

28 annexation is:

29 (i) located within an incorporated municipality that~~[-(A)]~~ extends into the annexing
30 county; and

31 ~~[(B) is divided by a county line that was originally defined by a stream, river, or body of
32 water; and]~~

33 (ii) contiguous to the portion of the municipality located within the annexing county.

34 (b) A petition seeking annexation as provided in Subsection (2)(a) shall:

35 (i) contain the legal signatures of registered voters within the area proposed for annexation
36 equal in number to over 50% of the votes cast at the preceding regular general election within that
37 area; and

38 (ii) be filed with the legislative body of the annexing county before the first Monday in
39 June of a year during which a regular general election is held.

40 (c) At the time of filing the petition, petitioners shall deliver a copy of it to the legislative
41 body of the county in which the area proposed for annexation is located.

42 (d) The legislative body of the county in which the area proposed for annexation is located
43 and the legislative body of the annexing county shall submit the question of annexation to the
44 voters of the area proposed for annexation and the voters of the annexing county, respectively, at
45 the next regular general election.

46 (e) If annexation occurs:

47 (i) the annexing county shall:

48 (A) pay all costs of the annexation election;

49 (B) with the cooperation and assistance of the legislative body and recorder's office of the
50 county in which the annexed area was located before annexation, establish and implement a
51 procedure for establishing in the recorder's office of the annexing county an appropriate record of
52 the real property located in the annexed area; and

53 (C) pay all costs associated with the establishment and implementation of the procedure
54 provided in Subsection (2)(e)(i)(B), including the reasonable costs incurred by the county in which
55 the annexed area was located before annexation in fulfilling its duties under Subsection
56 (2)(e)(ii)(A);

57 (ii) the legislative body and recorder's office of the county in which the annexed area was
58 located before annexation:

59 (A) shall cooperate with and assist the annexing county in establishing and implementing
60 the procedure as provided in Subsection (2)(e)(i)(B); and

61 (B) may not charge the annexing county, for documents or services the recorder’s office
62 provides the annexing county in implementing the procedure provided in Subsection (2)(e)(i)(B),
63 more than the regular fee the recorder’s office ordinarily charges the general public for similar
64 documents or services;

65 (iii) as tax revenues are collected from the annexed area, the annexing county shall pay to
66 the county in which the annexed area was located before annexation the amounts the latter would
67 have received without annexation from tax revenues from the annexed area for the area’s
68 proportionate share of the liability for general obligation and revenue bonds issued before
69 annexation by the county in which the annexed area was located before annexation; and

70 (iv) any petition filed within 20 years thereafter proposing annexation of the same area to
71 the county in which the area was located before annexation is invalid.

72 (3) (a) Except as otherwise provided, the election provided in either Subsection (1) or (2)
73 shall be held, the results canvassed, and returns made under the provisions of the general election
74 laws of the state.

75 (b) The ballot to be used shall be:

76 For annexing a portion of ____ county to ____ county.

77 Against annexing a portion of ____ county to ____ county.

Legislative Review Note
as of 1-8-99 11:27 AM

A limited legal review of this legislation raises no obvious constitutional or statutory concerns.

Office of Legislative Research and General Counsel