

28 (A) advanced life support and paramedic services; and
29 (B) detective investigative services; and
30 (vi) all other services and functions that are required by law to be budgeted,
31 appropriated, and accounted for from a municipal services fund or a municipal capital projects
32 fund as defined under Chapter 36, Uniform Fiscal Procedures Act for Counties.

33 (d) "Placement" has the same meaning as in Section 19-3-303.

34 (e) "Storage facility" has the same meaning as in Section 19-3-303.

35 (f) "Transfer facility" has the same meaning as in Section 19-3-303.

36 (2) A county may:

37 (a) provide municipal-type services to areas of the county outside the limits of cities
38 and towns without providing the same services to cities or towns;

39 (b) fund those services by:

40 (i) levying a tax on taxable property in the county outside the limits of cities and towns;

41 or

42 (ii) charging a service charge or fee to persons benefitting from the municipal-type
43 services.

44 (3) A county may not:

45 (a) provide, contract to provide, or agree in any manner to provide municipal-type
46 services, as these services are defined in Section 19-3-303, to any area under consideration for
47 a storage facility or transfer facility for the placement of high-level nuclear waste, or greater
48 than class C radioactive waste; or

49 (b) seek to fund services for these facilities by:

50 (i) levying a tax; or

51 (ii) charging a service charge or fee to persons benefitting from the municipal-type
52 services.

53 (4) Each county of the first class shall provide to the area of the county outside the
54 limits of cities and towns:

55 (a) advanced life support and paramedic services; and

56 (b) detective investigative services.

57 (5) (a) ~~[Each]~~ A county ~~[of the first class]~~ may provide fire, paramedic, and police
58 protection services in any area of the county outside the limits of cities and towns that is

59 designated as a recreational area in accordance with the provisions of this Subsection (5).

60 (b) A county legislative body [~~in a county of the first class~~] may designate any area of
61 the county outside the limits of cities and towns as a recreational area if:

62 (i) the area has fewer than 1,500 residents and is primarily used for recreational
63 purposes, including canyons, ski resorts, wilderness areas, lakes and reservoirs, campgrounds,
64 or picnic areas; and

65 (ii) the county legislative body makes a finding that the recreational area is used by
66 residents of the county who live both inside and outside the limits of cities and towns.

67 (c) Fire, paramedic, and police protection services needed to primarily serve those
68 involved in the recreation activities in areas designated as recreational areas by the county
69 legislative body in accordance with Subsection (5)(b) may be funded from the county general
70 fund.

71 Section 2. Section **17-34-3** is amended to read:

72 **17-34-3. Taxes or service charges.**

73 (1) (a) If a county furnishes the municipal-type services and functions described in
74 Section 17-34-1 to areas of the county outside the limits of incorporated cities or towns, the
75 entire cost of the services or functions so furnished shall be defrayed from funds that the county
76 has derived from:

77 (i) taxes that the county may lawfully levy or impose outside the limits of incorporated
78 towns or cities;

79 (ii) service charges or fees the county may impose upon the persons benefited in any
80 way by the services or functions; or

81 (iii) a combination of these sources.

82 (b) As the taxes or service charges or fees are levied and collected, they shall be placed
83 in a special revenue fund of the county and shall be disbursed only for the rendering of the
84 services or functions established in Section 17-34-1 within the unincorporated areas of the
85 county.

86 (2) For the purpose of levying taxes, service charges, or fees provided in this section,
87 the county legislative body may establish a district or districts in the unincorporated areas of
88 the county.

89 (3) Nothing contained in this chapter may be construed to authorize counties to impose

90 or levy taxes not otherwise allowed by law.

91 (4) (a) A county required under Subsection 17-34-1(4) to provide advanced life support
92 and paramedic services to the unincorporated area of the county and that previously paid for
93 those services through a countywide levy may increase its levy under Subsection (1)(a)(i) to
94 generate in the unincorporated area of the county the same amount of revenue as the county
95 loses from that area due to the required decrease in the countywide certified tax rate under
96 Subsection 59-2-924(2)(k)(i).

97 (b) An increase in tax rate under Subsection (4)(a) is exempt from the notice and
98 hearing requirements of Sections 59-2-918 and 59-2-919.

99 (5) Notwithstanding any other provision of this chapter, a county [~~of the first class~~]
100 providing fire, paramedic, and police protection services in a designated recreational area, as
101 provided in Subsection 17-34-1(5), may fund those services from the county general fund with
102 revenues derived from both inside and outside the limits of cities and towns, and the funding of
103 those services is not limited to unincorporated area revenues.

Legislative Review Note
as of 12-10-02 2:31 PM

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 HB0066

County General Fund Expenses

07-Jan-03

1:42 PM

State Impact

No fiscal impact.

Individual and Business Impact

No fiscal impact.

Office of the Legislative Fiscal Analyst