

1 **STATE PROPERTY TRANSFER AMENDMENTS**

2 2023 GENERAL SESSION

3 STATE OF UTAH

4 **Chief Sponsor: Ryan D. Wilcox**

5 Senate Sponsor: Daniel McCay

6 Cosponsor:

7 Calvin R. Musselman

8

9 **LONG TITLE**

10 **General Description:**

11 This bill enacts language relating to the transfer of certain state property to a
12 government entity.

13 **Highlighted Provisions:**

14 This bill:

15 ▶ provides that an appraisal of real property is not required for the transfer of real
16 property owned by specified agencies to a government entity, under certain
17 circumstances; and

18 ▶ provides an exception.

19 **Money Appropriated in this Bill:**

20 None

21 **Other Special Clauses:**

22 None

23 **Utah Code Sections Affected:**

24 AMENDS:

25 **63A-5b-304**, as enacted by Laws of Utah 2020, Chapter 152

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

28 Section 1. Section **63A-5b-304** is amended to read:

29 **63A-5b-304. Agencies authorized to hold title -- Transfer of real property to a**
30 **government entity.**

31 (1) As used in this section:

32 (a) "Agency property" means real property, as described in Subsection (2), that:

33 (i) is owned by a title agency; and

34 (ii) the title agency no longer uses or needs.

35 (b) "Government entity" means:

36 (i) a local government entity, as defined in Section [63A-5b-901](#); or

37 (ii) a state agency, as defined in Section [63A-5b-901](#).

38 (c) "Title agency" means an agency listed in Subsection (2).

39 (2) Notwithstanding Section [63A-5b-303](#), an agency may hold title to real property that
40 the agency occupies for a purpose other than the agency's administrative offices, if the agency
41 is:

42 ~~[(1)]~~ (a) the Department of Transportation;

43 ~~[(2)]~~ (b) the Department of Natural Resources;

44 ~~[(3)]~~ (c) the Department of Workforce Services;

45 ~~[(4)]~~ (d) the Division of Forestry, Fire, and State Lands;

46 ~~[(5)]~~ (e) the Utah National Guard;

47 ~~[(6)]~~ (f) an area vocational center or other institution administered by the State Board
48 of Education;

49 ~~[(7)]~~ (g) the trust lands administration; ~~[and]~~ or

50 ~~[(8)]~~ (h) an institution of higher education.

51 (3) A title agency is not required to obtain an appraisal of agency property the title
52 agency intends to transfer to a government entity if:

53 (a) the director of the title agency determines that the transfer is in the best interest of
54 the title agency and the state; and

55 (b) the government entity to which ownership of the agency property is transferred will
56 use the property for a public purpose.

57 (4) Subsection (3) does not apply if the title agency is required by law to receive fair
58 market value in exchange for a transfer of agency property to a government entity.