

Effective 5/4/2022

73-10-37 State incentives to use drought resistant landscaping.

- (1) As used in this section:
 - (a) "Division" means the Division of Water Resources.
 - (b)
 - (i) Except as provided in Subsection (1)(b)(ii), "lawn or turf" means nonagricultural land planted in closely mowed, managed grasses.
 - (ii) "Lawn or turf" does not include a golf course, park, athletic field, or sod farm.
 - (c) "Owner" means an owner of private land where a water end user is located.
 - (d) "Water end user" means a person who enters into a water contract to obtain water from a retail water provider for residential, commercial, industrial, or institutional use.
- (2)
 - (a) Subject to a \$5,000,000 aggregate annual cap, the division may provide an incentive to an owner to remove lawn or turf from land owned by the owner and replace the lawn or turf with drought resistant landscaping.
 - (b) If the division provides an incentive under this section, the division shall provide the incentive in the order that an application for the incentive is filed.
 - (c) To be eligible for an incentive under this section, the owner shall at the time the owner applies for the incentive:
 - (i) have living lawn or turf on the land owned by the owner that the owner intends to replace with drought resistant landscaping;
 - (ii) be in good standing with a retail water provider so that the owner has no unpaid water bills; and
 - (iii) participate voluntarily in the removal of the lawn or turf in that the removal is not required by governmental code or policy.
 - (d) An owner may not receive an incentive under this section if the owner has previously received an incentive under this section for the same property.
 - (e) The division may not provide an owner an incentive under this section in an amount greater than 50% of the cost of replacing the lawn or turf with drought resistant landscaping.
- (3) The division may make rules, in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act:
 - (a) establishing the process by which an owner obtains an incentive under this section; and
 - (b) defining what constitutes drought resistant landscaping.

Enacted by Chapter 50, 2022 General Session