

UTAH RELOCATION ASSISTANCE ACT

AMENDMENTS

2008 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Lyle W. Hillyard

House Sponsor: Kevin S. Garn

LONG TITLE

General Description:

This bill addresses relocation assistance payments to a person displaced by an agency's acquisition of real property.

Highlighted Provisions:

This bill:

- ▶ requires relocation assistance payments to certain persons displaced by an agency's acquisition of real property;
- ▶ addresses the amount of relocation assistance required;
- ▶ provides for a statutory payment in lieu of any payment authorized by an agency's rules; and
- ▶ makes technical changes.

Monies Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

57-12-4, as enacted by Chapter 24, Laws of Utah 1972



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

29 Section 1. Section **57-12-4** is amended to read:

30 **57-12-4. Federal funds -- Direct assistance.**

31 (1) When federal funds are available for payment of direct financial assistance to
 32 ~~[persons]~~ a person displaced by acquisition of real property by any agency, the displacing
 33 agency ~~[is authorized to]~~ may use ~~[such]~~ those federal funds with state or local funds to the
 34 extent provided by federal law and may provide ~~[such]~~ direct financial assistance in the
 35 instances and on the conditions set forth by federal law and regulations.

36 (2) (a) When federal funds are not available or used for payment of direct financial
 37 assistance to ~~[persons]~~ a person displaced by the acquisition of real property by an agency, the
 38 displacing agency may provide direct financial assistance to ~~[such persons]~~ the person.
 39 ~~[Financial]~~

40 (b) Except as provided in Subsection (3), financial assistance ~~§~~ **→ [f] authorized [f]**
 40a **[required] ←§** by
 41 this Subsection (2) ~~[shall]~~ may not exceed the total amount that would have been payable under
 42 Subsection (1) ~~[of this section]~~ if federal funds had been available or used.

43 (3) (a) The amount of direct financial assistance provided to a person displaced by
 44 acquisition of real property by any agency includes actual reasonable expenses necessary to
 45 reestablish a displaced farm, nonprofit organization, or business at a new site, in accordance
 46 with criteria established by the agency by rule, but not exceeding \$50,000.

47 (b) The \$50,000 limit on direct financial assistance established in Subsection (3)(a):
 48 (i) applies despite any lower limit established by federal statute or regulation or agency
 49 rule; and

50 (ii) does not apply if a higher limit is established by federal statute or regulation.

51 (4) (a) A displaced person eligible for payments under this chapter who is displaced
 52 from the person's place of business or farm may accept payment under this Subsection (4) in
 53 lieu of any payment under the displacing agency's rules if the person is eligible under the
 54 agency's criteria.

55 (b) A payment under this Subsection (4) is a fixed payment of at least \$1,000 but not
 56 more than \$75,000.

57 (c) A person whose sole business at the site from which the person is displaced is the
 58 rental of property to others does not qualify for payment under this Subsection (4).

59 (5) Assistance under this section may not be provided to a person who is ineligible to
60 receive relocation assistance under a federal statute or regulation.

Legislative Review Note
as of 1-21-08 4:38 PM

Office of Legislative Research and General Counsel

S.B. 156 - Utah Relocation Assistance Act Amendments

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.
