

UTAH ASSOCIATION OF SPECIAL DISTRICTS

2022 Bills, Bill Concepts and Issues¹

1. Modify § 17B-1-618 to coordinate with the Utah Procurement Code:
17B-1-618 Purchasing Procedures
All purchases or encumbrances by a local district shall be made or incurred according to the purchasing procedures established ~~by~~ for each district by ~~resolution~~ the rulemaking authority, as defined in Section 63G-6a-103, and only on an order or approval of the person or persons duly authorized
2. Utah Transit Authority:
 - a. Strike limiting language from § 17B-2a-822(3) pertaining to public safety officers by removing archaic “security force” language.
 - b. Enhance criminal penalties for assaults on transit workers
3. There may be a Bill that would provide criminal penalties against governmental entities that cause pollution in a canal.
4. Amend § 17B-2a-1104 to acknowledge that, in addition to providing a limited number of municipal services, a municipal services district may provide staffing for a municipality or a county.
5. Clarify filing dates and hours for local district elections (particularly respecting the candidate filing period). As an alternative (or perhaps in addition) to legislation, there may be an effort to work with the Lieutenant Governor’s Office to create Local District Election Guidelines. Nathan Bracken has spearheaded this effort. *See* Utah Code § 17B-1-306(5)(a), where legislation may define the “office hours” of a district.
6. Rules adopted by the Division of Finance apply to travel by local and special service district board members. There may be an effort either to encourage the adoption of a Division of Finance rule that is specific to districts or to propose legislation that will authorize local and special service districts, within established parameters, to adopt travel rules, with the Division of Finance rules to apply only if the district hasn’t established its own rules. Precedence for this approach can be found in the Utah Procurement Code.
7. Election Bills and Issues
 - a. Election Revisions
 - b. Voting History Amendments
 - c. Local Election Amendments
 - d. Election Schedule Amendments
 - e. Election Modifications

¹ All “Section” and “§” references are to the Utah Code.

8. Utah Protection of Public Employees Act Amendments
9. Uniform Easement Relocation Act
10. Possible modification of the criminal penalty for a closed meeting violation:

52-4-306 Criminal penalty for closed meeting violation.

In addition to any other penalty under this chapter, ~~a member of a public body~~ an individual who knowingly or intentionally violates or who knowingly or intentionally abets or advises a violation of any of the closed meeting provisions of this chapter is guilty of a class B misdemeanor.

52-4-205 Purposes of closed meeting – Certain issues prohibited in closed meetings.

(4) At any time after a public body holds a closed meeting, the public body may, by motion in an open meeting, authorize the public release of confidential information disseminated or discussed during the closed meeting.

11. Modify Section 17B-1—303(7) to specifically permit theft and/or crime insurance to be used in place of a bond to guaranty the faithful performance of a Board member’s duties.
12. Modify Section 17B-1-304 to eliminate an arbitrary delay in the appointment of a Trustee to fill a local district Board vacancy.

Section 17B-1-304 Appointment procedures for appointed members.

~~(3)(a) Not sooner than two months a~~ After the appointing authority is notified of the vacancy and has satisfied the requirements of Subsection (2), the appointing authority shall select a person to fill the vacancy from the applicants who meet the qualifications established by law.

13. Eliminate the newspaper publication requirement in Section 59-2-919(6)(a), part of the Property Tax Act, that was overlooked in Senator Mayne’s Bill.
 - a. Possibly leave a newspaper add as an alternative to physical posting of up to 10 notices in places that are most likely to be seen, in addition to posting on the Utah Public Notice Website.
14. Modify local district Board member requirements in Counties of the sixth or seventh class if the density of the local district is less than one residential dwelling unit per ten acres of land.