

RESIDENTIAL FACILITIES AMENDMENTS

2016 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Karen Mayne

House Sponsor: _____

LONG TITLE

General Description:

This bill modifies municipal and county regulation of land use and development by enacting provisions related to residential facilities for persons with a disability.

Highlighted Provisions:

This bill:

▶ enacts provisions permitting a municipality or a county to, by ordinance, require a residential facility for persons with a disability that is licensed or certified by the Department of Human Services or by the Department of Health to produce a copy of the license or certification in order to obtain a business license.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

10-9a-520, as last amended by Laws of Utah 2013, Chapter 309

17-27a-519, as last amended by Laws of Utah 2013, Chapter 309

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

Section 1. Section **10-9a-520** is amended to read:



28 **10-9a-520. Licensing of residences for persons with a disability.**

29 (1) The responsibility to license programs or entities that operate residential facilities
30 for persons with a disability, as well as to require and monitor the provision of adequate
31 services to persons residing in those facilities, shall rest with:

32 [~~(1)~~] (a) for programs or entities licensed or certified by the Department of Human
33 Services, the Department of Human Services as provided in Title 62A, Chapter 5, Services for
34 People with Disabilities; and

35 [~~(2)~~] (b) for programs or entities licensed or certified by the Department of Health, the
36 Department of Health under Title 26, Chapter 21, Health Care Facility Licensing and
37 Inspection Act.

38 (2) The legislative body of a municipality may by ordinance require a residential
39 facility for persons with a disability that is licensed by the Department of Human Services or by
40 the Department of Health, as described in Subsection (1), to produce a copy of the license or
41 certification in order to obtain a business license.

42 Section 2. Section **17-27a-519** is amended to read:

43 **17-27a-519. Licensing of residences for persons with a disability.**

44 (1) The responsibility to license programs or entities that operate residential facilities
45 for persons with a disability, as well as to require and monitor the provision of adequate
46 services to persons residing in those facilities, shall rest with:

47 [~~(1)~~] (a) for programs or entities licensed or certified by the Department of Human
48 Services, the Department of Human Services as provided in Title 62A, Chapter 5, Services for
49 People with Disabilities; and

50 [~~(2)~~] (b) for programs or entities licensed or certified by the Department of Health, the
51 Department of Health under Title 26, Chapter 21, Health Care Facility Licensing and
52 Inspection Act.

53 (2) The legislative body of a municipality may by ordinance require a residential
54 facility for persons with a disability that is licensed or certified by the Department of Human
55 Services or by the Department of Health, as described in Subsection (1), to produce a copy of
56 the license or certification in order to obtain a business license.

Legislative Review Note
Office of Legislative Research and General Counsel