

1 PRISON RELOCATION AND DEVELOPMENT AUTHORITY

2 ACT AMENDMENTS

3 2011 SECOND SPECIAL SESSION

4 STATE OF UTAH

5 Chief Sponsor: Gregory H. Hughes

6 Senate Sponsor: Stephen H. Urquhart

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8 LONG TITLE

9 General Description:

10 This bill modifies the Prison Relocation and Development Authority Act.

11 Highlighted Provisions:

12 This bill:

13 ▶ modifies ~~§~~ → membership of ← ~~§~~ the Prison Relocation and Development Authority

13a ~~§~~ → [members appointed by  
14 the Senate President and House Speaker] ← ~~§~~ ;

15 ▶ requires the Authority to report the results of its evaluation and recommendations to  
16 the Legislative Management Committee;

17 ▶ eliminates a provision requiring the governor to make a recommendation to the  
18 Legislative Management Committee; and

19 ▶ prohibits the state from selling, exchanging, or leasing state prison land without the  
20 Legislature's prior approval.

21 Money Appropriated in this Bill:

22 None

23 Other Special Clauses:

24 This bill provides an immediate effective date.

25 Utah Code Sections Affected:

26 AMENDS:

27 63C-13-103, as enacted by Laws of Utah 2011, Chapter 408

H.B. 2002



28 **63C-13-104**, as enacted by Laws of Utah 2011, Chapter 408  
 29

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

31 Section 1. Section **63C-13-103** is amended to read:

32 **63C-13-103. Creation of Prison Relocation and Development Authority --**

33 **Members.**

34 (1) There is created a prison relocation and development authority.

35 (2) (a) The authority consists of ~~10~~ **11** members.

36 (b) Two members of the authority shall be appointed by the legislative body of the  
 37 municipality in whose boundary the prison property is presently located.

38 (c) ~~Three~~ **Four** members of the authority shall be appointed by the governor.

39 (d) One member shall be appointed by the Utah Association of Counties.

40 (e) Two members shall be ~~two~~ **two** members of the Senate ~~two~~ **two** appointed by  
 40a the president of the  
 41 Senate.

42 (f) Two members shall be ~~two~~ **two** members of the House of Representatives ~~two~~ **two**  
 42a **two** appointed by the  
 43 speaker of the House of Representatives.

44 (3) Any vacancy shall be filled in the same manner under this section as the  
 45 appointment of the member whose vacancy is being filled.

46 (4) Each member of the authority shall serve until a successor is duly appointed and  
 47 qualified.

48 (5) A member may not receive compensation for service on the authority.

49 (6) A majority of members present at a meeting constitutes a quorum.

50 Section 2. Section **63C-13-104** is amended to read:

51 **63C-13-104. Authority duties.**

52 (1) The authority shall:

53 (a) prepare and issue requests inviting interested persons to submit proposals regarding  
 54 the fulfillment of a prison relocation project;

55 (b) receive and evaluate any proposals received in response to a request under  
 56 Subsection (1)(a);

57 (c) review and evaluate any proposals relating to a prison relocation project that the  
 58 executive branch submits; and

59 (d) complete its review and evaluation of proposals within 90 days after receiving  
60 proposals.

61 (2) (a) Upon completing its evaluation of proposals submitted concerning a prison  
62 relocation project, the authority shall report the results of its evaluation and any  
63 recommendations to the governor and the Legislative Management Committee.

64 (b) The process of the authority's issuing requests and reviewing and evaluating  
65 proposals is to provide a public forum for considering the feasibility of and proposals for a  
66 prison relocation project.

67 (c) The authority's recommendations under Subsection (2)(a) are advisory only.

68 [~~(3) (a) After receiving the authority's report under Subsection (3), the governor shall~~  
69 ~~make a recommendation to the Legislative Management Committee with respect to any~~  
70 ~~implementation of a proposal for the prison relocation project.]~~

71 [~~(b)~~] (3) (a) The acceptance of a proposal and any implementation of a proposal for a  
72 prison relocation project are subject to legislative approval.

73 (b) The state may not sell, exchange, or lease the land on which the state prison is  
74 located without the Legislature's prior approval.

75 **Section 3. Effective date.**

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

**Legislative Review Note**  
as of 7-15-11 10:40 AM

**Office of Legislative Research and General Counsel**

# FISCAL NOTE

H.B. 2002

SHORT TITLE: Prison Relocation and Development Authority Act Amendments

SPONSOR: Hughes, G.

2011 SECOND SPECIAL SESSION

STATE GOVERNMENT (UCA 36-12-13(2)(b))

Enactment of this bill likely will not materially impact the state budget.

LOCAL GOVERNMENTS (UCA 36-12-13(2)(c))

Enactment of this bill likely will not result in direct, measurable costs for local governments.

DIRECT EXPENDITURES BY UTAH RESIDENTS AND BUSINESSES (UCA 36-12-13(2)(d))

Enactment of this bill likely will not result in direct, measurable expenditures by Utah residents or businesses.