

**MUNICIPAL ANNEXATION AMENDMENTS**

2020 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Steve Waldrip**

Senate Sponsor: David G. Buxton

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**LONG TITLE**

**General Description:**

This bill amends provisions relating to municipal annexation.

**Highlighted Provisions:**

This bill:

▶ prohibits a municipality from proposing the annexation of certain areas; and

▶ requires ~~H→ [county consent to any municipal annexation that does not require an~~

~~annexation petition] municipal consent to the annexation of an unincorporated area within the~~

~~expansion area of more than one municipality ←H .~~

**Money Appropriated in this Bill:**

None

**Other Special Clauses:**

This bill provides a special effective date.

**Utah Code Sections Affected:**

AMENDS:

**10-2-403**, as last amended by Laws of Utah 2019, Chapter 165

**10-2-418**, as last amended by Laws of Utah 2019, Chapter 255

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

Section 1. Section **10-2-403** is amended to read:

**10-2-403. Annexation petition -- Requirements -- Notice required before filing.**

(1) Except as provided in Section 10-2-418, the process to annex an unincorporated

H.B. 393



152 withdrawal, signed by the property owner, with the city recorder or town clerk no later than 30  
153 days after the municipal legislative body's receipt of the notice of certification under  
154 Subsection 10-2-405(2)(c)(i).

155 Section 2. Section **10-2-418** is amended to read:

156 **10-2-418. Annexation of an island or peninsula without a petition -- Notice --**  
157 **Hearing.**

158 (1) As used in Subsection (2)(b)(ii), for purposes of an annexation conducted in  
159 accordance with this section of an area located within a county of the first class,  
160 "municipal-type services" does not include a service provided by a municipality pursuant to a  
161 contract that the municipality has with another political subdivision as "political subdivision" is  
162 defined in Section 17B-1-102.

163 (2) Notwithstanding Subsection 10-2-402(2), a municipality may annex an  
164 unincorporated area under this section without an annexation petition if:

165 (a) ~~H→~~ [the county in which the unincorporated area is located, subject to Subsection (4)(b),  
166 and the] **for an unincorporated area within the expansion area of more than one municipality,**  
166a **each** ~~←H~~ municipality ~~H→~~ **[agree] agrees** ~~←H~~ to the annexation; and

167 [(a)(i)] (b) (i) (A) the area to be annexed consists of one or more unincorporated  
168 islands within or unincorporated peninsulas contiguous to the municipality;

169 [(ii)] (B) the majority of each island or peninsula consists of residential or commercial  
170 development;

171 [(iii)] (C) the area proposed for annexation requires the delivery of municipal-type  
172 services; and

173 [(iv)] (D) the municipality has provided most or all of the municipal-type services to  
174 the area for more than one year;

175 [(b)(i)] (ii) (A) the area to be annexed consists of one or more unincorporated islands  
176 within or unincorporated peninsulas contiguous to the municipality, each of which has fewer  
177 than 800 residents; and

178 [(ii)] (B) the municipality has provided one or more municipal-type services to the area  
179 for at least one year;

180 [(c)(i)] (iii) the area consists of:

181 (A) an unincorporated island within or an unincorporated peninsula contiguous to the  
182 municipality; and