

28 **Other Special Clauses:**

29 This bill provides a special effective date.

30 **Utah Code Sections Affected:**

31 AMENDS:

32 **17-23-14**, as last amended by Laws of Utah 2001, Chapter 241

33 ENACTS:

34 **63F-1-510**, Utah Code Annotated 1953

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

37 Section 1. Section **17-23-14** is amended to read:

38 **17-23-14. Disturbed corners -- County surveyor to be notified.**

39 (1) As used in this section:

40 (a) "Corner" means the same as that term is defined in Section [17-23-17.5](#).

40a **§→ (b) "Executing entity" means an entity whose services a state entity has procured to**
40b **execute a project or take an action. ←§**

41 **§→ (b) (c) ←§** "Monument" means the same as that term is defined in Section [17-23-17.5](#).

42 **§→ (c) (d) ←§** "State entity" means an agency, department, division, or any other entity of
42a the
43 state.

44 ~~[(1) Any]~~ (2) A person who finds it necessary to disturb any established corner in the
45 improvement of a road, or for any other cause, or finds a monument ~~[which]~~ that needs
46 rehabilitation, shall notify the county surveyor[-]:

47 (a) at least five business days before the day on which the person plans to disturb the
48 corner; or

49 (b) within five business days after the day on which the monument was found to need
50 rehabilitation.

51 ~~[(2)]~~ (3) The county surveyor or the county surveyor's designee shall:

52 (a) reconstruct or rehabilitate the monument for the corner by lowering and witnessing
53 the corner or placing another monument and witness over the existing monument so that the
54 monument:

55 (i) is left in a physical condition to remain as permanent a monument as is reasonably
56 possible; and

57 (ii) may be reasonably located at all times in the future; and

58 (b) file the record of each reconstruction or rehabilitation under Subsection ~~[(2)]~~ (3)(a).

59 (4) ~~§~~ **→** [Before] Except as provided in Subsection (5), before ~~←~~ **§** a state entity begins a
 59a project or takes an action that may disturb a corner or
 60 a monument, the state entity shall, at least 30 days before the day on which the state entity
 61 commences the project or takes the action:

62 (a) establish a clearly identifiable area that the project or action will affect;

63 (b) identify any corner or monument within the area;

64 (c) establish a plan to avoid the disturbance or destruction of a monument or corner
 65 identified under Subsection (4)(b); and

66 (d) provide written notification of the information described in Subsections (4)(a)
 67 through (c) to:

68 (i) the Automated Geographic Reference Center; and

69 (ii) the county surveyor of each county in which a corner or monument identified under
 70 Subsection (4)(b) exists.

70a **§** **→** **(5)(a) A state entity that procures an executing entity to execute a project or take an action**
 70b **that may disturb a corner or monument is not required to comply with Subsection (4) as it**
 70c **relates to the project or action.**

70d **(b) An executing entity that a state entity procures to execute a project or take an action**
 70e **that may disturb a corner or monument shall comply with the requirements of Subsection (4)**
 70f **as it relates to the project or action.** ~~←~~ **§**

71 Section 2. Section **63F-1-510** is enacted to read:

72 **63F-1-510. Monument Replacement and Restoration Committee.**

73 (1) As used in this section:

74 (a) "Committee" means the Monument Replacement and Restoration Committee
 75 created in this section.

76 (b) "Corner" means the same as that term is defined in Section [17-23-17.5](#).

77 (c) "Monument" means the same as that term is defined in Section [17-23-17.5](#).

78 (2) (a) There is created the Monument Replacement and Restoration Committee
 79 composed of the following seven members:

80 (i) five members appointed by an organization or association that represents Utah
 81 counties:

82 (A) that have knowledge and understanding of the Public Land Survey System; and

83 (B) who each represents a different county; and

84 (ii) two members, appointed by the center, who have a knowledge and understanding
 85 of the Public Land Survey System.