

James A. Dunnigan proposes the following substitute bill:

Municipal Annexation Amendments

2026 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: James A. Dunnigan

Senate Sponsor:

LONG TITLE

General Description:

This bill modifies provisions relating to annexation of unincorporated areas of a county of the second class.

Highlighted Provisions:

This bill:

- modifies definitions;
- requires certain unincorporated islands in a county of the second class to automatically annex into a bordering municipality;
- permits a legislative body of a county of the second class to exempt certain unincorporated islands from automatic annexation; and
- permits a final local entity plat for an annexation to depict non-contiguous areas.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

- 10-2-814**, as renumbered and amended by Laws of Utah 2025, Chapter 399
- 17-73-507**, as renumbered and amended by Laws of Utah 2025, First Special Session, Chapter 13

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

Section 1. Section **10-2-814** is amended to read:

10-2-814 . Automatic annexations in counties of the first class and second class.

(1) As used in this section:

- 29 (a) "Most populous bordering municipality" means the municipality with the highest
30 population of any municipality that shares a common border with an unincorporated
31 island.
- 32 (b) "Unincorporated island" means~~[-an area that is]:~~
- 33 (i) within a county of the first class~~[-]~~ , an area that is:
- 34 [(ii)] (A) not within a municipality; and
- 35 [(iii)] (B) completely surrounded by land that is within one or more municipalities
36 within the county of the first class~~[-]~~ ; or
- 37 (ii) within a county of the second class with a population of 350,000 or less, an area
38 that is:
- 39 (A) 55 acres or smaller;
- 40 (B) not within a municipality;
- 41 (C) completely surrounded by land that is within one municipality within the
42 county of the second class; and
- 43 (D)(I) provided sanitary sewer service or culinary water service by the most
44 populous bordering municipality; or
- 45 (II) not provided sanitary sewer service or culinary water service.
- 46 (2)(a) Notwithstanding any other provision of this part, on July 1, 2027, an
47 unincorporated island is automatically annexed to:
- 48 (i) the most populous bordering municipality, except as provided in Subsection
49 (2)(a)(ii) or (3); or
- 50 (ii) a municipality other than the most populous bordering municipality if:
- 51 (A) the other municipality shares a common border with the unincorporated
52 island; and
- 53 (B) the other municipality and the most populous bordering municipality each
54 adopt a resolution agreeing that the unincorporated island should be annexed to
55 the other municipality.
- 56 (b) The effective date of an annexation under Subsection (2)(a) is governed by Section
57 10-2-813.
- 58 (3) A legislative body of a county of the second class may exempt an unincorporated island
59 or a portion of an unincorporated island from the requirements of this section by
60 adopting a resolution on or before May 1, 2027, that includes a description or map of
61 each exempted unincorporated island or portion of an unincorporated island.
- 62 Section 2. Section **17-73-507** is amended to read:

63 **17-73-507 . Final plats of local entity boundary actions -- County surveyor**
64 **approval of final plat -- Plat requirements.**

- 65 (1) Upon request and in consultation with the county recorder, the county surveyor of each
66 county in which property depicted on a plat is located shall determine whether the plat is
67 a final local entity plat.
- 68 (2)(a) If a county surveyor determines that a plat meets the requirements of Subsection
69 (3), the county surveyor shall approve the plat as a final local entity plat.
- 70 (b) The county surveyor shall indicate the approval of a plat as a final local entity plat on
71 the face of the final local entity plat.
- 72 (3) A plat may not be approved as a final local entity plat unless the plat:
- 73 (a) contains a graphical illustration depicting:
- 74 (i) in the case of a proposed creation or incorporation of a local entity, the boundary
75 of the proposed local entity;
- 76 (ii) in the case of a proposed annexation of an area into an existing local entity, the
77 boundary of the area proposed to be annexed, which may include non-contiguous
78 areas;
- 79 (iii) in the case of a proposed adjustment of a boundary between local entities, the
80 boundary of the area that the boundary adjustment proposes to move from inside
81 the boundary of one local entity to inside the boundary of another local entity;
- 82 (iv) in the case of a proposed withdrawal or disconnection of an area from a local
83 entity, the boundary of the area that is proposed to be withdrawn or disconnected;
- 84 (v) in the case of a proposed consolidation of multiple local entities, the boundary of
85 the proposed consolidated local entity; and
- 86 (vi) in the case of a proposed division of a local entity into multiple local entities, the
87 boundary of each new local entity created by the proposed division;
- 88 (b) is created on reproducible material that is:
- 89 (i) permanent in nature; and
- 90 (ii) the size and type specified by the county recorder;
- 91 (c) is drawn to a scale so that all data are legible;
- 92 (d) contains complete and accurate boundary information, including, as appropriate,
93 calls along existing boundary lines, sufficient to enable:
- 94 (i) the county surveyor to establish the boundary on the ground, in the event of a
95 dispute about the accurate location of the boundary; and
- 96 (ii) the county recorder to identify, for tax purposes, each tract or parcel included

- 97 within the boundary;
- 98 (e) depicts a name for the plat, approved by the county recorder, that is sufficiently
- 99 unique to distinguish the plat from all other recorded plats in the county;
- 100 (f) contains:
 - 101 (i) the name of the local entity whose boundary is depicted on the plat;
 - 102 (ii) the name of each county within which any property depicted on the plat is located;
 - 103 (iii) the date that the plat was prepared;
 - 104 (iv) a north arrow and legend;
 - 105 (v) a signature block for:
 - 106 (A) the signatures of:
 - 107 (I) the professional land surveyor who prepared the plat; and
 - 108 (II) the local entity's approving authority; and
 - 109 (B) the approval of the county surveyor; and
 - 110 (vi) a three-inch by three-inch block in the lower right hand corner for the county
 - 111 recorder's use when recording the plat;
- 112 (g) has been certified and signed by a professional land surveyor licensed under Title 58,
- 113 Chapter 22, Professional Engineers and Professional Land Surveyors Licensing Act;
- 114 and
- 115 (h) has been reviewed and signed by the approving authority of the local entity whose
- 116 boundary is depicted on the plat.
- 117 (4) The county surveyor may charge and collect a reasonable fee for the costs associated
- 118 with:
 - 119 (a) the process of determining whether a plat is a final local entity plat; and
 - 120 (b) the approval of a plat as a final local entity plat.

121 Section 3. **Effective Date.**

122 This bill takes effect on May 6, 2026.