

Effective 7/1/2015

**Part 8
Miscellaneous Provisions**

63H-7a-800 Title.

This part is known as "Miscellaneous Provisions."

Enacted by Chapter 411, 2015 General Session

63H-7a-801 Property and funds of the authority declared public property -- Exemption from taxes.

- (1) The property and funds of the authority are declared to be public property used for essential public and governmental purposes.
- (2) The property and the authority are exempt from all taxes and special assessments of any public body. This tax exemption does not apply to any portion of a project used for a profit-making enterprise.

Renumbered and Amended by Chapter 411, 2015 General Session

63H-7a-802 Term of the authority -- Dissolution -- Withdrawal.

- (1)
 - (a) The authority may be dissolved by an act of the Legislature.
 - (b) Title to all assets of the authority upon its dissolution shall revert to the members and the state pro rata, based upon the total amount of money paid to the authority by each member or the state for services provided to each by the public safety communications network.
 - (c) The board is authorized to:
 - (i) take any necessary action to dissolve the authority; and
 - (ii) dispose of the property of the authority upon its dissolution as provided in Subsection (1)(b).
- (2)
 - (a) Each member may, at any time, withdraw as a member of the authority by delivering to the board a written notice of withdrawal which has been approved by the governing body of the member, except that a member may not withdraw from the authority at any time during which it has an outstanding payment obligation to the authority as a result of having entered into a service contract, lease, or other financial obligation.
 - (b) Except as provided in Subsection (2)(a), the board shall delete the petitioning member from the membership of the authority as of the date of the board's receipt of the member's notice of withdrawal. The board may not include a member who has given notice of withdrawal in any future obligation of the authority.

Renumbered and Amended by Chapter 411, 2015 General Session

63H-7a-803 Relation to certain acts -- Participation in Risk Management Fund.

- (1) The Utah Communications Authority is exempt from:
 - (a) Title 63A, Utah Administrative Services Code, except as provided in Section 63A-4-205.5;
 - (b) Title 63G, Chapter 4, Administrative Procedures Act;
 - (c) Title 63J, Chapter 1, Budgetary Procedures Act; and
 - (d) Title 67, Chapter 19, Utah State Personnel Management Act.

- (2)
 - (a) The board shall adopt budgetary procedures, accounting, and personnel and human resource policies substantially similar to those from which they have been exempted in Subsection (1).
 - (b) The authority, the board, and the committee members are subject to Title 67, Chapter 16, Utah Public Officers' and Employees' Ethics Act.
 - (c) The authority is subject to Title 52, Chapter 4, Open and Public Meetings Act.
- (3) Subject to the requirements of Subsection 63E-1-304(2), the administration may participate in coverage under the Risk Management Fund created by Section 63A-4-201.

Amended by Chapter 123, 2016 General Session

63H-7a-804 Annual report to governor and Legislature -- Contents -- Audit by state auditor -- Reimbursement for costs.

- (1) The authority shall, following the close of each fiscal year, submit an annual report of its activities for the preceding year to the governor and the Legislature. Each report shall set forth a complete operating and financial statement of the agency during the fiscal year it covers.
- (2) The state auditor shall at least once in each year audit the books and accounts of the authority or shall contract with an independent certified public accountant for this audit. The audit shall include a review of the procedures adopted under the requirements of Subsection 63H-7a-803(2) and a determination as to whether the board has complied with the requirements of Subsection 63H-7a-803(2).
- (3) The authority shall reimburse the state auditor from available money of the authority for the actual and necessary costs of that audit.

Renumbered and Amended by Chapter 411, 2015 General Session