

1 **MUNICIPAL ELECTRICAL ENTITIES**

2 **AMENDMENTS**

3 2005 GENERAL SESSION

4 STATE OF UTAH

5 **Sponsor: Aaron Tilton**

7 **LONG TITLE**

8 **General Description:**

9 This bill modifies provisions relating to cities that provide electric service.

10 **Highlighted Provisions:**

11 This bill:

12 ▶ requires each city that provides electric service to show on each bill for that service
13 the portion that is required to cover the cost of the service and the portion that
14 exceeds the costs of service.

15 **Monies Appropriated in this Bill:**

16 None

17 **Other Special Clauses:**

18 None

19 **Utah Code Sections Affected:**

20 AMENDS:

21 **10-8-14**, as last amended by Chapter 83, Laws of Utah 2001

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

24 Section 1. Section **10-8-14** is amended to read:

25 **10-8-14. Water, sewer, gas, electricity, and public transportation -- Service**
26 **beyond city limits -- Retainage -- Cable television and public telecommunications**
27 **services.**



28 (1) (a) A city may:
29 [~~(a)~~] (i) construct, maintain, and operate waterworks, sewer collection, sewer treatment
30 systems, gas works, electric light works, telecommunications lines, cable television lines, or
31 public transportation systems;
32 [~~(b)~~] (ii) authorize the construction, maintenance and operation of the works or systems
33 listed in Subsection (1)(a) by others;
34 [~~(c)~~] (iii) purchase or lease the works or systems listed in Subsection (1)(a) from any
35 person or corporation; and
36 [~~(d)~~] (iv) sell and deliver the surplus product or service capacity of any works or
37 system listed in Subsection (1)(a), not required by the city or the city's inhabitants, to others
38 beyond the limits of the city, except the sale and delivery of cable television services or public
39 telecommunications services is governed by Subsection (3).
40 (b) Each city that provides its residents with electricity through a system operated by
41 the city shall indicate on each bill for the charges for that service the portion of the total
42 amount charged that is required to pay the costs of providing the electric service and the
43 portion that exceeds those costs.
44 (2) If any payment on a contract with a private person, firm, or corporation to construct
45 waterworks, sewer collection, sewer treatment systems, gas works, electric light works,
46 telecommunications lines, cable television lines, or public transportation systems is retained or
47 withheld, it shall be retained or withheld and released as provided in Section 13-8-5.
48 (3) A city's actions under this section related to works or systems involving public
49 telecommunications services or cable television services are subject to the requirements of
50 Chapter 18, Municipal Cable Television and Public Telecommunications Services Act.

Legislative Review Note
as of 2-7-05 10:20 AM

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 HB0312

Municipal Electrical Entities Amendments

14-Feb-05

1:59 PM

State Impact

Any costs could be absorbed within existing budgets.

Individual and Business Impact

No fiscal impact.

Office of the Legislative Fiscal Analyst