

**DEPOSITS INTO UINTAH BASIN  
REVITALIZATION FUND**

2004 GENERAL SESSION

STATE OF UTAH

**Sponsor: Beverly Ann Evans**

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**LONG TITLE**

**General Description:**

This bill modifies the provisions related to the Uintah Basin Revitalization Fund.

**Highlighted Provisions:**

This bill:

- ▶ addresses when monies may be deposited into the Uintah Basin Revitalization Fund in relationship to imposing charges;
- ▶ extends the December 31, 2004, date attributable to interest on lands identified in Pub. L. No. 440, 62 Stat. 72 (1948);
- ▶ extends the December 31, 2006, date attributable to interests on lands conveyed to the Tribe under the Ute-Moab Land Restoration Act;
- ▶ increases the cap on deposits into the fund to \$3,000,000 per fiscal year; and
- ▶ makes technical changes.

**Monies Appropriated in this Bill:**

None

**Other Special Clauses:**

None

**Utah Code Sections Affected:**

AMENDS:

**9-10-108**, as enacted by Chapter 341, Laws of Utah 1995

**59-5-116**, as last amended by Chapter 119, Laws of Utah 2001

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

Section 1. Section **9-10-108** is amended to read:

**9-10-108. Deposits into fund -- Unallocated balance nonlapsing.**

(1) (a) All money received under Section 59-5-116 shall be deposited in the Revitalization Fund provided that no business or activity fee or tax based on gross receipts has been imposed by a county or the Tribe on oil and gas activities.

(b) (i) Nothing in this Subsection (1) prohibits a county from imposing a charge described in Subsection (1)(a) with respect to any gathering, transmission, or local distribution pipeline in which the county owns an interest.

(ii) Nothing in this Subsection (1) prohibits the Tribe from imposing a charge described in Subsection (1)(a) with respect to any gathering, transmission, or local distribution pipeline in which the Tribe owns an interest.

(2) Any unallocated balance in the fund at the end of each fiscal year shall be nonlapsing.

Section 2. Section **59-5-116** is amended to read:

**59-5-116. Disposition of certain taxes collected on Ute Indian land.**

(1) Except as provided in Subsection (2), there shall be deposited into the Uintah Basin Revitalization Fund established in Section 9-10-102:

(a) for taxes imposed under this part beginning on July 1, 1996, 33% of the taxes collected on oil, gas, or other hydrocarbon substances produced from a well:

(i) for which production began on or before June 30, 1995; and

(ii) attributable to interests:

(A) held in trust by the United States for the Tribe and its members; or

(B) for taxes imposed under this part beginning on July 1, 1996, and ending on December 31, ~~[2004]~~ 2009, on lands identified in Pub. L. No. 440, 62 Stat. 72 (1948);

(b) for taxes imposed under this part beginning on July 1, 1996, 80% of taxes collected on oil, gas, or other hydrocarbon substances produced from a well:

(i) for which production began on or after July 1, 1995; and

(ii) attributable to interests:

(A) held in trust by the United States for the Tribe and its members; or

(B) for taxes imposed under this part beginning on July 1, 1996, and ending on December 31, [~~2004~~] 2009, on lands identified in Pub. L. No. 440, 62 Stat. 72 (1948); and

(c) for taxes imposed under this part beginning on January 1, 2001, and ending on December 31, [~~2006~~] 2009, 80% of taxes collected on oil, gas, or other hydrocarbon substances produced from a well:

(i) for which production began on or after January 1, 2001; and

(ii) attributable to interests on lands conveyed to the tribe under the Ute-Moab Land Restoration Act, Pub. L. No. 106-398, Sec. 3303.

(2) (a) The maximum amount deposited in the Uintah Basin Revitalization Fund may not exceed [~~\$2,000,000~~] \$3,000,000 in any state fiscal year.

(b) Any amounts in excess of the maximum described in Subsection (2)(a) shall be deposited into the General Fund.