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UTAH RELOCATION ASSISTANCE ACT

AMENDMENTS

2008 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Lyle W. Hillyard

House Sponsor: Kevin S. Garn



LONG TITLE

General Description:

This bill addresses relocation assistance payments to a person displaced by an agency's acquisition of real property.

Highlighted Provisions:

This bill:

- requires relocation assistance payments to certain persons displaced by an agency's acquisition of real property;
- addresses the amount of relocation assistance required;
- provides for a statutory payment in lieu of any payment authorized by an agency's rules; and
- makes technical changes.

Monies Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

57-12-4, as enacted by Chapter 24, Laws of Utah 1972



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

Section 1. Section 57-12-4 is amended to read:

30 **57-12-4. Federal funds -- Direct assistance.**

31 (1) When federal funds are available for payment of direct financial assistance to
32 ~~[persons]~~ a person displaced by acquisition of real property by any agency, the displacing
33 agency ~~[is authorized to]~~ may use ~~[such]~~ those federal funds with state or local funds to the
34 extent provided by federal law and may provide ~~[such]~~ direct financial assistance in the instances
35 and on the conditions set forth by federal law and regulations.

36 (2) (a) When federal funds are not available or used for payment of direct financial
37 assistance to ~~[persons]~~ a person displaced by the acquisition of real property by an agency, the
38 displacing agency may provide direct financial assistance to ~~[such persons]~~ the person.

39 ~~[Financial]~~

40 (b) Except as provided in Subsection (3), financial assistance authorized by this
41 Subsection (2) ~~[shall]~~ may not exceed the total amount that would have been payable under
42 Subsection (1) ~~[of this section]~~ if federal funds had been available or used.

43 (3) (a) The amount of direct financial assistance provided to a person displaced by
44 acquisition of real property by any agency includes actual reasonable expenses necessary to
45 reestablish a displaced farm, nonprofit organization, or business at a new site, in accordance
46 with criteria established by the agency by rule, but not exceeding \$50,000.

47 (b) The \$50,000 limit on direct financial assistance established in Subsection (3)(a):

48 (i) applies despite any lower limit established by federal statute or regulation or agency
49 rule; and

50 (ii) does not apply if a higher limit is established by federal statute or regulation.

51 (4) (a) A displaced person eligible for payments under this chapter who is displaced
52 from the person's place of business or farm may accept payment under this Subsection (4) in lieu
53 of any payment under the displacing agency's rules if the person is eligible under the agency's
54 criteria.

55 (b) A payment under this Subsection (4) is a fixed payment of at least \$1,000 but not
56 more than \$75,000.

57 (c) A person whose sole business at the site from which the person is displaced is the

58 rental of property to others does not qualify for payment under this Subsection (4).

59 (5) Assistance under this section may not be provided to a person who is ineligible to
60 receive relocation assistance under a federal statute or regulation.