

**Representative Eli H. Anderson** proposes the following substitute bill:

**SPECIAL SERVICE DISTRICT AMENDMENTS**

2002 GENERAL SESSION

STATE OF UTAH

**Sponsor: Eli H. Anderson**

**This act modifies the Utah Special Service District Act by expanding the scope of services which special service districts may provide.**

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

AMENDS:

**17A-2-1304**, as last amended by Chapter 195, Laws of Utah 2001

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

Section 1. Section **17A-2-1304** is amended to read:

**17A-2-1304. Establishing special service districts -- Improvement districts within special service districts.**

(1) (a) A county or a municipality may establish a special service district for the purpose of providing within the area of the special service district any of the following services or any combination of them:

(i) water;

(ii) sewerage;

(iii) drainage;

(iv) flood control;

(v) garbage;

(vi) health care;

(vii) transportation;

(viii) recreation;

(ix) fire protection;



26 (x) in a county of the first class, providing, operating, and maintaining jail facilities for the  
27 confinement of municipal, state, and other detainees and prisoners;

28 (xi) street lighting; [~~and~~]

29 (xii) consolidated 911 and emergency dispatch[-]; and

30 (xiii) animal shelter and control.

31 (b) Snow removal services may be provided in special service districts established under  
32 this section to more effectively carry out the purposes of those special service districts.

33 (c) These services may be provided through facilities or systems acquired or constructed  
34 for that purpose through construction, purchase, lease, contract, gift, or condemnation or any  
35 combination of the above.

36 (d) Special service districts may contract with a franchised, certificated public utility for  
37 the construction and operation of an electrical service distribution system within the special service  
38 district.

39 (2) (a) The area within any special service district may include all or any part of the county  
40 or municipality that established it except that:

41 (i) a special service district may not include the area of any other special service district  
42 established by the same county or municipality that is now providing the same service proposed  
43 to be supplied by the new special service district;

44 (ii) a special service district established by a county may contain all or a part of any  
45 municipality or of an existing improvement district that provides the same service proposed to be  
46 provided by the special service district, but only with the consent of the governing authority as  
47 provided in a resolution or ordinance adopted by the governing authority; and

48 (iii) a special service district may not include any area not directly benefited by the services  
49 provided under this section without the consent of the nonbenefited landowner.

50 (b) All parts of a special service district need not be contiguous.

51 (3) (a) As provided in Section 17A-2-1315, the governing authority of any special service  
52 district created under this part may create one or more improvement districts within the boundaries  
53 of the special service district by following the procedures in, and meeting the requirements of,  
54 Chapter 3, Part 2, County Improvement District Act, or Part 3, Utah Municipal Improvement  
55 District Act.

56 (b) The intent to create an improvement district need not be present at the time a special

57 service district is organized.

58 (c) Any improvement district created within the boundaries of a special service district  
59 may only be organized to undertake projects or improvements for which the special service district  
60 creating that improvement district was organized.

61 (d) The special service district shall meet all procedural requirements for creating an  
62 improvement district at the time the improvement district is created, as provided in Section  
63 17A-2-1315 and in Chapter 3, Part 2, County Improvement District Act, or Part 3, Utah Municipal  
64 Improvement District Act.

65 (e) In determining whether or not a project or improvement undertaken by an improvement  
66 district is within the scope of the purposes for which the special service district creating that  
67 improvement district was organized, any project or improvement reasonably related to the  
68 purposes for which the special service district creating that improvement district was organized  
69 is considered to be within the scope of those purposes.

70 (4) The creation of a special service district to provide jail services as provided in  
71 Subsection (1)(a)(x) does not affect the ability of a municipality under Section 10-8-58 to provide,  
72 operate, and maintain facilities for the temporary incarceration, not to exceed 72 hours, of persons  
73 charged with the violation of a municipal ordinance.