

LOCAL DISTRICT AMENDMENTS

2013 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Don L. Ipson

Senate Sponsor: Margaret Dayton

LONG TITLE

General Description:

This bill amends provisions governing the automatic withdrawal of an area from certain local districts.

Highlighted Provisions:

This bill:

▸ requires the legislative body of a newly incorporated municipality to adopt a resolution no later than 180 days after the effective date of incorporation to approve the withdrawal of an area from certain local districts.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

17B-1-502, as last amended by Laws of Utah 2011, Chapter 68

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

Section 1. Section **17B-1-502** is amended to read:

17B-1-502. Withdrawal of area from local district -- Automatic withdrawal in certain circumstances -- Definitions.



28 (1) (a) An area within the boundaries of a local district may be withdrawn from the
29 local district only as provided in this part.

30 (b) Except as provided in Subsections (2) and (3), the inclusion of an area of a local
31 district within a municipality because of a municipal incorporation under Title 10, Chapter 2,
32 Part 1, Incorporation, or a municipal annexation or boundary adjustment under Title 10,
33 Chapter 2, Part 4, Annexation, does not affect the requirements under this part for the process
34 of withdrawing that area from the local district.

35 (2) (a) An area within the boundaries of a local district is automatically withdrawn
36 from the local district by the annexation of the area to a municipality or the adding of the area
37 to a municipality by boundary adjustment under Title 10, Chapter 2, Part 4, Annexation, if:

38 (i) the local district provides:

39 (A) fire protection, paramedic, and emergency services; or

40 (B) law enforcement service;

41 (ii) an election for the creation of the local district was not required because of
42 Subsection 17B-1-214(3)(d); and

43 (iii) before annexation or boundary adjustment, the boundaries of the local district do
44 not include any of the annexing municipality.

45 (b) The effective date of a withdrawal under this Subsection (2) is governed by
46 Subsection 17B-1-512(2)(b).

47 (3) (a) An area within the boundaries of a local district located in a county of the first
48 class is automatically withdrawn from the local district by the incorporation of a municipality
49 whose boundaries include the area if:

50 (i) the local district provides:

51 (A) fire protection, paramedic, and emergency services; or

52 (B) law enforcement service;

53 (ii) an election for the creation of the local district was not required because of
54 Subsection 17B-1-214(3)(d); and

55 (iii) the legislative body of the newly incorporated municipality:

56 (A) adopts a resolution no later than 180 days after the effective date of incorporation
57 approving the withdrawal that includes the legal description of the area to be withdrawn; and

58 (B) delivers a copy of the resolution to the board of trustees of the local district.

59 (b) The effective date of a withdrawal under this Subsection (3) is governed by
60 Subsection 17B-1-512(2)(a).

Legislative Review Note
as of **2-18-13 8:48 AM**

Office of Legislative Research and General Counsel