

***Effective 5/12/2015***

**17-27a-409 State to indemnify county regarding refusal to site nuclear waste -- Terms and conditions.**

If a county is challenged in a court of law regarding its decision to deny siting of a storage or transfer facility for the placement of high-level nuclear waste or greater than class C radioactive waste or its refusal to provide municipal-type services regarding the operation of the storage or transfer facility, the state shall indemnify, defend, and hold the county harmless from any claims or damages, including court costs and attorney fees that are assessed as a result of the county's action, if:

- (1) the county has complied with the provisions of Subsection 17-27a-401(4)(b) by adopting an ordinance rejecting all proposals for the siting of a storage or transfer facility for the placement of high-level nuclear waste or greater than class C radioactive waste wholly or partially within the boundaries of the county;
- (2) the county has complied with Subsection 17-34-1(3) regarding refusal to provide municipal-type services; and
- (3) the court challenge against the county addresses the county's actions in compliance with Subsection 17-27a-401(4)(b) or 17-34-1(3).

Amended by Chapter 310, 2015 General Session