

1                                   **ASSESSMENT OF PROPERTY SUBJECT TO A**  
2   **MINIMUM PARCEL SIZE**

3   2002 GENERAL SESSION  
4   STATE OF UTAH

5                                   **Sponsor: Joseph G. Murray**

6   **This act amends the Property Tax Act to require a county assessor to include as part of a**  
7   **property tax assessment involving a parcel of property subject to a minimum parcel size, as**  
8   **defined by the act, the effect the minimum parcel size may have on the fair market value of**  
9   **the parcel of property. The act provides that a county assessor is not prohibited from**  
10 **including as part of a property tax assessment any other factor affecting the fair market**  
11 **value of the property. This act takes effect on January 1, 2003.**

12 This act affects sections of Utah Code Annotated 1953 as follows:

13 ENACTS:

14           **59-2-301.1**, Utah Code Annotated 1953

15 *Be it enacted by the Legislature of the state of Utah:*

16           Section 1. Section **59-2-301.1** is enacted to read:

17           **59-2-301.1. Definitions -- Assessment of property subject to a minimum parcel size**  
18 **-- Other factors affecting fair market value.**

19           (1) "Minimum parcel size" means the minimum size that a parcel of property may be  
20 divided into under a zoning ordinance adopted by a:

21           (a) county in accordance with Title 17, Chapter 27, Part 4, Zoning Ordinance; or

22           (b) city or town in accordance with Title 10, Chapter 9, Part 4, Zoning.

23           (2) In assessing the fair market value of a parcel of property that is subject to a minimum  
24 parcel size of one acre or more, a county assessor shall include as part of the assessment:

25           (a) that the parcel of property may not be subdivided into parcels of property smaller than  
26 the minimum parcel size; and

27           (b) any effects Subsection (2)(a) may have on the fair market value of the parcel of



28 property.  
29       (3) This section does not prohibit a county assessor from including as part of an  
30 assessment of the fair market value of a parcel of property any other factor affecting the fair market  
31 value of the parcel of property.

32       Section 2. **Effective date.**

33       This act takes effect on January 1, 2003.

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**Legislative Review Note**  
**as of 1-14-02 1:47 PM**

A limited legal review of this legislation raises no obvious constitutional or statutory concerns.

**Office of Legislative Research and General Counsel**