

**CITY AND COUNTY CARBON CREDITS FOR
SEQUESTRATION OF WASTE STREAM
MATERIALS**

2009 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Ross I. Romero

House Sponsor: _____

LONG TITLE

General Description:

This bill allows municipalities and counties to seek carbon credits for certain conversions of waste material.

Highlighted Provisions:

This bill:

- ▶ allows municipalities and counties to seek and sell carbon credits for certain conversions of waste material to charcoal or biochar; and
- ▶ makes technical changes.

Monies Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

17-34-1, as last amended by Laws of Utah 2003, Chapter 275

ENACTS:

10-7-15.5, Utah Code Annotated 1953



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

29 Section 1. Section **10-7-15.5** is enacted to read:

30 **10-7-15.5. Waste and garbage collection -- Carbon credits.**

31 A municipality providing waste and garbage collection and disposal services that
 32 converts material to charcoal or biochar ~~§~~→ **and sequesters the charcoal or biochar as fertilizer** ←~~§~~ as
 33a part of the waste and garbage collection and
 33 disposal services may seek and sell or trade carbon credits on any market ~~§~~→ **or exchange** ←~~§~~ for
 33a carbon credits.

34 Section 2. Section **17-34-1** is amended to read:

35 **17-34-1. Counties may provide municipal services -- Limitation -- First class**
 36 **counties to provide certain services -- Counties allowed to provide certain services in**
 37 **recreational areas.**

38 (1) For purposes of this chapter, except as otherwise provided in Subsection (3):

39 (a) "Greater than class C radioactive waste" has the same meaning as in Section
 40 19-3-303.

41 (b) "High-level nuclear waste" has the same meaning as in Section 19-3-303.

42 (c) "Municipal-type services" means:

43 (i) fire protection service;

44 (ii) waste and garbage collection and disposal;

45 (iii) planning and zoning;

46 (iv) street lighting;

47 (v) in a county of the first class:

48 (A) advanced life support and paramedic services; and

49 (B) detective investigative services; and

50 (vi) all other services and functions that are required by law to be budgeted,
 51 appropriated, and accounted for from a municipal services fund or a municipal capital projects
 52 fund as defined under Chapter 36, Uniform Fiscal Procedures Act for Counties.

53 (d) "Placement" has the same meaning as in Section 19-3-303.

54 (e) "Storage facility" has the same meaning as in Section 19-3-303.

55 (f) "Transfer facility" has the same meaning as in Section 19-3-303.

56 (2) A county may:

57 (a) provide municipal-type services to areas of the county outside the limits of cities

58 and towns without providing the same services to cities or towns;

- 59 (b) fund those services by:
- 60 (i) levying a tax on taxable property in the county outside the limits of cities and towns;
- 61 or
- 62 (ii) charging a service charge or fee to persons benefitting from the municipal-type
- 63 services.
- 64 (3) A county may not:
- 65 (a) provide, contract to provide, or agree in any manner to provide municipal-type
- 66 services, as these services are defined in Section 19-3-303, to any area under consideration for
- 67 a storage facility or transfer facility for the placement of high-level nuclear waste, or greater
- 68 than class C radioactive waste; or
- 69 (b) seek to fund services for these facilities by:
- 70 (i) levying a tax; or
- 71 (ii) charging a service charge or fee to persons benefitting from the municipal-type
- 72 services.
- 73 (4) Each county of the first class shall provide to the area of the county outside the
- 74 limits of cities and towns:
- 75 (a) advanced life support and paramedic services; and
- 76 (b) detective investigative services.
- 77 (5) (a) A county may provide fire, paramedic, and police protection services in any area
- 78 of the county outside the limits of cities and towns that is designated as a recreational area in
- 79 accordance with the provisions of this Subsection (5).
- 80 (b) A county legislative body may designate any area of the county outside the limits of
- 81 cities and towns as a recreational area if:
- 82 (i) the area has fewer than 1,500 residents and is primarily used for recreational
- 83 purposes, including canyons, ski resorts, wilderness areas, lakes and reservoirs, campgrounds,
- 84 or picnic areas; and
- 85 (ii) the county legislative body makes a finding that the recreational area is used by
- 86 residents of the county who live both inside and outside the limits of cities and towns.
- 87 (c) Fire, paramedic, and police protection services needed to primarily serve those
- 88 involved in the recreation activities in areas designated as recreational areas by the county
- 89 legislative body in accordance with Subsection (5)(b) may be funded from the county general

90 fund.
91 (6) A county providing waste and garbage collection and disposal services that
92 converts material to charcoal or biochar ~~and~~ **and sequesters the charcoal or biochar as fertilizer** as
92a part of the waste and garbage collection and
93 disposal services may seek and sell or trade carbon credits on any market ~~or~~ **or exchange** for
93a carbon credits.

Legislative Review Note
as of 2-24-09 5:08 PM

Office of Legislative Research and General Counsel

Fiscal Note**S.B. 223 - City and County Carbon Credits for Sequestration of Waste
Stream Materials**

2009 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 or businesses. Local governments may be impacted by provisions of this bill.
