

COUNTY PROPERTY DISPOSAL AMENDMENTS

2017 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Douglas V. Sagers

Senate Sponsor: _____

LONG TITLE

General Description:

This bill allows a county to dispose of real property at less than fair market value in order to meet a significant public interest.

Highlighted Provisions:

This bill:

- ▶ allows a county to dispose of real property at less than fair market value in order to meet a significant public interest; and
- ▶ makes technical and conforming changes.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

17-50-312, as last amended by Laws of Utah 2007, Chapter 291

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

Section 1. Section **17-50-312** is amended to read:

17-50-312. Acquisition, management, and disposal of property.

(1) Subject to Subsection (4), a county may purchase, receive, hold, sell, lease, convey,



28 or otherwise acquire and dispose of any real or personal property or any interest in such
29 property if the action is in the public interest and complies with other law.

30 (2) Any property interest acquired by the county shall be held in the name of the county
31 unless specifically otherwise provided by law.

32 (3) The county legislative body shall provide by ordinance, resolution, rule, or
33 regulation for the manner in which property shall be acquired, managed, and disposed of.

34 (4) (a) Each county shall, by ordinance, define what constitutes:

35 (i) a "significant parcel of real property" for the purposes of this Subsection (4); and

36 (ii) "reasonable notice" for purposes of Subsection (4)(b)(i).

37 ~~[(4)(a)]~~ (b) Before a county may dispose of a significant parcel of real property, the
38 county shall:

39 (i) provide reasonable notice of the proposed disposition at least 14 days before the
40 opportunity for public comment under Subsection (4)~~[(a)]~~(b)(ii); and

41 (ii) allow an opportunity for public comment on the proposed disposition.

42 ~~[(b) Each county shall, by ordinance, define what constitutes:]~~

43 ~~[(i) a significant parcel of real property for purposes of Subsection (4)(a); and]~~

44 ~~[(ii) reasonable notice for purposes of Subsection (4)(a)(i).]~~

45 (c) (i) A county may dispose of a significant parcel of real property at less than fair
46 market value if the disposition of the property at less than fair market value is necessary to
47 meet a significant public interest.

48 (ii) When evaluating whether the sale of real property under Subsection (4)(c)(i) at less
49 than fair market value is necessary to meet a significant public interest, the county shall make
50 findings regarding:

51 (A) the long-term economic potential for the real property;

52 (B) the county's long-term plans for the real property and the area surrounding the real
53 property; and

54 (C) whether the projected five-year economic benefit resulting from the sale is greater
55 than the difference between the property's fair market value and the property's sale price.