

1st Sub. H.B. 216
INCORPORATION OF A TOWN AMENDMENTS

Representative **Gage Froerer** proposes the following amendments:

1. *Page 1, Lines 12 through 13*

House Committee Amendments

1-26-2010:

12 {→ **requires that a county legislative body commission a financial feasibility study after**
13 **a petition to incorporate is certified;**}

2. *Page 7, Lines 192 through 198*

House Committee Amendments

1-26-2010:

192 (8) (a) (i) The legislative body of a county with which a petition is filed under
193 Subsection (4) {+} may, at its option and {+} {~~shall,~~} upon the petition being certified under
Subsection

194 (6), commission and pay for a financial feasibility study.

195 (ii) {+} If the {+} {~~A~~} county legislative body {+} chooses to commission {+} {~~-~~
that commissions}

196 financial feasibility study {+} , the county legislative body {+} {~~described in Subsection~~
(8)(a)(i)} shall:

197 (A) within 20 days after the incorporation petition is certified, select and engage a

198 feasibility consultant; and

3. *Page 7, Line 202*

House Committee Amendments

1-26-2010:

202 (b) {~~The~~} **If the county legislative body has commissioned a financial feasibility study under**
Subsection (8)(a)(i), the county legislative body shall approve a petition proposing the incorporation of

4. *Page 7, Line 210*

House Committee Amendments

1-26-2010:

210 than ~~10%~~ {+0%} ~~25%~~ **15%** {+} ; or {+}

5. Page 7, Lines 210a through 210d

House Committee Amendments

1-26-2010:

210a (B) the results of the financial feasibility study
210b described in Subsection (8)(a)(i) show that the average annual amount of costs described in
210c Subsection (1)(b)(ii) does not exceed the average annual amount of revenues described in
210d Subsection (1)(b)(i) by more than ~~{25%}~~ 15% ←H .

6. Page 8, Lines 216 through 218

House Committee Amendments

1-26-2010:

216 H→ [F] exceeds [F] ~~[does not exceed]~~ ←H the average annual amount of costs described in
216a Subsection
217 (1)(b)(ii) by more than H→ [+0%] ~~{25%}~~ 15% ←H , the county legislative body [may] shall:
218 (A) deny the petition, [subject to] in accordance with Subsection (8)(c) H→ [(ii)] (iii) [F] ,

7. Page 8, Lines 219 through 224

House Committee Amendments

1-26-2010:

219 results of the financial feasibility study show that the average annual amount of revenues
220 described in Subsection (1)(b)(i) exceeds the average annual amount of costs described in
221 Subsection (1)(b)(ii) by more than ~~{25%}~~ 15% [or more] [F] ←H ; or
222 [(B) approve the petition and hold an election for town officers, as provided in
223 Subsection (9); or]
224 [(C)] (B) (I) with the consent of the petition sponsors:

8. Page 8, Lines 226 through 228

House Committee Amendments

1-26-2010:

226 ~~feasibility study~~ prevent the average annual amount of H→ [costs] revenues ←H described in
226a Subsection (1)(b) H→ [(ii)] (i) ←H
227 from exceeding the average annual amount of H→ [revenues] costs ←H described in Subsection
227a (1)(b) H→ [(ii)] (ii) ←H by
228 more than H→ [+0] ~~{25}~~ 15 ←H %; or

9. Page 8, Lines 231 through 232a

House Committee Amendments

1-26-2010:

231 described in Subsection (1)(b) ~~H~~→ [f] (i) [f] ~~(ii)~~ ←~~H~~ from exceeding the average annual
231a amount of ~~H~~→ [f] costs [f]
232 [revenues] ←~~H~~ described in Subsection (1)(b) ~~H~~→ [f] (ii) [f] ~~(i by more than 10%)~~ by
232a more than {~~25%~~} 15% ←~~H~~ ; and

10. Page 8, Line 234a through Page 8a, Line 234m

House Committee Amendments

1-26-2010:

234a ~~H~~→ (ii) If the results of the financial feasibility study described in Subsection (8)(a)(i) show
234b that the average annual amount of costs described in Subsection (1)(b)(ii) exceeds the average
234c annual amount of revenues described in Subsection (1)(b)(i) by more than {~~25%~~} 15% , the county
234d legislative body shall:
234e (A) approve the petition {~~(A)~~} (B) deny the petition in accordance
with Subsection (8)(c)(iii); or
234f {~~(B)~~} (C) (I) with the consent of the petition sponsors;
234g (Aa) impose conditions to prevent the average annual amount of costs
234h described in Subsection (1)(b)(ii) from exceeding the average annual amount of revenues
234i described in Subsection (1)(b)(i) by more than {~~25%~~} 15% ; or
234j (Bb) alter the boundaries of the area proposed to be incorporated as a
234k town to approximate the boundaries necessary to prevent the average annual amount of costs
234l described in Subsection (1)(b)(ii) from exceeding the average annual amount of revenues
234m described in Subsection (1)(b)(i) by more than {~~25%~~} 15% ; and

11. Page 8a, Line 235a

House Committee Amendments

1-26-2010:

235a (8)(c)(i)(A) ~~H~~→ or (8)(c)(ii) {~~(A)~~} (B) ←~~H~~

12. Page 8a, Line 239a

House Committee Amendments

1-26-2010:

239a (8)(c)(ii) {~~(B)(I)(Aa)~~} (C)(I)(Aa) ←~~H~~ shall comply