

11-32-3.5 Entry into an established interlocal finance authority -- Withdrawal from an interlocal finance authority -- Effect of outstanding debt -- Effect on organization.

- (1) The governing body of any public body, which is not at that time a member of a financing authority established in the county in which the public body is located, may, by resolution, elect to join the authority.
- (2) The resolution shall state the name of the public body and that the public body thereby petitions for membership in the authority. A certified copy of the resolution shall be delivered to the authority.
- (3) The public body shall become a participant member of the authority, upon receipt by the authority of the resolution, but only with respect to any financing initiated after the public body has become a member of the authority.
- (4) A participant member may elect to withdraw from an authority by resolution adopted by the governing body of the participant member following:
 - (a) the payment of all outstanding bonds for which a participant member's delinquent tax receivables have been assigned;
 - (b) the distribution of remaining amounts as provided in Section 11-32-15; and
 - (c) satisfactory completion of any independent accounting audits requested by the authority or the county.
- (5) The resolution of the governing body of the public body which is withdrawing its membership shall state the name of the public body it represents and that the public body thereby petitions for withdrawal from the authority. A certified copy of the resolution shall be delivered to the authority. The membership of the public body in the authority shall terminate upon receipt of the resolution by the authority.
- (6) A public body which has withdrawn from membership in an authority may elect to join such authority to participate in future financings by the authority.
- (7)
 - (a) By resolution of its governing body, a participant member may elect not to participate in future financings of the authority. Such election shall be effective upon delivery of a certified copy of the resolution to the authority.
 - (b) In addition to the method outlined in Subsection (7)(a), a participant member may be considered to have elected not to participate in future financings in any reasonable manner selected by the authority.
- (8) For purposes of determining the presence of a quorum of the board of trustees or for other purposes, the board of trustees of an authority may treat participant members which have elected or are considered to have elected not to participate in a financing as not being participant members.
- (9) The composition organization of the authority shall change upon the entrance, election to participate, election not to participate, or withdrawal of a participant member.

Amended by Chapter 324, 2010 General Session