

SUMMARY OF LOCAL GOVERNMENT LEGISLATION 2019 LEGISLATIVE SESSION

The 2019 Legislature acted on several bills involving local government related issues and topics. This summary provides an overview of major legislation, excluding the budget provisions of House Bill 2, in the following areas:

Budget & Accounting	Land Use Planning
County Officers	Special Districts
Elections	Taxes & Fees
Fire & Emergency Services	Miscellaneous

The summary focuses only on legislation approved by the Legislature that has become law. The final status of legislation requested by the 2017-2018 Local Government Interim Committee is included at the end of this document.

Budgeting & Accounting

[SB 2](#) Allows the Department of Administration to develop a small government financial reporting framework that a local government may use to govern its accounting system. *Requested by the Local Government Interim Committee*

[SB 302](#) Provides options for the state to implement corrective measures for local governments in accounting and budgeting distress and allows a right of action to be brought against a local government entity that fails to file an annual financial report, complete an audit, or resolve significant audit findings.

County Officers

[HB 154](#) Allows local governments to dispose of documents in the same manner as other state public officers rather than upon order of a court and allows for the reproduction of records.

[HB 164](#) Establishes additional qualifications for the office of sheriff, requiring that a candidate may not have been convicted of a crime punishable by imprisonment in a federal or state penitentiary and must be eligible to access the criminal justice information network.

[SB 104](#) Allows a county with a population of less than 15,000 to choose whether to establish the county auditor office as a full-time or part-time position.

Elections

[HB129](#) Allows a county with an elected county official form of government to conduct either partisan or non-partisan elections.

[HB 326](#) Allows a person to run for a position on more than one special purpose district in a small community with fewer than 500 electors.

[SB 116](#) Clarifies the eligibility of electors in an irrigation district, addresses the process to change designated agents, determines the number of electors for land owned by multiple persons or entities, ensures that only one vote may be cast per acre or fraction of acre, and clarifies that an irrigation district must notify the county election office of any elector changes.

[SB232](#) Allows a county to pay for the use of a polling place if the building regularly used for elections is not available and no other suitable building is available free of charge.

Fire & Emergency Services

[SB 20](#) Allows a fire district in a second-class or third-class town to be annexed to another fire district and allows a municipal fire district to annex a rural fire district for fire protection services. *Requested by the Local Government Interim Committee*

[SB 38](#) Revises the definition of “emergency medical technicians” to “emergency health care providers” and allows emergency health care providers with appropriate certification to provide communityintegrated health care to patients outside of the hospital setting. *Requested by the Local Government Interim Committee*

[SB 160](#) Provides coverage for presumptive occupational diseases for firefighters who receive worker’s compensation, defines the types of diseases that may be considered presumptive, clarifies the coverage amounts allowable, and defines the process for a firefighter to file a presumptive illness claim.

[SB171](#) Requires paid firefighters hired after July 1, 2019 be tobacco-free, offers tobacco cessation courses to paid firefighters hired before July 1, 2019 who use tobacco, prohibits the use of tobacco references in any fire department, district, or service area, prohibits accepted use of tobacco in a collective bargaining agreement, and prohibits paid and volunteer firefighters from using tobacco while engaged in firefighting duties.

Land Use Planning

[HB 55](#) Revises the Sanitation in Subdivisions Act to add and amend definitions, remove temporary sections, and revise the approval process for connecting to a municipal or county water and/or sewer facility.

[HB 124](#) Revises the Subdivision and Platting Act to allow county commissioners to lift agricultural covenants in limited circumstances and require or exempt certain divisions from subdivision review.

[SB276](#) Allows for the conversion of a condominium into a townhome or townhouse with proper noticing and exempts certain conversions from the state and local subdivision review process.

[SB300](#) Prohibits a homeowners’ association from enacting more onerous restrictions on the types of use of a member’s property than existed when the member first acquired the property.

Miscellaneous

[HB15](#) Allows a county to use a portion of its junk vehicle budget to dispose of nonmotorized vehicles and mobile homes that are wrecked, ruined, dismantled, or abandoned. A county must receive written consent from the owner before disposing of a junk mobile home on private property or must make attempts to locate an owner if a junk mobile home is left on public property. If the owner of a junk mobile home located on public property is not located within 2 weeks, the county may dispose of the junk mobile home.

[HB 172](#) Allows multiple counties to create a joint veterans’ service office and establishes a grant program for county veterans’ service offices with established offices, local funding, and at least one certified veterans’ service officer.

[HB 190](#) Allows a local authority to set a speed limit in a school zone or near a senior citizen center without an engineering and traffic investigation if the speed limit is within allowable parameters established by law.

[SB 191](#) Allows the governing body of a county receiving funding from coal-related activities to establish a county coal trust fund and allows the funds to be used only after a coal mining or coal-fired electric generation facility has permanently ceased operations or when the number of persons employed by the mining operation or facility is less than 75% of the average number of full time employees during the preceding 5-year period.

[SB320](#) Revises laws related to the seizure of animals in suspected animal cruelty cases and allows for a cost of care hearing in which a judge can demand the animal's owner post a renewable bond to cover the costs associated with caring for the animal during the duration of the case.

Special Districts

[HB 123](#) Allows for additional assessment methods for costs related to a metropolitan sewer district.

[HB142](#) Creates a definition for an "integrated weed management program" and replaces references to chemicals or pesticides with herbicide.

[HB 259](#) Allows a special district that existed before July 1, 2009 to remain governed by the statutes under which it was created rather than transition to a newer set of statutes with different requirements that may jeopardize the special district.

[HB 299](#) Removes limits on variable rate bonds sold at a private negotiated sale for rural improvement districts and special improvement districts.

[HB324](#) Allows a local government to utilize additional assessment methods for property annexed into a county water and/or sewer district, allowing newly annexed benefitted property to be assessed for existing improvements.

[SB 163](#) Removes contract requirements for street lighting districts, removes antiquated language, and allows a city or town council to utilize a public utility for the installation, maintenance, and operation of a lighting system.

[SB 243](#) Provides additional assessment methods for costs related to a maintenance district and allows a local government to enter into loan agreements with any regulated lender rather than only the state or federal government.

Taxes & Fees

[HB126](#) Increases fees collected by county clerks for birth certificates from \$5 to \$8 and death certificates from \$3 to \$5.

[HB331](#) Allows a municipality the option to establish, adjust, and collect rates, rentals, and charges for solid waste services.

[SB 165](#) Exempts a house trailer, manufactured home, or mobile home from personal property taxes if the movable housing is determined to be abandoned by the Department of Revenue.

[SB 204](#) Allows a mobile home, manufactured home, or housetrailer to be exempted from property tax if the structure is 28 years old or older, has a recent assessment value of \$10,000 or less, and is not on a foundation.

[SB 241](#) Allows a resort community to provide for an additional 1% resort tax if the revenue from the additional tax is used to provide funding for infrastructure.

[SB 321](#) Mandates that if a targeted economic development district does not utilize a tax increment to pay costs or bonds, the tax increment must be remitted to the taxing jurisdiction in the same manner as it would have been distributed without tax increment financing.

[SB334](#) Allows a government entity to exceed its levy cap, as defined in 15-10-420, to levy funds for an airport authority.

Final Status of 2017-2018 Local Government Interim Committee Bills

Bill	Short Title	Status
HB 16	Establish affordable housing loan program	Chapter Number Assigned
HB 28	Establish fireworks tax to assist with workers' comp for volunteer firefighters	Died in Process
SB 2	Allow government accounting standards to include DOA framework	Chapter Number Assigned
SB 15	Allow certain state funds to be used for affordable housing infrastructure	Died in Standing Committee
SB 17	Authorize creation of regional fire protection service authorities	Died in Process
SB 18	Establish workforce housing tax credits	Died in Process
SB 19	Revise laws related to local government budgeting and accounting	Died in Process
SB 20	Allow certain municipalities to annex onto a rural fire district	Chapter Number Assigned
SB 29	Require workers' comp for all volunteer firefighters	Died in Standing Committee
SB 38	Allow emergency care providers to offer community health care	Chapter Number Assigned