

1st Sub. S.B. 234

**SALES AND USE TAX - BOTANICAL, CULTURAL, RECREATIONAL, AND
ZOOLOGICAL ORGANIZATIONS OR FACILITIES AMENDMENTS**

SENATE FLOOR AMENDMENTS

AMENDMENT 1

FEBRUARY 22, 2001

7:36 PM

Senator **HILLYARD** proposes the following amendments:

1. Page 6, Line 157: After "under" delete ":" and insert "."
2. Page 6, Line 158: Delete "(i)" and after "part" delete ":" and insert "."
3. Page 6, Lines 159-161: Delete lines 159-161
4. Page 7, Line 181: After "(1)(a)(ii)" insert "and subject to Subsection (6)"
5. Page 7, Line 196: After "Act" insert ", except as provided in Subsection (6)."
6. Page 8, Line 239: After 239 insert:
"(6)(a) Before a city or town legislative body submits an opinion question to the residents of the city or town under Subsection (1)(a)(i), the city or town legislative body shall:
(i) submit to the county legislative body in which the city or town is located a written notice of the intent to submit the opinion question to the residents of the city or town; and
(ii) receive from the county legislative body:
(A) a written resolution passed by the county legislative body stating that the county legislative body is not seeking to impose a tax under Part 7, County Option Funding For Botanical, Cultural, Recreational, and Zoological Organizations and Facilities; or
(B) a written statement that in accordance with Subsection (6)(b) the results of a county opinion question submitted to the residents of the county under Part 7, County Option Funding For Botanical, Cultural, Recreational, and Zoological Organizations and Facilities, permit the city or town legislative body to submit the opinion question to the residents of the city or town in accordance with this part.
(b)(i) Within 60 days after the day the county legislative body receives from a city or town legislative body described in Subsection (6)(a) the notice of the intent to submit an opinion question to the residents of the city or town, the county legislative

body shall provide the city or town legislative body:

(A) the written resolution described in Subsection (6)(a)(ii)(A); or
(B) written notice that the county legislative body will submit an
opinion question to the residents of the county under Part 7,
County Option Funding For Botanical, Cultural, Recreational, and
Zoological Organizations and Facilities, for the county to impose a
tax under that part.

(ii) If the county legislative body provides the city or town
legislative body the written notice that the county legislative body
will submit an opinion question as provided in Subsection
(6)(b)(i)(B), the county legislative body shall submit the opinion
question by no later than, from the date the county legislative body
sends the written notice, the later of:

(A) a 12-month period;

(B) the next regular primary election; or

(C) the next regular general election.

(iii) Within 30 days of the date of the canvass of the election at
which the opinion question under Subsection (6)(b)(ii) is voted on,
the county legislative body shall provide the city or town
legislative body described in Subsection (6)(a) written results of
the opinion question submitted by the county legislative body
under Part 7, County Option Funding for Botanical, Cultural,
Recreation, and Zoological Organizations and Facilities, indicating
that:

(A)(I) the city or town legislative body may not impose a tax under
this part because a majority of the county's registered voters voted
in favor of the county imposing the tax and the county legislative
body by a majority vote approved the imposition of the tax; or
(II) for at least 12 months from the date the written results are
submitted to the city or town legislative body, the city or town
legislative body may not submit to the county legislative body a
written notice of the intent to submit an opinion question under this
part because a majority of the county's registered voters voted
against the county imposing the tax and the majority of the
registered voters who are residents of the city or town described in
Subsection (6)(a) voted against the imposition of the county tax; or
(B) the city or town legislative body may submit the opinion
question to the residents of the city or town in accordance with this
part because although a majority of the county's registered voters
voted against the county imposing the tax, the majority of the
registered voters who are residents of the city or town voted for the

imposition of the county tax.

(c) Notwithstanding (6)(b), at any time a county legislative body may provide a city or town legislative body described in Subsection (6)(a) a written resolution passed by the county legislative body stating that the county legislative body is not seeking to impose a tax under Part 7, County Option Funding For Botanical, Cultural, Recreational, and Zoological Organizations and Facilities, which permits the city or town legislative body to submit under Subsection (1)(a)(i) an opinion question to the city's or town's residents."

7. Page 9, Line 246:

After "59-12-704" insert "and distribute the revenues generated by the tax imposed by this part to participants in the interlocal agreement"