

# Legislative Policy Committee

January 26, 2026





**ULCT Bill Tracker**



**LPC Sign-in**

## AGENDA:

1. Welcome
2. Messages for Legislators
3. Revenue
4. Public Safety
5. Housing and Land Use
6. Rapid Fire Updates
7. Speaker of the House Mike Schultz (1:00 pm)
8. Ratify Bill Tracker
9. Adjourn

## REMINDERS:

- April 22-24: Midyear Conference in St. George

## UPCOMING MEETINGS:

- Next LPC: Mon. February 2nd at 12pm at the Capitol, Senate Room 220
- Upcoming LPCs:
  - 2/9, 2/17 (Tue), 2/23, 3/2

**RE**  
**SPECT**

**OUT**  
**COMES**

**COL**  
**LAB**  
**ORATION**

# Upcoming Events

**National League of  
Cities Congressional  
City Conference**

**March 16-18** in Washington, DC

**ULCT Midyear  
Conference**

**April 22-24** in St. George, Utah

**Messages for Legislators**

# What you need to do with your legislators:

## *Faces and Places*

- 1) Explain how **property tax works and impacts** your city
- 2) Show what your city is doing on **housing and land use**
  - a) Cities plan for housing but we don't build housing
  - b) cities don't control market forces (interest rates, labor, land, inflation, materials)
- 3) Restore the funding (\$500k) for **Local Administrative Advisor**
  - a) Focused on communities without full-time staff
  - b) 1,279 projects in 123 communities in first full year
  - c) LAAs in each AOG with ULCT coordination

**Revenue & Taxes**

# Property Tax Next Steps

- Return and report from Jan. 12 LPC homework assignment
- More bills are likely coming this week
- ULCT Board direction based on LPC input:
  - preserve ability to raise property tax without being subject to statutory limits or requirements for voter approval
  - State of Utah should understand consequences and impacts on cities and towns of changing the value of the primary residential exemption and of the property tax process as a whole
- New homework
  - What cities and towns, if any, are near or at the property tax mil levy limit?
  - What would the impact of these property tax proposals be on your city's ability to repay bonds?

# Property Tax Themes

- Frustration that Legislature doesn't understand T-in-T
- Different public pushback for property tax v. user fees
- Frustration about not getting rates certified in 2025
- Concern that Legislature wants cities to “tighten belt” without understanding what services & infrastructure cost
- Near-universal support to preserve our property tax authority

# Property Tax Bills *Position pending on all for one more week*

## **SB 97 & 5% cap:**

- Hurts cities that haven't raised prop. taxes
- Limits on property tax will hurt small cities/towns the most
  - 93 cities & towns could not raise property tax more than \$5k
  - only 62 of 257 cities could raise property tax to hire a police officer at the median salary (\$77k)

## **HB 161/HJR 7 & shift 55/45 to 40/60:**

- Impact on cities with small non-residential tax base
- would it a) be revenue-neutral, & b) benefit homeowner?

## **HB 236 & “operating budget” & earlier meeting:**

- Willingness to have an earlier req'd meeting
- Plurality expressed a willingness to follow the operating budget concept but concern about process, timing of data, form of gov't, definitions, “operating budget” details

# DRAFT LEGISLATION

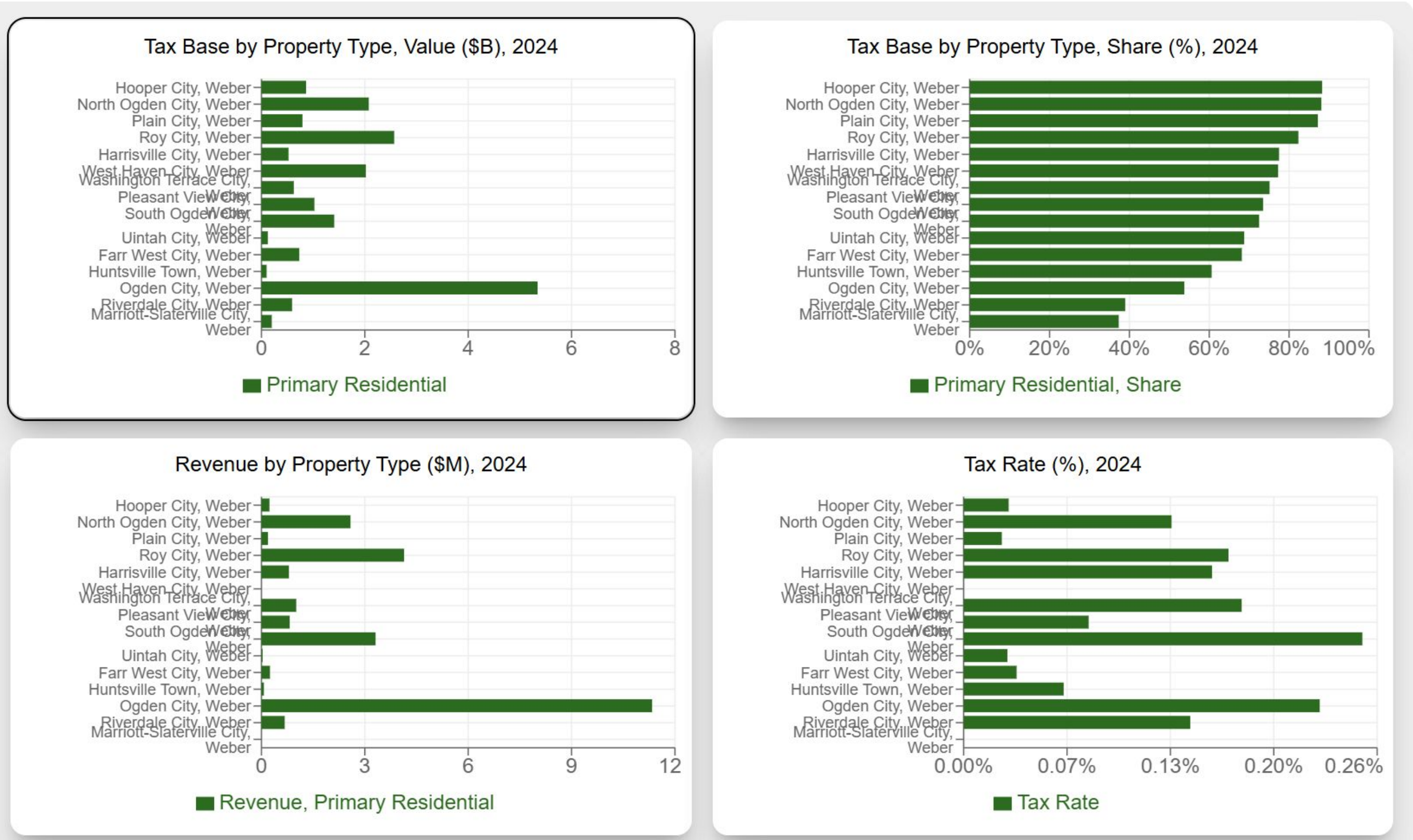
H.B. 170 School Board  
Referendum Amendments  
(R. Shipp)



Staff recommendation:  
**Support**

- Makes school board decisions subject to referendum process

# VESTA Tool *propapp.utahleg.gov*



**Public Safety**

# DRAFT LEGISLATION

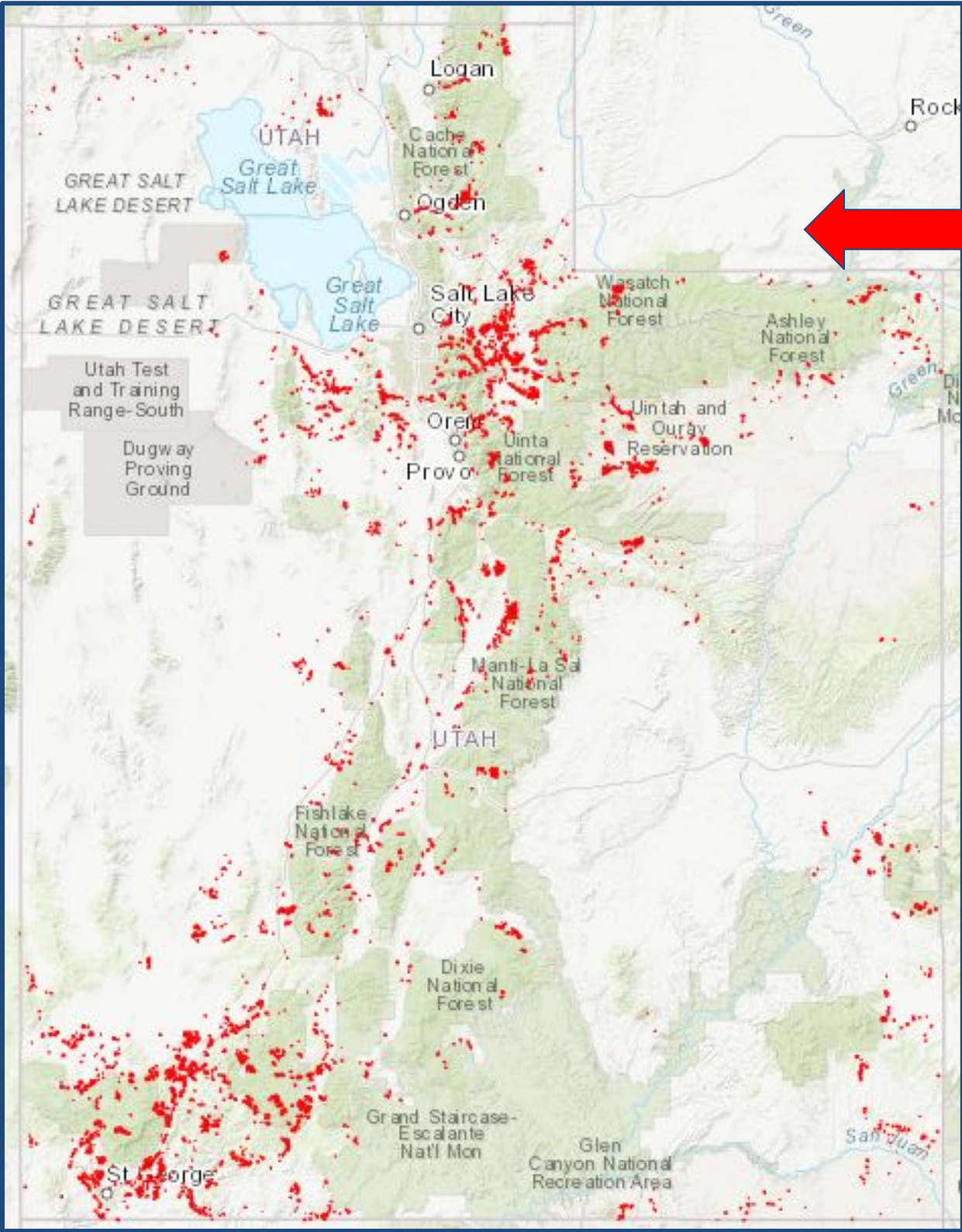
H.B. 41 Construction and  
Fire Code Amendments  
(T. Peterson)



Staff Recommendation:  
**Position Pending**

- Adopts 2024 International Wildland Urban Interface Code (from 2006 version)
- **Municipalities required to adopt own WUI map by January 1, 2026 (HB48 - 2025)**
- **Municipality WUI map is different than State High Risk WUI map.** This map determines fees - flat fee for first two years, graduated fees after.
- Municipal WUI Map = Building code regs
- State High Risk WUI Map = Assessment Fees
- Wildfire Hazard Map = Confusion
- Smoothed Structure Exposure Score = Confusion

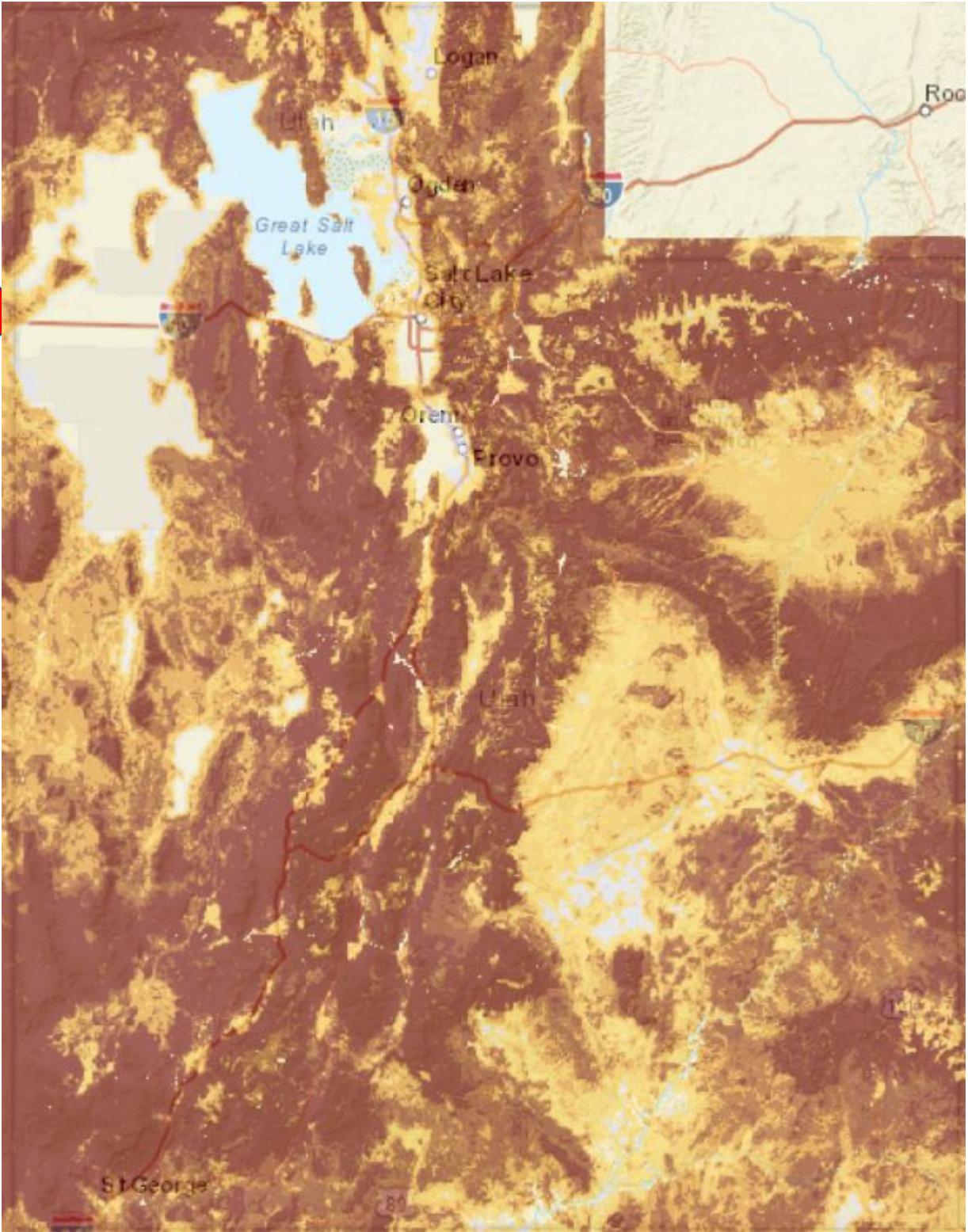
# New Maps Out Now



**LAYERS**

Wildfire Hazard

- High Risk WUI Properties
- Smoothed Structure Exposure Score
- Wildfire Hazard Potential
- Risk to Drinking Watersheds and Population
- Burn Probability
- Damage Potential



1/8 - Little to No Exposure

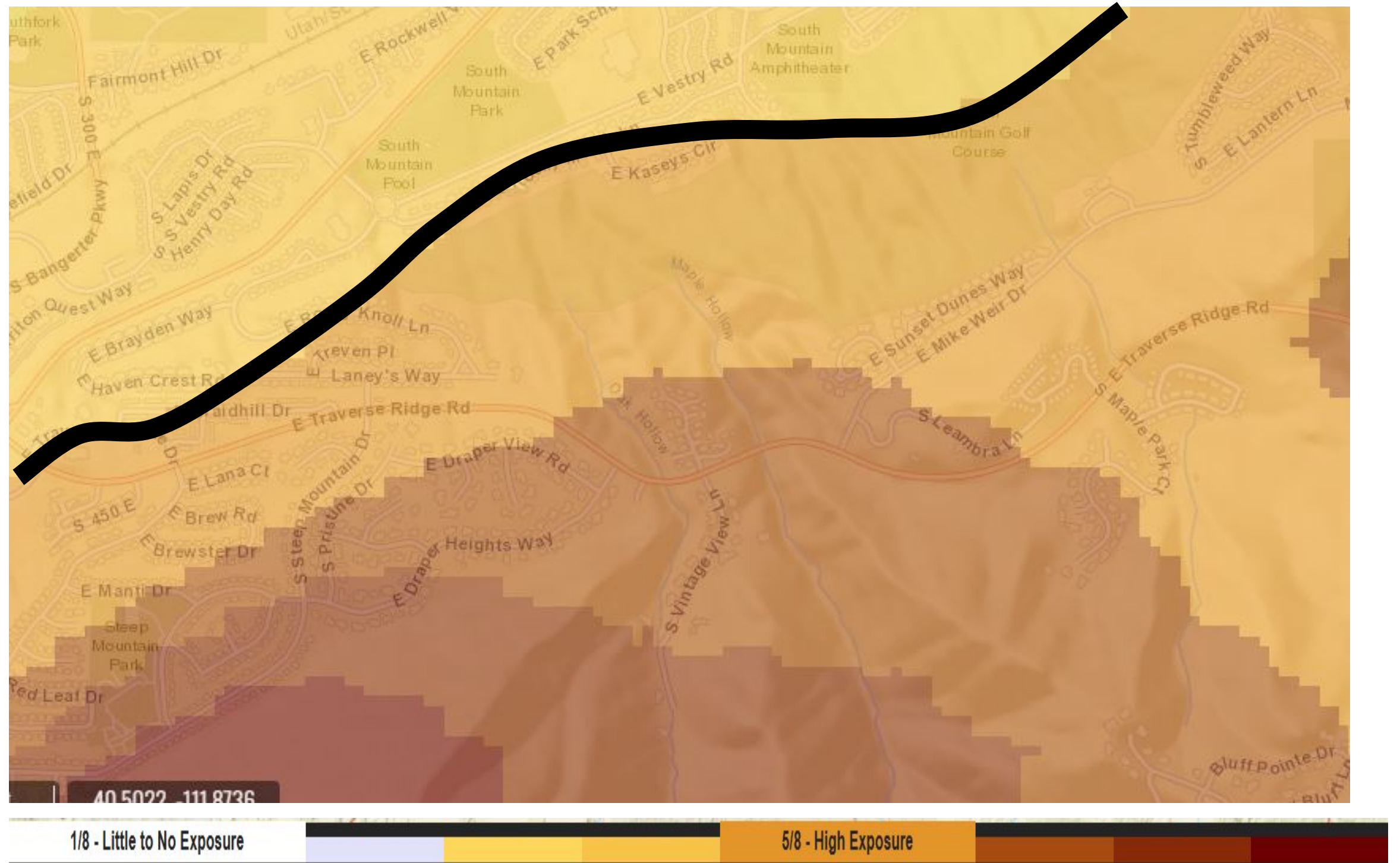
5/8 - High Exposure

# DRAFT LEGISLATION

# H.B. 41 Construction and Fire Code Amendments (T. Peterson)



# Staff Recommendation: Position Pending



- **Proposal:** If municipality can show that there should be a reason municipal WUI map needs to be at 3 or 4, then State can approve adjustment

# DRAFT LEGISLATION

H.B. 215 Political  
Subdivision Landscaping  
Authority (T. Peterson)



Staff Recommendation:  
**Neutral**

- **Prohibits municipalities from requiring property owners to not remove (aka keep) their vegetation**
- **Problem to solve:** Municipalities have ordinances that prohibit property owners from making their property more defensible against fires
- **Concern:**
  - Slope erosion
  - Clear cutting land (aesthetics)
- **New proposal:**
  - Cities cannot have an ordinance that would otherwise prohibit a property owner from creating a defensible space under the Wildland Urban Interface

# DRAFT LEGISLATION

H.B. 79 S1 Governmental  
Immunity Amendments  
(M. Gwynn)



Staff Recommendation:  
**Support**

- Responds to Utah Supreme Court decision
- **Clarifies that emergency medical services is covered under the governmental immunity act**
- Substitute #1 makes it retroactive back to 1985 (from 2021 - Armenta)

# Firefighter Cancer Fund Proposal

## **HB65 Firefighter Cancer Amendments (2025)**

Expanded the list of cancers that presumptively arise from service as a firefighter

**2026** - There is an effort this session to create a trust fund that would be able to provide a faster payout to firefighters and also keep premiums lower for agencies

-TBD on funding mechanisms or agency contributions

# DRAFT LEGISLATION

H.B. 355 Nuisance  
Modifications (T. Clancy)

Slide 1 of 2



Staff Recommendation:  
**Oppose**

- Allows a private individual to bring a civil action against a government entity that, through action or inaction, permits a third party to create, contribute to, or maintain a public or private nuisance on property owned or controlled by the governmental entity (including streets, sidewalks). The private individual needs to own or lease land adjacent to the government owned or controlled property.
- Provides that governmental immunity is not a defense to a public or private nuisance claim.

# DRAFT LEGISLATION

H.B. 355 Nuisance  
Modifications (T. Clancy)

Slide 2 of 2



Staff Recommendation:  
**Oppose**

- **Private nuisance:**
  - A third party's unauthorized use of governmental property that causes a substantial and unreasonable interference with the private individual's use and comfortable enjoyment of the private individual's life or property OR
  - material interference and obstruction of the lawful operation and use of the private individual's place of business
- **Public nuisance:**
  - Threatens the comfort, health, or safety of three or more people
  - offends public decency
  - blocks public waterways or land
  - involves criminal activity OR
  - renders three or more people insecure in life or use of the property

**GRAMA**

# DRAFT LEGISLATION

S.B. 64 Government  
Records Amendments (W.  
Harper)



Staff Recommendation:  
**Oppose**

- **Numbered, but not yet in committee**
- **Good Changes:**
  - Adds definition of reasonable specificity for GRAMA requests (*but see bad changes*)
  - Changes regular response to 15 days (now 10); Exceptional response to 20 (now 15)
- **Bad Changes:**
  - Requires 1 page supplement if different than DARS 1-page summary on website and update annually by Nov. 1st
  - To current employees w/30 days and all new hires 30 days after hire

# DRAFT LEGISLATION

S.B. 64 Government  
Records Amendments (W.  
Harper)



Staff Recommendation:  
**Oppose**

- **Bad Changes (cont.):**
  - Requires clerk to assist the requester to provide reasonable specificity
  - Gives Director authority to not schedule a hearing if the appeal is “substantially similar to an appeal already decided.”
- Many other requests needed

**Housing & Land Use**

# Land use/housing bills

## GOOD!

HB 68: Housing Amendments (Rep. Roberts)

- reorg of state housing programs
- ends the Comm'n on Housing Aff.

HB TBD: State Housing Infra Partnership (Rep. Roberts)

- state revolving loan fund for local gov't to use for infra to unlock housing

HB TBD: Legacy city clean up bill (2025)

## BAD!

HB 184: Small Lots and Starter Homes Amend. (Rep. Ward)

- state-created “preferred land use regulation”

Several land use preemption bills that bill sponsors have pulled due to our pushback

# Land use/housing bills: in negotiations

## **HB TBD: Land Use Task Force (Rep. Koford)**

- detached ADU req't on local gov'ts
- planning commission training and "impermissible bias" cause for removal
- "reasonable diligence" definition
- annexation/incorporation

## **SB TBD: Land Use (Sen. Fillmore)**

- planning commission must act in 90 days
- req'd to post fees online
- councils can't be appeals for land use
- higher deference in court for land use applicant than for third-party in administrative land use actions

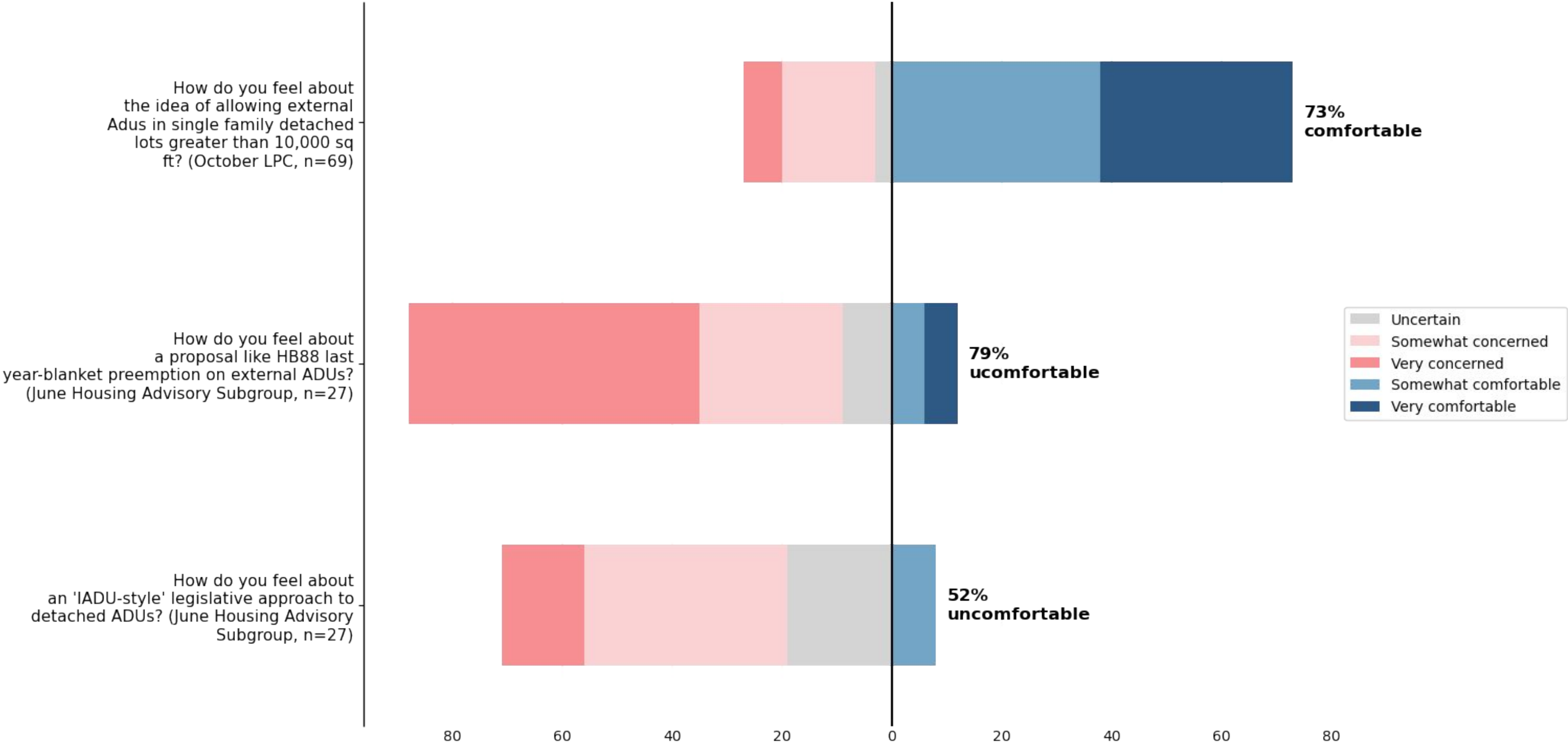
## **HB TBD: preliminary municipalities (Rep. Auxier)**

- modifications to existing process

## **HB TBD: state land for housing (Rep. Roberts)**

- mechanism to develop state surplus land
  - state land not subject to local zoning
- top priority of State Housing Plan
- ULCT Board was supportive so long as partnership around infrastructure and local land use

# Housing Advisory Subgroup Feedback



# LPC DADU Feedback (August, 2025)



How do you feel about the detached ADU option 'D'?

Multiple Choice Poll   110 votes   110 participants

Very comfortable - 18 votes



Somewhat comfortable - 55 votes



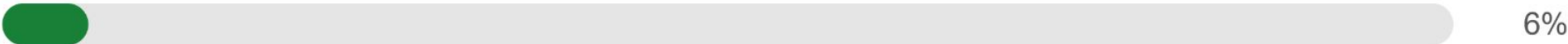
Uncertain - 21 votes



Somewhat concerned - 9 votes



Very concerned - 7 votes



“SAP-style (state requirement to have an ordinance but local flexibility on specifics)”

} 66% comfortable

} 14% concerned

# ULCT DADU proposal

Cities above 5,000 residents SHALL have a DADU ordinance by Oct 2026

- Shall allow on lot size of at least 10,000 square feet (may allow on smaller lots too)
- 1 parking spot for DADUs smaller than 650 square feet, up to 2 parking spots for larger
- DADU design standards consistent with primary unit
- May deny due to infrastructure insufficiency

Local Ordinance shall consider:

- fees
- setbacks
- utility and transportation access
- and more

# DRAFT LEGISLATION

H.B. 68 Housing  
Amendments (C. Roberts)



Staff Recommendation:  
**Support (w/amendments)**

## **This bill is mostly technical**

### *i. State Agency Restructuring of Housing Programs*

- Creates Division of Housing at GOEO and structures state-level housing programming under this division
- Repeals Comm. on Housing Affordability

### *ii. Grant, sale, or lease of government properties*

# DRAFT LEGISLATION

H.B. 184 Local Land Use  
Revisions (R. Ward) 1st  
sub



Staff Recommendation:  
**Oppose** (as drafted)

**“Preferred land use reg”=starter home, 5,400 sq. ft lot**

- Rep. Ward: “make it less bureaucratic to build”
- **Process:** Applicant submits a request (“sketch”) that a city accept a preferred land use regulation
- City staff shall determine **compliance in 5 days**
- If city staff determines compliance, then **planning commission or legislative body has 30 days to approve or deny request for preferred land use**
- To deny, planning commission or legislative body shall make findings on record
- On **day 31 without city action, deemed approved**
- **Jan 9 LPC advisory slido: 74% concerned**

# DRAFT LEGISLATION

H.B. 184 S1 Local Land  
Use Revisions (R. Ward)



Staff Recommendation:  
**Oppose** *as drafted*

- Erodes the authority of legislative bodies
  - What happens legally if a city declines a “preferred land use reg?” City council loses legal deference
  - incorrectly defines “legislative” & “administrative”
  - state political pressure isn’t a partnership
- “Preferred land use” would overrule zoning on:
  - lot size, floor area ratio, setbacks, engineering
- Undermines ability to plan for infrastructure
- Burden on staff, planning comms, electeds
  - city must have process to review “sketches” at expense of other applications; unclear how to approve/modify
- Inequity and lack of predictability for land owners
  - state mandated inconsistent zoning
- Terrible new precedents
  - can’t deny based on an incomplete application
  - “deemed approved”

# DRAFT LEGISLATION

H.B. 241 S1 Charter  
School Amendments  
(C. Pierucci)



Staff Recommendation:  
**position pending**

## Original bill:

- sponsor intent: facilitate re-purposing school building
- charter school would have first right for closed school property to submit bid
  - current law: city gets 90 day first right

Nov LPC slido: concerned about first right

## Sub: (in committee on Tue 1/27)

- city AND charter school each have first right for 90 days
- if both submit, then school district decides

Team ULCT contacted cities with recent school closures and heard back from some but not all

**Rapid Fire Updates**

# DRAFT LEGISLATION

S.B. 108 Online  
Marketplace Amendments  
(L. Fillmore)



Staff Recommendation:  
**Position Pending**  
*working toward neutral*

- As drafted: **prohibits local governments from regulating persons who operate online marketplaces**
- Working on addressing concerns:
  - Limit the preemption to *online marketplace platforms*
  - Preserve ability to regulate businesses/individuals who participate in marketplaces
  - Preserve STR status quo (HB 256)
  - Preserve process for obtaining data with a subpoena/court order for criminal investigations