

BEER TAX AMENDMENTS

2011 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Val L. Peterson

Senate Sponsor: Curtis S. Bramble

LONG TITLE

General Description:

This bill modifies provisions related to revenue and taxation to address deposits of revenue generated by the beer tax.

Highlighted Provisions:

This bill:

- ▶ modifies the formula to determine the amount of revenue collected from the beer tax to be deposited into the Alcoholic Beverage Enforcement and Treatment Restricted Account; and

- ▶ makes technical changes.

Money Appropriated in this Bill:

None

Other Special Clauses:

This bill takes effect on July 1, 2011.

Utah Code Sections Affected:

AMENDS:

59-15-109 (Effective 07/01/11), as last amended by Laws of Utah 2010, Chapter 276

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

Section 1. Section **59-15-109 (Effective 07/01/11)** is amended to read:

59-15-109 (Effective 07/01/11). Tax money to be paid to state treasurer.



28 (1) Taxes collected under this chapter shall be paid by the commission to the state
29 treasurer daily for deposit as follows:

30 (a) the greater of the following shall be deposited into the Alcoholic Beverage
31 Enforcement and Treatment Restricted Account created in Section 32B-2-403:

32 (i) an amount calculated by:

33 [~~†~~] (A) determining an amount equal to 40% of the revenue collected for the fiscal
34 year two years preceding the fiscal year for which the deposit is made; [or] and

35 (B) subtracting \$30,000 from the amount determined under Subsection (1)(a)(i); or

36 (ii) \$4,350,000; and

37 (b) the revenue collected in excess of the amount deposited in accordance with
38 Subsection (1)(a) shall be deposited into the General Fund.

39 (2) (a) The commission shall notify the entities described in Subsection (2)(b) not later
40 than the September 1 preceding the fiscal year of the deposit of:

41 (i) the amount of the proceeds of the beer excise tax collected in accordance with this
42 section for the fiscal year two years preceding the fiscal year of deposit; and

43 (ii) an amount equal to 40% of the amount listed in Subsection (2)(a)(i).

44 (b) The notification required by Subsection (2)(a) shall be sent to:

45 (i) the Governor's Office of Planning and Budget; and

46 (ii) the Legislative Fiscal Analyst.

47 Section 2. **Effective date.**

48 This bill takes effect on July 1, 2011.

Legislative Review Note
as of 2-11-11 11:47 AM

Office of Legislative Research and General Counsel

FISCAL NOTE

H.B. 440

SHORT TITLE: **Beer Tax Amendments**

SPONSOR: **Peterson, V.**

2011 GENERAL SESSION, STATE OF UTAH

STATE GOVERNMENT (UCA 36-12-13(2)(b))

Enactment of this bill would increase the General Fund by \$30,000 annually.

STATE BUDGET DETAIL TABLE

	FY 2011	FY 2012	FY 2013
Revenue:			
General Fund	\$0	\$30,000	\$30,000
Total Revenue	\$0	\$30,000	\$30,000
Expenditure	\$0	\$0	\$0
Net Impact, All Funds (Rev.-Exp.)	\$0	\$30,000	\$30,000
Net Impact, General/Education Funds	\$0	\$30,000	\$30,000

LOCAL GOVERNMENTS (UCA 36-12-13(2)(c))

Enactment of this bill could reduce local revenues by \$30,000 annually.

DIRECT EXPENDITURES BY UTAH RESIDENTS AND BUSINESSES (UCA 36-12-13(2)(d))

Enactment of this bill likely will not result in direct, measurable expenditures by Utah residents or businesses.