

**Superseded 5/10/2016**

**17-31-5.5 Independent audit -- Report to county legislative body -- Content.**

- (1) The legislative body of each county imposing the transient room tax provided for in Section 59-12-301 shall annually engage an independent auditor to perform an audit to verify that transient room tax funds are used only as authorized by this chapter and to report the findings of the audit to the county legislative body.
- (2) Subsection (1) applies to the tourism, recreation, cultural, convention, and airport facilities tax provided for in Section 59-12-603, except that the audit verification required under this Subsection (2) shall be for the uses authorized under Section 59-12-603.
- (3) The report required under Subsection (1) shall include a breakdown of expenditures into the following categories:
  - (a) for the transient room tax, identification of expenditures for:
    - (i) establishing and promoting:
      - (A) recreation;
      - (B) tourism;
      - (C) film production; and
      - (D) conventions;
    - (ii) acquiring, leasing, constructing, furnishing, or operating:
      - (A) convention meeting rooms;
      - (B) exhibit halls;
      - (C) visitor information centers;
      - (D) museums; and
      - (E) related facilities;
    - (iii) acquiring or leasing land required for or related to the purposes listed in Subsection (3)(a)(ii);
    - (iv) mitigation costs as identified in Subsection 17-31-2(1)(d); and
    - (v) making the annual payment of principal, interest, premiums, and necessary reserves for any or the aggregate of bonds issued to pay for costs referred to in Subsections 17-31-2(2)(c) and (3)(a); and
  - (b) for the tourism, recreation, cultural, convention, and airport facilities tax, identification of expenditures for:
    - (i) financing tourism promotion, which means an activity to develop, encourage, solicit, or market tourism that attracts transient guests to the county, including planning, product development, and advertising;
    - (ii) the development, operation, and maintenance of the following facilities as defined in Section 59-12-602:
      - (A) an airport facility;
      - (B) a convention facility;
      - (C) a cultural facility;
      - (D) a recreation facility; and
      - (E) a tourist facility; and
    - (iii) a pledge as security for evidences of indebtedness under Subsection 59-12-603(3).
- (4) A county legislative body shall provide a copy of a report it receives under this section to:
  - (a) the Governor's Office of Economic Development;
  - (b) its tourism tax advisory board; and
  - (c) the Office of the Legislative Fiscal Analyst.