

28 11-13-206, as renumbered and amended by Laws of Utah 2002, Chapter 286

29 ~~H→ [11-13-223, as last amended by Laws of Utah 2007, Chapter 249] ←H~~

30 ENACTS:

31 11-13-224, Utah Code Annotated 1953



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

34 Section 1. Section 11-13-206 is amended to read:

35 **11-13-206. Requirements for agreements for joint or cooperative action.**

36 (1) Each agreement under Section 11-13-202, 11-13-203, or 11-13-205 shall specify:

37 (a) its duration;

38 (b) if the agreement creates an interlocal entity:

39 (i) the precise organization, composition, and nature of the interlocal entity;

40 (ii) the powers delegated to the interlocal entity;

41 (iii) the manner in which the interlocal entity is to be governed; and

42 (iv) subject to Subsection (2), the manner in which the members of its governing body  
43 are to be appointed or selected;

44 (c) its purpose or purposes;

45 (d) the manner of financing the joint or cooperative undertaking and, subject to Section  
46 11-13-224, of establishing and maintaining a budget for it;

47 (e) the permissible method or methods to be employed in accomplishing the partial or  
48 complete termination of the agreement and for disposing of property upon such partial or  
49 complete termination; and

50 (f) any other necessary and proper matters.

51 (2) Each agreement under Section 11-13-203 or 11-13-205 that creates an interlocal  
52 entity shall require that Utah public agencies that are parties to the agreement have the right to  
53 appoint or select members of the interlocal entity's governing body with a majority of the  
54 voting power.

55 ~~H→ [Section 2. Section 11-13-223 is amended to read:~~

56 ~~11-13-223. Open and public meetings.~~

57 ~~(1) To the extent that an interlocal entity is subject to [or elects, by formal resolution of~~  
58 ~~its governing body to comply with] the provisions of Title 52, Chapter 4, Open and Public ←H~~

59 ~~H→ Meetings Act, it may for purposes of complying with those provisions:~~

60 ~~—— (a) convene and conduct any public meeting by means of a telephonic or~~  
61 ~~telecommunications conference; and~~

62 ~~—— (b) give public notice of its meeting pursuant to Section 52-4-202.~~

63 ~~—— (2) In order to convene and conduct a public meeting by means of a telephonic or~~  
64 ~~telecommunications conference, each interlocal entity shall if it is subject to or elects by formal~~  
65 ~~resolution of its governing body to comply with Title 52, Chapter 4, Open and Public Meetings~~  
66 ~~Act:~~

67 ~~—— (a) in addition to giving public notice required by Subsection (1) provide:~~

68 ~~—— (i) notice of the telephonic or telecommunications conference to the members of the~~  
69 ~~governing body at least 24 hours before the meeting so that they may participate in and be~~  
70 ~~counted as present for all purposes, including the determination that a quorum is present; and~~

71 ~~—— (ii) a description of how the members will be connected to the telephonic or~~  
72 ~~telecommunications conference;~~

73 ~~—— (b) establish written procedures governing the conduct of any meeting at which one or~~  
74 ~~more members of the governing body are participating by means of a telephonic or~~  
75 ~~telecommunications conference;~~

76 ~~—— (c) provide for an anchor location for the public meeting at the principal office of the~~  
77 ~~governing body; and~~

78 ~~—— (d) provide space and facilities for the physical attendance and participation of~~  
79 ~~interested persons and the public at the anchor location, including providing for interested~~  
80 ~~persons and the public to hear by speaker or other equipment all discussions and deliberations~~  
81 ~~of those members of the governing body participating in the meeting by means of telephonic or~~  
82 ~~telecommunications conference.~~

83 ~~—— (3) Compliance with the provisions of this section by a governing body constitutes full~~  
84 ~~and complete compliance by the governing body with the corresponding provisions of Sections~~  
85 ~~52-4-201 and 52-4-202, to the extent that those sections are applicable to the governing body.] ←H~~

86 Section ~~H→~~ [3] 2 ←H . Section 11-13-224 is enacted to read:

87 11-13-224. Budgetary standards -- Publication.

88 ~~H→~~ (1) ←H If an interlocal entity requires a budget, the interlocal entity shall:

89 ~~H→~~ [(1)] (a) ←H adopt the budget at a public meeting held in accordance with

89a Title 52, Chapter 4,

90 Open and Public Meetings Act;

91 ~~H~~→ [(2)] (b) ←~~H~~ establish and maintain the budget in accordance with standards

91a established by the

92 Governmental Accounting Standards Board; and

93 ~~H~~→ [(3)] (c) ←~~H~~ publish annually the interlocal entity's budget on:

94 ~~H~~→ [(a)] (i) ←~~H~~ the interlocal entity's public website, if applicable; and

95 ~~H~~→ [(b)] (ii) ←~~H~~ the public website of each Utah public agency that entered into the

95a agreement

96 creating the interlocal entity.

96a ~~H~~→ (2) Subsection (1) does not apply to an interlocal entity that is a project entity. ←~~H~~

**Legislative Review Note**  
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**Office of Legislative Research and General Counsel**