

# H.B. 502

## INCORPORATION AMENDMENTS

Representative **Melvin R. Brown** proposes the following amendments:

1. *Page 9, Lines 260 through 271:*

260           ~~{ (4) (a) For purposes of this Subsection (4), "pending" means that the process to~~  
261 ~~incorporate an unincorporated area has been initiated by the filing of a request for incorporation~~  
262 ~~under Section 10-2-103 but that, as of May 12, 2012, a petition described in Section 10-2-109~~  
263 ~~has not yet been filed for final certification with the county clerk in accordance with Section~~  
264 ~~10-2-110.~~  
265           ~~(b) The amendments to Subsections (1) through (3) that become effective on May 12,~~  
266 ~~2012:~~  
267           ~~(i) apply to each pending proceeding proposing the incorporation of an unincorporated~~  
268 ~~area; and~~  
269           ~~(ii) do not apply to a municipal incorporation proceeding under this part in which a~~  
270 ~~petition described in Section 10-2-109 has been filed for final certification with the county~~  
271 ~~clerk in accordance with Section 10-2-110.}~~   (4)(a) For purposes of this Subsection (4), "pending"  
means that the process to incorporate an unincorporated area has been initiated by:  
(i) the certification of a request for a feasibility study under the prior provisions of this Chapter;  
or  
(ii) the filing of a request for incorporation under Section 10-2-103 if, as of May 8, 2012, a petition  
described in Section 10-2-109 has not yet been filed for final certification with the county clerk in  
accordance with Section 10-2-110.  
(b) The amendments to Subsections (1) through (3) that become effective on May 8, 2012:  
(i) apply to a pending proceeding proposing the incorporation of an unincorporated area; and  
(ii) do not apply to a municipal incorporation proceeding under this part in which a petition  
described in Section 10-2-109 has been filed for final certification with the county clerk in accordance  
with Section 10-2-110.

2. *Page 11, Lines 323 through 325:*

323           (6) The requirements of this section that become effective on May ~~{12}~~ (8), 2012, do not  
324 apply to a petition for incorporation certified by the county clerk, in accordance with Section  
325 10-2-110, before May ~~{12}~~ (8), 2012.

3. *Page 12, Lines 358 through 359:*

358            ~~{ (3) If a majority of the registered voters residing within the area boundaries of the~~  
359 ~~proposed city vote to incorporate as a city, the area shall incorporate. }~~    (3) If a majority of those  
casting votes within the area boundaries of the proposed city vote to incorporate as a city, the area shall  
incorporate.

4. Page 25, Lines 763 through 764:

763            ~~{ (5) If a majority of the registered voters residing within the area boundaries of the~~  
764 ~~proposed town vote to incorporate as a town, the area shall incorporate. }~~    (5) If a majority of those  
casting votes within the area boundaries of the proposed town vote to incorporate as a town, the area  
shall incorporate.