

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

2010 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
33 part of the waste and garbage collection and disposal services may seek and sell or trade carbon
34 credits on any market or exchange for carbon credits.

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

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

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

40 (a) "Greater than class C radioactive waste" has the same meaning as in Section
41 19-3-303.

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

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

44 (i) fire protection service;

45 (ii) waste and garbage collection and disposal;

46 (iii) planning and zoning;

47 (iv) street lighting;

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

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

50 (B) detective investigative services; and

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

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

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

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

57 (2) A county may:

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

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

60 (b) fund those services by:

61 (i) levying a tax on taxable property in the county outside the limits of cities and towns;

62 or

63 (ii) charging a service charge or fee to persons benefitting from the municipal-type
64 services.

65 (3) A county may not:

66 (a) provide, contract to provide, or agree in any manner to provide municipal-type
67 services, as these services are defined in Section 19-3-303, to any area under consideration for
68 a storage facility or transfer facility for the placement of high-level nuclear waste, or greater
69 than class C radioactive waste; or

70 (b) seek to fund services for these facilities by:

71 (i) levying a tax; or

72 (ii) charging a service charge or fee to persons benefitting from the municipal-type
73 services.

74 (4) Each county of the first class shall provide to the area of the county outside the
75 limits of cities and towns:

76 (a) advanced life support and paramedic services; and

77 (b) detective investigative services.

78 (5) (a) A county may provide fire, paramedic, and police protection services in any area
79 of the county outside the limits of cities and towns that is designated as a recreational area in
80 accordance with the provisions of this Subsection (5).

81 (b) A county legislative body may designate any area of the county outside the limits of
82 cities and towns as a recreational area if:

83 (i) the area has fewer than 1,500 residents and is primarily used for recreational
84 purposes, including canyons, ski resorts, wilderness areas, lakes and reservoirs, campgrounds,
85 or picnic areas; and

86 (ii) the county legislative body makes a finding that the recreational area is used by
87 residents of the county who live both inside and outside the limits of cities and towns.

88 (c) Fire, paramedic, and police protection services needed to primarily serve those
89 involved in the recreation activities in areas designated as recreational areas by the county

90 legislative body in accordance with Subsection (5)(b) may be funded from the county general
91 fund.

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

Legislative Review Note
as of 1-29-10 12:36 PM

Office of Legislative Research and General Counsel

Fiscal Note

**S.B. 128 - City and County Carbon Credits for Sequestration of Waste
Stream Materials**

2010 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.
