

MUNICIPAL ANNEXATION AMENDMENTS

2020 THIRD SPECIAL SESSION

STATE OF UTAH

Chief Sponsor: Steve Waldrip

Senate Sponsor: David G. Buxton

LONG TITLE

General Description:

This bill enacts provisions related to municipal annexation.

Highlighted Provisions:

This bill:

- ▶ prohibits a person from filing an annexation petition for an area that is subject to an incorporation election within 90 days of the election date;
- ▶ prohibits the annexation of an area located in a county of the first class, if the area is part of a pending incorporation process; 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

Utah Code Sections Affected by Revisor Instructions:

10-2-403.1, Utah Code Annotated 1953



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

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

31 **10-2-403.1. Annexation petition -- Annexation of area proposed for incorporation**
32 **-- Applicability of previously enacted legislation.**

33 (1) A person may not file an annexation petition under Section 10-2-403 within 90
34 days before the day on which an incorporation election under Section 10-2a-210 occurs, if the
35 annexation petition proposes the annexation of an area or a portion of an area that is subject to
36 the incorporation election.

37 (2) Subsection 10-2-403(5) applies only to an annexation petition proposing the
38 annexation of an area located in a county of the first class.

39 (3) (a) The provisions of Laws of Utah 2020, Chapter 139 do not apply to an
40 annexation petition filed before the effective date of this bill.

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

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

44 Section 2. **Effective date.**

45 If approved by two-thirds of all the members elected to each house, this bill takes effect
46 upon approval by the governor, or the day following the constitutional time limit of Utah
47 Constitution, Article VII, Section 8, without the governor's signature, or in the case of a veto,
48 the date of veto override.

49 Section 3. **Revisor instructions.**

50 The Legislature intends that the Office of Legislative Research and General Counsel, in
51 preparing the Utah Code database for publication, replace the reference in Subsection
52 10-2-403.1(3)(a) from "the effective date of this bill" to the bill's actual effective date.