

**17-50-107 Inventory of competitive activities.**

- (1) As used in this section:
- (a) "Applicable county" means:
    - (i) on and after July 1, 2009, a county of the first class; and
    - (ii) on and after July 1, 2010, a county of the first or second class.
  - (b) "Competitive activity" means an activity engaged in by a county or an entity created by the county by which the county or an entity created by the county 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.
  - (c)
    - (i) Subject to Subsection (1)(c)(ii), "entity created by the county" includes:
      - (A) an entity created by an interlocal agreement under Title 11, Chapter 13, Interlocal Cooperation Act, in which the county participates; and
      - (B) a special service district created under Title 17D, Chapter 1, Special Service District Act.
    - (ii) "Entity created by the county" does not include a local district created by a county under Title 17B, Limited Purpose Local Government Entities - Local Districts.
- (2)
- (a) The governing body of an applicable county shall create an inventory of activities of the county or an entity created by the county 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 county shall comply with this section by no later than:
    - (i) June 30, 2010, if the applicable county is a county of the first class; and
    - (ii) June 30, 2011, if the applicable county is a county of the second class.
- (3) The governing body of an applicable county shall update the inventory created under this section at least every two years.
- (4) An applicable county 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 325, 2013 General Session