



UTAH STATE SENATE

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January 31, 2000

Mr. President:

The State and Local Affairs Committee reports a favorable recommendation on **S.B. 142, CREATION OF LOCAL DISTRICTS**, by Senator R. Evans, with the following amendments:

1. Page 1, Line 1: After "DISTRICTS" insert "AND SPECIAL DISTRICTS"
2. Page 1, Line 8: After "DISTRICTS;" insert "ESTABLISHING A CONCLUSIVE PRESUMPTION FOR CERTAIN SPECIAL DISTRICTS;"
3. Page 1, Line 13: After line 13 insert:
"ENACTS:
17A-2-103, Utah Code Annotated 1953"
4. Page 3, Line 61: After line 61 insert:
"Section 2. Section **17A-2-103** is enacted to read:
17A-2-103. Conclusive presumption regarding creation and existence.
Notwithstanding any other provision of law, an independent special district under this chapter created on or after May 4, 1999 shall be

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conclusively presumed to have been lawfully
created and existing if:
(1) for two years following the district's
creation:
(a) the district has:
(i) levied and collected a tax; or
(ii) collected a fee, charge, assessment, or tax
increment for a commodity, service, facility, or
improvement provided by the district; and
(b) no challenge has been filed in court to the
existence or creation of the district; and
(2) the district has complied with Subsections
17A-1-102(1) and 17A-1-504(1)."

Renumber remaining sections accordingly.

Respectfully,

R. Mont Evans
Committee Chair

Voting: 4-0-2

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