

**Representative Derek E. Brown** proposes the following substitute bill:

**USE OF PUBLIC BUILDINGS FOR POLITICAL CAUCUS**

**MEETINGS**

2011 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Derek E. Brown**

Senate Sponsor: Wayne L. Niederhauser

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**LONG TITLE**

**General Description:**

This bill modifies the Utah Election Code by requiring the legislative body of a county, municipality, or school district to make facilities under its control available for caucus meetings.

**Highlighted Provisions:**

This bill:

- ▶ requires the legislative body of a county, municipality, or school district to make facilities under its control available for caucus meetings if the party requests use of the facility 30 calendar days in advance of the meeting and if the building is not already scheduled to be in use;
- ▶ provides that a public facility may only charge the political party the actual cost of custodial services and other services requested by the political party for the use of the facility; and
- ▶ makes technical changes.

**Money Appropriated in this Bill:**

None

**Other Special Clauses:**



26 None

27 **Utah Code Sections Affected:**

28 AMENDS:

29 **20A-8-404**, as enacted by Laws of Utah 1997, Chapter 24



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

32 Section 1. Section **20A-8-404** is amended to read:

33 **20A-8-404. Facilities for political conventions and other political activities.**

34 (1) The legislative [~~bodies of counties, municipalities, and school districts may~~] body  
35 of a county, municipality, or school district shall make all meeting facilities under its control  
36 available to registered political parties, without discrimination, to be used for political party  
37 activities[;:] if:

38 (a) the political party requests the use of the facility at least 30 calendar days before the  
39 day on which the proposed meeting will take place; and

40 (b) the facility is not already scheduled for another purpose at the time of the proposed  
41 meeting.

42 (2) [~~H~~] Subject to the requirements of Subsection (3), when a legislative body [~~chooses~~  
43 ~~to make~~] makes a meeting [facilities] facility available under Subsection (1), it may establish  
44 terms and conditions for use of [those facilities] that facility.

45 (3) ~~H~~→ [~~A~~] **The charge imposed for use of the ←~~H~~ facility ~~H~~→ [may not charge] by ←~~H~~**  
45a a registered political party ~~H~~→ [more than] may not exceed ←~~H~~ the actual cost of:

46 (a) custodial services for cleaning the facility after the meeting; and

47 (b) any service requested by the political party and provided by the facility.

48 (4) The legislative body of a county, municipality, or school district shall, to the extent  
49 possible, avoid scheduling an event for the same evening as an announced party caucus  
50 meeting.

# FISCAL NOTE

H.B. 421 1st Sub. (Buff)

SHORT TITLE: **Use of Public Buildings for Political Caucus Meetings**

SPONSOR: **Brown, D.**

2011 GENERAL SESSION, STATE OF UTAH

## STATE GOVERNMENT (UCA 36-12-13(2)(b))

Enactment of this bill likely will not materially impact the state budget.

## LOCAL GOVERNMENTS (UCA 36-12-13(2)(c))

Local governments may incur additional costs in making facilities available, including security, utilities, insurance, damages, etc. The magnitude of any costs will depend on factors that cannot be predicted.

## DIRECT EXPENDITURES BY UTAH RESIDENTS AND BUSINESSES (UCA 36-12-13(2)(d))

Enactment of this bill likely will not result in direct, measurable expenditures by Utah residents or businesses.