

LOCAL DISTRICT AMENDMENTS

2007 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Rebecca D. Lockhart

Senate Sponsor: _____

LONG TITLE

General Description:

This bill modifies provisions related to local districts that provide transportation service.

Highlighted Provisions:

This bill:

► removes a restriction against a local district providing the same service as another political subdivision if the service the district provides is transportation.

Monies Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

17B-2-202, as last amended by Chapter 257, Laws of Utah 2003

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

Section 1. Section **17B-2-202** is amended to read:

17B-2-202. Local district may be created -- Services that may be provided --

Limitations -- Name.

(1) A local district may be created as provided in this part to provide within its



28 boundaries service consisting of:

- 29 (a) the operation of an airport;
- 30 (b) the operation of a cemetery;
- 31 (c) the operation of a system for the generation or distribution of electricity;
- 32 (d) the operation of a system for the transmission of natural or manufactured gas that

33 is:

34 (i) connected to a gas plant, as defined in Section 54-2-1, of a gas corporation, as
35 defined in Section 54-2-1, that is regulated under Section 54-4-1; and

36 (ii) to be used to facilitate gas utility service within the district if such gas utility
37 service is not available within the district prior to the acquisition or construction of such a
38 system;

- 39 (e) fire protection, paramedic, and emergency services;
- 40 (f) garbage collection and disposal;
- 41 (g) health care;
- 42 (h) the operation of a library;
- 43 (i) abatement or control of mosquitos and other insects;
- 44 (j) the operation of parks or recreation facilities;
- 45 (k) the operation of a sewage system;
- 46 (l) street lighting;
- 47 (m) the construction and maintenance of curb, gutter, and sidewalk;
- 48 (n) transportation;
- 49 (o) the operation of a system for the control of storm or flood waters;
- 50 (p) the operation of an irrigation water system;
- 51 (q) the operation of a culinary water system; or
- 52 (r) the underground installation of an electric utility line or the conversion to
53 underground of an existing electric utility line.

54 (2) For purposes of this section:

55 (a) "Operation" means all activities involved in providing the indicated service
56 including acquisition and ownership of property reasonably necessary to provide the indicated
57 service and acquisition, construction, and maintenance of facilities and equipment reasonably
58 necessary to provide the indicated service.

59 (b) "System" means the aggregate of interrelated components that combine together to
60 provide the indicated service including:

- 61 (i) for a sewage system, collection and treatment; and
- 62 (ii) for an irrigation or culinary water system, collection, retention, treatment, and
63 distribution to either the end user or another that in turn distributes to the end user.

64 (3) (a) Except as provided in Subsection (3)(b), a local district may be created to
65 provide and may after its creation provide no more than two of the services listed in Subsection
66 (1).

67 (b) Notwithstanding Subsection (3)(a), a local district may be created to provide and
68 may after its creation provide services consisting of:

- 69 (i) the operation of some or all of the components of a sewage system;
- 70 (ii) the operation of some or all of the components of an irrigation water system; and
- 71 (iii) the operation of some or all of the components of a culinary water system.

72 (4) (a) Except as provided in Subsection (4)(b), a local district may not be created to
73 provide and may not after its creation provide to an area the same service already being
74 provided to that area by another political subdivision.

75 (b) For purposes of Subsection (4)(a), a local district does not provide the same service
76 as another political subdivision if:

77 (i) it operates a component of a system that is different from a component operated by
78 another political subdivision but within the same:

- 79 [(i)] (A) sewage system;
- 80 [(ii)] (B) irrigation water system; or
- 81 [(iii)] (C) culinary water system[-]; or

82 (ii) the service the district provides is transportation.

83 (5) Except for a local district in the creation of which an election is not required under
84 Subsection 17B-2-214(3)(c), the area of a local district may include all or part of the
85 unincorporated area of one or more counties and all or part of one or more municipalities.

86 (6) The name of a local district:

87 (a) may include words descriptive of the type of service provided by the local district;
88 and

89 (b) may not include the name of a county or municipality.

Legislative Review Note
as of 1-24-07 12:07 PM

Office of Legislative Research and General Counsel

H.B. 372 - Local District Amendments

Fiscal Note

2007 General Session
State of Utah

State Impact

Enactment of this bill will not require additional appropriations.

Individual, Business and/or Local Impact

Enactment of this bill likely will not result in direct, measurable costs and/or benefits for individuals, businesses, or local governments.
