

HB0219S01 compared with HB0219

~~{deleted text}~~ shows text that was in HB0219 but was deleted in HB0219S01.

inserted text shows text that was not in HB0219 but was inserted into HB0219S01.

DISCLAIMER: This document is provided to assist you in your comparison of the two bills. Sometimes this automated comparison will not be completely accurate. Therefore, you need to read the actual bill. This automatically generated document could experience abnormalities caused by: limitations of the compare program; bad input data; the timing of the compare; and other potential causes.

Representative Jim Nielson proposes the following substitute bill:

USE OF PUBLIC BUILDINGS

2012 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Jim Nielson

Senate Sponsor: _____

LONG TITLE

General Description:

This bill amends provisions relating the use of a public building by a registered political party.

Highlighted Provisions:

This bill:

- ▶ ~~{requires}~~establishes requirements for the terms and conditions of use when a legislative body of a county, municipality, or school district ~~{to allow}~~allows a registered political party ~~{using}~~to use the body's meeting facility ~~{to clean the facility instead of using the custodial service}~~; and
- ▶ makes technical and conforming amendments.

Money Appropriated in this Bill:

None

HB0219S01 compared with HB0219

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

20A-8-404, as last amended by Laws of Utah 2011, Chapter 117

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

Section 1. Section **20A-8-404** is amended to read:

20A-8-404. Use of public meeting buildings by political parties.

(1) The legislative body of a county, municipality, or school district shall make all meeting facilities in buildings under its control available to registered political parties, without discrimination, to be used for registered political party activities if:

(a) the registered political party requests the use of the meeting facility at least 30 calendar days before the day on which the use by the registered political party will take place; and

(b) the meeting facility is not already scheduled for another purpose at the time of the proposed use.

(2) (a) Subject to the requirements of Subsection (3), when a legislative body makes a meeting facility available under Subsection (1), it may establish terms and conditions for use of that meeting facility.

(b) The terms and conditions ~~described in Subsection (2)(a) shall permit~~ for use of the meeting facility shall:

(i) list an action that must be taken before or after using the meeting facility, including an action relating to cleaning and security;

(ii) list which actions the registered political party ~~to clean~~ or a person hired by the registered political party may take;

(iii) list which actions the registered political party cannot reasonably perform and must pay for, as provided in Subsection (3)(a), including:

(A) cleaning that requires specialized knowledge or professional skill; and

(B) security, including unlocking and locking the meeting facility ~~instead of using the custodial service for the facility~~; and

HB0219S01 compared with HB0219

(iv) indemnify the legislative body from claims arising from the actions or negligence of a member, volunteer, employee, or independent contractor of the registered political party.

(3) The charge imposed for the use of a meeting facility described in Subsection (1) by a registered political party may not exceed the actual cost of:

~~[(a) custodial services for cleaning the meeting facility after the use by the {registered } political party { if the registered political party does not clean the meeting facility; and}; and]~~

(a) a service required by the terms and conditions for use described in Subsection (2); and

(b) any service requested by the registered political party and provided by the meeting facility.

(4) An entity described in Subsection (1) shall, to the extent possible, avoid scheduling an event in a government building for the same evening as an announced party caucus meeting.

(5) This section does not apply to a publicly owned or operated convention center, sports arena, or other facility at which conventions, conferences, and other gatherings are held and whose primary business or function is to host such conventions, conferences, and other gatherings.

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Legislative Review Note

~~as of 1-25-12 6:22 PM~~

~~Office of Legislative Research and General Counsel}~~