

Effective 5/13/2014

10-1-119 Inventory of competitive activities.

- (1) As used in this section:
 - (a) "Applicable city" means:
 - (i) on and after July 1, 2009, a city of the first class; and
 - (ii) on and after July 1, 2010, a city of the first or second class.
 - (b) "Competitive activity" means an activity engaged in by a city or an entity created by the city by which the city or an entity created by the city provides a good or service that is substantially similar to a good or service that is provided by a person:
 - (i) who is not an entity of the federal government, state government, or a political subdivision of the state; and
 - (ii) within the boundary of the county in which the city is located.
 - (c)
 - (i) Subject to Subsection (1)(c)(ii), "entity created by the city" includes:
 - (A) an entity created by an interlocal agreement under Title 11, Chapter 13, Interlocal Cooperation Act, in which the city participates; and
 - (B) a special service district created under Title 17D, Chapter 1, Special Service District Act.
 - (ii) "Entity created by the city" does not include a local district created by a city under Title 17B, Limited Purpose Local Government Entities - Local Districts.
- (2)
 - (a) The governing body of an applicable city shall create an inventory of activities of the city or an entity created by the city to:
 - (i) classify whether an activity is a competitive activity; and
 - (ii) identify efforts that have been made to privatize aspects of the activity.
 - (b) An applicable city shall comply with this section by no later than:
 - (i) June 30, 2010, if the applicable city is a city of the first class; and
 - (ii) June 30, 2011, if the applicable city is a city of the second class.
- (3) The governing body of an applicable city shall update the inventory created under this section at least every two years.
- (4) An applicable city shall:
 - (a) provide a copy of the inventory and an update to the inventory to the Free Market Protection and Privatization Board created in Title 63I, Chapter 4a, Free Market Protection and Privatization Board Act; and
 - (b) make the inventory available to the public through electronic means.

Amended by Chapter 189, 2014 General Session