

**SPECIAL DISTRICTS AND LOCAL
DISTRICTS - ACQUISITION OF REAL
PROPERTY**

2003 GENERAL SESSION

STATE OF UTAH

Sponsor: Gregory H. Hughes

This act enacts a provision requiring independent special districts and local districts to obtain approval from the legislative body of the municipality or county in which the district intends to acquire fee simple title to real property used for expansion of the district's infrastructure or other facilities.

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

ENACTS:

17A-2-104, Utah Code Annotated 1953

17B-2-103, Utah Code Annotated 1953

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

Section 1. Section **17A-2-104** is enacted to read:

17A-2-104. Approval required before acquiring real property.

An independent special district may not acquire fee simple title to real property located within the boundaries of a municipality or within the unincorporated area of a county, for the purpose of expanding the district's infrastructure or other facilities used for providing the services the district is authorized to provide, without the prior approval of the legislative body of the municipality or county, as the case may be.

Section 2. Section **17B-2-103** is enacted to read:

17B-2-103. Approval required before acquiring real property.

A local district may not acquire fee simple title to real property located within the boundaries of a municipality or within the unincorporated area of a county, for the purpose of expanding the district's infrastructure or other facilities used for providing the services the



28 district is authorized to provide, without the prior approval of the legislative body of the
29 municipality or county, as the case may be.

Legislative Review Note
as of 12-3-02 1:16 PM

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

Office of Legislative Research and General Counsel

Fiscal Note

Special Districts and Local Districts - Acquisition of Real Property

13-Jan-03

Bill Number HB00549:43 AM

State Impact

Cost of property for Special Districts could potentially increase as supply of property decreases.

Individual and Business Impact

No significant fiscal impact.

Office of the Legislative Fiscal Analyst