

1 **TRANSPORTATION CORRIDOR PRESERVATION**

2 **AMENDMENTS**

3 2020 GENERAL SESSION

4 STATE OF UTAH

5 **Chief Sponsor: Kyle R. Andersen**

6 Senate Sponsor: David G. Buxton

8 **LONG TITLE**

9 **General Description:**

10 This bill modifies provisions applicable to the purchase of property for transportation
11 corridor preservation.

12 **Highlighted Provisions:**

13 This bill:

- 14 ▶ defines terms; and
- 15 ▶ establishes certain notice requirements before the Department of Transportation, a
16 county, or a municipality purchases property for corridor preservation on a
17 voluntary basis.

18 **Money Appropriated in this Bill:**

19 None

20 **Other Special Clauses:**

21 None

22 **Utah Code Sections Affected:**

23 ENACTS:

24 72-5-407, Utah Code Annotated 1953

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

27 Section 1. Section 72-5-407 is enacted to read:

28 72-5-407. Voluntary purchase of property for corridor preservation -- Notice
29 **requirements.**

30 (1) As used in this section:

31 (a) "Greenbelt property" means land assessed under Title 59, Chapter 2, Part 5,
32 Farmland Assessment Act.

33 (b) "Rollback tax" means the tax imposed under Section [59-2-506](#).

34 (2) Before purchasing greenbelt property for corridor preservation on a voluntary basis,
35 the department, county, or municipality shall:

36 (a) provide written notice to the property owner that notifies the property owner that:

37 (i) because the property owner has agreed to sell the greenbelt property to a
38 governmental entity on a voluntary basis, the property owner:

39 (A) is required to pay the rollback tax in accordance with Subsection [59-2-511\(2\)\(b\)](#);
40 and

41 (B) is not eligible to receive relocation assistance under Title 57, Chapter 12, Utah
42 Relocation Assistance Act; and

43 (ii) if the property owner does not sell the greenbelt property to the governmental entity
44 on a voluntary basis and a governmental entity later acquires the greenbelt property under
45 eminent domain or under the threat or imminence of eminent domain proceedings, the property
46 owner:

47 (A) would not be required to pay the rollback tax in accordance with Subsection
48 [59-2-511\(3\)](#); and

49 (B) may be eligible to receive relocation assistance under Title 57, Chapter 12, Utah
50 Relocation Assistance Act; and

51 (b) obtain a signed statement from the property owner acknowledging that the property
52 owner received the written notice described in Subsection (2)(a).

53 (3) Before purchasing any other real property not described in Subsection (2) for
54 corridor preservation on a voluntary basis, the department, county, or municipality shall:

55 (a) provide written notice to the property owner that notifies the property owner that:

56 (i) because the property owner has agreed to sell the real property to a governmental
57 entity on a voluntary basis, the property owner is not eligible to receive relocation assistance

58 under Title 57, Chapter 12, Utah Relocation Assistance Act; and
59 (ii) if the property owner does not sell the real property to the governmental entity on a
60 voluntary basis and a governmental entity later acquires the real property under eminent
61 domain or under the threat or imminence of eminent domain proceedings, the property owner
62 may be eligible to receive relocation assistance under Title 57, Chapter 12, Utah Relocation
63 Assistance Act; and
64 (b) obtain a signed statement from the property owner acknowledging that the property
65 owner received the written notice described in Subsection (3)(a).
66 (4) The department shall create and publish the form of:
67 (a) the notices described in Subsections (2)(a) and (3)(a); and
68 (b) the statements described in Subsections (2)(b) and (3)(b).