

HB0017S01 compared with HB0017

~~{deleted text}~~ shows text that was in HB0017 but was deleted in HB0017S01.

Inserted text shows text that was not in HB0017 but was inserted into HB0017S01.

DISCLAIMER: This document is provided to assist you in your comparison of the two bills. Sometimes this automated comparison will NOT be completely accurate. Therefore, you need to read the actual bills. This automatically generated document could contain inaccuracies caused by: limitations of the compare program; bad input data; or other causes.

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: _____

LONG TITLE

~~{Committee Note:~~

~~—The Political Subdivisions Interim Committee recommended this bill.~~

~~{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

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Other Special Clauses:

~~{ None }~~ 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

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

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

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

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

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

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

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

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

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

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

(iii) in any part of the project area:

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

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

(III) vacate a plat;

(IV) amend a plat; or

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

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

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

(v) notwithstanding any law to the contrary, enter into an agreement for any period of time with another public entity concerning action to be taken pursuant to any of the powers

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granted in this title;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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Legislative Review Note

† Section 2. Coordinating H.B. 17 with H.B. 15 -- Substantive and technical amendments.

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

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

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

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

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

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

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

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

(iii) in any part of the project area:

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

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

(III) vacate a plat;

(IV) amend a plat; or

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

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

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

(v) notwithstanding any law to the contrary, enter into an agreement for a period of

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time with another public entity concerning action to be taken pursuant to any of the powers granted in this title;

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

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

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

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

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

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

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

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

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

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

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

(3) A public entity may provide assistance described in Subsection (1)(b) no sooner than 15 days after the day on which the public entity posts notice of the assistance on:

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

(b) the public entity's public website."