

**TRANSPORTATION UTILITY FEE AMENDMENTS**

2020 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Deidre M. Henderson**

House Sponsor: \_\_\_\_\_

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**LONG TITLE****General Description:**

This bill modifies provisions related to municipal transportation utility fees.

**Highlighted Provisions:**

This bill:

- clarifies the definition of a transportation utility fee imposed by a municipality.

**Money Appropriated in this Bill:**

None

**Other Special Clauses:**

None

**Utah Code Sections Affected:****AMENDS:****11-26-301**, as enacted by Laws of Utah 2018, Chapter 283

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*Be it enacted by the Legislature of the state of Utah:*Section 1. Section **11-26-301** is amended to read:**11-26-301. Definitions -- Prohibition on imposition of transportation utility fee.**

(1) As used in this section:

(a) (i) "Legal subdivision" means a local government that is recognized by Utah Constitution, Article XI.

(ii) "Legal subdivision" does not include a local government that Utah Constitution,



- 28 Article XI, only authorizes the Legislature to create.
- 29 (b) "Municipality" means the same as that term is defined in Section 10-1-104.
- 30 (c) "Transportation utility fee" means an ongoing, regular fee [~~or tax~~] imposed:
- 31 (i) by a municipality for the purpose of maintaining public roads; and
- 32 (ii) on utility customers within the municipality.
- 33 (2) A municipality may not impose a transportation utility fee on a legal subdivision.
- 34 (3) This section does not grant to a municipality any authority not otherwise provided
- 35 for by law to impose a transportation utility fee.