

26 **§→ [—This bill provides a coordination clause.] None ←§**

27 **Utah Code Sections Affected:**

28 **AMENDS:**

29 **10-8-2**, as last amended by Laws of Utah 2014, Chapter 59
30 **10-9a-403**, as last amended by Laws of Utah 2018, Chapter 218
31 **11-58-601**, as last amended by Laws of Utah 2018, Second Special Session, Chapter 1
32 **17-27a-403**, as last amended by Laws of Utah 2018, Chapter 218
33 **17-50-303**, as last amended by Laws of Utah 2014, Chapter 66
34 **17C-1-102**, as last amended by Laws of Utah 2018, Chapter 364
35 **17C-1-207**, as last amended by Laws of Utah 2018, Chapters 364 and 366
36 **17C-1-402**, as last amended by Laws of Utah 2018, Chapter 364
37 **17C-1-407**, as last amended by Laws of Utah 2016, Chapter 350
38 **17C-1-409**, as last amended by Laws of Utah 2018, Chapter 312
39 **17C-1-412**, as last amended by Laws of Utah 2018, Chapter 312
40 **17C-1-802**, as renumbered and amended by Laws of Utah 2016, Chapter 350
41 **17C-1-803**, as renumbered and amended by Laws of Utah 2016, Chapter 350
42 **17C-1-804**, as renumbered and amended by Laws of Utah 2016, Chapter 350
43 **17C-1-805**, as renumbered and amended by Laws of Utah 2016, Chapter 350
44 **17C-1-807**, as renumbered and amended by Laws of Utah 2016, Chapter 350
45 **17C-1-902**, as last amended by Laws of Utah 2018, Chapter 364
46 **17C-2-101.5**, as renumbered and amended by Laws of Utah 2016, Chapter 350
47 **17C-2-102**, as last amended by Laws of Utah 2016, Chapter 350
48 **17C-2-103**, as last amended by Laws of Utah 2016, Chapter 350
49 **17C-2-106**, as last amended by Laws of Utah 2016, Chapter 350
50 **17C-2-110**, as last amended by Laws of Utah 2018, Chapter 364
51 **17C-2-202**, as last amended by Laws of Utah 2007, Chapter 364
52 **17C-2-301**, as last amended by Laws of Utah 2008, Chapter 125
53 **17C-2-302**, as last amended by Laws of Utah 2007, Chapter 364
54 **17C-2-303**, as last amended by Laws of Utah 2016, Chapter 350
55 **17C-2-304**, as last amended by Laws of Utah 2007, Chapter 364
56 **17C-5-103**, as last amended by Laws of Utah 2017, Chapter 456

17C-5-104, as last amended by Laws of Utah 2018, Chapter 364
 17C-5-105, as last amended by Laws of Utah 2018, Chapter 364
 17C-5-108, as last amended by Laws of Utah 2018, Chapter 364
 17C-5-112, as last amended by Laws of Utah 2018, Chapter 364
 17C-5-202, as last amended by Laws of Utah 2017, Chapter 456
 17C-5-203, as last amended by Laws of Utah 2017, Chapter 456
 17C-5-205, as enacted by Laws of Utah 2016, Chapter 350
 17C-5-401, as enacted by Laws of Utah 2016, Chapter 350
 17C-5-402, as last amended by Laws of Utah 2017, Chapter 456
 17C-5-403, as last amended by Laws of Utah 2017, Chapter 456
 17C-5-404, as enacted by Laws of Utah 2016, Chapter 350
 17C-5-405, as last amended by Laws of Utah 2018, Chapter 422
 17C-5-406, as enacted by Laws of Utah 2016, Chapter 350

§→ [Utah Code Sections Affected by Coordination Clause:

—— 17C-5-202, as last amended by Laws of Utah 2017, Chapter 456] ? ←§

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

Section 1. Section 10-8-2 is amended to read:

10-8-2. Appropriations -- Acquisition and disposal of property -- Municipal authority -- Corporate purpose -- Procedure -- Notice of intent to acquire real property.

(1) (a) A municipal legislative body may:

(i) appropriate money for corporate purposes only;

(ii) provide for payment of debts and expenses of the corporation;

(iii) subject to Subsections (4) and (5), purchase, receive, hold, sell, lease, convey, and dispose of real and personal property for the benefit of the municipality, whether the property is within or without the municipality's corporate boundaries, if the action is in the public interest and complies with other law;

(iv) improve, protect, and do any other thing in relation to this property that an individual could do; and

(v) subject to Subsection (2) and after first holding a public hearing, authorize municipal services or other nonmonetary assistance to be provided to or waive fees required to

entity's tax increment, or any specified dollar amount of tax increment, for any period of time.

(3) Notwithstanding Subsection (2), an agency that adopts a community reinvestment project area plan that is subject to a taxing entity committee may negotiate and enter into an interlocal agreement with a taxing entity and receive all or a portion of the taxing entity's sales and use tax revenue for any period of time.

Section 35. Section 17C-5-205 is amended to read:

17C-5-205. Interlocal agreement to provide project area funds for the community reinvestment project area subject to interlocal agreement -- Notice -- Effective date of interlocal agreement -- Time to contest interlocal agreement -- Availability of interlocal agreement.

(1) ~~[The]~~ An agency shall:

(a) approve and adopt an interlocal agreement described in Section 17C-5-204 at an open and public meeting; and

(b) provide a notice of the meeting ~~§→ [which includes a statement that the interlocal agreement authorizes the diversion of property tax for a community reinvestment project area.]~~ titled "Diversion of Property Tax for a Community Reinvestment Project Area." ←§

(2) (a) Upon the execution of an interlocal agreement described in Section 17C-5-204, the agency shall provide notice of the execution by:

(i) (A) publishing or causing to be published a notice in a newspaper of general circulation within the agency's boundaries; or

(B) if there is no newspaper of general circulation within the agency's boundaries, causing the notice to be posted in at least three public places within the agency's boundaries; and

(ii) publishing or causing the notice to be published on the Utah Public Notice Website created in Section 63F-1-701.

(b) A notice described in Subsection (2)(a) shall include:

(i) a summary of the interlocal agreement; and

(ii) a statement that the interlocal agreement;

(A) is available for public inspection and the hours for inspection; and

(B) authorizes the agency to receive all or a portion of a taxing entity's tax increment or sales and use tax revenue.

(3) An interlocal agreement described in Section 17C-5-204 is effective the day on

agency improperly excluded the evidence; or

(ii) if there is no record, the district court may call witnesses and take evidence.

§→ [Section 42. Coordinating H.B. 245 with S.B. 98 -- Substantive amendments.

— If this H.B. 245 and S.B. 98, Community Reinvestment Agency Amendments, both pass and become law, it is the intent of the Legislature that Section 17C-5-202 shall be amended to read:

— "17C-5-202. Community reinvestment project area funding options.

— (1) (a) [Except] Beginning on May 14, 2019, and except as provided in Subsection (2), for the purpose of receiving project area funds for use within a community reinvestment project area, an agency shall negotiate and enter into an interlocal agreement with a taxing entity in accordance with Section 17C-5-204 to receive all or a portion of the taxing entity's tax increment or sales and use tax revenue in accordance with the interlocal agreement.

— (b) If a community reinvestment project area is subject to an interlocal agreement under Subsection (1)(a) and the agency subsequently amends the community reinvestment project area plan as described in Subsection 17C-5-112(4), the agency shall continue to receive project area funds under the interlocal agreement.

— [(2) If an agency plans to create a community reinvestment project area and adopt a community reinvestment project area plan that provides for the use of eminent domain to acquire property within the community reinvestment project area, the agency shall create a taxing entity committee as described in Section 17C-1-402 and receive tax increment in accordance with Section 17C-5-203.]

— [(3) An agency shall comply with Chapter 5, Part 3, Community Reinvestment Project Area Budget, regardless of whether an agency enters into an interlocal agreement under Subsection (1) or creates a taxing entity committee under Subsection (2).]

— (2) Notwithstanding Subsection (1), an agency may receive tax increment in accordance with Section 17C-5-203 if the agency created a community reinvestment project area before May 14, 2019, that is subject to a taxing entity committee and provides for the use of eminent domain to acquire property within the community reinvestment project area.

— (3) Regardless of whether an agency enters into an interlocal agreement under Subsection (1) or receives tax increment under Subsection (2), an agency:

— (a) shall comply with Part 3, Community Reinvestment Project Area Budget; andⓐ

2196 ~~⊕ (b) except as provided in Subsection 17C-1-409(6)(b), may not pay a taxing entity that~~
2197 ~~is not the community that created the agency a one-time or ongoing:~~
2198 ~~—— (i) administrative fee; or~~
2199 ~~—— (ii) fee related to the creation, operation, or administration of a project area." | ←§~~