

STATE ARMORY BOARD AMENDMENTS

2003 GENERAL SESSION

STATE OF UTAH

Sponsor: Don E. Bush

This act modifies the Militia and Armories title by requiring the State Armory Board to notify the Legislature and receive its recommendations before legally binding the state to purchase or sell real property. This act requires legislative approval before the board may take an option to purchase real property under lease. This act repeals obsolete sections.

This act affects sections of Utah Code Annotated 1953 as follows:

AMENDS:

39-2-2, as last amended by Chapter 107, Laws of Utah 1990

REPEALS:

39-2-3, Utah Code Annotated 1953

39-2-4, Utah Code Annotated 1953

39-2-5, Utah Code Annotated 1953

39-2-6, as last amended by Chapter 64, Laws of Utah 1953

Be it enacted by the Legislature of the state of Utah:

Section 1. Section **39-2-2** is amended to read:

39-2-2. Powers of State Armory Board.

(1) The board shall supervise and control the armories and arsenals, and all real property held or acquired for the military purposes of the state.

(2) The board may:

(a) provide suitable armories and arsenals for the different organizations of the National Guard;

(b) lease buildings for armory and arsenal purposes throughout the state wherever necessary for the use of organizations of the National Guard and for the storage of state and government property at ~~[such]~~ a rental ~~[as it]~~ that the board considers reasonable;

~~[(c) take options for the purchase of any premises under lease to the state for armory~~

~~and arsenal purposes at any time within the life of such lease when the purchase is in the state's interest, and at such prices as the board and the owner of such premises may agree upon; provided that no option is binding upon the board until ratified by act of the Legislature;~~

~~[(d)] (c) erect armories and arsenals at [such] places within the state [as] that it considers necessary upon lands to which it has acquired the legal title; and~~

~~[(e)] (d) expend military funds [as it considers advisable and necessary in the hands of the state treasurer] to acquire legal title to lands and to construct armories and arsenals.~~

(3) (a) Subject to Subsection (3)(b), the board may take options for the purchase of any premises under lease to the state for armory and arsenal purposes:

(i) at any time during the life of the lease; and

(ii) when the purchase is in the state's interest.

(b) An option is not binding upon the board until it is approved by the Legislature.

(4) (a) Before legally binding the state to sell any armory, army premises, or other real property owned by the National Guard, the board shall submit a description of the proposed sale to the Legislative Management Committee for its review and recommendations.

(b) Before legally binding the state to purchase any interest in real property, the board shall submit a description of the proposed sale to the Legislative Management Committee for its review and recommendations.

(c) The Legislative Management Committee shall review each proposal and may:

(i) recommend that the board complete the purchase or sale; or

(ii) recommend that the board not complete the purchase or sale.

(5) The proceeds from the sales of armories and army premises authorized by this section shall be appropriated to the State Armory Board to be applied toward the construction of new armories.

Section 2. Repealer.

This act repeals:

Section 39-2-3, Construction of National Guard armories.

Section 39-2-4, Order of construction of armories.

Section 39-2-5, Sale of Bountiful, Beaver and Provo armories -- Disposition of proceeds.

Section 39-2-6, Sale of armories and armory premises -- Disposition of proceeds.