

HB0226S01 compared with HB0226

~~{deleted text}~~ shows text that was in HB0226 but was deleted in HB0226S01.

inserted text shows text that was not in HB0226 but was inserted into HB0226S01.

DISCLAIMER: This document is provided to assist you in your comparison of the two bills. Sometimes this automated comparison will not be completely accurate. Therefore, you need to read the actual bill. This automatically generated document could experience abnormalities caused by: limitations of the compare program; bad input data; the timing of the compare; and other potential causes.

Representative Wayne A. Harper proposes the following substitute bill:

LOCAL GOVERNMENT FEE AUTHORITY

2011 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Wayne A. Harper

Senate Sponsor: _____

LONG TITLE

General Description:

This bill prohibits, with certain exceptions, a ~~{county on or after January 1, 2011,}~~ service area from charging or collecting a fee ~~{for certain service areas created by the county}~~.

Highlighted Provisions:

This bill:

- ▶ prohibits, with certain exceptions, a ~~{county on or after January 1, 2011,}~~ service area from charging or collecting a fee ~~{for certain service areas created by the county}~~;

→ ~~requires a county to refund certain fees owed and paid beginning on or after January 1, 2011;~~ and

- ▶ makes technical corrections.

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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:

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

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

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

(a) this part; and

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

(2) This part applies only to service areas.

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

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

(5) (a) ~~On or after January 1, 2011, a county;~~ Except as provided in Subsection (5)(b), on or after July 1, 2011, a service area may not charge or collect a fee under Section 17B-1-643 ~~for a service area created by the county~~ for:

(i) law enforcement services;

(ii) fire protection services;

(iii) ~~except as provided in Subsection (5)(b),~~ 911 ambulance or paramedic services as defined in Section 26-8a-102 that are provided under a contract in accordance with Section 26-8a-405.2; or

(iv) emergency services.

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

(i) a fee charged or collected on an individual basis rather than a general ~~countywide~~ basis and in accordance with Section 26-8a-403; ~~or~~

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

~~(f)(i);~~ (iii) A county shall:

~~(A) refund a fee described in Subsection (5)(a) that is owed and paid beginning on or after January 1, 2011; and~~

~~(B) pay a refund described in Subsection (5)(c)(i)(A) on or before July 1, 2011.~~

~~(ii) A county may not pay interest on a refund described in Subsection (5)(c)(i):~~

Legislative Review Note

~~as of 1-19-11 12:25 PM~~

~~Office of Legislative Research and General Counsel;~~ an impact fee charged or collected for a public safety facility as defined in Section 11-36-102.