

AGRICULTURE PROTECTION AREA AND INDUSTRIAL PROTECTION AREA AMENDMENTS

2017 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Margaret Dayton

House Sponsor: Keith Grover

LONG TITLE

Committee Note:

The State Water Development Commission recommended this bill.

Membership: 13 legislators 17 non-legislators

Legislative Vote: 11 voting for 0 voting against 1 absent

General Description:

This bill amends provisions relating to the review of agriculture protection areas and industrial protection areas by the applicable legislative body.

Highlighted Provisions:

This bill:

▶ amends provisions relating to the review of agriculture protection areas and industrial protection areas by the applicable legislative body.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

17-41-307, as last amended by Laws of Utah 2006, Chapter 194



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

29 Section 1. Section **17-41-307** is amended to read:

30 **17-41-307. Review of agriculture protection areas and industrial protection**
31 **areas.**

32 (1) In the 20th calendar year after its creation under this part, each agriculture
33 protection area or industrial protection area, as the case may be, shall be reviewed, under the
34 provisions of this section, by:

35 (a) the county legislative body, if the agriculture protection area or industrial protection
36 area is within the unincorporated part of the county; or

37 (b) the municipal legislative body, if the agriculture protection area or industrial
38 protection area is within the municipality.

39 (2) (a) In the 20th year, the applicable legislative body [~~shall~~] may:

40 (i) request the planning commission and advisory board to submit recommendations
41 about whether the agriculture protection area or industrial protection area, as the case may be,
42 should be continued, modified, or terminated;

43 (ii) at least 120 days before the end of the calendar year, hold a public hearing to
44 discuss whether the agriculture protection area or industrial protection area, as the case may be,
45 should be continued, modified, or terminated;

46 (iii) give notice of the hearing using the same procedures required by Section
47 **17-41-302**; and

48 (iv) after the public hearing, continue, modify, or terminate the agriculture protection
49 area or industrial protection area.

50 (b) If the applicable legislative body modifies or terminates the agriculture protection
51 area or industrial protection area, it shall file an executed document containing the legal
52 description of the agriculture protection area or industrial protection area, respectively, with the
53 county recorder of deeds.

54 (3) If the applicable legislative body fails affirmatively to continue, modify, or
55 terminate the agriculture protection area or industrial protection area, as the case may be, in the
56 20th calendar year, the agriculture protection area or industrial protection area is considered to
57 be reauthorized for another 20 years.

Legislative Review Note
Office of Legislative Research and General Counsel