

**32B-10-205 Bond for special use permit.**

- (1) A special use permittee shall post a cash bond or surety bond only if the relevant part under this chapter for the type of special use permit requires posting of a bond.
- (2)
  - (a) If a special use permittee is required to post a bond as provided in Subsection (1), the special use permittee shall procure and maintain the bond for as long as the special use permittee continues to operate under the special use permit.
  - (b) A bond required under this section shall be:
    - (i) in a form approved by the attorney general; and
    - (ii) conditioned upon the special use permittee's faithful compliance with this title and the rules of the commission.
- (3) If a surety bond posted by a special use permittee under this section is canceled due to a special use permittee's negligence, the department may assess a \$300 reinstatement fee.
- (4) No part of a bond posted by a special use permittee under this section may be withdrawn during the period that the special use permit is in effect.
- (5)
  - (a) A bond posted by a special use permittee under this section may be forfeited if the special use permit is revoked.
  - (b) Notwithstanding Subsection (5)(a), the department may make a claim against a bond posted by a special use permittee for money owed the department under this title without the commission first revoking the special use permit.

Enacted by Chapter 276, 2010 General Session