

LOCAL GOVERNMENT FEE AUTHORITY

2011 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Wayne A. Harper

Senate Sponsor: Curtis S. Bramble

Cosponsors:	Susan Duckworth	R. Curt Webb
Johnny Anderson	James A. Dunnigan	Ryan D. Wilcox
Patrice M. Arent	Neal B. Hendrickson	
Jim Bird		

LONG TITLE

General Description:

This bill prohibits, with certain exceptions, a service area from charging or collecting a fee.

Highlighted Provisions:

This bill:

- ▶ prohibits, with certain exceptions, a service area from charging or collecting a fee;
- and
- ▶ makes technical corrections.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

17B-2a-902, as enacted by Laws of Utah 2007, Chapter 329

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

28 Section 1. Section **17B-2a-902** is amended to read:

29 **17B-2a-902. Provisions applicable to service areas.**

30 (1) Each service area is governed by and has the powers stated in:

31 (a) this part; and

32 (b) except as provided in Subsection (5), Chapter 1, Provisions Applicable to All Local
33 Districts.

34 (2) This part applies only to service areas.

35 (3) A service area is not subject to the provisions of any other part of this chapter.

36 (4) If there is a conflict between a provision in Chapter 1, Provisions Applicable to All
37 Local Districts, and a provision in this part, the provision in this part governs.

38 (5) (a) Except as provided in Subsection (5)(b), on or after December 31, 2012, a
39 service area may not charge or collect a fee under Section 17B-1-643 for:

40 (i) law enforcement services;

41 (ii) fire protection services;

42 (iii) 911 ambulance or paramedic services as defined in Section 26-8a-102 that are
43 provided under a contract in accordance with Section 26-8a-405.2; or

44 (iv) emergency services.

45 (b) Subsection (5)(a) does not apply to:

46 (i) a fee charged or collected on an individual basis rather than a general basis;

47 (ii) a non-911 service as defined in Section 26-8a-102 that is provided under a contract
48 in accordance with Section 26-8a-405.2;

49 (iii) an impact fee charged or collected for a public safety facility as defined in Section
50 11-36-102; or

51 (iv) a service area that includes within the boundary of the service area a county of the
52 fourth, fifth, or sixth class.