

1st Sub. S.B. 211
REDEVELOPMENT AGENCY AMENDMENTS

Representative **Gregory H. Hughes** proposes the following amendments:

1. *Page 1, Lines 17 through 18:*

- 17 ▶ requires that certain urban renewal project budgets specify the maximum
18 cumulative dollar amount of tax increment that the agency may receive;
 ▶ **amends notice provisions;**

2. *Page 2, Lines 30 through 32:*

- 30 17C-1-407, as last amended by Laws of Utah 2009, Chapter 387
31 17C-2-201, as last amended by Laws of Utah 2010, Chapter 279
 = **17C-2-502, as last amended by Laws of Utah 2010, Chapter 279**
32 17C-3-201, as last amended by Laws of Utah 2010, Chapter 279
 = **17C-3-402, as last amended by Laws of Utah 2010, Chapter 279**

3. *Page 12, Lines 365 through 366:*

- 365 (ii) a payment to the agency under the project area budget; or
366 (iii) the agency's use of tax increment under the project area budget.
 = **Section 5. Section 17C-2-502 is amended to read:**
 17C-2-502. Requirements for notice provided by agency.
 (1) The notice required by Section 17C-2-501 shall be given by:
 (a) (i) publishing one notice, excluding the map referred to in Subsection (3)(b), in a newspaper of
 general circulation within the county in which the project area or proposed project area is located, at least 14
 days before the hearing;
 (ii) if there is no newspaper of general circulation, posting notice at least 14 days before the day of the
 hearing in at least three conspicuous places within the county in which the project area or proposed project area
 is located; or
 (iii) posting notice, excluding the map described in Subsection (3)(b), at least 14 days before the day on
 which the hearing is held on:
 (A) the Utah Public Notice Website described in Section 63F-1-701; and
 (B) the public website of a community located within the boundaries of the project area; and
 (b) at least 30 days before the hearing:
 (i) mailing notice to each record owner of property located within the project area or proposed project
 area; and
 (ii) mailing notice to:

- (A) the State Tax Commission;
- (B) the assessor and auditor of the county in which the project area or proposed project area is located;
- ~~{and}~~
- (C) (I) each member of the taxing entity committee; or
- (II) if a taxing entity committee has not yet been formed, the State Board of Education and the legislative body or governing board of each taxing entity ~~{-}~~ ; and
- (D) the Utah Taxpayers Association.

(2) The mailing of the notice to record property owners required under Subsection (1)(b)(i) shall be conclusively considered to have been properly completed if:

(a) the agency mails the notice to the property owners as shown in the records, including an electronic database, of the county recorder's office and at the addresses shown in those records; and

(b) the county recorder's office records used by the agency in identifying owners to whom the notice is mailed and their addresses were obtained or accessed from the county recorder's office no earlier than 30 days before the mailing.

(3) The agency shall include in each notice required under Section 17C-2-501:

(a) (i) a specific description of the boundaries of the project area or proposed project area; or

(ii) (A) a mailing address or telephone number where a person may request that a copy of the description be sent at no cost to the person by mail or facsimile transmission; and

(B) if the agency has an Internet website, an Internet address where a person may gain access to an electronic, printable copy of the description;

(b) a map of the boundaries of the project area or proposed project area;

(c) an explanation of the purpose of the hearing; and

(d) a statement of the date, time, and location of the hearing.

(4) The agency shall include in each notice under Subsection (1)(b)(ii):

(a) a statement that property tax revenues resulting from an increase in valuation of property within the project area or proposed project area will be paid to the agency for urban renewal purposes rather than to the taxing entity to which the tax revenues would otherwise have been paid if:

(i) the taxing entity committee consents to the project area budget; and

(ii) the project area plan provides for the agency to receive tax increment; and

(b) an invitation to the recipient of the notice to submit to the agency comments concerning the subject matter of the hearing before the date of the hearing.

(5) An agency may include in a notice under Subsection (1) any other information the agency considers necessary or advisable, including the public purpose served by the project and any future tax benefits expected to result from the project.

4. *Page 14, Lines 416 through 417:*

416 (ii) a payment to the agency under the project area budget; or

417 (iii) the agency's use of tax increment under the project area budget.

= **Section 7. Section 17C-3-402 is amended to read:**

17C-3-402. Requirements for notice provided by agency.

(1) The notice required by Section 17C-3-401 shall be given by:

- (a) (i) publishing one notice, excluding the map described in Subsection (3)(b), in a newspaper of general circulation within the county in which the project area or proposed project area is located, at least 14 days before the hearing;
 - (ii) if there is no newspaper of general circulation, posting notice in at least three conspicuous places within the county in which the project area or proposed project area is located; or
 - (iii) posting notice, excluding the map described in Subsection (3)(b), at least 14 days before the day on which the hearing is held on:
 - (A) the Utah Public Notice Website described in Section 63F-1-701; and
 - (B) the public website of a community located within the boundaries of the project area; and
 - (b) at least 30 days before the hearing, mailing notice to:
 - (i) each record owner of property located within the project area or proposed project area;
 - (ii) the State Tax Commission;
 - (iii) the assessor and auditor of the county in which the project area or proposed project area is located;
- ~~{ and }~~
- (iv) (A) each member of the taxing entity committee; or
 - (B) if a taxing entity committee has not yet been formed, the State Board of Education and the legislative body or governing board of each taxing entity ~~{ and }~~ ; and (v) the Utah Taxpayers Association.

(2) The mailing of notice to record property owners required under Subsection (1)(b)(i) shall be conclusively considered to have been properly completed if:

- (a) the agency mails the notice to the property owners as shown in the records, including an electronic database, of the county recorder's office and at the addresses shown in those records; and
- (b) the county recorder's office records used by the agency in identifying owners to whom the notice is mailed and their addresses were obtained or accessed from the county recorder's office no earlier than 30 days before the mailing.

(3) The agency shall include in each notice required under Section 17C-3-401:

- (a) (i) a specific description of the boundaries of the economic development project area or proposed project area; or
 - (ii) (A) a mailing address or telephone number where a person may request that a copy of the description be sent at no cost to the person by mail or facsimile transmission; and
 - (B) if the agency has an Internet website, an Internet address where a person may gain access to an electronic, printable copy of the description;
 - (b) a map of the boundaries of the project area or proposed project area;
 - (c) an explanation of the purpose of the hearing; and
 - (d) a statement of the date, time, and location of the hearing.
- (4) The agency shall include in each notice under Subsections (1)(b)(ii), (iii), and (iv):
- (a) a statement that property tax revenues resulting from an increase in valuation of property within the economic development project area or proposed project area will be paid to the agency for economic

development purposes rather than to the taxing entity to which the tax revenues would otherwise have been paid if:

(i) the taxing entity committee consents to the project area budget; and

(ii) the project area plan provides for the agency to receive tax increment; and

(b) an invitation to the recipient of the notice to submit to the agency comments concerning the subject matter of the hearing before the date of the hearing.

(5) An agency may include in a notice under Subsection (1) any other information the agency considers necessary or advisable, including the public purpose served by the project and any future tax benefits expected to result from the project.

Renumber remaining sections accordingly.