

1                   **PRISON RELOCATION AND DEVELOPMENT AUTHORITY**

2                                   **ACT AMENDMENTS**

3   2011 SECOND SPECIAL SESSION

4   STATE OF UTAH

5   **Chief Sponsor: Gregory H. Hughes**

6   Senate Sponsor: Stephen H. Urquhart

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8                   **LONG TITLE**

9                   **General Description:**

10                   This bill modifies the Prison Relocation and Development Authority Act.

11                   **Highlighted Provisions:**

12                   This bill:

- 13                   ▶ modifies membership of the Prison Relocation and Development Authority;
- 14                   ▶ requires the authority to report the results of its evaluation and recommendations to
- 15                   the Legislative Management Committee;
- 16                   ▶ eliminates a provision requiring the governor to make a recommendation to the
- 17                   Legislative Management Committee; and
- 18                   ▶ prohibits the state from selling, exchanging, or leasing state prison land without the
- 19                   Legislature's prior approval.

20                   **Money Appropriated in this Bill:**

21                   None

22                   **Other Special Clauses:**

23                   This bill provides an immediate effective date.

24                   **Utah Code Sections Affected:**

25                   AMENDS:

26                   **63C-13-103**, as enacted by Laws of Utah 2011, Chapter 408

27                   **63C-13-104**, as enacted by Laws of Utah 2011, Chapter 408

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29                   *Be it enacted by the Legislature of the state of Utah:*

30 Section 1. Section **63C-13-103** is amended to read:

31 **63C-13-103. Creation of Prison Relocation and Development Authority --**

32 **Members.**

33 (1) There is created a prison relocation and development authority.

34 (2) (a) The authority consists of [~~10~~] 11 members.

35 (b) Two members of the authority shall be appointed by the legislative body of the  
36 municipality in whose boundary the prison property is presently located.

37 (c) [~~Three~~] Four members of the authority shall be appointed by the governor.

38 (d) One member shall be appointed by the Utah Association of Counties.

39 (e) Two members shall be members of the Senate appointed by the president of the  
40 Senate.

41 (f) Two members shall be members of the House of Representatives appointed by the  
42 speaker of the House of Representatives.

43 (3) Any vacancy shall be filled in the same manner under this section as the  
44 appointment of the member whose vacancy is being filled.

45 (4) Each member of the authority shall serve until a successor is duly appointed and  
46 qualified.

47 (5) A member may not receive compensation for service on the authority.

48 (6) A majority of members present at a meeting constitutes a quorum.

49 Section 2. Section **63C-13-104** is amended to read:

50 **63C-13-104. Authority duties.**

51 (1) The authority shall:

52 (a) prepare and issue requests inviting interested persons to submit proposals regarding  
53 the fulfillment of a prison relocation project;

54 (b) receive and evaluate any proposals received in response to a request under  
55 Subsection (1)(a);

56 (c) review and evaluate any proposals relating to a prison relocation project that the  
57 executive branch submits; and

58 (d) complete its review and evaluation of proposals within 90 days after receiving  
59 proposals.

60 (2) (a) Upon completing its evaluation of proposals submitted concerning a prison  
61 relocation project, the authority shall report the results of its evaluation and any  
62 recommendations to the governor and the Legislative Management Committee.

63 (b) The process of the authority's issuing requests and reviewing and evaluating  
64 proposals is to provide a public forum for considering the feasibility of and proposals for a  
65 prison relocation project.

66 (c) The authority's recommendations under Subsection (2)(a) are advisory only.

67 [~~(3) (a) After receiving the authority's report under Subsection (3), the governor shall~~  
68 ~~make a recommendation to the Legislative Management Committee with respect to any~~  
69 ~~implementation of a proposal for the prison relocation project.]~~

70 [~~(b)~~] (3) (a) The acceptance of a proposal and any implementation of a proposal for a  
71 prison relocation project are subject to legislative approval.

72 (b) The state may not sell, exchange, or lease the land on which the state prison is  
73 located without the Legislature's prior approval.

74 Section 3. **Effective date.**

75 If approved by two-thirds of all the members elected to each house, this bill takes effect  
76 upon approval by the governor, or the day following the constitutional time limit of Utah  
77 Constitution Article VII, Section 8, without the governor's signature, or in the case of a veto,  
78 the date of veto override.