

Senator Todd Weiler proposes the following substitute bill:

REDEVELOPMENT AGENCY AMENDMENTS

2012 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Todd Weiler

House Sponsor: Brad R. Wilson

LONG TITLE

General Description:

This bill amends provisions related to community development and renewal agencies.

Highlighted Provisions:

This bill:

- ▶ defines terms;
- ▶ amends language related to a notice of an impending boundary action required when an agency is created;
- ▶ amends language related to a public entity's authority;
- ▶ amends tax increment and sales tax provisions;
- ▶ amends language related to the duties of a taxing entity committee;
- ▶ amends the definition of "local public procurement unit"; and
- ▶ makes technical corrections.

Money Appropriated in this Bill:

None

Other Special Clauses:

~~§→ [—This bill coordinates with S.B. 153, Procurement Amendments, by providing substantive and technical amendments.]~~ None ←§

Utah Code Sections Affected:



1st Sub. S.B. 165

26 AMENDS:

27 17C-1-102, as last amended by Laws of Utah 2011, Chapter 43

28 17C-1-201, as last amended by Laws of Utah 2009, Chapter 350

29 17C-1-207, as last amended by Laws of Utah 2010, Chapter 279

30 17C-1-401, as last amended by Laws of Utah 2011, Chapter 43

31 17C-1-402, as last amended by Laws of Utah 2011, Chapter 43

32 17C-2-601, as enacted by Laws of Utah 2007, Chapter 379

33 63G-6-103, as last amended by Laws of Utah 2011, Chapter 376

34 ~~§~~ → [Utah Code Sections Affected by Coordination Clause:

35 ~~———— 63G-6a-104, Utah Code Annotated 1953] ← ~~§~~~~



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

38 Section 1. Section 17C-1-102 is amended to read:

39 17C-1-102. **Definitions.**

40 As used in this title:

41 (1) "Adjusted tax increment" means:

42 (a) for tax increment under a pre-July 1, 1993, project area plan, tax increment under
43 Section 17C-1-403, excluding tax increment under Subsection 17C-1-403(3); and

44 (b) for tax increment under a post-June 30, 1993, project area plan, tax increment under
45 Section 17C-1-404, excluding tax increment under Section 17C-1-406.

46 (2) "Affordable housing" means housing to be owned or occupied by persons and
47 families of low or moderate income, as determined by resolution of the agency.

48 (3) "Agency" or "community development and renewal agency" means a separate body
49 corporate and politic, created under Section 17C-1-201 or as a redevelopment agency under
50 previous law, that is a political subdivision of the state, that is created to undertake or promote
51 urban renewal, economic development, or community development, or any combination of
52 them, as provided in this title, and whose geographic boundaries are coterminous with:

53 (a) for an agency created by a county, the unincorporated area of the county; and

54 (b) for an agency created by a city or town, the boundaries of the city or town.

55 (4) "Annual income" has the meaning as defined under regulations of the U.S.

56 Department of Housing and Urban Development, 24 C.F.R. Sec. 5.609, as amended or as

770 made a part of the solicitation.

771 (22) "Purchasing agency" means any state agency other than the Division of Purchasing
772 and General Services that is authorized by this chapter or its implementing regulations, or by
773 delegation from the chief procurement officer, to enter into contracts.

774 (23) "Request for proposals" means all documents, whether attached or incorporated by
775 reference, used for soliciting proposals.

776 (24) "Responsible bidder or offeror" means a person who has the capability in all
777 respects to perform fully the contract requirements and who has the integrity and reliability
778 which will assure good faith performance.

779 (25) "Responsive bidder" means a person who has submitted a bid which conforms in
780 all material respects to the invitation for bids.

781 (26) "Sealed" does not preclude acceptance of electronically sealed and submitted bids
782 or proposals in addition to bids or proposals manually sealed and submitted.

783 (27) "Services" means the furnishing of labor, time, or effort by a contractor, not
784 involving the delivery of a specific end product other than reports which are merely incidental
785 to the required performance. It does not include employment agreements or collective
786 bargaining agreements.

787 (28) "Specification" means any description of the physical or functional characteristics,
788 or of the nature of a supply, service, technology, or construction item. It may include a
789 description of any requirement for inspecting, testing, or preparing a supply, service,
790 technology, or construction item for delivery.

791 (29) "State agency" or "the state" means any department, division, commission,
792 council, board, bureau, committee, institution, government corporation, or other establishment,
793 official, or employee of this state.

794 (30) "State public procurement unit" means the Division of Purchasing and General
795 Services and any other purchasing agency of this state.

796 (31) "Supplies" means all property, including equipment, materials, and printing.

797 (32) "Using agency" means any state agency which utilizes any supplies, services, or
798 construction procured under this chapter.

799 **§→ [Section 8. Coordinating S.B. 165 with S.B. 153 -- Substantive and technical**
800 **amendments.**

801 ~~—— If this S.B. 165 and S.B. 153, Procurement Amendments, both pass and become law,~~
802 ~~the Legislature intends that the Office of Legislative Research and General Counsel shall~~
803 ~~prepare the Utah Code database for publication by amending Subsection 63G-6a-104(4) to~~
804 ~~read:~~
805 ~~—— "(4) "Local public procurement unit" means:~~
806 ~~—— (a) a local district, as defined in Section 17B-1-102;~~
807 ~~—— (b) a special service district, as defined in Section 17D-1-102;~~
808 ~~—— (c) a local building authority, as defined in Section 17D-2-102;~~
809 ~~—— (d) a conservation district, as described in Title 17D, Chapter 3, Conservation District~~
810 ~~Act;~~
811 ~~—— (e) a public corporation, other than the Utah Housing Corporation;~~
812 ~~—— (f) a school district;~~
813 ~~—— (g) a public school, including a local school board or a charter school;~~
814 ~~—— (h) Utah Schools for the Deaf and Blind;]~~
815 ~~—— (i) the Utah Education Network;~~
816 ~~—— (j) an institution of higher education of the state;~~
817 ~~—— (k) a county or municipality, and each office or agency of the county or municipality,~~
818 ~~unless the county or municipality adopts its own procurement code by ordinance;~~
819 ~~—— (l) a county or municipality, and each office or agency of the county or municipality,~~
820 ~~that has adopted this entire chapter by ordinance;~~
821 ~~—— (m) a county or municipality, and each office or agency of the county or municipality,~~
822 ~~that has adopted a portion of this chapter by ordinance, to the extent that the term is used in the~~
823 ~~adopted portion of this chapter; or~~
824 ~~—— (n) two or more of the entities described in this Subsection (4), acting under legislation~~
825 ~~that authorizes intergovernmental cooperation."] ←Ŝ~~