

1                   **ASSESSMENT OF PROPERTY IF THREATENED OR**  
2                   **ENDANGERED SPECIES IS PRESENT**

3                   2013 GENERAL SESSION

4                   STATE OF UTAH

5                   **Chief Sponsor: Michael E. Noel**

6                   Senate Sponsor: Evan J. Vickers

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8                   **LONG TITLE**

9                   **General Description:**

10                  This bill amends provisions related to the assessment of property if a threatened or  
11                  endangered species is present.

12                  **Highlighted Provisions:**

13                  This bill:

- 14                  ▶ defines terms;
- 15                  ▶ requires a county assessor to consider in the county assessor's determination of the  
16                  fair market value of property whether a threatened or endangered species is present;
- 17                  and
- 18                  ▶ makes technical and conforming changes.

19                  **Money Appropriated in this Bill:**

20                  None

21                  **Other Special Clauses:**

22                  This bill takes effect on January 1, 2014.

23                  **Utah Code Sections Affected:**

24                  ENACTS:

25                  **59-2-301.5**, Utah Code Annotated 1953

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



28 Section 1. Section **59-2-301.5** is enacted to read:

29 **59-2-301.5. Definitions -- Assessment of property if threatened or endangered**  
30 **species is present.**

31 (1) As used in this section:

32 (a) "Endangered" is as defined in Section 23-13-2.

33 (b) "Threatened" is as defined in Section 23-13-2.

34 (2) In assessing the fair market value of property, a county assessor shall consider as  
35 part of the determination of fair market value whether a threatened or endangered species is  
36 present on ~~H~~→ **any portion of** ←~~H~~ the property, including any impacts the presence of the  
36a threatened or endangered  
37 species has on:

38 (a) the functionality of the property;

39 (b) the ability to use the property; and

40 (c) property rights.

41 (3) This section does not prohibit a county assessor from including as part of a  
42 determination of the fair market value of property any other factor affecting the fair market  
43 value of the property.

44 Section 2. **Effective date.**

45 This bill takes effect on January 1, 2014.

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**Legislative Review Note**  
as of 2-4-13 4:46 PM

**Office of Legislative Research and General Counsel**