

1st Sub. S.B. 89
LEGAL NOTICE AMENDMENTS

Senator **Stephen H. Urquhart** proposes the following amendments:

1. Page 2, Line 26 through Page 2, Line 26:

26 ~~{None}~~ **This bill coordinates with H.B. 216, Incorporation of a Town Amendments, by providing superseding, technical amendments.**

2. Page 4, Line 89:

89 75-1-401, as last amended by Laws of Utah 2009, Chapter 388

Utah Code Sections Affected by Coordination Clause:

10-2-125, as last amended by Laws of Utah 2009, Chapters 350 and 388

3. Page 9, Line 262 through Page 10, Line 277:

262 (B) ~~{subject to Subsection (3)(e)(ii)}~~ **no later than 10 days after the clerk determines that a request complies with the requirements of Subsection (3)(b)**, give notice of the public hearing on the proposed

263 incorporation by:

264 (I) posting notice of the public hearing on the county's Internet website, if the county
265 has an Internet website; ~~{and}~~

266 (II) (Aa) ~~{(ii)}~~ publishing notice of the public hearing at least once a week for two
267 consecutive weeks in a newspaper of general circulation within the proposed town; ~~{and}~~ **or**
268 ~~{(Hii) publishing notice of the public hearing [in accordance with Section 45-1-101] on~~
269 **the Utah Public Notice Website created in Section 63F-1-701 for two weeks; or**

270 (Bb) ~~{in accordance with Subsection (3)(e)(i)(B)(H)(Aa)(ii),}~~ if there is no newspaper of
271 general circulation within the proposed town, posting notice of the public hearing in at least
272 five conspicuous public places within the proposed town ~~{.}~~ **; and**

(III) publishing notice of the public hearing on the Utah Public Notice Website created in Section 63F-1-701.

273 ~~{(ii) The posting of notice required under Subsection (3)(e)(i)(B)(I) and, if applicable,~~
274 **Subsection (3)(e)(i)(B)(H)(Bb) and the first publishing of notice required under Subsection**
275 **(3)(e)(i)(B)(H)(Aa), if applicable, shall occur no later than 10 days after the clerk determines**
276 **that a request complies with the requirements of Subsection (3)(b).**

277 ~~{(iii)}~~ **(ii)** Each public hearing under Subsection (3)(e)(i)(A) shall be conducted by the chair

4. *Page 17, Line 499:*

499 clerk of the county in which the area proposed for annexation is located; ~~{and}~~

5. *Page 19, Line 574:*

574 in Section 63F-1-701 ~~and~~ for two weeks; and

6. *Page 22, Line 655:*

655 in Section 63F-1-701 ~~and~~ for three weeks;

7. *Page 35, Line 1066:*

1066 in the municipality; ~~or~~

8. *Page 37, Line 1114:*

1114 in Section 63F-1-701 ~~and~~ for three weeks, at least three days before the first public hearing required

9. *Page 39, Line 1175:*

1175 in Section 63F-1-701 ~~and~~ for two weeks before the public hearing; and

10. *Page 40, Line 1211:*

1211 (B) on the Utah Public Notice Website created in Section 63F-1-701 ~~and~~ for 14 days before

11. *Page 45, Line 1386:*

1386 (B) covers at least 10% of the total private land area within the proposed township; ~~and~~

12. *Page 50, Line 1534:*

1534 Section 63F-1-701 ~~and~~ for three consecutive weeks; and

13. *Page 52, Line 1606:*

1606 (B) on the Utah Public Notice Website created in Section 63F-1-701 ~~and~~ for three

14. *Page 54, Line 1646:*

1646 ~~{and}~~

15. *Page 55, Line 1685:*

1685 in Section 63F-1-701 ~~and~~ for seven days before the hearing.

16. Page 63, Line 1927:

1927 in Section 63F-1-701 . for two weeks; or

17. Page 67, Line 2058:

2058 in Section 63F-1-701 . for 30 days before the public hearing; and

18. Page 82, Line 2514:

2514 in Section 63F-1-701 . for at least 20 days before the date fixed for the hearing; and

19. Page 83, Line 2553:

2553 (a) provisions for advertising standards to assure full and fair disclosure; and

20. Page 84, Line 2576:

2576 compliance with this ~~{act}~~ chapter or any rule or order hereunder. Upon proper showing, injunctive

21. Page 97, Line 2985:

2985 in Section 63F-1-701 . for two weeks preceding the earlier of the two public hearings.

22. Page 99, Line 3052:

3052 ~~{Annexation to County}~~ County Consolidations and Annexations .

23. Page 103, Line 3185:

3185 in Section 63F-1-701 . for four weeks before the hearing; and

24. Page 105, Line 3239:

3239 in Section 63F-1-701 . for four weeks before the hearing; or

25. Page 108, Line 3328:

3328 the said defendants under the same general designations, which shall be ~~{deemed}~~ considered sufficient to

26. Page 108, Line 3333:

3333 publishing the notice on the Utah Public Notice Website created in Section 63F-1-701 . for three

27. Page 110, Line 3379:

3379 ~~[also]~~ notify the public that any person aggrieved by ~~[said]~~ the decision may appeal ~~{from}~~ [said]

28. Page 110, Lines 3387 through 3388:

3387 hearing of any petition to be given to any interested person or ~~{-his-}~~ the person's attorney if
 ~~{-he-}~~ the person has appeared by
3388 attorney or requested that notice be sent to ~~{-his-}~~ the person's attorney. Notice shall be given by the
 clerk

29. Page 110, Line 3394:

3394 notified at the post-office address given in ~~{-his-}~~ the demand for notice, if any, or at ~~{-his-}~~ the
 person's office or

30. Page 110, Line 3404:

3404 in Section 63F-1-701 u for three weeks.

31. Page 111, Line 3408:

3408 proceeding.

Section 62. Coordinating S.B. 89 with H.B. 216 -- Superseding, technical amendments.

If this S.B. 89 and H.B. 216, Incorporation of a Town Amendments, both pass, it is the intent of the Legislature that the amendments in this S.B. 89 to Subsection 10-2-125(3)(e) supersede the amendments to Subsection 10-2-125(3)(e) contained in H.B. 216 when the Office of Legislative Research and General Counsel prepares the Utah Code database for publication.