

Bill: 1st substitute HB 212 - County Formation Amendments

Sponsor: Representative Teuscher

Floor Sponsor:

UASD Position: Track

This Bill modifies provisions related to the creation of a new county.

Discussion: The sponsor presented the 1st substitute, which requires the cities that pass a resolution in support of creating a new county to fund the feasibility study. The Committee adopted the substitute.

The sponsor stated that the Bill provides an alternative path for counties with a population exceeding one million residents to divide the county into two counties. Under the Bill, at least one-third of the cities within the county must pass a resolution within the same calendar year indicating their intent to pursue creating a new county. This action would trigger a structured process, including the development of a comprehensive feasibility study to determine the costs and implications of dividing the county. The sponsor explained that this ensures voters have detailed information before deciding whether to approve creating a new county. Following completion of the feasibility study, all voters within the county would vote on the proposal. If a majority approves, the county would be divided.

Representative Arthur asked how many counties currently exceed one million residents. The sponsor responded that only Salt Lake County meets that threshold, though Utah County is approaching it. Representative Ward asked whether a county could divide into more than two counties. The sponsor responded that the Bill only contemplates a division into two counties. Any further divisions would require additional clarification in statute. Representative Ward also asked whether a subset of a county could initiate a petition to separate from another portion of the county, to which the sponsor indicated that it would likely be possible under the framework.

Representative Dunnigan asked whether the substitute maintains a requirement that new counties be contiguous and expressed concern about creating additional layers of bureaucracy. The sponsor responded that the Bill does not create a layered structure but instead results in two independent counties with equal responsibilities and authority.

Questions were raised regarding county services, including jail operations. The sponsor explained that any newly created county would assume the same responsibilities as existing counties, including providing required services. If necessary, the new county could build its own facilities and would be responsible for meeting statutory obligations.

Representative Manu asked why an alternative path is needed. The sponsor stated that the Bill is intended to provide a clearer and more workable process for larger counties. Questions were also raised about whether the one-third threshold adequately protects the remaining two-thirds of voters. The sponsor responded that the full county electorate would ultimately decide the issue through a majority vote.

Representative Walter asked how general obligation bonds would be handled. The sponsor noted that the current statute does not specifically address this issue in detail and that any division would require allocation consistent with existing legal frameworks, with the substitute providing additional clarification regarding bond considerations.

Multiple members of the Committee expressed concern that this Bill would make it too easy to divide and create new counties. There was no public comment.

Yeas: 8

Nays: 4

N/V: 2

Outcome: 1st substitute HB 212 passed out of Committee with a favorable recommendation.