.

126 (b) "Class B road" means the same as that term is described in Section 72-3-103.

127 (c) "Digital access permit" means a permit issued under Subsection (3) as proof that an
128 individual completed an educational video approved by the division.

129 (d) "Highway or road" means a highway, as defined in Section 41-6a-102, that:

130 (i) is part of the interstate system, is a Class A state road, or is a Class B road; and

131 (ii) begins and ends in a location outside a wildlife management area.

132 (e) "Interstate system" means the same as that term is defined in Section 72-1-102.

- 133 (f) "Recreational user" means an individual who accesses a wildlife management area
134 for a purpose allowed on the wildlife management area that is not hunting, trapping,
135 or fishing.
- 136 (2)(a) Except as provided in Subsection (4), an individual who is 18 years old or older
137 may not enter the following portions of a wildlife management area for any use,
138 including as a recreational user, unless authorized under Subsection (2)(b):
- 139 (i) beginning on or after July 1, 2026, and ending June 30, 2027, a portion of a
140 wildlife management area located within a county of the first and second class;
141 (ii) beginning on or after July 1, 2027, and ending June 30, 2028, a portion of a
142 wildlife management area located within a county of the first, second, third, or
143 fourth class; and
144 (iii) beginning July 1, 2028, any portion of a wildlife management area located within
145 the state.
- 146 (b) An individual who is 18 years old or older may enter the portion of a wildlife
147 management area located in an area described in Subsection (2)(a), if the individual:
- 148 (i) has a digital access permit issued under Subsection (3);
149 (ii) holds a hunting, fishing, or combination license;
150 (iii) is permitted to engage in the use under a contract with, or other permission given
151 by, the division; or
152 (iv) is permitted to engage in the use or to access the land in accordance with a
153 property right giving the individual the right to use or access land within the
154 wildlife management area.
- 155 (c) If the use in which an individual engages that is described in this Subsection (2)
156 would require a specific license, permit, cooperative agreement, or certificate of
157 registration under this title if engaged in on other lands or waters, the individual shall
158 hold the correct license, permit, cooperative agreement, or certificate of registration
159 to engage in the use.
- 160 (3)(a) The division shall approve an educational video concerning access by individuals
161 of wildlife management areas and make the educational video:
- 162 (i) available on the Internet;
163 (ii) available to be watched free of charge; and
164 (iii) subject to verification of completion as provided in Subsection (3)(b).
- 165 (b) The division shall provide a process by which the division issues an individual a
166 digital access permit upon the individual's:

- 167 (i) completion of the educational video; and
- 168 (ii) acknowledgment that the individual's access to a wildlife management area may
- 169 be seasonal or subject to closures for wildlife conservation efforts.
- 170 (4)(a) If an individual is expressly exempt under this title from a requirement to hold a
- 171 license, permit, cooperative agreement, or certificate of registration to engage in
- 172 hunting, trapping, or fishing if engaged in on lands or waters other than a wildlife
- 173 management area, the individual:
- 174 (i) is not required to hold a hunting, fishing, or combination license to access a
- 175 wildlife management area described in Subsection (2)(a); and
- 176 (ii) is required to have a digital access permit to access a wildlife management area
- 177 unless otherwise exempt under this section.
- 178 (b)(i) An individual may travel on a highway or road that crosses a wildlife
- 179 management area described in Subsection (2)(a) without complying with
- 180 Subsection (2)(b).
- 181 (ii) Notwithstanding Subsection (4)(b)(i), the division may temporarily close a
- 182 portion of a highway or road in accordance with Subsection 23A-6-402(4).
- 183 (c) An individual may travel on a trail that begins and ends in a location outside the
- 184 wildlife management area described in Subsection (2)(a) without complying with
- 185 Subsection (2)(b).
- 186 (d) An individual may participate in an educational program or visit an education or
- 187 visitor center located within a wildlife management area described in Subsection
- 188 (2)(a) without complying with Subsection (2)(b).
- 189 (e) An individual may access the portion of a wildlife management area that the director,
- 190 in limited circumstances that do not compromise the purposes of the wildlife
- 191 management area, exempts from the requirements of this section.
- 192 (f) An individual may access a wildlife management area described in Subsection (2)(a)
- 193 without complying with Subsection (2)(b) to the extent necessary to recover livestock
- 194 that enters the wildlife management area by way of land adjacent to the wildlife
- 195 management area upon which the livestock is authorized to graze.
- 196 (5)(a) The Wildlife Board may make rules, in accordance with Title 63G, Chapter 3,
- 197 Utah Administrative Rulemaking Act, and in coordination with the State Tax
- 198 Commission and the Division of Technology Services within the Department of
- 199 Government Operations, to:
- 200 (i) provide for the content and delivery of the educational video described in

- 201 Subsection (3), including issuance of the digital access permit;
202 (ii) interpret what is meant to be "expressly exempt under this title from a
203 requirement to hold a license, permit, cooperative agreement, or certificate of
204 registration to engage in hunting, trapping, or fishing";
205 (iii) define what constitutes an "educational program" or "education or visitor center";
206 (iv) define what constitutes a trail that begins and ends in a location outside a wildlife
207 management area;
208 (v) interpret what constitutes limited circumstances that do not compromise the
209 purposes of a wildlife management area for purposes of Subsection (4)(e);
210 (vi) establish a process for accepting contributions under Subsection (6); and
211 (vii) establish a volunteer service program under Subsection (7).
212 (b) The division shall report by no later than the next regularly scheduled meeting of the
213 Natural Resources, Agriculture, and Environment Interim Committee concerning a
214 rule made, including an amendment to a rule, by the Wildlife Board under this
215 section.
216 (6)(a) The division may accept a voluntary money contribution for deposit into the
217 Wildlife Management Stewardship Fund created in Section 23A-3-217:
218 (i) in an amount the person making the contribution chooses to contribute; and
219 (ii) to benefit a specific wildlife management area or to benefit wildlife management
220 areas in general.
221 (b) If a person voluntarily donates money for a specific wildlife management area, the
222 division shall use the money for that wildlife management area, except that if the
223 total amount donated by all persons to a specific wildlife management area in a fiscal
224 year is less than \$1,000, the division may use the donation for any wildlife
225 management area in accordance with Subsection 23A-3-217(4).
226 (c) The division shall keep a record of a contribution under this Subsection (6).
227 (d)(i) The division shall provide the State Tax Commission with an electronic report
228 stating the name, taxpayer identification number, and other identifying
229 information of each person from whom the department receives a contribution
230 under this Subsection (6) for the taxable year.
231 (ii) The division shall provide the report described in Subsection (6)(d)(i) on or
232 before January 31 of the year following the year in which the division received the
233 contribution.
234 (e) If an individual who has a digital access permit contributes an amount equal to or

235 exceeding the fee amount prescribed by the Wildlife Board for a fishing license under
 236 Section 23A-4-601:

237 (i) the division shall treat the contribution as the purchase of a fishing license for 365
 238 days from the day on which the individual makes the contribution; and
 239 (ii) the individual may fish within the state using the digital access permit during the
 240 period described in Subsection (6)(e)(i).

241 (7)(a) The division may establish a program to:

242 (i) permit an individual to volunteer labor to maintain a wildlife management area;
 243 and

244 (ii) recognize the individual providing the labor through signage or other indication.

245 (b) The division may require an individual desiring to volunteer labor to maintain a
 246 wildlife management area to submit an application to the division on a form provided
 247 by the division.

248 (c) The director may appoint a manager to oversee the administration of the program
 249 created under this Subsection (7).

250 (d) Rules made by the Wildlife Board under Subsection (5), may include rules for:

251 (i) partnerships between private and public entities; and

252 (ii) the duties of the manager.

253 (e) The division may provide liability coverage for a person who volunteers labor under
 254 this Subsection (7) or require the person to sign, in a form approved by the division, a
 255 release and liability waiver.

256 Section 4. Section **59-7-628** is enacted to read:

257 **59-7-628 (Effective 07/01/26) (Applies beginning 01/01/26). Nonrefundable**
 258 **wildlife management area contribution tax credit.**

259 (1) As used in this section, "wildlife management area" means the same as that term is
 260 defined in Section 23A-6-101.

261 (2) A taxpayer may claim, in the taxable year in which the taxpayer makes a contribution
 262 under Subsection 23A-6-405(6) for the benefit of one or more wildlife management
 263 areas, a nonrefundable tax credit equal to the amount of the contribution.

264 (3) A taxpayer may carry forward, to the next three taxable years, the amount of any tax
 265 credit that exceeds the taxpayer's tax liability for the taxable year.

266 Section 5. Section **59-10-1002.2** is amended to read:

267 **59-10-1002.2 (Effective 07/01/26) (Applies beginning 01/01/26). Apportionment**
 268 **of tax credits.**

269 (1) A nonresident individual or a part-year resident individual that claims a tax credit in
 270 accordance with Section 59-10-1017, 59-10-1018, 59-10-1019, 59-10-1022, 59-10-1023,
 271 59-10-1024, 59-10-1028, 59-10-1042, 59-10-1043, 59-10-1044, 59-10-1046, 59-10-1047, [
 272 ~~or~~]59-10-1048, or 59-10-1049 may only claim an apportioned amount of the tax credit
 273 equal to:

274 (a) for a nonresident individual, the product of:

275 (i) the state income tax percentage for the nonresident individual; and

276 (ii) the amount of the tax credit that the nonresident individual would have been
 277 allowed to claim but for the apportionment requirements of this section; or

278 (b) for a part-year resident individual, the product of:

279 (i) the state income tax percentage for the part-year resident individual; and

280 (ii) the amount of the tax credit that the part-year resident individual would have been
 281 allowed to claim but for the apportionment requirements of this section.

282 (2) A nonresident estate or trust that claims a tax credit in accordance with Section
 283 59-10-1017, 59-10-1020, 59-10-1022, 59-10-1024, 59-10-1028, [~~or~~]59-10-1048, or
 284 59-10-1049 may only claim an apportioned amount of the tax credit equal to the product
 285 of:

286 (a) the state income tax percentage for the nonresident estate or trust; and

287 (b) the amount of the tax credit that the nonresident estate or trust would have been
 288 allowed to claim but for the apportionment requirements of this section.

289 Section 6. Section **59-10-1049** is enacted to read:

290 **59-10-1049 (Effective 07/01/26) (Applies beginning 01/01/26). Nonrefundable**
 291 **wildlife management area contribution tax credit.**

292 (1) As used in this section, "wildlife management area" means the same as that term is
 293 defined in Section 23A-6-101.

294 (2) Subject to Section 59-10-1002.2, a claimant, estate, or trust may claim, in the taxable
 295 year in which the claimant, estate, or trust makes a contribution under Subsection
 296 23A-6-405(6) for the benefit of one or more wildlife management areas, a
 297 nonrefundable tax credit equal to the amount of the contribution.

298 (3) A claimant, estate, or trust may carry forward, to the next three taxable years, the
 299 amount of any tax credit that exceeds the claimant's, estate's, or trust's tax liability for
 300 the taxable year.

301 Section 7. **Effective Date.**

302 This bill takes effect on July 1, 2026.

303 Section 8. **Retrospective operation.**

304 The following sections have retrospective operation for a taxable year starting on or
305 after January 1, 2026:

306 (1) Section 59-7-628 (Effective 07/01/26) (Applies beginning 01/01/26);

307 (2) Section 59-10-1002.2 (Effective 07/01/26) (Applies beginning 01/01/26); and

308 (3) Section 59-10-1049 (Effective 07/01/26) (Applies beginning 01/01/26).