

**STATE PROPERTY TRANSFER AMENDMENTS**

2023 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Ryan D. Wilcox**

Senate Sponsor: Daniel McCay

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**LONG TITLE**

**General Description:**

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

**Highlighted Provisions:**

This bill:

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

▶ provides an exception.

**Money Appropriated in this Bill:**

None

**Other Special Clauses:**

None

**Utah Code Sections Affected:**

AMENDS:

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

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

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

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



28 **government entity.**

29 (1) As used in this section:

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

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

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

33 (b) "Government entity" means:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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