

Representative M. Susan Lawrence proposes the following substitute bill:

SUNSET OF TOWNSHIP

PROVISION

2005 GENERAL SESSION

STATE OF UTAH

Sponsor: M. Susan Lawrence

LONG TITLE

General Description:

This bill modifies a sunset provision relating to the annexation of territory within a township and enacts legislative intent language.

Highlighted Provisions:

This bill:

- ▶ extends to 2010 a sunset provision relating to a provision requiring voter or property owner approval of a municipality's annexation of territory located in a township unless the entire area of the township is annexed; and

- ▶ enacts legislative intent language regarding the sunset of a township provision and regarding townships in first class counties.

Monies Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

63-55b-110, as enacted by Chapter 224, Laws of Utah 2002

Uncodified Material Affected:



26 ENACTS UNCODIFIED MATERIAL

27

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

29 Section 1. Section **63-55b-110** is amended to read:

30 **63-55b-110. Repeal dates -- Title 10.**

31 Section 10-2-427 is repealed July 1, [~~2006~~] 2010.

32 Section 2. **Legislative intent.**

33 It is the intent of the Legislature that:

34 (1) extending to 2010 the sunset date for Section 10-2-427 will give each county of the
35 first class and municipalities within each county of the first class that are adjacent to township
36 areas adequate time to assess and evaluate the desires of residents and property owners within
37 townships with regard to annexation, incorporation, or remaining in the unincorporated area of
38 the county, and to develop a plan to respond to and implement those desires;

39 (2) each county of the first class and each municipality that is in a county of the first
40 class and is adjacent to a township area shall, by July 1, 2008, provide appropriate public
41 information and funding to conduct a survey of residents and property owners within each
42 township in the county to determine their desires about whether all or portions of
43 unincorporated areas within the township should:

44 (a) incorporate into a municipality;

45 (b) annex to an adjoining municipality;

46 (c) remain in the unincorporated area of the county and within the township area; or

47 (d) remain in the unincorporated area of the county but withdraw from the township
48 area; and

49 (3) each county of the first class and municipalities within each county of the first class
50 that are adjacent to township areas shall work together to develop and, to the extent feasible,
51 implement a plan to carry into effect the results of the survey.

Legislative Review Note

as of 1-24-05 6:40 PM

Based on a limited legal review, this legislation has not been determined to have a high probability of being held unconstitutional.

Office of Legislative Research and General Counsel

Fiscal Note
Bill Number HB0040S01

Sunset of Township Provision

27-Jan-05

7:36 AM

State Impact

No fiscal impact.

Individual and Business Impact

No fiscal impact.

Office of the Legislative Fiscal Analyst