



Spencer J. Cox  
Governor

**EXECUTIVE ORDER**  
**2026-03**

*Establishing a Higher Bar for Data Center Development in Utah*

**WHEREAS**, Utahns have expressed legitimate concerns regarding the potential impacts of large data centers on water resources, air quality, utility rates, local communities, and quality of life, and those concerns must be carefully considered;

**WHEREAS**, Utah is committed to ensuring a transparent, accountable public process that adheres to high standards when evaluating a potential data center;

**WHEREAS**, with Industry as our state motto, Utah is committed to advancing both economic strength and environmental stewardship;

**WHEREAS**, Utah is committed to protecting utility ratepayers by ensuring that data center development does not shift the costs of new energy infrastructure onto existing households and businesses;

**WHEREAS**, protecting the quality of life of Utah residents requires careful consideration of potential impacts on noise, heat, lighting, traffic, air, water, and other circumstances associated with large-scale development;

**WHEREAS**, Utah is committed to saving the Great Salt Lake;

**WHEREAS**, on November 3, 2022, I issued **Proclamation 2022-01**, “*Suspending New Appropriations of Surplus and Unappropriated Waters in the Great Salt Lake Basin*”;

**WHEREAS**, in late 2025, I announced the Pro-Human AI Initiative to ensure developments in AI technology, including data centers that support AI, remain human-guided and human-enhancing;

**WHEREAS**, in 2026, I signed H.B. 76, Data Center Water Transparency Amendments, imposing reporting requirements on large data centers to protect water resources;

**WHEREAS**, the Department of Environmental Quality has primacy over the Clean Air Act and the Clean Water Act within the state of Utah;

**WHEREAS**, the Department of Natural Resources regulates, administers, and appropriates Utah water rights through the Office of the State Engineer; executes the Governor’s energy policies; and protects and manages the state’s wildlife resources and habitat;

**WHEREAS**, the Governor’s Office of Economic Development is required to coordinate state and local efforts on economic development activities;

**NOW, THEREFORE**, I, Spencer J. Cox, governor of the state of Utah, by the authority vested in me by the Constitution and laws of this state, do hereby order the following:

1. **Purpose.** The purposes of this Executive Order are to:
  - a. Create a Data Center Framework; and
  - b. Direct agencies to adopt the Data Center Framework.
2. **Application.** This order applies to state agencies, defined below.
3. **Definitions.** As used in this order:
  - a. “Agency”
    - i. Agency includes the following entities within the state executive branch:
      1. Any department, division, office, bureau, or other organization within the state executive branch, including the State Tax Commission, the National Guard, and the Board of Pardons and Parole;
    - ii. Agency does not include:
      1. an institution of higher education;
      2. the Utah Board of Higher Education;
      3. the State Board of Education;
      4. an independent entity as defined in Utah Code § 63E-1-102;
      5. the Attorney General’s Office;
      6. the State Auditor’s Office;
      7. the State Treasurer’s Office;
      8. the Legislative Branch; or
      9. the Judicial Branch.
  - b. “Data center” means a large data center as defined in Utah Code § 73-5-8.3(1)(d).
4. **Creating a Data Center Framework.**
  - a. This order establishes a Data Center Framework (“Framework”).
  - b. The Framework shall consist of the following principles:
    - i. Protect the Great Salt Lake and other water resources across the state by ensuring that water consumption is not increased and that water quality is protected;
    - ii. Protect air quality and airsheds across the state, including not impacting existing non-attainment areas;
    - iii. Promote economic and job growth in rural Utah;
    - iv. Mitigate wildlife impacts;
    - v. Protect utility ratepayers;
    - vi. Ensure opportunities to expand energy generation and transmission capacity are consistent with the other principles of this Framework;
    - vii. Lead on pro-human AI development in Utah; and
    - viii. Provide transparent, meaningful and thorough opportunities for public comment.
5. **Agency Responsibilities.** Agencies shall, in matters related to data centers:
  - a. Adhere to this Framework in agency efforts;

- b. Regularly review this Framework;
- c. Undertake extensive public outreach and engagement to further refine this Framework;
- d. Coordinate and communicate frequently across agencies and other governmental entities, including the Utah Inland Port Authority (UIPA), Military Installation Development Authority (MIDA), and local governments, to ensure consistent implementation of the Framework; and
- e. Work in partnership with the Legislature on recently approved interim study items in the Natural Resources, Agriculture and Environment; Public Utilities, Energy and Technology; and Economic Development and Workforce Services interim committees, including policy recommendations, legislation, and best practices.

**THIS ORDER** is effective immediately and shall remain in effect until otherwise modified, amended, rescinded, or superseded.



**IN WITNESS, WHEREOF**, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Utah. Done on this, the 29th day of May, 2026.

A handwritten signature in black ink, appearing to read 'Spencer J. Cox'.

Spencer J. Cox  
Governor

ATTEST:

A handwritten signature in black ink, appearing to read 'Deidre M. Henderson'.

Deidre M. Henderson  
Lieutenant Governor