

**COUNTY POWERS TO RESOLVE LAWSUITS
VIA DEVELOPMENT AGREEMENTS**

2010 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: J. Stuart Adams

House Sponsor: _____

LONG TITLE

General Description:

This bill authorizes a county legislative body to enter into a written agreement in order to reach a settlement in active litigation.

Highlighted Provisions:

This bill:

▶ authorizes a county legislative body to enter into a written agreement in order to reach a settlement in active litigation.

Monies Appropriated in this Bill:

None

Other Special Clauses:

This bill provides an immediate effective date.

Utah Code Sections Affected:

ENACTS:

17-27a-504.1, Utah Code Annotated 1953

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

Section 1. Section **17-27a-504.1** is enacted to read:

17-27a-504.1. Written agreement -- Legal settlement.

(1) If a county legislative body makes the finding required by Subsection (2), the



28 county legislative body may, without prior consideration of or recommendation from the
29 planning commission, enter into a written agreement with a property owner that includes:
30 (a) the development rights of the property owner's property described in the written
31 agreement;
32 (b) open space requirements for property described in the written agreement;
33 (c) zoning requirements of the property described in the written agreement; or
34 (d) the prescribed use of the property owner's property described in the written
35 agreement.

36 (2) The county legislative body may enter into a written agreement under Subsection
37 (1) only if, by majority vote, the county legislative body makes a finding that the written
38 agreement is necessary in order to reach a settlement in active litigation.

39 **Section 2. Effective date.**

40 If approved by two-thirds of all the members elected to each house, this bill takes effect
41 upon approval by the governor, or the day following the constitutional time limit of Utah
42 Constitution Article VII, Section 8, without the governor's signature, or in the case of a veto,
43 the date of veto override.

Legislative Review Note
as of 2-8-10 7:49 AM

Office of Legislative Research and General Counsel

S.B. 269 - County Powers to Resolve Lawsuits via Development Agreements

Fiscal Note

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, businesses, or local governments.
