

1 **INTERLOCAL COOPERATION ACT**

2 **AMENDMENTS**

3 2004 GENERAL SESSION

4 STATE OF UTAH

5 **Sponsor: Gregory S. Bell**

7 **LONG TITLE**

8 **General Description:**

9 This bill modifies the Interlocal Cooperation Act.

10 **Highlighted Provisions:**

11 This bill:

- 12 ▶ authorizes public agencies that are parties to an interlocal cooperation agreement to:
- 13 • restrict their authority to issue permits or assess fees; and
 - 14 • exempt each other from permit and fee requirements; and
- 15 ▶ provides that those provisions are subject to all remedies provided by law and

16 agreement.

17 **Monies Appropriated in this Bill:**

18 None

19 **Other Special Clauses:**

20 None

21 **Utah Code Sections Affected:**

22 AMENDS:

23 **11-13-202**, as last amended by Chapter 38, Laws of Utah 2003

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

26 Section 1. Section **11-13-202** is amended to read:

27 **11-13-202. Agreements for joint or cooperative action, for providing or**



28 **exchanging services, or for law enforcement services -- Effective date of agreement.**

29 (1) Any two or more public agencies may enter into an agreement with one another
30 under this chapter:

31 (a) for joint or cooperative action;

32 (b) to provide services that they are each authorized by statute to provide;

33 (c) to exchange services that they are each authorized by statute to provide;

34 (d) for a public agency to provide law enforcement services to one or more other public
35 agencies, if the public agency providing law enforcement services under the interlocal
36 agreement is authorized by law to provide those services, or to provide joint or cooperative law
37 enforcement services between or among public agencies that are each authorized by law to
38 provide those services; or

39 (e) to do anything else that they are each authorized by statute to do.

40 (2) An agreement under Subsection (1) does not take effect until it has been approved,
41 as provided in Section 11-13-202.5, by each public agency that is a party to it.

42 (3) (a) In an agreement under Subsection (1), a public agency that is a party to the
43 agreement may agree:

44 (i) to restrict its authority to issue permits to or assess fees from another public agency
45 that is a party to the agreement; and

46 (ii) to exempt another public agency that is a party to the agreement from permit or fee
47 requirements.

48 (b) A provision in an agreement under Subsection (1) whereby the parties agree as
49 provided in Subsection (3)(a) is subject to all remedies provided by law and in the agreement,
50 including injunction, mandamus, abatement, or other remedy to prevent, enjoin, abate, or
51 enforce the provision.

Legislative Review Note
as of 2-5-04 12:59 PM

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

Office of Legislative Research and General Counsel

Fiscal Note
Bill Number SB0184

Interlocal Cooperation Act Amendments

11-Feb-04

10:52 AM

State Impact

No fiscal impact.

Individual and Business Impact

No fiscal impact.

Office of the Legislative Fiscal Analyst