

1 **CONSOLIDATION OF CITY AND COUNTY**

2 **LIBRARY**

3 2005 GENERAL SESSION

4 STATE OF UTAH

5 **Sponsor: Gregory S. Bell**

7 **LONG TITLE**

8 **General Description:**

9 This bill modifies a provision related to the consolidation of a city library with a county
10 library.

11 **Highlighted Provisions:**

12 This bill:

13 ▶ provides an exception to the requirement that city library trust funds be conveyed to
14 the county library board upon consolidation of the city library with the county
15 library; and

16 ▶ provides that if conveyance constitutes a violation of the trust agreement, the funds
17 need not be conveyed but may continue to be used as provided in the trust
18 agreement.

19 **Monies Appropriated in this Bill:**

20 None

21 **Other Special Clauses:**

22 None

23 **Utah Code Sections Affected:**

24 AMENDS:

25 **9-7-410**, as renumbered and amended by Chapter 241, Laws of Utah 1992

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



28 Section 1. Section 9-7-410 is amended to read:

29 **9-7-410. Consolidation with county library.**

30 [~~When~~] (1) If a city library consolidates with a county library, the city library board of
31 directors shall convey all assets ~~§ AND §~~ , except as provided in Subsection (2), § [and] § trust
31a funds to the
32 county library board of directors, and the city library shall cease operation.

33 (2) If a conveyance of trust funds under Subsection (1) would constitute a violation of
34 the trust agreement governing the trust funds, conveyance of those funds is not required, and
35 those funds may continue to be used in accordance with the trust agreement for any library
36 facility specified in the trust agreement, even after the facility becomes a county library facility
37 because of consolidation.

Legislative Review Note
as of 12-8-04 1:46 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 SB0097

Consolidation of City and County Library

12-Jan-05

3:37 PM

State Impact

No fiscal impact.

Individual and Business Impact

No fiscal impact.

Office of the Legislative Fiscal Analyst