

**5th Sub. S.B. 199**  
**LOCAL GOVERNMENT REVISIONS**

Representative **Fred C. Cox** proposes the following amendments:

1. *Page 1, Lines 14 through 15:*

- 14           ▶       amends municipal annexation provisions;  
                  ▶       extends the moratorium on township annexation or incorporations to November 13, 2016;  
15           ▶       enacts "Municipal Incorporation," including:

2. *Page 1, Lines 20 through 22:*

- 20   county of the first class on and after May 12, 2015;  
21           ▶       requires a county of the first class to hold a special election on November   ~~{3, 2015}~~   8,  
                  2016 ,  
22   for the following ballot propositions:

3. *Page 2, Lines 26 through 29:*

- 26           ▶       provides notice and hearing requirements;  
27           ▶       provides for the incorporation of a metro township after November   ~~{3, 2015}~~   8, 2016 ;  
28           ▶       provides for the determination of metro township council districts and election of  
29   officers;

4. *Page 42, Lines 1287 through 1289:*

- 1287   with the clerk of the county on or after January 1, 2014, a township incorporation procedure  
1288   that is the subject of or otherwise relates to that request is suspended until November   ~~{15, 2015}~~   13,  
          2016 ;  
1289   and

5. *Page 42, Lines 1291 through 1296:*

- 1291   town clerk on or after January 1, 2014, a township annexation procedure that is the subject of  
1292   or otherwise relates to that petition is suspended until November   ~~{15, 2015}~~   13, 2016 .  
1293       (b) (i) If a township incorporation procedure or township annexation procedure is  
1294   suspended under Subsection (2)(a), any applicable deadline or timeline is suspended before and  
1295   on November   ~~{15, 2015}~~   13, 2016 .  
1296       (ii) On November   ~~{16, 2015}~~   14, 2016 , the applicable deadline or timeline described in  
      Subsection

6. Page 43, Lines 1315 through 1317:

1315 processing, including a feasibility study, public hearing, or an incorporation election, is  
1316 suspended until November ~~{15, 2015}~~ 13, 2016 .  
1317 Section 23. Section **10-2a-201** is enacted to read:

7. Page 76, Line 2339 through Page 77, Line 2357:

2339 (ii) subject to Subsection (2), an unincorporated island located in a county of the first  
2340 class on or after May 12, 2015, and before November ~~{4, 2015}~~ 9, 2016 ; and  
2341 (b) do not apply to a planning advisory area, as defined in Section 17-27a-103, or any  
2342 other unincorporated area located outside of a county of the first class.  
2343 (2) (a) The provisions of Part 2, Incorporation of a City, and Part 3, Incorporation of a  
2344 Town, apply to an unincorporated area described in Subsection (1) for an incorporation as a  
2345 city after November ~~{3, 2015}~~ 8, 2016 .  
2346 (b) The provisions of Section 10-2a-410 apply to an unincorporated area described in  
2347 Subsection (1) for an incorporation as a metro township after November ~~{3, 2015}~~ 8, 2016 .  
2348 (c) The provisions of Chapter 2, Part 4, Annexation:  
2349 (i) do not apply to an unincorporated island for purposes of annexation before  
2350 November ~~{4, 2015}~~ 9, 2016 , unless:  
2351 (A) otherwise indicated; or  
2352 (B) before July 1, ~~{2015}~~ 2016 , an annexation petition is filed in accordance with Section  
2353 10-2-403 or an intent to annex resolution is adopted in accordance with Subsection  
2354 10-2-418(2)(a)(i); and  
2355 (ii) apply to an unincorporated island that is not annexed at an election under this part  
2356 for purposes of annexation on or after November ~~{4, 2015}~~ 9, 2016 .  
2357 Section 52. Section **10-2a-403** is enacted to read:

8. Page 77, Line 2380 through Page 78, Line 2383:

2380 10-2a-404. Election.  
2381 (1) (a) Notwithstanding Section 20A-1-203, a county of the first class shall hold a ~~{local~~  
2382 special election} regular general election on November ~~{3, 2015}~~ 8, 2016 , on the following  
ballot propositions:  
2383 (i) for registered voters residing within a planning township:

9. Page 85, Lines 2607 through 2612:

2607 (e) Section 10-2-428.  
2608 Section 59. Section **10-2a-410** is enacted to read:  
2609 10-2a-410. Incorporation of metro townships after November ~~{3, 2015}~~ 8, 2016 .

2610 (1) (a) An area located in a county of the first class that is unincorporated after the  
2611 results of the election held in accordance with Section 10-2a-404 may, after November ~~{3, 2015}~~ 8,  
2016 ,  
2612 incorporate as a metro township in accordance with this section.

10. Page 91, Lines 2789 through 2792:

2789 (a) unless a primary election is prohibited by Subsection 20A-9-404(2), hold a primary  
2790 election at the next ~~{regular}~~ municipal primary election, as described in Section 20A-1-201.5,  
following  
2791 the November ~~{3, 2015}~~ 8, 2016 , election to incorporate; and  
2792 (b) hold a final election at the next regular general election date following the election

11. Page 179, Lines 5534 through 5542:

5534 (1) A regular primary election shall be held throughout the state on the fourth Tuesday  
5535 of June of each even numbered year as provided in Section 20A-9-403, to nominate persons  
5536 for ~~{:~~  
5537 ~~{a)}~~ national, state, school board, and county offices ~~{+}~~ . ~~{+}~~ ~~{:and~~  
5538 ~~{b) offices for a metro township, city, or town incorporated under Section 10-2a-404.}~~  
5539 (2) A municipal primary election shall be held, if necessary, on the second Tuesday  
5540 following the first Monday in August before the regular municipal election to nominate persons  
5541 for municipal offices , including an office for a metro township incorporated under Section 10-2a-404 .  
5542 (3) If the Legislature makes an appropriation for a Western States Presidential Primary

12. Page 181, Lines 5583 through 5588:

5583 (xiv) a vote on the incorporation of a city in accordance with Section ~~[10-2-111]~~  
5584 10-2a-210; {+} or {+}  
5585 (xv) a vote on the incorporation of a town in accordance with Section ~~[10-2-127.]~~  
5586 10-2a-304 {;or  
5587 ~~{xvi) a vote on incorporation or annexation as described in Section 10-2a-404}~~ .  
5588 (b) The legislative body of a local political subdivision may call a local special election