

2-5-21

House Political Subdivisions Committee

Bill: 2nd substitute SB 37, Public Infrastructure Districts

Sponsor: Sen. McCay

Floor Sponsor: Rep. Dunnigan

UASD Position: Support when amended

This Bill: renumbers provisions related to public infrastructure districts, and makes technical and conforming changes.

Discussion: Public Infrastructure Districts (“PIDs”) were created by the State Legislature during the 2020 General Legislative Session. When this type of district was created, it was written in the Section of the Utah Code that governs local districts (“LDs”) and special service districts (“SSDs”). PIDs are developer driven. 2nd substitute SB 37 moves PIDs to a separate Section of the Utah Code from the Section that governs local and special service districts. With no discussion from the Committee and no public comment, the Bill passed out of Committee unanimously.

Yeas: 6

Nays: 0

N/V: 4

Outcome: 2nd substitute SB 37 passed out of committee with a favorable recommendation.

Bill: HB 115, Municipal Boundary Modifications

Sponsor: Rep. Waldrip

Floor Sponsor:

UASD Position: Tracking

This Bill: amends provisions related to municipal boundaries.

Discussion: A 2nd substitute of HB 115 was presented to the Committee. The Bill is designed to clean up portions of the annexation and incorporation process. The lack of certainty in the law has created contentious situations. Interested stakeholders formed an ad hoc task force over the interim to create certainty under the law for property owners, municipalities and counties. The Bill requires that all property owners within the incorporation area must be given “actual” notice. The sponsor reviewed the process from start to finish of the annexation process. Rep. Waldrip believes this Bill will increase transparency for property owners and give the property owners more opportunity to opt-out of an annexation. Beginning on Line 216 in the 2nd substitute, the language clarifies the process necessary to annex property that crosses a county boundary. This Bill lays out the feasibility study requirements when a cross-county annexation is proposed. The affected utilities will be included in the feasibility study. The sponsor plans to add an amendment on the House Floor that requires an information packet be sent to affected property owners, with the notice, that includes the timelines of the annexation and/or incorporation process. The League of Cities and Towns (“the League”) and the Utah Association of Counties (“UAC”) support the original Bill. The League will review the substitute Bill with its members on Monday. Wasatch County is continuing to work with the sponsor to adjust some language to deal with the impact on conservation easements. The sponsor is not convinced a solution for Wasatch County can be reached in this piece of legislation, but discussions will continue. The 2nd substitute of HB 115 was adopted by the Committee.

Yeas: 10

Nays: 0

N/V: 0

Outcome: Passed out of Committee with a favorable recommendation.