

COUNTY FUND AMENDMENTS

2017 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Lynn N. Hemingway

Senate Sponsor: _____

LONG TITLE

General Description:

This bill amends provisions related to a remaining balance in certain special funds.

Highlighted Provisions:

This bill:

- ▶ allows a certain county to use a remaining balance in certain special funds to benefit the area from which the county derived the special fund; and
- ▶ makes technical and conforming changes.

Money Appropriated in this Bill:

None

Other Special Clauses:

~~H→~~ [None] This bill provides a special effective date. ~~←H~~

Utah Code Sections Affected:

AMENDS:

17-36-29, as last amended by Laws of Utah 2014, Chapter 176

63G-7-704, as last amended by Laws of Utah 2016, Chapter 386

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

Section 1. Section **17-36-29** is amended to read:

17-36-29. Special fund ceases -- Transfer.

(1) (a) [H] Except as provided in Subsection (1)(b), if a county legislative body

H.B. 429



59 (b) the costs to defend against any claim, settlement, or judgment; or

60 (c) for the establishment and maintenance of a reserve fund for the payment of claims,
61 settlements, or judgments that may be reasonably anticipated.

62 (2) (a) The payments authorized to pay for punitive damages or to pay the premium for
63 authorized insurance is money spent for a public purpose within the meaning of this section
64 and Utah Constitution, Article XIII, Sec. 5, [~~Utah Constitution~~,] even though, as a result of the
65 levy, the maximum levy as otherwise restricted by law is exceeded.

66 (b) (i) Except as provided in Subsection (2)(b)(ii), a levy under this section may not
67 exceed .0001 per dollar of taxable value of taxable property.

68 (ii) A levy under Subsection (1)(a) to pay the portion of any claim, settlement, or
69 judgment that exceeds \$3,000,000 may not exceed .001 per dollar of taxable value of taxable
70 property.

71 (c) [~~The~~] Except as provided in Subsection 17-36-29(1), the revenues derived from this
72 levy may not be used for any purpose other than those specified in this section.

73 (3) Beginning January 1, 2012, a local school board may not levy a tax in accordance
74 with this section.

75 (4) A political subdivision that levies an annual property tax under Subsection (1)(a) to
76 pay the portion of any claim, settlement, or judgment that exceeds \$3,000,000:

77 (a) shall comply with the notice and public hearing requirements under Section
78 59-2-919; and

79 (b) may levy the annual property tax until the bonds' maturity dates expire.

79a **H→ Section 3. Effective date.**

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