

1 **LOCAL GOVERNMENT - CHARITABLE**

2 **CONTRIBUTIONS**

3 2007 GENERAL SESSION

4 STATE OF UTAH

5 **Chief Sponsor: Brad L. Dee**

6 Senate Sponsor: John W. Hickman

7

8 **LONG TITLE**

9 **General Description:**

10 This bill modifies a provision relating to county assistance to nonprofit entities.

11 **Highlighted Provisions:**

12 This bill:

- 13 ▶ clarifies that a county may use its own funds or funds the county receives from the
- 14 state or any other source in providing monetary assistance to a nonprofit entity; and
- 15 ▶ makes technical changes.

16 **Monies Appropriated in this Bill:**

17 None

18 **Other Special Clauses:**

19 None

20 **Utah Code Sections Affected:**

21 AMENDS:

22 **17-50-303**, as last amended by Chapter 40, Laws of Utah 2006

23

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

25 Section 1. Section **17-50-303** is amended to read:

26 **17-50-303. County may not give or lend credit -- County may borrow in**

27 **anticipation of revenues -- Assistance to nonprofit entities.**

28 (1) A county may not give or lend its credit to or in aid of any person or corporation,

29 or, except as provided in Subsection (3), appropriate money in aid of any private enterprise.

30 (2) (a) A county may borrow money in anticipation of the collection of taxes and other
31 county revenues in the manner and subject to the conditions of Title 11, Chapter 14, Local
32 Government Bonding Act.

33 (b) A county may incur indebtedness under Subsection (2)(a) for any purpose for which
34 funds of the county may be expended.

35 (3) (a) ~~[A county may not provide services or monetary or nonmonetary assistance to~~
36 ~~or waive fees required to be paid by a nonprofit entity unless] If the county receives fair and~~
37 ~~adequate consideration in return, a county may:~~

38 (i) provide services or nonmonetary assistance to or waive fees required to be paid by a
39 nonprofit entity; and

40 (ii) provide monetary assistance to a nonprofit entity, whether from the county's own
41 funds or from funds the county receives from the state or any other source.

42 (b) Consideration paid to a county under Subsection (3)(a) may:

43 (i) be nonmonetary; and

44 (ii) include anything that in the judgment of the county legislative body contributes to
45 the safety, health, prosperity, moral well-being, peace, order, comfort, or convenience of county
46 inhabitants.