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MUNICIPAL ANNEXATION REVISIONS

2020 THIRD SPECIAL SESSION

STATE OF UTAH

Chief Sponsor: David G. Buxton

House Sponsor: _____

LONG TITLE

General Description:

This bill enacts provisions related to municipal annexation.

Highlighted Provisions:

This bill:

- ▶ clarifies the applicability of certain annexation limitations;
- ▶ allows a person to file a notice of intent to file a petition for annexation within a certain time period; and
- ▶ clarifies the applicability of H.B. 393, Municipal Annexation Amendments, which the Legislature passed during the 2020 General Session.

Money Appropriated in this Bill:

None

Other Special Clauses:

This bill provides a special effective date.

This bill provides revisor instructions.

Utah Code Sections Affected:

ENACTS:

10-2-403.1, Utah Code Annotated 1953

10-2-418.1, Utah Code Annotated 1953

Utah Code Sections Affected by Revisor Instructions:

10-2-403.1, Utah Code Annotated 1953



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

Section 1. Section **10-2-403.1** is enacted to read:

10-2-403.1. Annexation of areas proposed for incorporation -- Notice of intent to file a petition -- Applicability of previously enacted legislation.

(1) On or after January 1, 2021, Subsection 10-2-403(5) applies only to an annexation petition proposing the annexation of an area located in a county of the first class.

(2) (a) A person intending to file a petition for annexation of an area located in a county other than a first class county may, on or before 30 days after the effective date of this section, file with the city recorder or town clerk of the proposed annexing municipality a notice of intent to file a petition for annexation.

(b) The notice of intent described in Subsection (2)(a) shall include an accurate map of the area that is proposed to be annexed.

(3) (a) The provisions of Laws of Utah 2020, Chapter 139, do not apply to the annexation of an area that is included:

(i) in an annexation petition filed before March 24, 2020; or

(ii) as part of the area proposed for annexation in a notice of intent described in Subsection (2).

(b) The annexation of an area described in Subsection (3)(a) is governed by the provisions of Section 10-2-403 that were in effect on March 23, 2020.

(4) This section supersedes any conflicting provisions of Utah law.

Section 2. Section **10-2-418.1** is enacted to read:

10-2-418.1. Annexation without a petition -- Applicability of limitations.

Notwithstanding any other provision of law, Subsection 10-2-402(1)(b)(iii) does not apply to an annexation described in Subsection 10-2-418(3).

Section 3. **Effective date.**

(1) If approved by two-thirds of all the members elected to each house, the actions affecting Section 10-2-403.1 take effect upon approval by the governor, or the day following the constitutional time limit of Utah Constitution, Article VII, Section 8, without the governor's signature, or in the case of a veto, the date of veto override.

(2) If approved by two-thirds of all the members elected to each house, the actions

59 affecting Section [10-2-418.1](#) take effect on May 12, 2020.

60 Section 4. **Revisor instructions.**

61 The Legislature intends that the Office of Legislative Research and General Counsel, in
62 preparing the Utah Code database for publication, replace the reference in Subsection
63 [10-2-403.1](#)(2)(a) from "30 days after the effective date of this section" with the date that is 30
64 days after the day on which Section [10-2-403.1](#) takes effect.