

**Representative Douglas V. Sagers** proposes the following substitute bill:

**COMMUNITY REINVESTMENT AGENCIES REVISIONS**

2018 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Douglas V. Sagers**

Senate Sponsor: Daniel W. Thatcher

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**LONG TITLE**

**General Description:**

This bill amends provisions in Title 17C, Limited Purpose Local Government Entities - Community Reinvestment Agency Act.

**Highlighted Provisions:**

This bill:

- ▶ authorizes a public entity to dispose of or lease the public entity's property to an agency for less than fair market value; and
- ▶ makes technical and conforming changes.

**Money Appropriated in this Bill:**

None

**Other Special Clauses:**

This bill provides a coordination clause.

**Utah Code Sections Affected:**

AMENDS:

**17C-1-207**, as last amended by Laws of Utah 2016, Chapter 350

**Utah Code Sections Affected by Coordination Clause:**

**17C-1-207**, as last amended by Laws of Utah 2016, Chapter 350

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

27 Section 1. Section 17C-1-207 is amended to read:

28 **17C-1-207. Public entities may assist with project area development.**

29 (1) In order to assist and cooperate in the planning, undertaking, construction, or  
30 operation of project area development within an area in which the public entity is authorized to  
31 act, a public entity may:

32 (a) (i) provide or cause to be furnished:

33 (A) parks, playgrounds, or other recreational facilities;

34 (B) community, educational, water, sewer, or drainage facilities; or

35 (C) any other works which the public entity is otherwise empowered to undertake;

36 (ii) provide, furnish, dedicate, close, vacate, pave, install, grade, regrade, plan, or

37 replan streets, roads, roadways, alleys, sidewalks, or other places;

38 (iii) in any part of the project area:

39 (A) (I) plan or replan any property within the project area;

40 (II) plat or replat any property within the project area;

41 (III) vacate a plat;

42 (IV) amend a plat; or

43 (V) zone or rezone any property within the project area; and

44 (B) make any legal exceptions from building regulations and ordinances;

45 (iv) purchase or legally invest in any of the bonds of an agency and exercise all of the  
46 rights of any holder of the bonds;

47 (v) notwithstanding any law to the contrary, enter into an agreement for any period of  
48 time with another public entity concerning action to be taken pursuant to any of the powers  
49 granted in this title;

50 (vi) do anything necessary to aid or cooperate in the planning or implementation of the  
51 project area development;

52 (vii) in connection with the project area plan, become obligated to the extent  
53 authorized and funds have been made available to make required improvements or construct  
54 required structures; and

55 (viii) lend, grant, or contribute funds to an agency for project area development or  
56 proposed project area development, including assigning revenue or taxes in support of an

57 agency bond or obligation; and

58 (b) ~~[15 days after posting public notice]~~ for less than fair market value or for no  
59 consideration, and subject to Subsection (2):

60 (i) purchase or otherwise acquire property ~~[or]~~ from an agency;

61 (ii) lease property from [the] an agency; [or]

62 ~~[(ii)]~~ (iii) sell, grant, convey, donate, or otherwise dispose of the public entity's  
63 property to an agency; or

64 (iv) lease the public entity's property to [the] an agency.

65 ~~[(2) Notwithstanding any law to the contrary, an agreement under Subsection (1)(a)(v)~~  
66 ~~may extend over any period.]~~

67 ~~[(3) A grant or contribution of funds from a public entity to an agency, or from an~~  
68 ~~agency under a project area plan or project area budget, is not subject to the requirements of~~  
69 ~~Section 10-8-2.]~~

70 (2) A public entity may provide project area development assistance described in  
71 Subsection (1)(b) no sooner than 15 days after the day on which the public entity posts notice  
72 of the assistance:

73 (a) on the Utah Public Notice Website described in Section 63F-1-701; and

74 (b) (i) on the public entity's public website; or

75 (ii) if the public entity does not have a public website, in a newspaper of general  
76 circulation within the county in which the project area for which the entity provides the  
77 assistance is located.

78 (3) A public entity that provides project area development assistance under this section  
79 is not subject to Section 10-8-2 or 17-50-312.

80 **Section 2. Coordinating H.B. 17 with H.B. 15 -- Substantive and technical**  
81 **amendments.**

82 If this H.B. 17 and H.B. 15, Community Reinvestment Agency Amendments, both pass  
83 and become law, it is the intent of the Legislature that the Office of Legislative Research and  
84 General Counsel shall prepare the Utah Code database for publication by amending Section  
85 17C-1-207 to read:

86 **"17C-1-207. Public entities may assist with project area development.**

87 (1) In order to assist and cooperate in the planning, undertaking, construction, or

88 operation of project area development within an area in which the public entity is authorized to  
89 act, a public entity may:

90 (a) (i) provide or cause to be furnished:

91 (A) parks, playgrounds, or other recreational facilities;

92 (B) community, educational, water, sewer, or drainage facilities; or

93 (C) any other works which the public entity is otherwise empowered to undertake;

94 (ii) provide, furnish, dedicate, close, vacate, pave, install, grade, regrade, plan, or  
95 replan streets, roads, roadways, alleys, sidewalks, or other places;

96 (iii) in any part of the project area:

97 (A) (I) plan or replan any property within the project area;

98 (II) plat or replat any property within the project area;

99 (III) vacate a plat;

100 (IV) amend a plat; or

101 (V) zone or rezone any property within the project area; and

102 (B) make any legal exceptions from building regulations and ordinances;

103 (iv) purchase or legally invest in any of the bonds of an agency and exercise all of the  
104 rights of any holder of the bonds;

105 (v) notwithstanding any law to the contrary, enter into an agreement for a period of  
106 time with another public entity concerning action to be taken pursuant to any of the powers  
107 granted in this title;

108 (vi) do anything necessary to aid or cooperate in the planning or implementation of the  
109 project area development;

110 (vii) in connection with the project area plan, become obligated to the extent  
111 authorized and funds have been made available to make required improvements or construct  
112 required structures; and

113 (viii) lend, grant, or contribute funds to an agency for project area development or  
114 proposed project area development, including assigning revenue or taxes in support of an  
115 agency bond or obligation; and

116 (b) [~~15 days after posting public notice~~] for less than fair market value or for no  
117 consideration, and subject to Subsection (3):

118 (i) purchase or otherwise acquire property [~~or~~] from an agency;

119           (ii) lease property from [~~the~~] an agency; [~~or~~]  
120           [~~(ii)~~] (iii) sell, grant, convey, donate, or otherwise dispose of the public entity's  
121 property to an agency; or  
122           (iv) lease the public entity's property to [~~the~~] an agency.  
123           [~~(2) Notwithstanding any law to the contrary, an agreement under Subsection (1)(a)(v)~~  
124 ~~may extend over any period.~~]  
125           [~~(3) A grant or contribution of funds from a public entity to an agency, or from an~~  
126 ~~agency under a project area plan or project area budget, is not subject to the requirements of~~  
127 ~~Section [10-8-2](#).~~]  
128           (2) A public entity that provides assistance under this section is not subject to Section  
129 [10-8-2](#) or [17-50-312](#).  
130           (3) A public entity may provide assistance described in Subsection (1)(b) no sooner  
131 than 15 days after the day on which the public entity posts notice of the assistance on:  
132           (a) the Utah Public Notice Website described in Section [63F-1-701](#); and  
133           (b) the public entity's public website."