

H.B. 102

ASSESSMENT AREA AMENDMENTS

Representative **R. Curt Webb** proposes the following amendments:

1. *Page 3, Lines 74 through 76:*

74 (9) "Benefitted property" means property within an assessment area that :
75 (a) directly ~~or~~
76 ~~indirectly~~] benefits from improvements {~~,~~} or operation and maintenance {~~,~~} : or
(b) directly or indirectly benefits from economic promotion
76 activities.

2. *Page 3, Lines 82 through 83:*

82 (13) (a) "Commercial or industrial real property" means real property used directly {~~+~~} **or**
83 **indirectly** {~~+~~} or held for one of the following purposes or activities, regardless of whether the

3. *Page 12, Lines 346 through 349:*

346 (e) state that the local entity proposes to levy an assessment on benefitted property
347 within the assessment area to pay some or all of the cost of the improvements according to the
348 estimated :
(i) for an assessment for improvements or operation and maintenance, direct [and indirect] benefits
to the property {~~from the improvements~~} ; or
(ii) for an assessment for economic promotion activities, direct or indirect benefits to the
property;
349 (f) state the assessment method by which the governing body proposes to levy the

4. *Page 15, Lines 447 through 452:*

447 (ii) collects for the petition described in Subsection (3)(c)(i)(A):
448 (A) the signatures of owners of private real property that is located within the proposed
449 assessment area;
450 (B) enough signatures to exceed the number of contestable protest signatures received by the
governing body protesting the described assessment area by no less
451 than 5% based on the same assessment method representation that was used to calculate the
452 number of contestable protest signatures; and

5. *Page 17, Lines 513 through 516:*

513 (c) At each hearing, the board of equalization shall hear arguments from any person
514 who claims to be aggrieved, including arguments relating to:
515 (i) the direct [~~or indirect~~] benefits , or, if the assessment is for economic promotion activities, the
direct or indirect benefits, accruing to a tract, block, lot, or parcel of property in
516 the assessment area; or

6. Page 18, Lines 547 through 548:

547 (i) each parcel of property within the assessment area will be directly [~~or indirectly~~]
548 benefitted , or, if the assessment is for economic promotion activities, directly or indirectly benefitted,
in an amount not less than the assessment to be levied against the property; and

7. Page 21, Lines 636 through 638:

636 (b) The validity of an otherwise valid assessment is not affected by the fact that the
637 benefit to the property from the improvement {+} : {+}
(i) does not increase the fair market value of the
638 property {-} ; or
(ii) in the case of an assessment for economic promotion activities, only indirectly benefits the
property.