

Representative Gregory H. Hughes proposes the following substitute bill:

1 **SPECIAL DISTRICTS AND LOCAL**
2 **DISTRICTS - ACQUISITION OF REAL**
3 **PROPERTY**

4 2003 GENERAL SESSION

5 STATE OF UTAH

6 **Sponsor: Gregory H. Hughes**

7 **This act enacts a provision requiring independent special districts and local districts to**
8 **provide notice to the legislative body of the municipality or county in which the district**
9 **intends to acquire real property used for expansion of the district's infrastructure or**
10 **other facilities if the district's proposed use is inconsistent with current zoning.**

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

12 ENACTS:

13 **17A-2-104**, Utah Code Annotated 1953

14 **17B-2-103**, Utah Code Annotated 1953

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

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

17 **17A-2-104. Notice required before acquiring certain real property.**

18 (1) The board of trustees of each independent special district intending to acquire real
19 property located within the boundaries of a municipality or within the unincorporated area of a
20 county shall send written notice of its intent to the legislative body of the municipality or
21 county, as the case may be, if:

22 (a) the district intends to use the property for the purpose of expanding the district's
23 infrastructure or other facilities used for providing the services the district is authorized to
24 provide; and

25 (b) the district's intended use of the property is not consistent with the property's



26 current zoning designation.

27 (2) A notice under Subsection (1) is a protected record as provided in Subsection
28 63-2-304(7).

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

30 **17B-2-103. Notice required before acquiring certain real property.**

31 (1) The board of trustees of each local district intending to acquire real property located
32 within the boundaries of a municipality or within the unincorporated area of a county shall send
33 written notice of its intent to the legislative body of the municipality or county, as the case may
34 be, if:

35 (a) the district intends to use the property for the purpose of expanding the district's
36 infrastructure or other facilities used for providing the services the district is authorized to
37 provide; and

38 (b) the district's intended use of the property is not consistent with the property's
39 current zoning designation.

40 (2) A notice under Subsection (1) is a protected record as provided in Subsection
41 63-2-304(7).