

APPRAISALS FOR STATE LAND PURCHASES

2008 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Jack R. Draxler

Senate Sponsor: _____

LONG TITLE

General Description:

This bill modifies the Utah Procurement Code by amending provisions for the purchase or sale of real property by state agencies.

Highlighted Provisions:

This bill:

- ▶ requires a state agency that buys, sells, or exchanges real property to make rules to establish procedures for determining that the value is congruent with the proposed price and other terms of the purchase, sale, or exchange;
- ▶ allows the rules to require an appraisal and to require that the appraisal be completed by a state-certified general appraiser; and
- ▶ provides exceptions for real property with an estimated value below a certain limit.

Monies Appropriated in this Bill:

None

Other Special Clauses:

This bill coordinates with H.B. 63, Recodification of Title 63 State Affairs in General.

Utah Code Sections Affected:

ENACTS:

63-56-1101, Utah Code Annotated 1953

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



28 Section 1. Section **63-56-1101** is enacted to read:

29 **Part 11. Determining the Value of Real Property Prior to Sale**

30 **63-56-1101. Rulemaking for sale of real property -- Licensed or certified**

31 **appraisers -- Exceptions.**

32 (1) In accordance with Title 63, Chapter 46a, Utah Administrative Rulemaking Act, a
33 state agency that buys, sells, or exchanges real property, or any interest in real property, shall
34 make rules to ensure that the value of the real property is congruent with the proposed price
35 and other terms of the purchase, sale, or exchange.

36 (2) The rules:

37 (a) shall establish procedures for determining the value of the real property;

38 (b) may provide that an appraisal, as defined under Section 61-2b-2, demonstrates the
39 real property's value; and

40 (c) may require that the appraisal be completed by a state-certified general appraiser, as
41 defined under Section 61-2b-2.

42 (3) Subsection (1) does not apply to the purchase, sale, or exchange of real property, or
43 to an interest in real property:

44 (a) that is under a contract or other written agreement prior to May 5, 2008; or

45 (b) with a value of less than \$100,000, as estimated by the state agency.

46 **Section 2. Coordinating H.B. 354 with H.B. 63 -- Technical renumbering.**

47 If this H.B. 354 and H.B. 63, Recodification of Title 63 State Affairs in General, both
48 pass, it is the intent of the Legislature that Section 63-56-1101 in this bill be renumbered to
49 63G-6-1101 when the Office of Legislative Research and General Counsel prepares the Utah
50 Code database for publication.

Legislative Review Note
as of 1-28-08 5:20 PM

Office of Legislative Research and General Counsel

H.B. 354 - Appraisals for State Land Purchases

Fiscal Note

2008 General Session

State of Utah

State Impact

Enactment of this bill will not require additional appropriations.

Individual, Business and/or Local Impact

Enactment of this bill likely will not result in direct, measurable costs and/or benefits for individuals, businesses, or local governments.
