

**1st Sub. H.B. 7**

**RECODIFICATION AND AMENDMENTS OF REDEVELOPMENT AGENCIES  
STATUTES**

HOUSE FLOOR AMENDMENTS

AMENDMENT 3

FEBRUARY 8, 2001 11:11 AM

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Representative **Harper** proposes the following amendments:

1. Page 2, Line 38: After line 38 insert:  
  
"17B-4-206, Utah Code Annotated 1953"
2. Page 3, Line 88: Delete line 88
3. Page 8, Line 220: After "Chapter" delete "3" and insert "4"
4. Page 8, Line 240: After "Chapter" delete "3" and insert "4"
5. Page 15, Line 446: After "located" insert "and includes a purchaser under a real estate contract if the contract is recorded in the office of the recorder of the county in which the property is located or the purchaser gives written notice of the real estate contract to the agency"
6. Page 17, Line 504: Delete line 504
7. Page 17, Line 505: At the beginning of line 505 delete "(I)" and insert "(i)(A)"
8. Page 17, Line 506: At the beginning of line 506 delete "(II)" and insert "(B)"
9. Page 17, Line 507: After "agency:" delete "and"
10. Page 17, Line 508: At the beginning of line 508 delete "(B)" and insert "(ii)"
11. Page 17, Line 511: At the beginning of line 511 delete "(ii)" and insert "(iii)"
12. Page 21, Line 644: After line 644 insert:  
  
"Section 16. Section **17B-4-206** is enacted to read:  
**17B-4-206. Acquisition of property of an agency board member or officer -- Use of eminent domain.**  
(1) An agency may not acquire property or an interest in property

from an agency board member or officer unless:

(a) the board member or officer consents; and

(b) the agency uses eminent domain.

(2)(a) In addition to the power of eminent domain that an agency may exercise under Part 11, Eminent Domain in Redevelopment Project Area, an agency may use eminent domain to acquire any interest in property that is owned by an agency board member or officer and located within a redevelopment, economic development, or education housing development project area.

(b) The requirement under Subsection 17B-4-1101(1)(a) of a finding of blight does not apply to an agency's acquisition through eminent domain of property or an interest in property owned by an agency board member or officer in a redevelopment project area."

**Renumber remaining sections accordingly.**

13. Page 28, Line 845:

After "unless" insert ":(1)"

14. Page 28, Line 846:

After "committee" insert "; or

(2) the project area plan was adopted on or before April 1, 1983"

15. Page 28, Line 850:

After "the agency" delete "board"

16. Page 32, Line 987:

After "legislative body" insert "or governing board"

17. Page 33, Lines 992-993:

Delete lines 992 and 993 and insert:

"(1) An adopted project area plan may be amended as provided in this section.

(2) If an agency proposes to amend an adopted project area plan to enlarge a project area, the requirements under this part that apply to a project area plan apply equally to the proposed amendment as if it were a project area plan.

(3) If a proposed amendment does not propose to enlarge a project area, an agency board may adopt a resolution approving an amendment to an adopted project area plan after:"

18. Page 33, Line 994:

At the beginning of line 994 delete "(i)" and insert "(a)"

19. Page 33, Line 995:

After "Subsection" delete "(1)(a)(ii)" and insert "(3)(b)"

20. Page 33, Line 996: At the beginning of line 996 delete "(ii)" and insert "(b)"
21. Page 33, Line 998: At the beginning of line 998 delete "(iii)" and insert "(c)"
22. Page 33, Line 1000: At the beginning of line 1000 delete "(A)" and insert "(i)" and after "the area" insert "within the project area"
23. Page 33, Line 1001: At the beginning of line 1001 delete "(B)" and insert "(ii)"
24. Page 33, Line 1003: At the beginning of line 1003 delete "(C)" and insert "(iii)"
25. Page 33, Line 1006: At the beginning of line 1006 delete "(iv)" and insert "(d)" and after "legislative body" insert "or governing board"
26. Page 33, Lines 1010-1012: Delete lines 1010 through 1012
27. Page 33, Line 1013: At the beginning of line 1013 delete "(2)(a)" and insert "(4)(a)" and after "Subsection" delete "(1):" and insert "(3)."
28. Page 33, Line 1014: At the beginning of line 1014 delete "(i)"
29. Page 33, Line 1015: After "Subsections" delete "(1)(a)(i) and (ii)" and insert "(3)(a) and (b)"
30. Page 33, Line 1016: After "Subsection" delete "(1)(a)(iii)(A)" and insert "(3)(c)(i)"
31. Page 33, Line 1017: At the beginning of line 1017 delete "(A)" and insert "(i)"
32. Page 33, Line 1019: At the beginning of line 1019 delete "(B)" and insert "(ii) subject to Subsection (4)(b)."
33. Page 34, Line 1021: At the beginning of line 1021 delete "(I)" and insert "(A)"
34. Page 34, Line 1022: At the beginning of line 1022 delete "(II)" and insert "(B)"
35. Page 34, Lines 1023-1024: Delete lines 1023 and 1024
36. Page 34, Line 1026: At the beginning of line 1026 delete "(2)(a)(i)(B)" and insert "(4)(a)(ii)"
37. Page 34, Line 1027: After line 1027 insert:

"(5)(a) An amendment approved by board resolution under this section may not take effect until adopted by ordinance of the legislative body of the community in which the project area that is the subject of the project area plan being amended is located."

38. Page 34, Line 1028: At the beginning of line 1028 delete "(3)" and insert "(b)"
39. Page 36, Line 1101: After "Section" delete "17B-4-903" and insert "17B-4-1003" and after "Subsection" delete "17B-4-903(3)" and insert "17B-4-1003(3)"
40. Page 36, Line 1103: After "Section" delete "17B-4-904" and insert "17B-4-1004" and after "Subsection" delete "17B-4-904(3)" and insert "17B-4-1004(3)"
41. Page 39, Line 1181: After "project area than was" insert "to be"
42. Page 39, Line 1196: At the beginning of line 1196 after "the" delete "public" and insert "blight"
43. Page 43, Line 1317: After "legislative body" insert "or governing board"
44. Page 48, Line 1470: After "legislative bodies" insert "or governing boards"
45. Page 50, Line 1529: After "April 1, 1983" delete "during" and insert "for"
46. Page 50, Line 1541: After "before April 1, 1983" insert ", even though the size of the project area from which tax increment is paid to the agency exceeds 100 acres of privately owned property under a project area plan adopted on or before April 1, 1983"
47. Page 51, Line 1552: After "April 1, 1983" delete "during" and insert "for"
48. Page 51, Line 1570: After "Section" delete "59-19-702" and insert "59-12-702"
49. Page 55, Line 1684: After "Subsection" delete "(1)(a)(ii)" and insert "(1)(a)(i)(B)"
50. Page 56, Line 1727: After "Section" delete "17B-4-909" and insert "17B-4-1009"
51. Page 56, Line 1728: Delete "17B-4-910" and insert "17B-4-1010"

52. Page 57, Line 1737: After "(iii)" insert "for"
53. Page 64, Lines 1953-1962: Delete lines 1953 through 1962 and renumber the remaining sections accordingly
54. Page 70, Line 2142: After "agency" delete "whose expenditures for the fiscal year exceed \$25,000"
55. Page 71, Line 2196: After "Education, and" delete "the legislative body of"
56. Page 72, Line 2205: After "(1)(a)" bracket "Any" and insert "Except as provided in Subsection (1)(b), a"
57. Page 72, Line 2216: At the beginning of line 2216 delete "is exempt" and insert "may not be exempted" and after "51-2-1" delete the remainder of the line and insert a period
58. Page 72, Line 2217: Delete line 2217