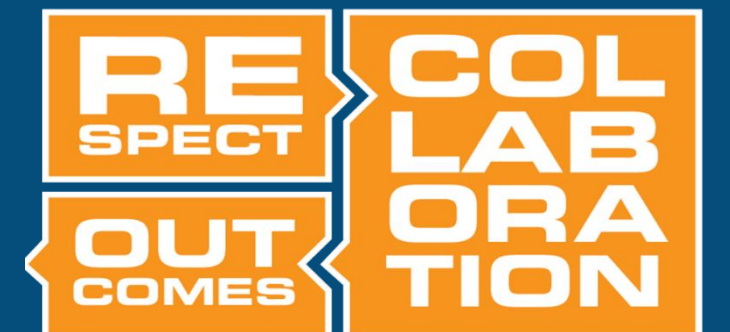


Legislative Policy Committee

February 9, 2026





ULCT Bill Tracker



LPC Sign-in

AGENDA:

1. Welcome
2. Messages for Legislators
3. Revenue & Taxes
4. Homelessness & Public Safety
5. Transportation
6. Legal
7. Housing and Land Use
8. Tax Increment Financing
9. Water
10. Technical Assistance
11. Senate President Stuart Adams
12. Rapid Fire Updates
13. Ratify Bill Tracker
14. Adjourn

REMINDERS:

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

UPCOMING MEETINGS:

- Next LPC: **Tue. Feb. 17th** at 12pm at the Capitol, Senate Room 210
- **Senator Curtis** will join on **2/17!**
- Upcoming LPCs:
 - 2/23, 3/2

RE
SPECT

OUT
COMES

COOL
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

League Army arise!

Time sensitive good bills & bad bills

Good bills:

- 1) HB 492 (Roberts): State Housing Infrastructure Partnership
- 2) HB 425 (K. Peterson): Transportation Utility Fee

Bad bills:

- 1) HB 184 (Ward): Starter Homes (preemption-style) in committee today
- 2) SB 211 (Cullimore): Tort Reform
- 3) HB 501 (Bolinder): Water Fees

Other good & bad bills are still in Rules so watch nightly email!

League Army arise! Other homework

- 1) Property tax process (HB 236, SB 238) input by COB
- 2) what's missing on H.B. 492 Transportation, Infrastructure, & Housing Amendments
- 3) Percent (%) of General Fund reserve balance

Homelessness & Public Safety

Understanding Municipality's Role in Homelessness Policy

- Homelessness is a **complex, multifactorial challenge** driven by both individual and systemic factors (housing supply and cost, wages, mental and behavioral health, and more).
- **Municipal governments are part of the solution—but not the solution on their own.**
- Within homelessness policy, cities primarily control **two key levers**:
 - **Public safety**
 - **Land use**

To Campus or not to Campus?

That is the question.

Utah homeless leaders look to focus funding on 'high utilizers' while not 'backing away' from campus

BY KATIE MCKELLAR - FEBRUARY 6, 2026



DRAFT LEGISLATION

S.B. 239 State Homeless
Campus Amendments (L.
Escamilla)



Staff Recommendation:
Support

What the bill does

- Establishes **statewide requirements and oversight** for a homeless services campus.
- Defines a *homeless services campus* and related terms in statute.
- Requires the Office of Homeless Services, with the Utah Homeless Services Board, to create a **comprehensive campus and community impact plan** within **30 days** of a campus announcement.

Required campus planning includes

- Safety and security (24/7 on-site security)
- Transportation and emergency shelter use
- Behavioral and mental health treatment, addiction recovery
- Employment, housing transition, and case management services
- Staffing, licensing, and service-provider standards

DRAFT LEGISLATION

S.B. 239 State Homeless
Campus Amendments (L.
Escamilla)



Staff Recommendation:
Support

Accountability, Enforcement & Reporting

Oversight and investigations

- Requires coordination with law enforcement, EMS, and fire to share **incident reports**.
- Directs the **Homeless Services Ombudsman** to conduct:
 - Routine campus investigations (every 6 months)
 - Investigations triggered by complaints or incident reports

Enforcement tools

- Ombudsman may require a **remediation plan** and allow **30 days to cure violations**.
- Recommends **ceasing operations** (except emergency shelter) for repeated or unresolved violations.

DRAFT LEGISLATION

S.B. 246 Utah Homeless
Services Board
Amendments (L.
Escamilla)



Staff Recommendation:
Support

What the bill does

- Expands the Utah Homeless Services Board to include a **local community representative** if a new campus is announced.
- Requires appointment **within 30 days** of a campus announcement:
 - A resident living within **5 miles** of the campus, selected via a community organization chosen by the Office of Homeless Services; **or**
 - If located on the **west side of Salt Lake City**, a representative appointed by the Westside Coalition.

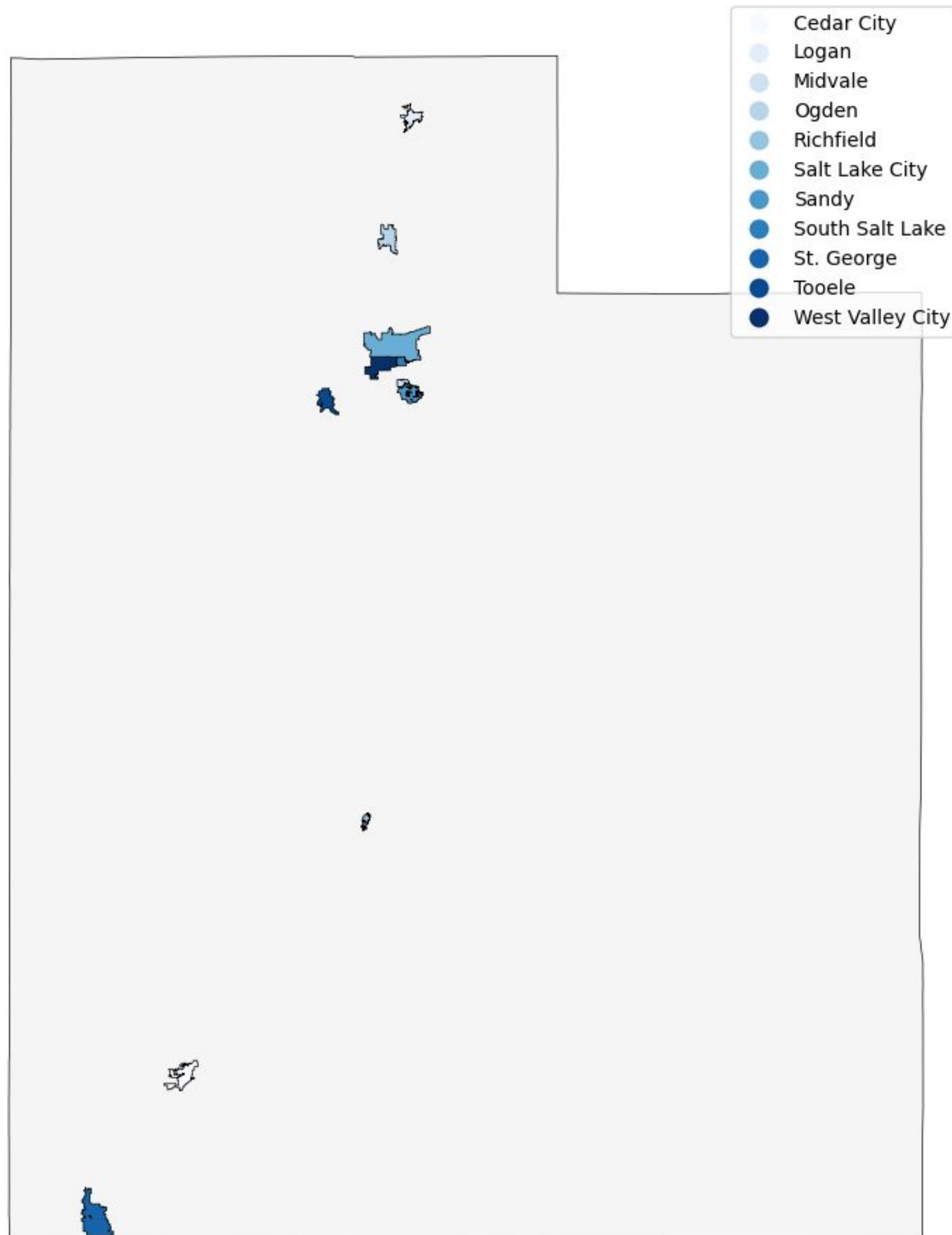
Background on Mitigation Funding

In **2018**, following *Operation Rio Grande*, Utah identified homelessness as a **statewide issue**. As a statewide issue, **every municipality plays a role** in addressing homelessness.

How Municipalities Participate

Municipalities contribute to the statewide system in one of two ways:

- **Host a qualifying homeless shelter; or**
- **Contribute to the Shelter Cities Mitigation Fund**

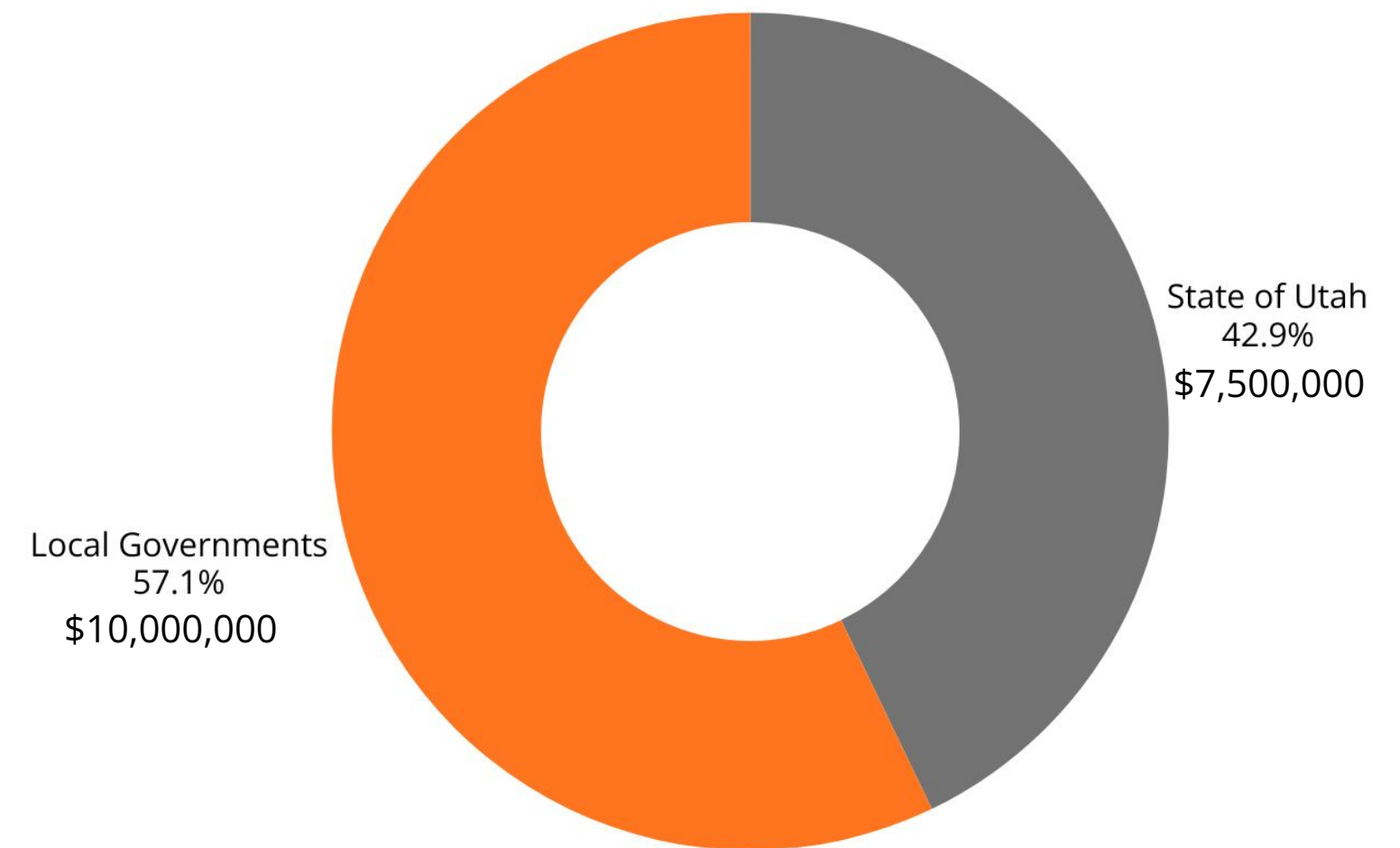


Shelter cities
represent
24% of the
population,
but host over
80% of the crisis
shelter beds*

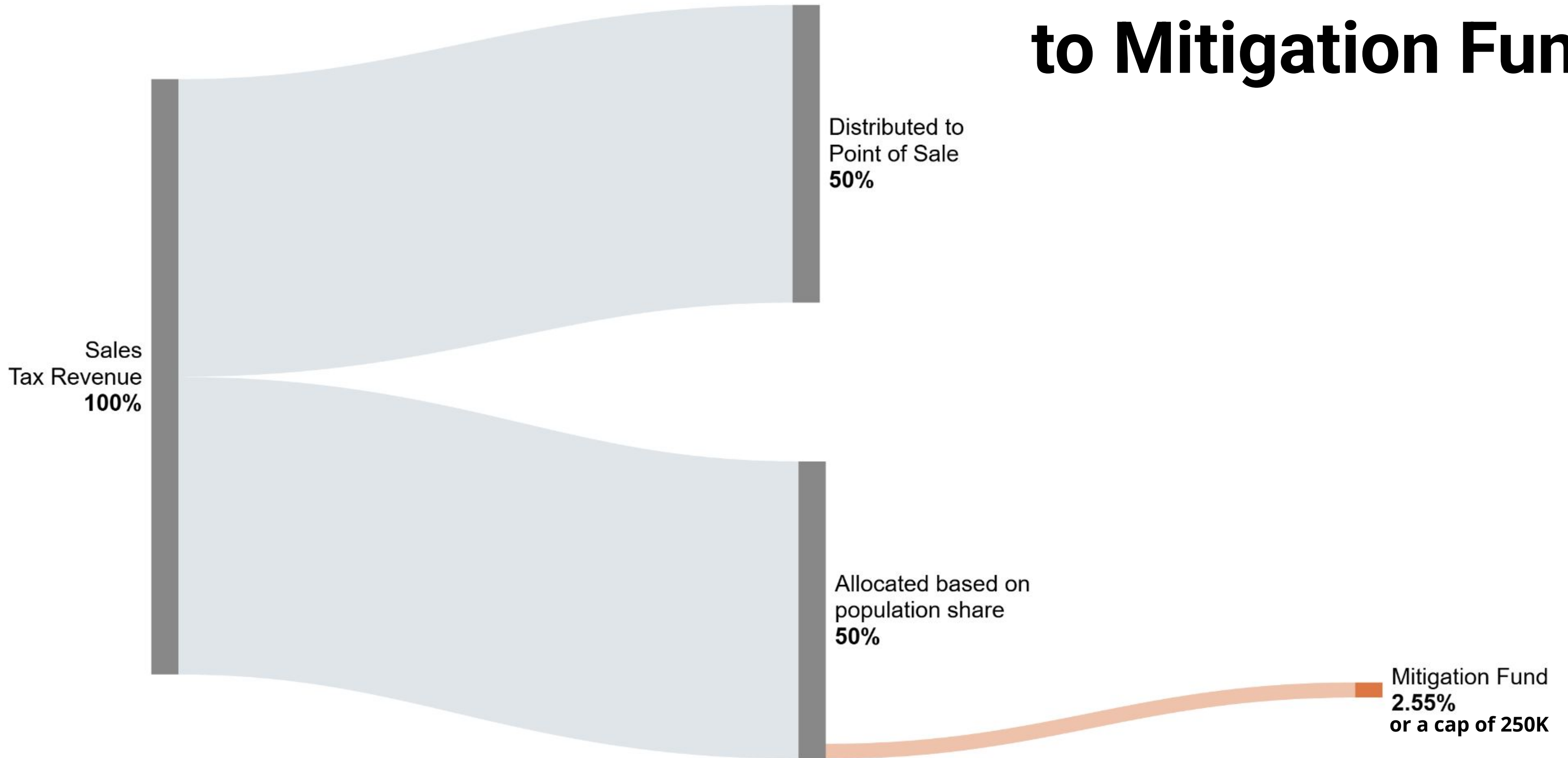
*many of the remaining 20% are domestic violence shelters

Background on Mitigation Funding

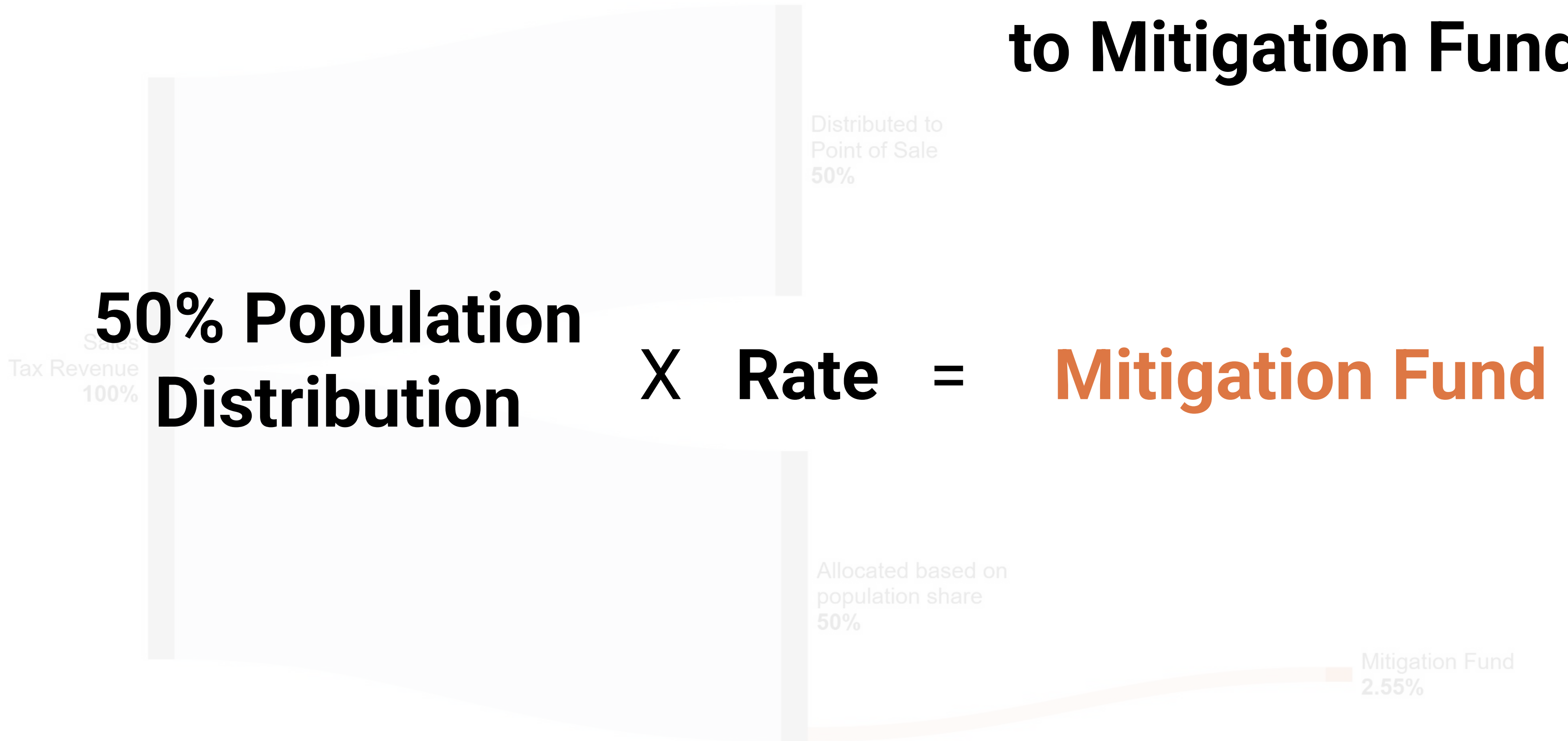
- The Mitigation Fund **reimburses cities for shelter-related costs**, primarily **public safety**.
- **FY 2025 funding totals ~\$17.5M:**
 - **\$7.5M** state funding
 - **\$10M** local contributions
- Despite the fund, **shelter cities and residents still subsidize over \$30M annually** in unreimbursed costs.
- As additional shelter cities come online, **funding per city has been increasingly diluted**



Local Contributions to Mitigation Fund



Local Contributions to Mitigation Fund



Local Contributions to Mitigation Fund

Proposed New Formula

$$\begin{array}{l} \text{Mitigation} \\ \text{Infrastructure} \end{array} \times \text{Population Share} = \text{Contribution Rate}^*$$

Bed value x # of beds

*statute would include a maximum contribution rate (x%) that would allow some additional growth in the system

Recognizing Non-Shelter Contributions to the System

Communities with OHS recognized **small shelters**; HUD-defined, site-based **transitional housing**; or HUD-defined, site-based **permanent supportive housing** receive an **offset** to their required contribution.

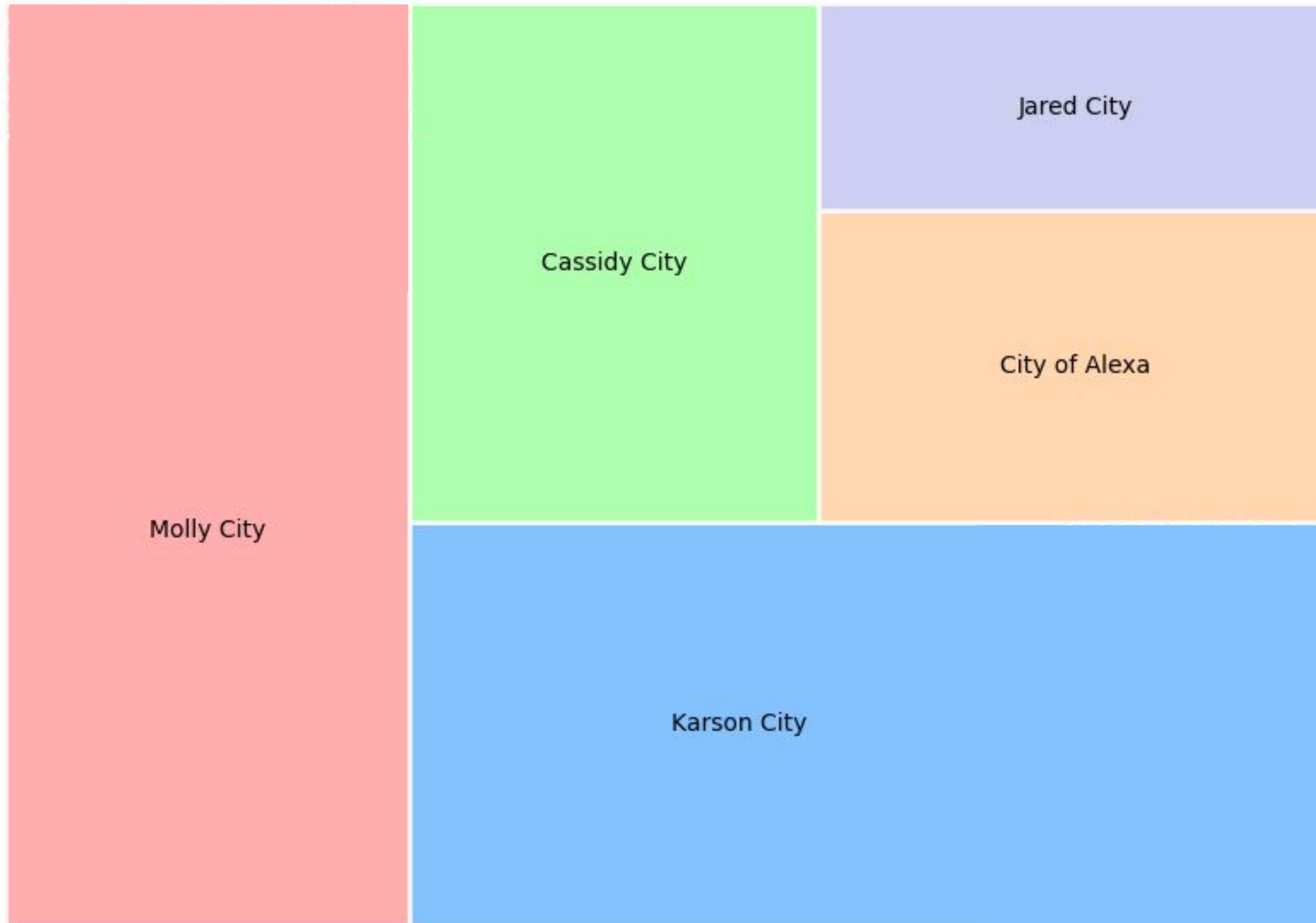
The principle: ***If your community is part of the solution, you pay less into the fund.***

Redistribution of Offsets

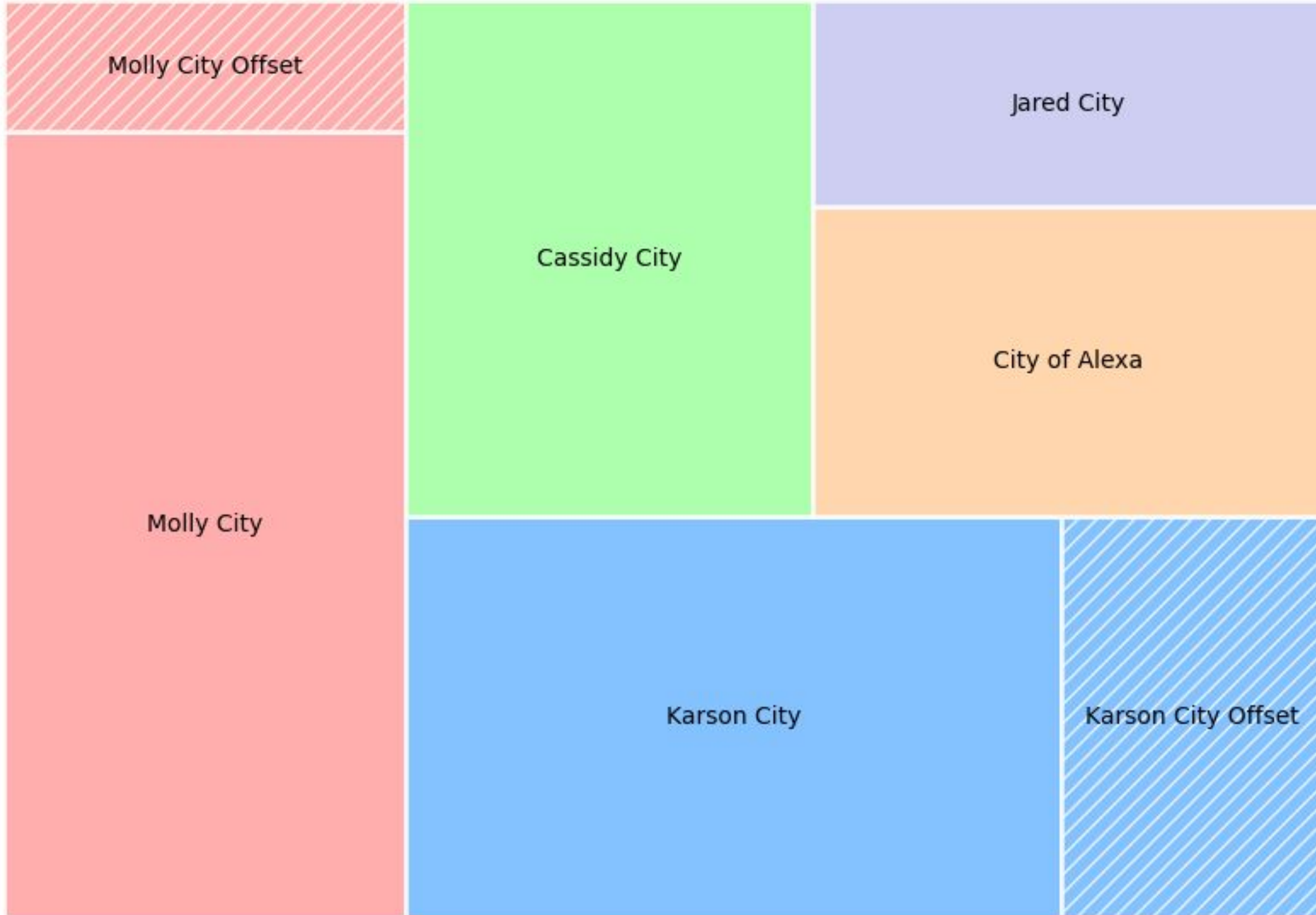
- Offsets are **redistributed** to municipalities **without shelters or qualifying offsets**.

The principle: ***Every community participates whether through land use decisions, and/or contributing to public safety impacts associated with the statewide system.***

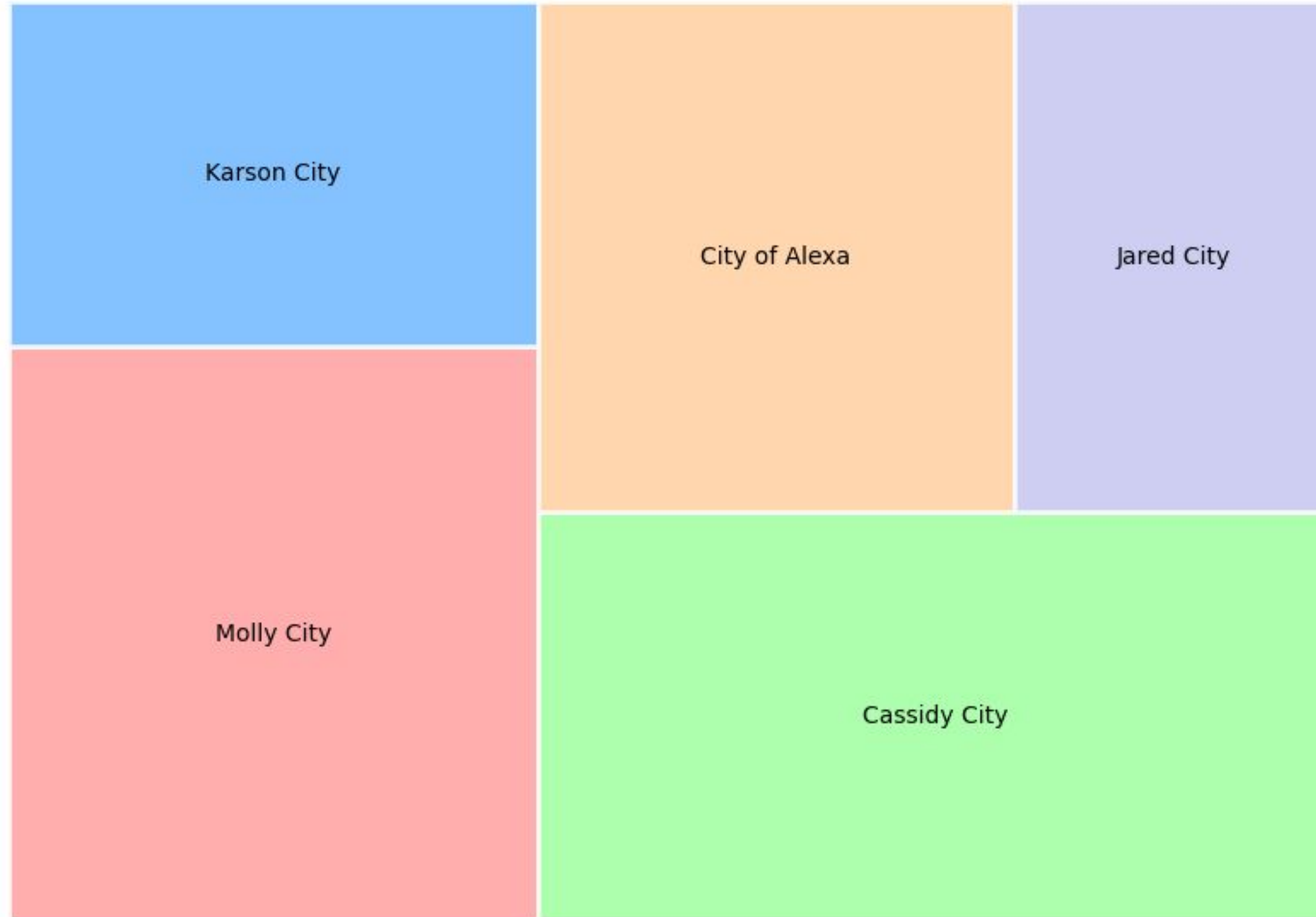
Population Distribution



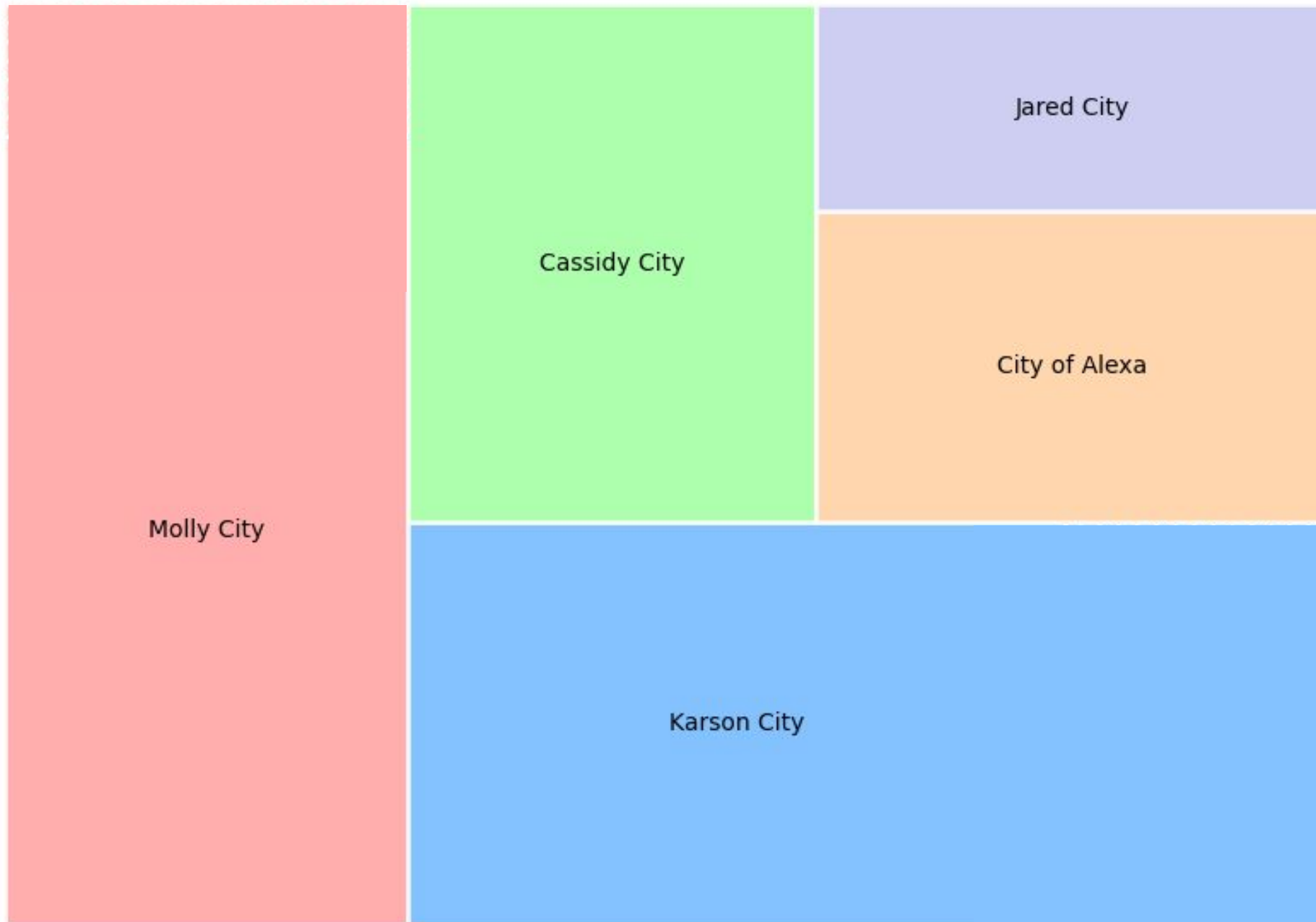
Population Distribution with Offsets



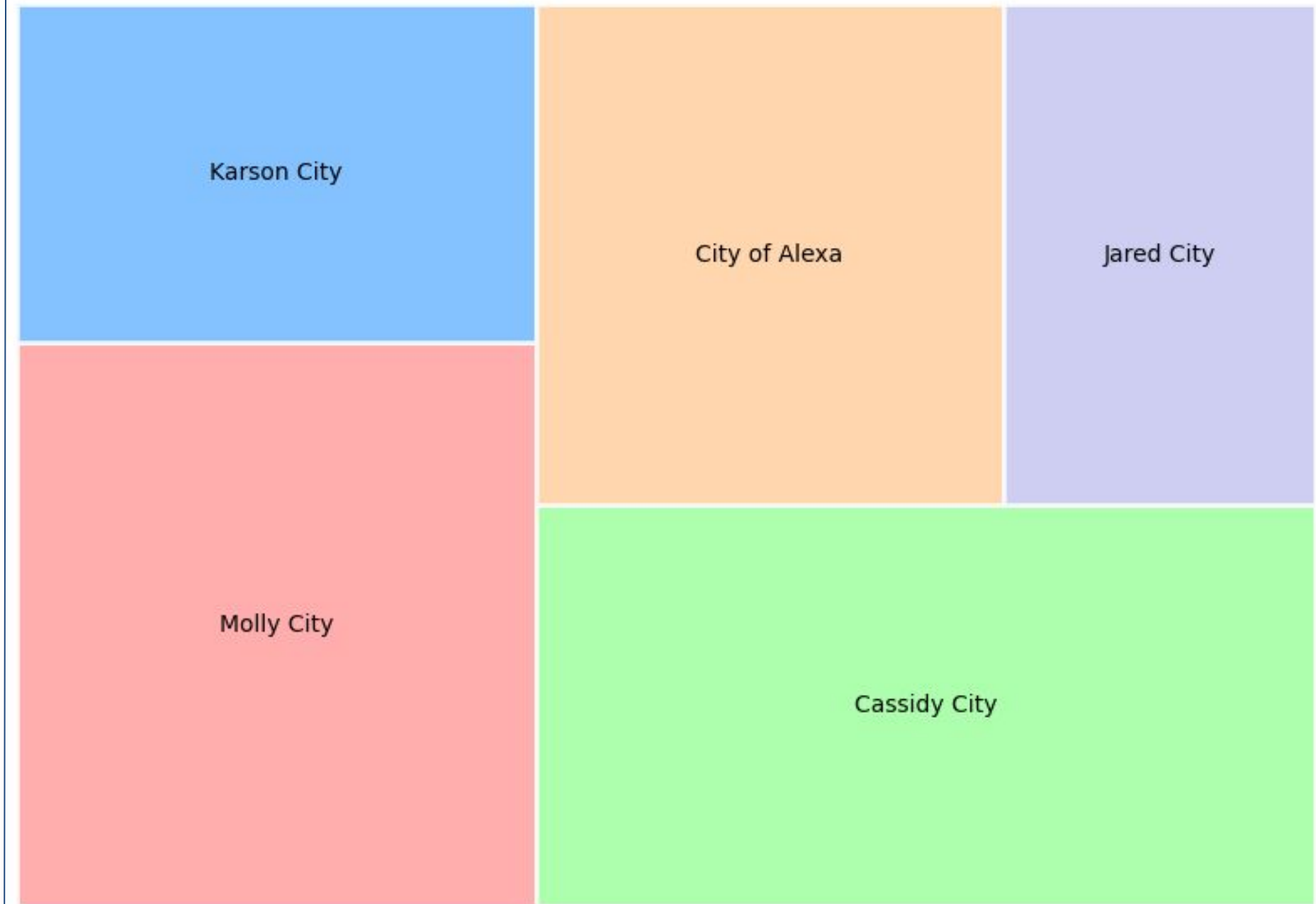
Redistribution of Offsets to Cities without Offset



Before Offset



After Offset



Mitigation Fund Distributions

Shelter cities may be reimbursed for demonstrable shelter-related expenses.

Subject to **enhanced financial reporting and review** by:

- Office of Homeless Services (OHS)
- Utah Homeless Services Board
- Shelter Cities Coordinating Board

Reimbursement amounts will be **driven by a formula** which considers the following:

- **Bed/room counts**
- **Occupancy rates**
- **Population size**

Revenue & Taxes

DRAFT LEGISLATION

S.B. 97 1st sub Property
Tax Rate Amendments
(D. McCay)



Staff Recommendation:
Oppose 1st sub, Position
Pending on new sub

1. Tax entity may not raise prop. tax more than 5%
2. Change def. of “locally assessed new growth”
 - a. current definition, “minus any change in value to property as a result of physical improvements, that is less than **200%** higher than the taxable value of the property for the previous year”
3. “Project area new growth” for certain entities does not include a change in value for tangible personal property
 - a. **cannot count improvements until they are complete**

1st SUB

1. fund balance limit reduced from 35% to 25% for cities
2. Residential exemption: 1 per household; rebuttable presumption that business owned house doesn't qualify
3. prop. tax can't be in reserve fund for capital improvements
4. certified tax rate won't include interest from investment

2/9: He's working on new sub (fund balance, new growth)

DRAFT LEGISLATION

H.B. 485 Property Tax
Revenue Increase
Amendments (T. Auxier)



Staff Recommendation:
Oppose

- Caps how much new growth property tax revenue a municipality can collect at the lesser of:
 - Inflation-adjustment to last year's budget
or
 - Eligible new growth from prior year rate

Property Tax: fund balance context

Classification	2019	2025 Nominal	Nominal %	2025 Real	Real %
State	\$4.4 billion	\$14.6 billion	231.8%	11.6 billion	163.60%
Cities & Counties	\$6.9 billion	\$12.5 billion	81%	\$9.9 billion	43.50%
School Districts (LEAs)	\$3.5 billion	\$5.7 billion	62.90%	\$4.6 billion	31.40%
Special Districts	\$2.3 billion	\$3.8 billion	65.20%	\$3 billion	30.40%

DRAFT LEGISLATION

H.B. 449 & H.J.R 20

Utah Taxpayer Oversight of
Government Spending
Amendments (T. Auxier)



Staff recommendation:
Oppose

- **Requires voter approval for an increase** in state or local government revenue
- **Prohibits** the state or a local government from spending more than the previous fiscal year's budget adjusted for inflation plus any new tax increases passed by the voters
- **Requires a refund** if the previous year fiscal year budget is exceeded (can be in the form of a lower rate)
- **Prohibits** the state from imposing on a political subdivision new spending requirements or an expansion of existing spending unless the state appropriates money "to offset cost"

DRAFT LEGISLATION

H.B. 484 Property Tax
Changes (K. Christofferson)



Staff Recommendation:
Oppose

- Limits a taxing entity that goes through Truth in Taxation to a budget increase of 5%
- For an increase to the budget that exceeds 5%, voter approval is required

DRAFT LEGISLATION

H.B. 161 Property Tax
Modifications
(J. Koford)



Staff Recommendation:
Position pending

~~Requires a constitutional amendment (HJR7)~~

~~Currently, a primary residential unit is taxed at 55% of its value~~

~~HB 161 would tax a primary residential unit at 40% of its value~~

Intent:

- ~~● reduce tax burden on homeowners~~
- ~~● maintain revenue for taxing entities~~

~~Homework, 1/12: what would the impact of this bill be on your city?~~

DRAFT LEGISLATION

H.B. 441 Property
Transaction Amendments
(J. Koford)



Staff Recommendation:
Support

- Requires a seller of commercial property to report sales information, including sales price, to the county assessor

Property Tax: Process Changes

LPC 1/12 Question: How do you feel about the requirement to use an “operating budget” (all revenue EXCEPT the proposed property tax increase) in July and August until after the Truth in Taxation hearings have completed

- 9% very comfortable
- 23% somewhat comfortable
- 20% uncertain
- 34% somewhat uncomfortable
- 13% very uncomfortable

LPC 10/20: 15% very comfortable and 44% somewhat comfortable with holding a Truth in Taxation hearing in June instead of August prior to adoption of the city’s final budget

DRAFT LEGISLATION

HB 236: Truth in Taxation
Amendments (K. Peterson)



Staff recommendation:
Position pending

Problems to solve:

- public concern that entity has started their new budget by the Aug Truth in Taxation hearing & thus the tax proceeds
- 1) required prelim. property tax increase meeting
 - In May/early June, taxing entity shall notify public of the intent to raise property taxes
 - shall do May/June mtg or you can't do Aug TinT hearing
 - notice & meeting shall include “approximate” dollar and percentage amounts
 - 2) “tentative operating budget”
 - Adopt a budget that does not include the proposed property tax increase revenue
 - Present an “alternate tentative budget” with the proposed tax increase revenue

DRAFT LEGISLATION

HB 236: Truth in Taxation
Amendments (K. Peterson)



Staff recommendation:
Position pending

Summary of feedback to ULCT staff:

1) Timing

- a) Certified tax rate and new growth (June 8)
- b) Current June 1 deadline; meeting prior to June 8

2) Form of gov't concerns (mayor-council)

- a) Mayor proposes budget & council approves; doesn't fit in bill

3) Scenarios of tax increases

- a) Single reason, city-wide needs
- b) Does this bill illustrate city need or push residents against city?

4) Clarify details of "adopt tentative operating budget," "present an alternative tentative budget" & other defs

5) Effective date

6) Address issues from Aug 2025 (county notice, appeal, etc.)

Homework, 2/9: working on amendments to make it workable

DRAFT LEGISLATION

S.B. 238 Property Tax
Adjustments (C. Wilson)



Staff Recommendation:
Support w/amendments

Objective: clarify process issues from summer 2025 & more

- 1) judgment levy notice
- 2) virtual participation in the truth-in-taxation hearing
 - a) this was an issue in 2025
 - b) post instructions on city's website at least 24 hours before
- 3) if the county auditor makes a list of all taxing entities, then city posts on website for 14 days
 - a) this was an issue in 2025 but not exactly what we requested
- 4) Truth-in-taxation hearing cannot occur with another public meeting
 - a) this was an issue in 2025
- 5) process for submitting info to Tax Comm about compliance
 - a) was an issue in 2025; we asked for appeal process but no go

ULCT next steps: amendments to clarify 2, 3, 5

Water

DRAFT LEGISLATION

H.B. 501 Water Modifications
(B. Bolinder)



Staff Recommendation:
Oppose

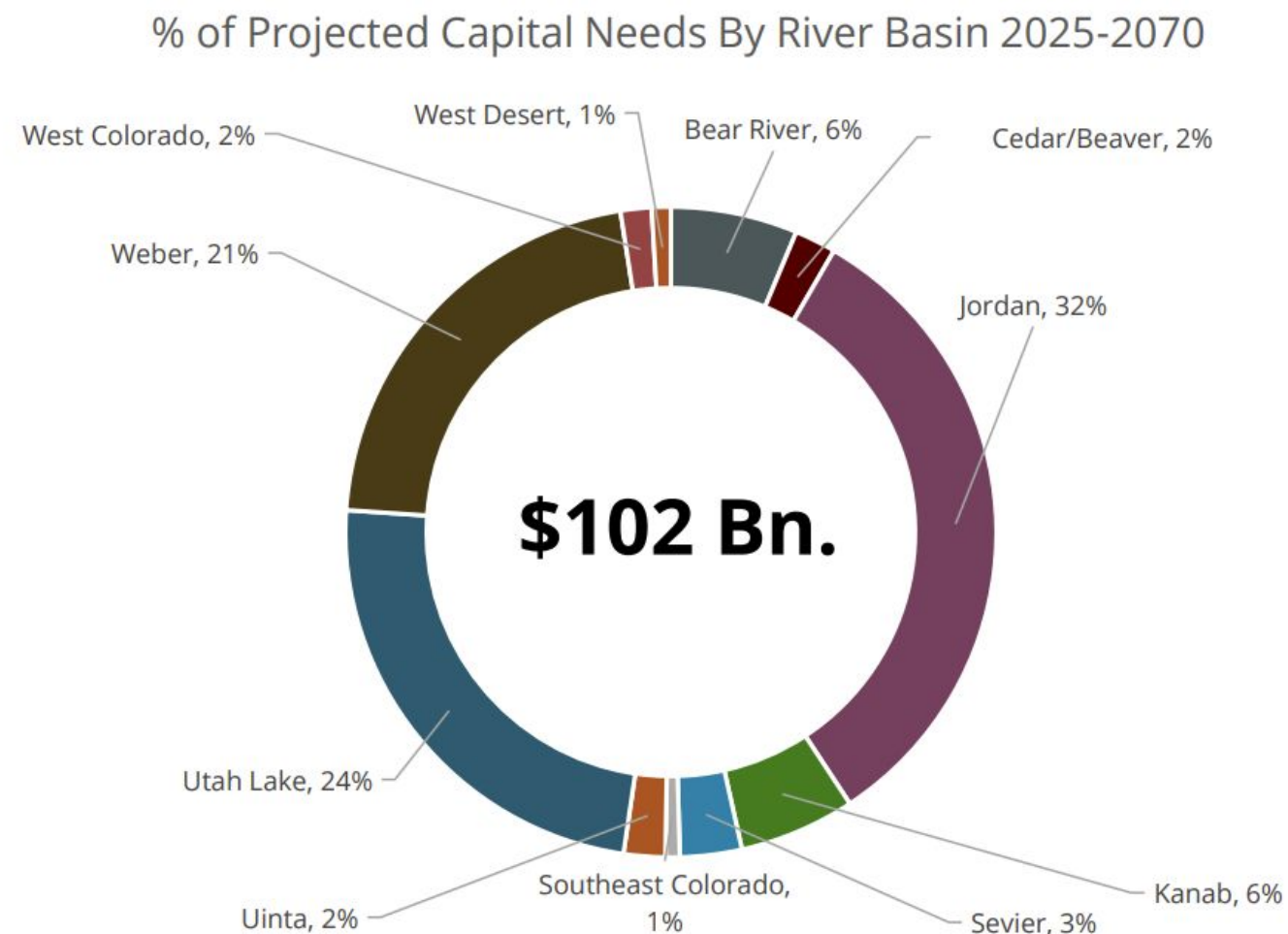
Key Findings

Projected Infrastructure Needs

Utah faces an estimated \$1.2 billion per year of expense, in 2025 dollars, related to water infrastructure projects. This includes:

- \$740 million for drinking water and secondary water systems.
- \$420 million for sewer and stormwater systems.
- \$40 million for off-farm agricultural irrigation.

Chart 4: Statewide Water Infrastructure Expense Needs by Basin in Percent of Total Expense, 2025-2070



Source: ZPFI, as of October 2025.

DRAFT LEGISLATION

H.B. 501 Water Modifications
(B. Bolinder)



Staff Recommendation:
Oppose

Beginning January 1, 2027:

To qualify for receipt of state funds for water infrastructure or water development, a public water system or wastewater system shall pay into the state water infrastructure fund.

Fee determined by Water Development Coordinating Council using this formula:

Median Adjusted Gross Income

X

**1.5% (if only water or wastewater) or
3% (if both water and wastewater)**

X

Number of connections

Beginning January 1, 2031 every system pays

Transportation

DRAFT LEGISLATION

S.B. 197 Transportation
Funding and Governance
Amendments (W. Harper)



Staff Recommendation:
Position Pending

- Changes from 3 member Board to 7 member Commission
- Senate appoints 2, House appoints 2, Governor appoints 3 with recommendations from local COGs
 - no elected officials
- Primary state objectives for new board:
 - efficiency of transit system
 - reduce debt
 - increase ridership

ULCT recommended priorities on SB 197:

- 1) Robust local involvement on/with Board**
- 2) State funding partnership for transit**

Feb 9: working on amendments to achieve #1

DRAFT LEGISLATION

S.B. 242 Transportation
Amendments (W. Harper)

WFRC Summary



Staff Recommendation:
Position pending

- 1) Transit funding in 5th 5th (.10 transit, .05 county, .05 city)**
 - a) *ULCT led effort to modify 5th 5th to include cities in 2022*
 - b) Re-allocate the .10 for transit to the state TTIF in SL, Utah Cos
- 2) Other transit**
 - a) corridor preservation \$, process
 - b) bus replacement in counties of 3rd-6th class
- 3) SLC only: (4 tiers of roads in city)**
 - a) highway reduction and traffic calming definitions
 - b) cannot do highway reduction on Tier 1; may do safety
 - c) may do highway reduction on Tier 2 w/UDOT, stakeholders
 - d) mitigate impacts from reduction/calming on 200 S, 400 S, 300 W
 - e) shall do outreach before reducing street parking by 3+ stalls
 - f) silent on tier 3; no restrictions on tier 4
- 4) Defines Utah Trail Network** (*ULCT supported creation of it*)
- 5) B&C fund flexibility for park & rides**
- 6) SL Co only** (1st class highway fund report to Leg; 5600 W bus)
- 7) Buses in bike lanes**
- 8) Towing: reasonable fee for dispatch, subject to DPS & UDOT**
- 9) road usage charge cap for heavy vehicles**
 - a) *ULCT secured city/town inclusion in road usage charge in 2022*

Feb 9 update: working on amendments for 1, 3, 8 so far

Legal

DRAFT LEGISLATION

S.B. 211 Tort Reform (K.
Cullimore)



Staff Recommendation:
Oppose

- **Reach out to Senators today!**
- **Keep eye out for action alert!**

DRAFT LEGISLATION

S.B. 211 Tort Reform (K.
Cullimore)



Staff Recommendation:
Oppose

- Collateral source rule: Benefits paid to the plaintiff by third-parties whether purchased by plaintiff or provided by others
 - Medical/auto Insurance
 - Person, group, organization by contract/agreement
 - Income disability
- Affects admissibility of evidence, settlement negotiations, damages calculation

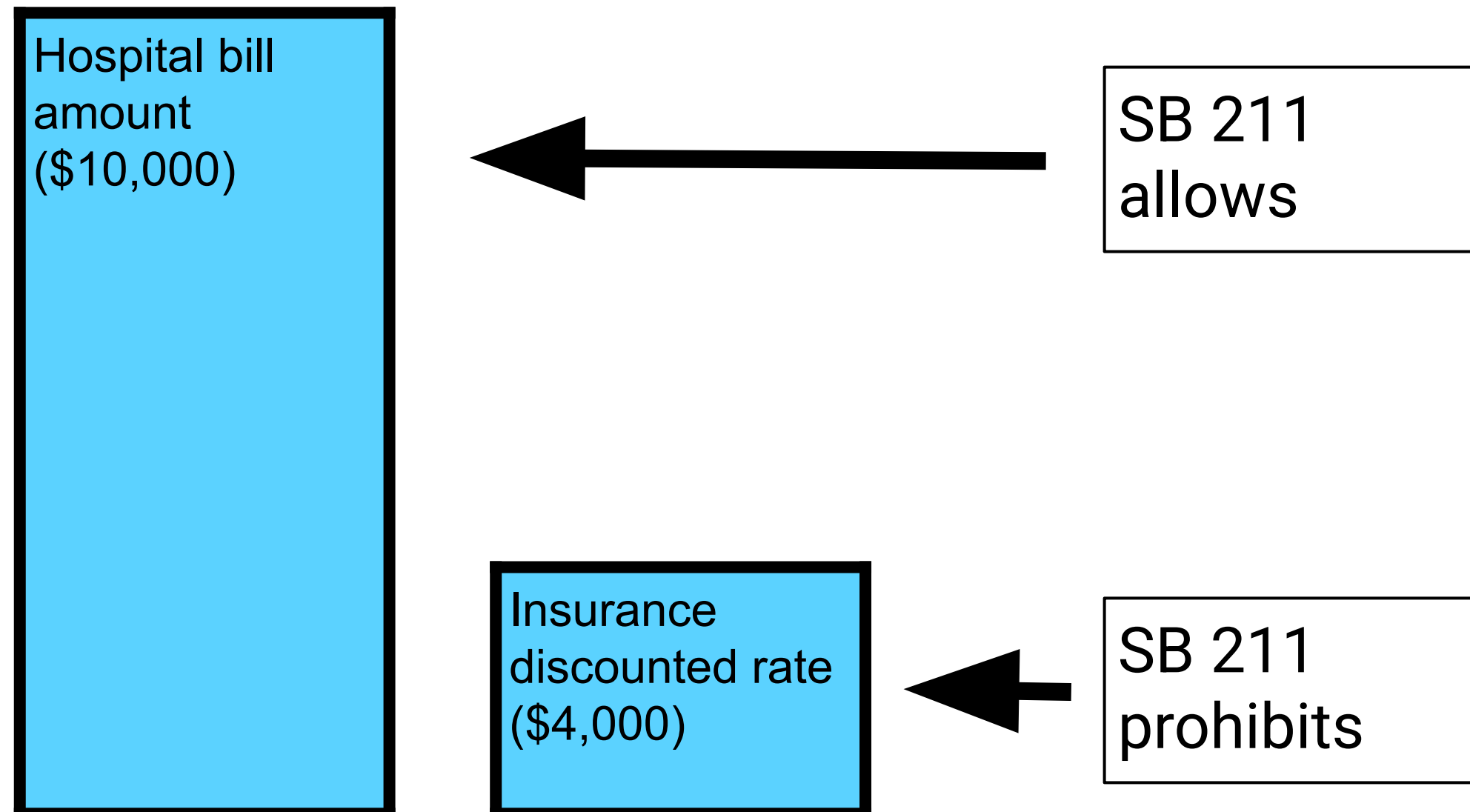
DRAFT LEGISLATION

S.B. 211 Tort Reform (K.
Cullimore)



Staff Recommendation:
Oppose

- No evidence admitted for determination of liability, damage calculation, impeachment, or credibility
- Status quo is both



Housing & Land Use

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 Local Land Use
Revisions (R. Ward) **2nd**
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**
- **Limits applicability to cities in 1st - 3rd counties**
- **Limits applicability to lots with >35’ of frontage**
- **Clarifies all other land use approvals and inspection processes still apply**

DRAFT LEGISLATION

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



Staff Recommendation:
Oppose as drafted

- 1) **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
- 2) **“Preferred land use” would overrule zoning on:**
 - lot size, floor area ratio, setbacks, engineering
- 3) **Undermines ability to plan for infrastructure**
- 4) **Burden on staff, planning comms, electeds**
 - city must have process to review “sketches” at expense of other applications; unclear how to approve/modify
- 5) **Inequity and lack of predictability for land owners**
 - state mandated inconsistent zoning
- 6) **Bad new precedents**
 - can’t deny based on an incomplete application
 - “deemed approved” by state action, not local action
 - inconsistency between permitted use v. building permit
 - preemption style w/o long-term affordable ownership

DRAFT LEGISLATION

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



Staff Recommendation:
Oppose as drafted

1HB184 will be considered TODAY at 3:40pm in the:

House Economic Development Committee

- Rep. Jon Hawkins, Chair
- Rep. Paul Cutler, Vice Chair
- Rep. Doug Fiefia
- Rep. Leah Hansen
- Rep. Colin Jack
- Rep. Verona Mauga
- Rep. Grant Miller
- Rep. Doug Owens
- Rep. David Shallenberger
- Rep. Troy Shelley

***Tell these legislators that you OPPOSE 1HB
184!***

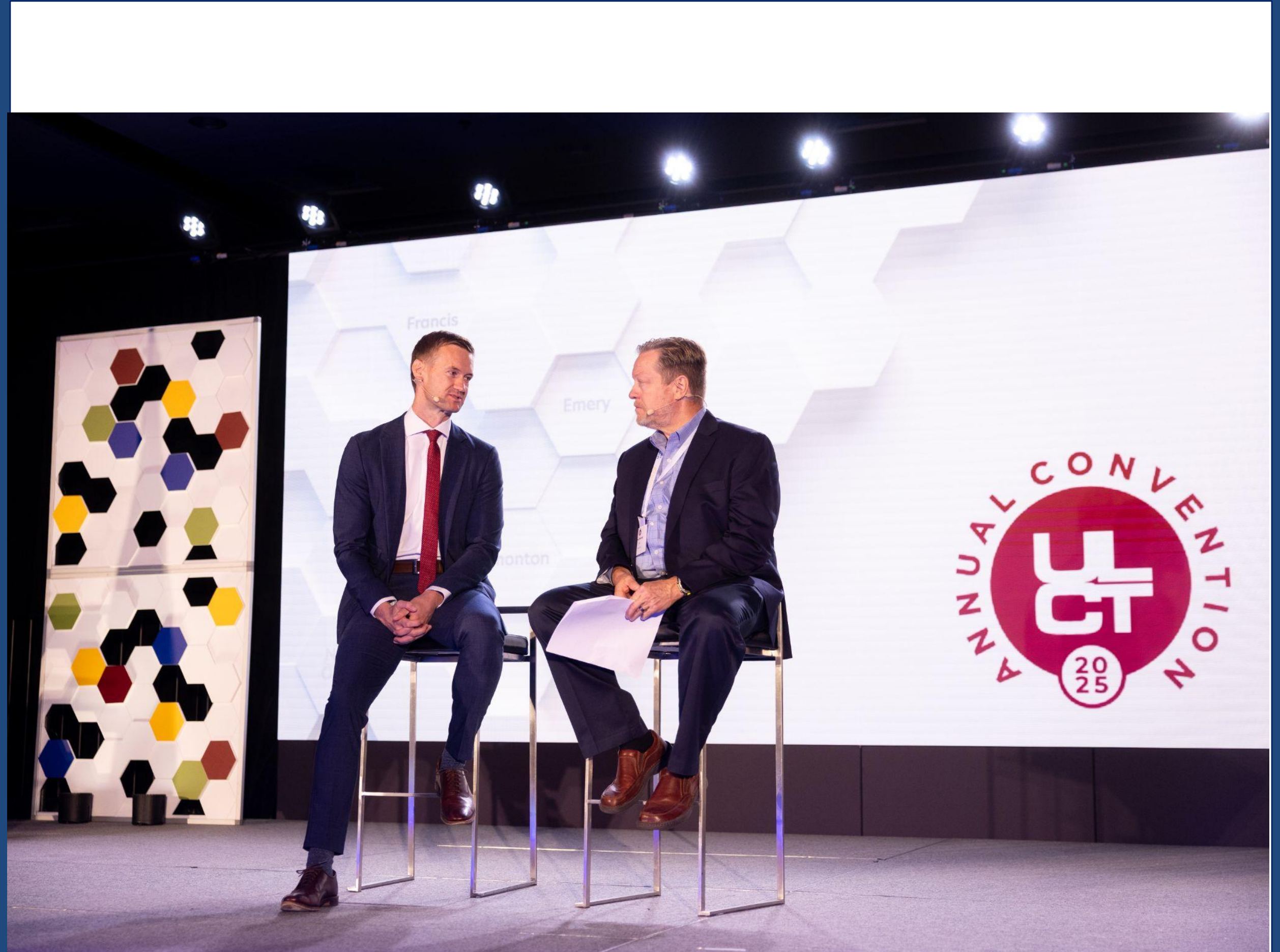
report back to ULCT staff asap

DRAFT LEGISLATION

H.B. 492 Transportation,
Infrastructure, & Housing
Amendments (C. Roberts)



Staff Recommendation:
Support

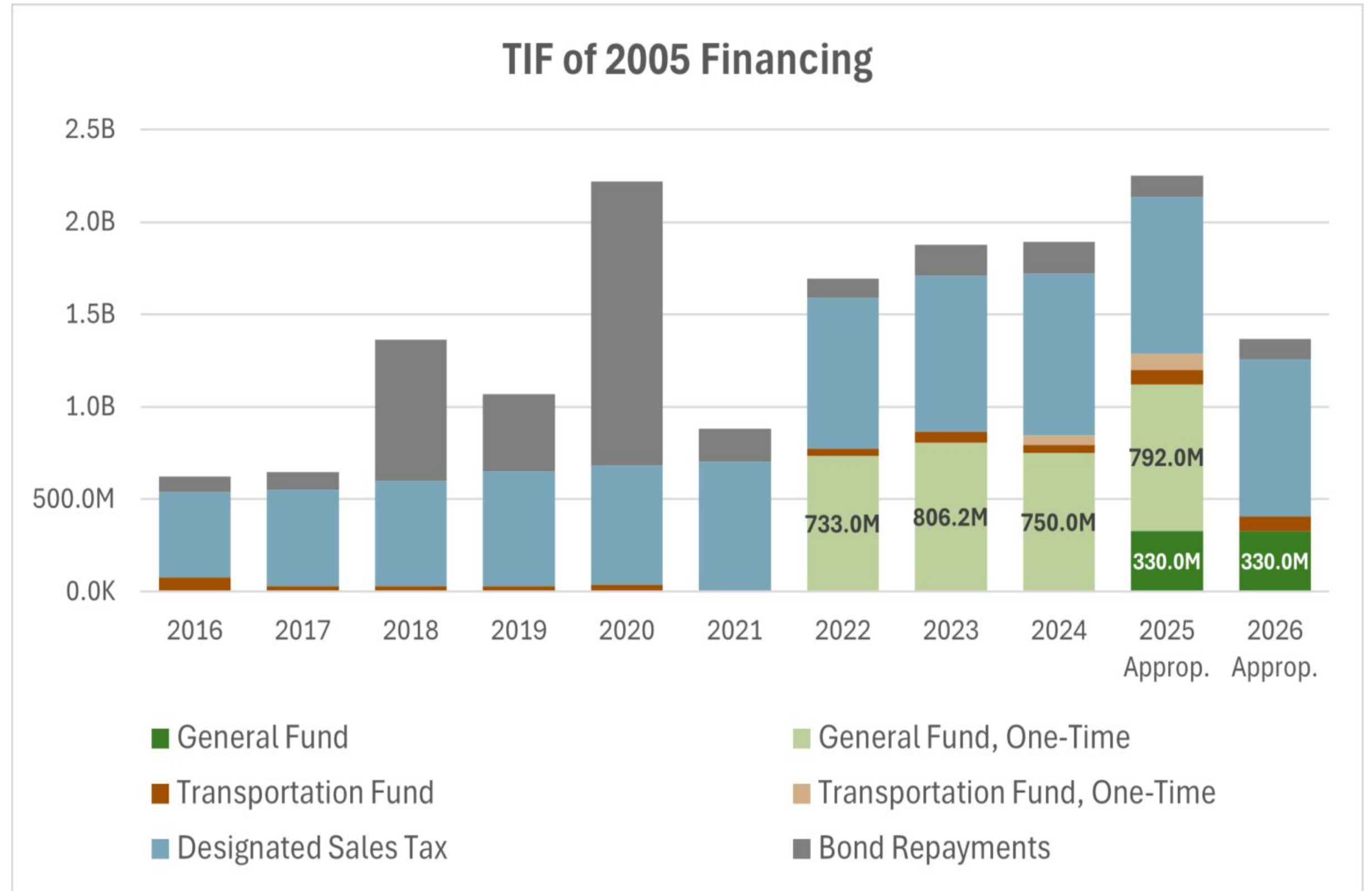


DRAFT LEGISLATION

H.B. 492 Transportation,
Infrastructure, & Housing
Amendments (C. Roberts)



Staff Recommendation:
Support



DRAFT LEGISLATION

H.B. 492 Transportation,
Infrastructure, & Housing
Amendments (C. Roberts)



Staff Recommendation:
Support

1) State Housing Infrastructure Partnership (SHIP)

- a) exact dollar amount TBD; revolving loan fund
 - b) infrastructure: drinking water, wastewater, sewer lift, storm water, water drainage, road that is part of a general or regional plan
 - c) 5 member state board to approve projects
 - d) will establish criteria (e.g. MIHP 2.0) that includes:
 - i) builder will meet timelines
 - ii) repayment plan
 - iii) number of units
 - iv) ownership
 - v) affordability
- 2) SL County specific
- a) up to \$140 million in bonds to provide **grants** for infrastructure to support housing (same process as SHIP)
- 3) State surplus land
- a) rulemaking authority to sell land at pre-entitlement appraisal value and defer payment until after owner-occupied housing built
- 4) Point of the Mountain: \$18 mill for infra

Homework:

Anything missing in infrastructure definitions?

Anything needed technically for the SHIP?

DRAFT LEGISLATION

H.B. 477 Land Use
Regulation Revisions (J.
Koford)



Staff Recommendation:
Position Pending; work
toward support

Planning commission:

- 1/9 LPC Housing Advisory Subgroup: 85% very comfortable with planning commission “impermissible bias” concept and language
- 10/29 LPC Housing Advisory Subgroup: 96% very or somewhat comfortable with language adding more specific parameters to required planning commission trainings

West Hills

- Provides the same process to remove property owners added after the first submission

HB 368/SB 179

- Clarification of bonding interest for cash bonds (only new bonds after May 7, 2025)
- Clarification on new conditional uses - no planning commission requirement
- Additional provisions that never made it into the county code.

DRAFT LEGISLATION

H.B. 477 Land Use
Regulation Revisions (J.
Koford)



Staff Recommendation:
Position Pending; work
toward support

Detached Accessory Dwelling Units:

- June Board mtg: “explore a path forward” on DADUs
- Jan LPC: 78% medium to high priority to hold the line on 10,000 square foot lot standard in state code for DADUs
- 9/10 LPC Housing Advisory: 85% very or somewhat comfortable with detached ADU proposal as outlined
- 8/25 LPC: 66% very or somewhat comfortable with DADU “Option D” (city required to allow DADU but flexibility to design its own ordinance)
- 8/13 LPC Housing Advisory: Most comfortable with a state requirement with local flexibility on details (SAP approach)

HB 477 as of today:

- 1) missing the 10,000 lot size (sponsor has agreed to add)
- 2) needs clarification on setbacks, conversion process
- 3) needs confirmation about infrastructure sufficiency

DRAFT LEGISLATION

S.J.R 14 Joint Resolution
Recognizing the Utah
Land Use Task Force (S.
Adams)



Staff Recommendation:
Support

- 1) Acknowledges the Land Use Task Force for 20 years of voluntary, collaborative service in advancing land use policies
- 2) Appreciates the contributions of the stakeholders who participate in the Land Use Task Force, including ULCT
- 3) Recognizes the LUTF's role in promoting land use practices that are more fair, predictable, and efficient while respecting the traditional role of local governments

DRAFT LEGISLATION

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



Staff Recommendation:
Support potential new sub

Original bill:

- sponsor intent: facilitate re-purposing school building
- charter school would have first right for closed school property to submit bid
 - **current law: “eligible entity” gets 90 day first right**
 - **“eligible entity” = population density of 3,000 per square mile; only 34 cities qualify**

Sub: (passed committee on Fri 1/30)

- “eligible entity” AND charter school each have first right for 90 days
- if both submit, then school district decides
- District consideration includes community benefit

2/9: Potential new sub, ULCT dialogue w/Rep. Pierucci

- 1) **define “eligible entity” as ALL cities**
- 2) **clarify leasing**

DRAFT LEGISLATION

H.B. 436 Moderate
Income Housing
Infrastructure
Amendments (S. Gricius)



Staff Recommendation:
Wait until next slide...

Moderate income housing plans (MIHP) status quo:

- 1) city of 5k+ shall select at least 3 (no transit) or 5 (transit) strategies from menu
- 2) If city selects 5 (no transit) or 6 (transit), then “priority consideration”
- 3) “weighted menu item” (last year’s HB 37) focused on affordable home ownership
- 4) compliance = eligibility for:
 - a) state Transportation Investment Fund
 - b) city portion (.05) of the “5th 5th” (county .20 sales tax)
 - c) no fee to Olene Walker Housing Fund

DRAFT LEGISLATION

H.B. 436 Moderate
Income Housing
Infrastructure
Amendments (S. Gricius)



Staff Recommendation:
Support w/amendments

HB 436 objective: “priority consideration” for cities whose housing stock increases by 2.5% annually

MIHP 2.0 concept (ULCT idea from interim):

- a) point system for new state \$ or priority for other state \$
- b) city + builder = outcome of affordable home ownership
 - i) city gets points for what city controls

Status: Rep. Roberts looking at 2.0 w/his infra bill

Other: dialogue on “freezing” MIHP for one year due to HB 68

LPC Housing Advisory Subgroup: 78% very or somewhat comfortable with MIHP 2.0 being optional to qualify for add’l state funding for infrastructure, other state \$ (Sep. 10, Oct. 15)

2/9 ULCT proposed amendments:

- 1) pause in MIHP reporting in 2026 (HB 68)
- 2) clarify how “priority consideration” works w/C of Os
- 3) MIHP 2.0 first steps

DRAFT LEGISLATION

S.B. 219 Highway Signage
Amendments (C.
Musselman)



Staff Recommendation:
**Oppose as drafted, Support
counter proposal**

Context: last year's HB 198 facilitate relocation of billboards due to expansion of freeways/highways within the same city and along the same road

State law: 65 foot height (or 25 feet above grade of main way) is state default; city can have height ordinance too

SB 219: (billboard near freeway/highway expansion)

Problem to solve: UDOT rebuild (e.g. I-15), uncertain design but urgency to move sign or face condemnation

- 1) if a billboard seeks to relocate, the owner shall apply to city/county, but if city/county does not respond in 30 days, then owner can take action without approval
- 2) billboard can exceed 65 feet in order to be fully visible
- 3) re-writes/clarifies existing law

2/9 ULCT counter: require UDOT to notify city of timing

DRAFT LEGISLATION

S.B. 245 Impact Fee
Amendments (C.
Musselman)



Staff Recommendation:

- Requires impact fee facilities plans designate a service area for each impact fee imposed
 - Plans must demonstrate that the geographic area included in each service area is necessary to include.
- Requires separate interest bearing ledger account for each service area.
- Limits impact fee expenditures to areas identified in the plan and states that plan must have been adopted prior to the collection of the impact fee.

DRAFT LEGISLATION

H.B. 470 Building
Inspection Amendments
(R. Ward)



Staff Recommendation:
Oppose as drafted

- Only applies to “alteration” of an owner-occupied, single family home....but no definition of alteration
- Municipality must accept **plan review** if:
 - Application is complete;
 - Statement by an individual who is licensed as a building combination inspector that states:
 - Plans meet state laws and city ordinances
 - No liability on municipality for errors or omissions in the plans and document
- Municipality may still conduct inspections during construction
- Building permit applicant may use a third-party inspection firm (defined as those on your third party inspection firm list)

Elections

DRAFT LEGISLATION

1H.B. 391 Vacancy
Replacement
Amendments (L.
Shepherd)



Staff Recommendation:
Position Pending

Prohibits filling vacancies between election day and new offices getting sworn in.

30 days to fill vacancy begins when new officers are sworn in.

DRAFT LEGISLATION

H.B. 479 Election Code
Modifications (J. Burton)



Staff Recommendation:
Position Pending

Requires ballot drop boxes to be attended by 2 poll workers:

- Voters will be required to show Voter ID
- Drop Boxes will basically work like polling places

If municipality has less than 10,000 active voters

- 1 drop box

If municipality has more than 10,000 active voters

- 2 drop boxes + 1 drop box for each 10,000 active voters

Potential cost concerns for additional poll workers and additional drop boxes

Tax Increment Financing

Why so many tax increment bills?

- 1) Concern about diversion of property tax and impact on property tax increases
- 2) Concern about TIF transparency and reporting
- 3) Are TIF tools prioritizing the most impactful projects? (“but for” & “public good” analysis)
- 4) Concern about PID disclosure to residents, expansion
 - a) State Auditor in Dec; ULCT disagrees with the statement that PIDs are component units of local gov't

Alphabet soup: CCRZ, CRA, FHIZ, HOPZ, HTRZ, IFD, MIDA, MSEVZ, PID, POTM, UFAIR, UIPA
More this session: RSDZ, SHIP

SB 221 (HTRZ), SB 228 (reporting), HB 427 (notice, process) are all in process of subs

HB 507 (regionally significant development zone) and SB 231 (large load customer) are big

If you want to be involved in reviewing changes, let Karson know at keilers@ulct.utah.gov

DRAFT LEGISLATION

H.B. 507 State Coordination
of Regional and Local
Economic Development
Projects Amendments (C.
Roberts)



Staff Recommendation:
Position Pending

Objective: take the HTRZ tool and broaden it for projects of regional significance while also sunseting other tools

- 1) Authorizes the “Regionally Significant Development Zone”
 - a) city or county created
 - b) must meet criteria of “significant capital investment”
 - c) increment pays for infrastructure
 - d) HTRZ framework
 - i) GOEO committee approves the increment, all taxing entities must participate; up to 60% of increment for 25/40 years
- 2) PIDs
 - a) Clarifies relationship with city or county with infra transfer
 - b) Clarifies dissolution process & governance
- 3) Creates State Reinvestment Restricted Account
- 4) Sunsets HTRZ, FHIZ, HOPZ, MSEVZ

2/9: ULCT working on amendments

DRAFT LEGISLATION

HB 475 Development
Planning and Coordination
Amendments (C. Roberts)



Staff Recommendation:
Support

1) **Creation of Economic Opportunity Coordinating Council**

- a) Governor
- b) Senate President
- c) House Speaker
- d) Inland Port
- e) Point of Mountain
- f) Fairpark
- g) MIDA
- h) SITLA
- i) ULCT
- j) UAC

2) **Duties of EOCC (not UEOC)**

- a) establish strategic economic development objectives
- b) unify & coordinate economic development projects with regional or statewide significance
- c) recommend to GOEO Director and Legislature
- d) convene work groups (start w/oversight of “opportunity zones”)

DRAFT LEGISLATION

S.B. 231 Energy User
Property Tax
Amendments (S. Sandall)



Staff Recommendation:
Position Pending

- Prohibits a taxing entity from collecting tax increment in a project area that contains a large load energy customer
- Creates a new process for distribution of property tax paid by a large load customer
 - Revenue is distributed to each county based on population
 - Revenue is distributed within each county the same as real property tax is

DRAFT LEGISLATION

H.B. 427 Tax Increment
Financing Modifications
(N. Walter)



Staff Recommendation:
Position Pending

Objective: more transparency & framework for TIF use

Modifies process for public entities to follow to get TIF

- 1) Begin w/ “application authorization meeting” (can be part of regular council meeting)
- 2) Defines a new “but for” test
- 3) Defines a “proportionate benefit” test
 - a) 40-year period, increment going to project vs revenue distributed to taxing entities
- 4) Have to apply to GOEO (state) to review TIF deal
 - a) Applications include:
 - identifying public good, max cap of TIF, benefits to residents and taxpayers
 - annual review
 - review for completeness, not substance
- 5) Redundant or in conflict w/current law (e.g. HTRZ, CRA)
- 6) Technical shortcomings

DRAFT LEGISLATION

S.B. 221 Housing & Transit
Reinvestment Zone
Amendments (W. Harper)



Staff Recommendation:
Position Pending

Objective: clarifications around HTRZ, CCRZ

- 1) Upon approval of HTRZ, proposing entity must enter into a DA or similar agreement to entitle proposed land use
- 2) City may not reduce or alter zoning uses that are permitted at the time unless city presents a compelling interest to the HTRZ committee alter proposed zoning
- 3) HTRZ committee may amend an established HTRZ, CCRZ, or FHIZ if the municipality or developer fails to meet the objectives the project was approved with
- 4) HTRZ can use HTRZ \$ for extraterritorial housing if units are affordable, located in same city, at least 6 units/acre, owner occupied for 25 years, and doesn't have building permit (FHIZ style)
- 5) Process for HTRZ and CRA to overlap
- 6) Authorizes GOEO to approve a boundary adjustment for HTRZ, CCRZ, or FHIZ if "reasonable nexus" to purposes

DRAFT LEGISLATION

S.B. 228 Tax Increment
Modifications (W. Harper)



Staff Recommendation:
Position Pending

Objective: transparency, improve reporting, dissolution process

- 1) Creates a “dormancy period” for six months after a CRA project area collection ends
- 2) During a dormancy period, project area collection can be extended for up to two years one time
- 3) If project area collection not extended, project area dissolves
- 4) Reorganizes and clarifies TIF reporting req’ts:
 - Includes HOPZ, UIPA, Fairpark District in GOEEO reporting requirement

Technical Assistance

Two Part Ask:

- 1. Restore the \$500k reduction the Local Administrative Advisor Program**
- 2. Do not reduce funding for the Consolidated Community Advisor Grant**

Homelessness

WUI

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

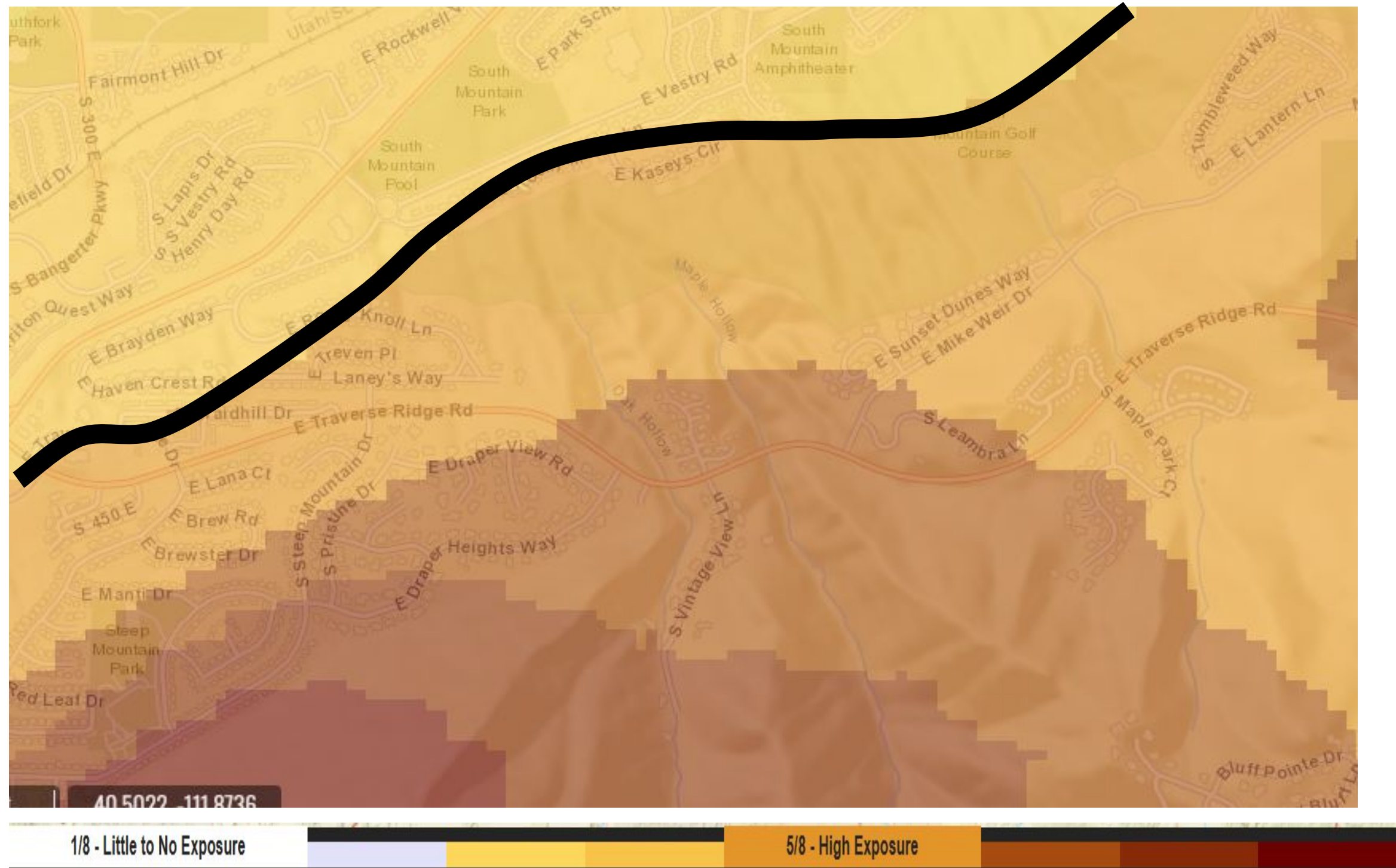
- Wildfire Hazard Map = Confusion
- Smoothed Structure Exposure Score = Confusion

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

Rapid Fire Updates

DRAFT LEGISLATION

1st Sub S.B. 108 Online
Marketplace Amendments
(L. Fillmore)



- **Prohibits local governments from regulating persons who operate online marketplaces**
- 1st Sub. + Sen. Amendment address 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
 - Preserve ability to enforce criminal violations
 - Preseres ability to protect local government intellectual property on marketplaces

DRAFT LEGISLATION

S.B. 232 Regulatory
Impacts on Families (L.
Fillmore)



Staff Recommendation:
Position Pending

- Requires local legislative bodies (city councils, county commissions) and state agencies to consider the impacts of new ordinances/rules on families

ACTION NEEDED: LPC Homework

1) Tell your legislators you **OPPOSE**

- a) 1HB 184 (Ward preferred land use)
- b) SB 211 (Cullimore tort reform)
- c) HB 501 (Bolinder water fees)

2) Tell your legislators you **SUPPORT**

- a) HB 492 (Roberts SHIP)
- b) HB 425 (K. Peterson TUF)

3) Tell Team **ULCT** by Feb 10 at noon:

- a) technical feedback on HB 236 (Rep. K. Peterson on truth-in-tax) and SB 238 (Sen. Wilson)
- b) anything missing in HB 492 (SHIP infra fund)
- c) input or unique experience on all tax increment bills



ULCT Bill Tracker



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