

# H.B. 139

## DEPARTMENT OF COMMUNITY AND CULTURE AMENDMENTS

HOUSE FLOOR AMENDMENTS

AMENDMENT 4

FEBRUARY 22, 2012 12:45 PM

Representative **Wayne A. Harper** proposes the following amendments:

1. *Page 2, Lines 32 through 34*

*a. House Committee Amendments*

*b. 2-14-2012:*

32 Other Special Clauses:

33  $\hat{H}$  → [None] This bill takes effect on July 1, 2012. ←  $\hat{H}$

**This bill coordinates with H.B. 42, by providing technical amendments.**

34 Utah Code Sections Affected:

2. *Page 12, Lines 361 through 363:*

361 9-6-607, as renumbered and amended by Laws of Utah 2006, Chapter 24

**Utah Code Sections Affected by Coordination Clause:**

**9-4-305, as last amended by Laws of Utah 2002, Chapter 286**

**9-4-307, as last amended by Laws of Utah 2011, Chapter 247**

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

3. *Page 14, Lines 423 through 428:*

423 (6) "Museum" means an organized and permanent institution that:

424 (a) is owned or controlled by the state, a county, or a municipality, or is a nonprofit  
425 organization;

426 (b) has an educational or aesthetic purpose;

427 (c) owns or curates a tangible collection; **and**

428 (d) exhibits the collection to the public on a regular schedule.

4. *Page 68, Lines 2096 through 2099:*

2096 (b) upon the filing of a petition signed by 25 electors of the city or county asserting that  
2097 there is need for an authority to function in the city or county and requesting that its governing  
2098 body [~~so declare~~] make ~~{that}~~ **a** declaration **to that effect** .

2099 (3) The governing body shall adopt a resolution declaring there is need for an authority

5. *Page 76, Lines 2327 through 2330:*

2327 may charge for nondwelling facilities.

2328 (5) All [~~such income, together with other~~] income and revenue[;] {~~under~~} described in this  
2329 section

2329 shall be used in the operation of the projects to aid in accomplishing the public, governmental,

2330 and charitable purposes of this part.

6. Page 82, Lines 2530 through 2535:

2530 (7) In [~~any~~] a suit, action, or proceeding involving the validity or enforceability of

2531 [~~any~~] a bond of an authority or the security for it, [~~any~~] a bond reciting in substance that it has

2532 been issued by the authority to aid in financing a project [~~shall be~~] is conclusively [~~deemed~~]

2533 considered to have been issued for {~~such purposes~~} that purpose, and the project [~~shall be~~] is  
2534 conclusively

2534 [~~deemed~~] considered to have been planned, located, and carried out in accordance with this

2535 part.

7. Page 117, Lines 3605 through 3607:

3605 taxation under federal law[~~, nor shall the~~].

3606 (3) An exemption from state taxation granted in this part {~~may not be~~} is not affected by [~~any~~]

3607 ~~such~~] federal legislation described under Subsection (2).

8. Page 127, Lines 3907 through 3911:

3907 (2) The property, its income, and notes and bonds issued under this part, the interest

3908 payable on the notes and bonds, and income derived from the notes and bonds[~~, shall at all~~]

3909 ~~times be~~] {~~is~~} are exempt from [~~all~~] taxation of every kind [~~and nature whatsoever imposed~~] by the

3910 state, [~~any~~] a county, [~~any~~] a municipality, [~~or~~] and any other political subdivision of the state,

3911 except for the corporate franchise tax.

9. Page 132, Lines 4072 through 4078:

4072 (1) (a) [~~It~~] The Legislature declares that it is the policy of the state that to promote the

4073 general welfare of its citizens it is necessary to remedy the unsafe and unsanitary housing

4074 conditions and the acute shortage of decent, safe, and sanitary dwellings for families of

4075 medium and low income, in urban and rural areas. [~~These~~]

4076 (b) The conditions {~~discussed~~} described in Subsection (1)(a) cause an increase and spread of

4077 disease and crime, and constitute a menace to the health, safety, morals, and welfare of the

4078 state.

10. Page 141, Lines 4347 through 4349:

4347 (2) withdraw the recognition or terminate funding of a designated community action

4348 agency for cause, as established by rule made by the division in accordance with Title 63G, Chapter  
4349 3, Utah Administrative Rulemaking Act; [or] and

11. Page 164, Lines 5060 through 5061

House Committee Amendments

2-14-2012:

5060 (c) in the case of a loan, in accordance with Section 63A-3-205.

5060a { ~~it~~ → (7) The division, with board approval, may use fund money for the administration of the  
5060b fund, but this amount may not exceed 2% of the annual receipts to the fund. ← ~~it~~ }

5061 Section 154. Section **35A-8-1708**, which is renumbered from Section 9-11-108 is

12. Page 164, Line 5066c through Page 164a, Line 5066aa

House Committee Amendments

2-14-2012:

5066c 35A-8-1801. Transitional Housing and Community Development Advisory Council--

5066d Membership -- Duties.

5066e (1) There is created the Transitional Housing and Community Development Advisory  
5066f Council within the Department of Workforce Services consisting of the following members:

5066g (a) the executive director of the Department of Workforce Services or the executive  
5066h director's designee **, who shall serve as chair of the advisory council** ;

5066i (b) the director of the Housing and Community Development Division of the  
5066j Department of Workforce Services ~~{, who shall serve as chair of the advisory council}~~ ;

5066k (c) a representative from the governor's office designated and appointed by the  
5066l governor;

5066m (d) two representatives of entities that use or allocate funds distributed by the Housing  
5066n and Community Development Division, designated and appointed by the director of the  
5066o Housing and Community Development Division; and

5066p (e) the executive director, or the executive director's designee, of the:

5066q (i) Bear River Association of Governments;

5066r (ii) Five County Association of Governments;

5066s (iii) Mountainland Association of Governments;

5066t (iv) Six County Association of Governments;

5066u (v) Southeastern Utah Association of Governments;

5066v (vi) Uintah Basin Association of Governments;

5066w (vii) Wasatch Front Regional Council;

5066x (viii) Community Action Partnership of Utah; ~~{and}~~

**(ix) Salt Lake Community Action Program; and**

5066y ~~{(ix)}~~ **(x)** Utah Housing Coalition.

5066z (2) (a) Except as provided in Subsection (2)(b), the advisory council shall meet at least

5066aa once every three months and may meet more frequently as needed.

13. Page 250, Lines 7746a through 7746b

*House Committee Amendments*

2-14-2012:

7746a H→ Section 198. Effective date.

7746b This bill takes effect on July 1, 2012. ←H

**Section 199. Coordinating H.B. 139 with H.B. 42 -- Technical renumbering.**

**If this H.B. 139 and H.B. 42, Permanent Community Impact Fund Board Grants, both pass and become law, the Legislature intends that:**

**(1) the reference in Subsection 9-4-305(2)(a) to "Subsection 9-4-307(3)" be changed to "Subsection 35A-8-307(3)";**

**(2) the references in Subsections 9-4-307(2) and (3) to "Subsection 9-4-305(2)" be changed to "Subsection 35A-8-305(2)"; and**

**(3) the Office of Legislative Research and General Counsel makes these changes when preparing the Utah Code database for publication.**