

SPECIAL SERVICE DISTRICT AMENDMENTS

2003 GENERAL SESSION

STATE OF UTAH

Sponsor: Eli H. Anderson

This act modifies provisions relating to Independent Special Districts to authorize special service districts to provide emergency medical and ambulance services ^h UNDER CERTAIN CIRCUMSTANCES ^h .

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

AMENDS:

17A-2-1304, as last amended by Chapter 243, Laws of Utah 2002

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 ^h **AND, IF FIRE PROTECTION SERVICES ARE PROVIDED, EMERGENCY MEDICAL § [AND] OR § AMBULANCE § [ALSO MAY BE INCLUDED THEREWITH] OR BOTH § ^h ;**

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



28 (xi) street lighting;

29 (xii) consolidated 911 and emergency dispatch; ~~h~~ [f] and [j]

30 ~~[(xiii) emergency medical and ambulance; and]~~

31 [f] (xiii) [j] ~~[(xiv)]~~ ~~h~~ animal shelter and control.

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

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

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

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

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

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

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

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

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

57 (b) The intent to create an improvement district need not be present at the time a
58 special service district is organized.

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

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

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

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

Legislative Review Note
as of 11-26-02 11:53 AM

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

Office of Legislative Research and General Counsel

Fiscal Note
Bill Number HB0080

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20-Jan-03

3:37 PM

State Impact

No fiscal impact.

Individual and Business Impact

No fiscal impact.

Office of the Legislative Fiscal Analyst