

2012 Passed Legislation Impacting Political Subdivisions

1st Sub. H.B. 176 County Land Use Plans *(Rep. M. Noel)*

This bill enacts a process for a county to recommend to the Legislature proposed congressional land use legislation concerning federal land use designation.

This bill:

- ▶ defines terms;
- ▶ enacts a process for a county to recommend to the Legislature proposed congressional land use legislation concerning federal land use within the county;
- ▶ allows a county to prepare a report on and a draft concurrent resolution in support of the proposed congressional land use legislation to the Public Lands Policy Coordinating Office;
- ▶ enacts language relating to the substance of a report prepared by the county;
- ▶ authorizes the Public Lands Policy Coordinating Office to evaluate a report and assist, as requested, the county in preparing a report;
- ▶ requires the Public Lands Policy Coordinating Office to submit a county's report and an evaluation of that report to a legislative committee;
- ▶ enacts language related to a legislative committee's review of the report and possible action on a proposed concurrent resolution;
- ▶ allows the governor to call a special session to consider the concurrent resolution; and
- ▶ makes technical corrections.

No monies are appropriated in this bill.

2nd Sub. H.B. 216 Political Subdivision Residential Rental Amendments *(Rep. K. Sumsion)*

This bill enacts language related to a municipal regulation of a residential rental unit.

This bill:

- ▶ defines terms;
- ▶ enacts language related to a disproportionate rental fee charged by a municipality;
- ▶ prohibits a municipality from making certain requirements of a landlord;
- ▶ enacts language related to a good landlord program; and
- ▶ makes technical corrections.

No monies are appropriated in this bill.

1st Sub. H.B. 229 Constables Amendments *(Rep. L. Perry)*

This bill amends provisions related to a county constable and deputy constable.

This bill:

- ▶ prohibits a county from contracting with a constable for a period that exceeds four years;
- ▶ requires a constable to present certain identification;
- ▶ requires a constable or deputy constable to notify the agency of jurisdiction in certain circumstances;
- ▶ limits a constable's appointed term to four years; and

- ▶ makes technical corrections.
- No monies are appropriated in this bill.

H.B. 243 Municipal Election Revisions *(Rep. J. Dougall)*

This bill amends provisions related to filing for candidacy in certain municipal elections.
This bill:

- ▶ repeals provisions authorizing certain third, fourth, and fifth class municipalities and certain towns to adopt an ordinance that allows a candidate for municipal office to file a nominating petition in lieu of using the convention system;
- ▶ repeals provisions related to signature requirements for a nominating petition in certain municipalities and towns;
- ▶ repeals provisions related to the nominating petition requirements in certain municipalities and town; and
- ▶ makes technical corrections.

No monies are appropriated in this bill.

1st Sub. H.B. 249 Single Family Zoning Designation *(Rep. D. Sanpei)*

This bill amends provisions related to a residential single family designation.

This bill:

- ▶ amends the definition of "single-family limit";
- ▶ allows a local government or a potentially aggrieved person to request an advisory opinion on compliance with provisions related to a single family designation; and
- ▶ makes technical corrections.

No monies are appropriated in this bill.

H.B. 259 Municipal Administrative Proceedings Amendments *(Rep. K. Powell)*

This bill amends provisions related to municipal administrative proceedings.

This bill:

- ▶ authorizes a municipality to establish an administrative proceeding; and
- ▶ makes technical corrections.

No monies are appropriated in this bill.

H.B. 273 Municipal and County Development Standards *(Rep. B. Wilson)*

This bill amends subdivision and development provisions of the municipal and county land use code.

This bill:

- ▶ requires that a municipality or county that adopts an amendment to a specification for a public improvement give notice;
- ▶ prohibits a municipality or county from imposing certain requirements on an applicant for preliminary subdivision approval;
- ▶ prohibits a municipality or county from imposing certain requirements on a holder of an issued land use permit or a final, unexpired subdivision plat; and
- ▶ makes technical corrections.

No monies are appropriated in this bill.

H.B. 302 Land Use Penalties (*Rep. M. Morley*)

This bill amends provisions related to certain civil penalties established by a municipality or county.

This bill:

- ▶ requires that a municipality or county provide:
 - notice of an ordinance violation to the owner of record;
 - the owner of record a reasonable opportunity to cure an ordinance violation; and
 - a schedule of the civil penalties for an ordinance violation; and
- ▶ makes technical corrections.

No monies are appropriated in this bill.

H.B. 449 Public Employee Status Modifications (*Rep. B. Dee*)

This bill amends provisions related to employment by a municipality.

This bill:

- ▶ clarifies provisions related to the classified civil service;
- ▶ amends provisions related to duration and termination of a municipal employee;
- ▶ amends provisions related to the discharge, suspension, or involuntary transfer of a municipal employee and related procedures; and
- ▶ makes technical corrections.

No monies are appropriated in this bill.

6th Sub. H.B. 502 Incorporation Amendments (*Rep. M. Brown*)

This bill amends provisions related to the incorporation of a city or town.

This bill:

- ▶ amends definitions;
- ▶ amends language related to a request for a feasibility study;
- ▶ amends language related to the exclusion of property from proposed incorporation boundaries;
- ▶ amends language related to the certification of a request for a feasibility study;
- ▶ amends provisions that require a city incorporation feasibility study;
- ▶ amends language related to a city incorporation petition;
- ▶ amends language related to an incorporation of a city election;
- ▶ amends provisions related to a town incorporation feasibility study;
- ▶ amends language related to a town incorporation petition;
- ▶ requires a county legislative body to hold a public hearing on a feasibility study;
- ▶ enacts provisions related to an incorporation of a town election;
- ▶ enacts provisions related to a town form of government and election of town officers;
- ▶ enacts provisions requiring notice of a town incorporation to the lieutenant governor;

- ▶ enacts provisions related to the effective date of a town incorporation;
- ▶ amends language related to the duties of a planning commission of a township;
- ▶ amends the definition of "ballot proposition"; and
- ▶ makes technical corrections.

No monies are appropriated in this bill.

1st Sub. S.B. 78 Water Conservancy District Amendments (*Sen. J. Valentine*)

This bill directs the Revenue and Taxation Interim Committee to conduct a study of the proper allocation of water costs to the rate structure charged for water customers.

This bill:

- ▶ directs the Revenue and Taxation Interim Committee in 2012 to study the proper allocation of water costs to the rate structure charged for water customers.

No monies are appropriated in this bill.

S.B. 89 Municipal Election Amendments (*Sen. M. Dayton*)

This bill defines terms relating to campaign finance statements in a municipal election.

This bill:

- ▶ defines "reporting limit"; and
- ▶ makes technical corrections.

No monies are appropriated in this bill.

S.B. 99 Employment Amendments (*Sen. M. Madsen*)

This bill prohibits a municipality or county from enacting or enforcing an ordinance that establishes, mandates, or requires a private employer to establish or offer an employee benefit.

This bill:

- ▶ defines terms; and
- ▶ prohibits a municipality or county from enacting or enforcing an ordinance that establishes, mandates, or requires a private employer to establish or offer an employee benefit.

No monies are appropriated in this bill.

1st Sub. S.B. 115 Historical District Creation Requirements (*Sen. W. Niederhauser*)

This bill amends provisions related to municipal land use provisions and historic districts or areas.

This bill:

- ▶ prohibits a city of the first class in a county of the first class from establishing, in certain circumstances, a local historic district or area before May 14, 2013;
- ▶ prohibits a municipality from reviewing a land use application in certain circumstances; and
- ▶ makes technical corrections.

No monies are appropriated in this bill.

S.B. 118 Transferable Development Rights Amendments (*Sen. W. Niederhauser*)

This bill authorizes a municipality or county to adopt an ordinance permitting the transfer of a transferable development right and prohibits a municipality or county from allowing the use of a transferable development right unless the municipality or county has adopted the ordinance.

This bill:

- ▶ defines terms;
- ▶ authorizes a municipality or county to adopt an ordinance permitting the transfer of a transferable development right;
- ▶ prohibits a municipality or county from allowing the use of a transferable development right unless the municipality or county has adopted the ordinance; and
- ▶ makes technical corrections.

No monies are appropriated in this bill.

3rd Sub. S.B. 124 County Amendments (*Sen. C. Bramble*)

This bill amends provisions related to county funds.

This bill:

- ▶ enacts Title 17, Chapter 19a, County Auditor, including:
 - enacts general provisions;
 - enacts provisions related to a county auditor's powers and duties;
 - enacts provisions related to payments and warrants; and
 - enacts provisions related to an investigation conducted by a county auditor;
- ▶ amends provisions related to the preparation of a tentative county budget;
- ▶ amends provisions related to the adoption of a county budget;
- ▶ amends provisions related to a purchase or encumbrance by a purchasing agent;
- ▶ amends provisions related to the county adoption of a financial administration ordinance;
- ▶ enacts provisions related to a county auditor's review, investigation, and payment of a claim against a county;
- ▶ amends provisions related to a county legislative body's authority to examine and audit certain accounts;
- ▶ amends provisions related to a county executive's authority to examine and audit certain accounts;
- ▶ provides a repeal date for certain provisions; and
- ▶ makes technical corrections.

No monies are appropriated in this bill.

S.B. 137 Financial Transparency Website (*Sen. W. Niederhauser*)

This bill requires that an interlocal entity provide public financial information through the Utah Public Finance Website.

This bill:

- ▶ defines terms;
- ▶ requires that an interlocal entity provide public financial information through the Utah Public Finance Website; and
- ▶ makes technical corrections.

No monies are appropriated in this bill.

1st Sub. S.B. 150 Local and Special Service District Amendments *(Sen. J. Stevenson)*

This bill amends provisions related to a local district and a special service district.

This bill:

- ▶ defines terms;
- ▶ clarifies language related to a board of trustees member's term;
- ▶ amends language related to the appointment of a local district board member;
- ▶ authorizes a local district to provide early voting for an election of a board member;
- ▶ amends language related to a local district tax levy;
- ▶ amends notice requirements for a budget hearing held by the board of trustees;
- ▶ amends provisions related to an improvement district board of trustees;
- ▶ prohibits a service area located in a fourth class county from charging certain fees;
- ▶ amends language related to a use charge imposed by an irrigation district;
- ▶ amends provisions related to a mosquito abatement district board of trustees;
- ▶ amends language related to an administrative control board membership;
- ▶ amends language related to the qualifications of an administrative control board member; and
- ▶ makes technical corrections.

No monies are appropriated in this bill.

1st Sub. S.B. 165 Redevelopment Agency Amendments *(Sen. T. Weiler)*

This bill amends provisions related to community development and renewal agencies.

This bill:

- ▶ defines terms;
- ▶ amends language related to a notice of an impending boundary action required when an agency is created;
- ▶ amends language related to a public entity's authority;
- ▶ amends tax increment and sales tax provisions;
- ▶ amends language related to the duties of a taxing entity committee;
- ▶ amends the definition of "local public procurement unit"; and
- ▶ makes technical corrections.

No monies are appropriated in this bill.

S.B. 174 Land Use Authority Amendments *(Sen. W. Niederhauser)*

This bill amends county land use provisions.

This bill:

- ▶ amends provisions related to an exemption from a plat requirement; and

- ▶ makes technical corrections.
- No monies are appropriated in this bill.

3rd Sub. S.B. 180 Political Subdivision Ethics Amendments (*Sen. C. Bramble*)

This bill enacts language related to a political subdivision officer or employee ethics violation.

This bill:

- ▶ authorizes a municipality to establish a municipal ethics commission;
- ▶ enacts general provisions;
- ▶ defines terms;
- ▶ authorizes a political subdivision to establish an ethics commission within the political subdivision or by interlocal agreement;
- ▶ enacts provisions related to the Political Subdivisions Ethics Review Commission (Commission);
- ▶ enacts provisions related to general powers and procedures;
- ▶ enacts provisions related to a hearing on an ethics complaint;
- ▶ enacts provisions related to an ethics complaint;
- ▶ enacts provisions related to a review of an ethics complaint for compliance;
- ▶ enacts provisions related to the commission's preliminary review and review of an ethics violation;
- ▶ authorizes a county to establish a county ethics commission;
- ▶ amends provisions related to a closed public meeting;
- ▶ amends provisions related to a private record;
- ▶ removes a county from the authority of Title 67, Chapter 16, Utah Public Officers' and Employees' Ethics Act;
- ▶ enacts language related to filing a complaint for a violation of Title 67, Chapter 16, Utah Public Officers' and Employees' Ethics Act; and
- ▶ makes technical corrections.

No monies are appropriated in this bill.

S.B. 247 Conservation District Amendments (*Sen. D. Hinkins*)

This bill amends provisions related to the duties of a conservation district and a conservation district board of supervisors.

This bill:

- ▶ clarifies other statutory provisions that govern a conservation district;
- ▶ enacts language related to the fiscal year of a conservation district;
- ▶ authorizes the state auditor to modify requirements for a conservation district filing a budget or fiscal report;
- ▶ enacts language related to training provided for a member of a board of supervisors; and
- ▶ makes technical corrections.

No monies are appropriated in this bill.

S.B. 275 Municipal Government Revisions (*Sen. B. McAdams*)

This bill amends the authority of a board of commissioners, city council, or board of trustees to enter into a contract for the lighting of public places.

This bill:

- ▶ amends the authority of a board of commissioners, city council, or board of trustees to enter into a contract for the lighting of public places; and
- ▶ makes technical corrections.

No monies are appropriated in this bill.

S.B. 277 Municipal Government Authority (*Sen. J. S. Adams*)

This bill amends language related to municipal regulation and enforcement of certain activities.

This bill:

- ▶ amends language related to municipal enforcement of wrongfully obtained property;
- ▶ amends language related to municipal regulation of alcoholic beverage or tobacco sales;
- ▶ amends language related to municipal enforcement of controlled substance provisions; and
- ▶ makes technical corrections.

No monies are appropriated in this bill.