

**SALES TAX - DISTRIBUTION OF
OLYMPIC SPECIAL REVENUE FUND MONIES**

2001 GENERAL SESSION

STATE OF UTAH

Sponsor: Michael G. Waddoups

This act modifies the Utah Sports Authority Act. The act modifies disbursement from the Olympic Special Revenue Fund by modifying the determination of a municipality's or county's percentage of total sales and use taxes generated and deposited into the Olympic Special Revenue Fund.

This act affects sections of Utah Code Annotated 1953 as follows:

AMENDS:

63A-7-113, as last amended by Chapter 115, Laws of Utah 2000

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

Section 1. Section **63A-7-113** is amended to read:

63A-7-113. Disbursement of the Olympic Special Revenue Fund.

(1) As used in this section:

~~[(a) "Base sales and use tax amount" means the first \$59,000,000 deposited in the Olympic Special Revenue Fund under Subsection 59-12-103(4);]~~

~~[(b)] (a) "Olympics Special Revenue Fund" means the fund or funds created under Subsection 59-12-103(4)[, and].~~

~~[(c)] (b) "Proportionate share" means the percentage of the total sales and use taxes deposited under Subsection 59-12-103(4) that are generated by a county or municipality.~~

(2) Each municipality that exists on January 1, 2002 is considered to have existed, with its January 1, 2002 geographic boundaries, from January 1, 1990 through December 31, 1999 for purposes of:

(a) determining the proportionate share of the:

(i) municipality; and



28 (ii) county in which the municipality is located; and

29 (b) disbursing the proportionate share, under Subsections (3)(a) and (b), of the:

30 (i) municipality; and

31 (ii) county in which the municipality is located.

32 [~~(2)~~] (3) [~~Beginning on August 30, 1999, the~~] The monies in the Olympic Special Revenue
33 Fund shall be distributed as follows:

34 [~~(a) on or before August 30, 1999, each county or municipality described in Subsections~~
35 ~~(2)(b) and (c) shall receive the county's or municipality's proportionate share of:]~~

36 [~~(i) the sales and use taxes in excess of the base sales and use tax amount; and]~~

37 [~~(ii) interest on the amounts described in Subsection (2)(a)(i) for the period beginning on~~
38 ~~the day on which the sales and use taxes deposited into the Olympic Special Revenue Fund equal~~
39 ~~the base amount and ending on the day on which the disbursement is made to the county or~~
40 ~~municipality;]~~

41 [~~(b)~~] (a) on or before March 15, 2002, each county or municipality other than a county or
42 municipality described in Subsection [~~(2)(c)~~] (3)(b) shall **\$, EXCEPT AS PROVIDED IN SUBSECTION**
43a **(4), §** receive the county's or municipality's

44 proportionate share of amounts deposited into the Olympic Special Revenue Fund by a public
45 sports entity as reimbursement of sales and use taxes deposited under Subsection 59-12-103(4);
46 [and]

47 [~~(c)~~] (b) by no later than May 5, 2003, there may be distributed to any county or
48 municipality that has entered into an indemnification agreement with the state regarding risks
49 related to the Winter Olympic Games of 2002:

50 (i) the proportionate share of amounts deposited into the Olympic Special Revenue Fund
51 by a public sports entity as reimbursement of sales and use taxes deposited under Subsection
52 59-12-103(4); and

53 (ii) interest on the amounts described in Subsection [~~(2)(c)~~] (3)(b)(i) for the period
54 beginning on March 15, 2002, and ending on the day on which the disbursement is made to the
55 county or municipality; and

56 [~~(d)~~] (c) any monies in the Olympic Special Revenue Fund after the disbursement under
57 Subsection (2)[~~(c)~~](b) shall be deposited in the General Fund.

58a **§ (4)(a) EACH MUNICIPALITY THAT BECOMES INCORPORATED OR THAT ANNEXES**
58b **UNINCORPORATED TERRITORY ON OR AFTER JANUARY 1, 1990 BUT ON OR BEFORE JANUARY 1,**
58c **2002 SHALL RECEIVE UNDER SUBSECTIONS (3)(a) AND (b) ONLY THE 50% POPULATION**
58d **DISTRIBUTION, AS PROVIDED IN SUBSECTION 59-12-205(2)(c)(i), ASSOCIATED WITH THE**
58e **INCORPORATED OR ANNEXED AREA FOR THE PERIOD BETWEEN JANUARY 1, 1990 AND THE**

56f TIME OF THE INCORPORATION OR ANNEXATION.

56g (b) THE REMAINDER OF THE AMOUNT THAT, EXCEPT FOR SUBSECTION (4)(a), WOULD
56h HAVE BEEN DISTRIBUTED TO THE MUNICIPALITY SHALL BE DISTRIBUTED TO THE COUNTY IN
56i WHICH THE MUNICIPALITY IS LOCATED. §

Legislative Review Note

as of 1-23-01 10:14 AM

A limited legal review of this legislation raises no obvious constitutional or statutory concerns.

Office of Legislative Research and General Counsel