

EXHIBIT # 85

DATE 2/19/2013

HB 314

Amendments to House Bill No. 314
1st Reading Copy

Requested by Representative Daniel Zolnikov

For the House Local Government Committee

Prepared by K.V. ("Ginger") Aldrich
February 16, 2013 (10:23am)

1. Title, page 1, line 11.

Following: "PROTEST;"

Insert: "REQUIRING A PROTEST FORM TO BE SENT TO PROPERTY OWNERS
IN THE PROPOSED DISTRICT;"

2. Title, page 1, line 15.

Following: "A SPECIAL DISTRICT;"

Insert: "REVISING SPECIAL DISTRICT COST ESTIMATE AND ASSESSMENT
DATES;"

3. Title, page 1, line 15 through line 16.

Strike: "PROHIBITING CERTAIN SPECIAL DISTRICTS FROM MAKING
ASSESSMENTS UNTIL COMPLYING WITH THE ACT;"

4. Title, page 1, line 18.

Following: "EFFECTIVE DATE"

Insert: "AND AN APPLICABILITY DATE"

5. Page 2, line 19.

Following: "and"

Insert: "either"

Following: "the"

Insert: "street"

Following: "address"

Insert: "or the legal description, whichever the signatory
prefers,"

6. Page 4, line 16.

Following: "from"

Insert: "either"

7. Page 4, line 17.

Following: "intention"

Insert: "or the date the protest form provided for in subsection
(2)(c) was sent to property owners, whichever is later,"

8. Page 4, line 19.

Following: "(2)"

Insert: "(a) A property owner may register a written protest
under either subsection (2)(b) or (2)(c)."

~~SECRET~~

(b) A property owner may register a written protest in any format in conformity with this section."

Strike: "be in writing,"

Following: "protestor"

Insert: "by either its street address or its legal description, whichever the property owner prefers"

9. Page 4, line 22.

Following: line 21

Insert: "(c) The governing body shall send each person referred to in 7-11-1007(3)(c) a protest form with space for any information required under subsection (2)(b) of this section, mailing instructions, and the date the form must be returned to the governing body. The form must specify that if it is not returned, the owner's lack of action must be construed as support of the creation of the special district. The form must allow a property owner to select either support for or opposition against the creation of the district. However, if an owner does not make a selection of support or opposition and returns the form to the governing body, it must be construed as a protest of the creation of the special district."

10. Page 8, line 28.

Following: "first Thursday"

Insert: "after the first Tuesday"

11. Page 9, line 5 through line 6.

Strike: subsection (c) in its entirety

12. Page 9, line 24.

Following: "~~third Monday in August~~"

Insert: "later of the"

Following: "first Thursday"

Insert: "after the first Tuesday"

13. Page 9, line 27 through line 30.

Strike: section 10 in its entirety

Renumber: subsequent sections

14. Page 10.

Following: line 9

Insert: "NEW SECTION. Section 13. {standard} Applicability. [This act] applies to special districts created on or after [the effective date of this act]."

- END -

Explanation - This amendment does the following:

- Inserts the special district cost estimate and assessment date cleanup

- Strikes the Transition section and inserts an Applicability section (applying only to special districts created on or after the effective date of this act)
- Requires the protest form to be sent to property owners
- Requires that a property owner may use the property's street address or legal description, at the property owner's discretion, to identify the property for purposes of the protest form