

Senator Jerry W. Stevenson proposes the following substitute bill:

REDEVELOPMENT AGENCY AMENDMENTS

2013 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Jerry W. Stevenson

House Sponsor: Brad R. Wilson

LONG TITLE

General Description:

This bill amends provisions related to a community development and renewal agency.

Highlighted Provisions:

This bill:

- ▶ authorizes a taxing entity committee to approve exceptions to the requirement that a project area budget include a maximum cumulative amount of tax increment;
- ▶ amends tax increment provisions applicable to a pre-July 1, 1993, project area plan;
- ▶ enacts language prohibiting certain entities from recovering increased taxes paid to an agency in certain circumstances;
- ▶ requires that certain urban renewal project budgets specify the maximum cumulative dollar amount of tax increment that the agency may receive;
- ▶ requires that certain economic development project budgets specify the maximum cumulative dollar amount of tax increment that the agency may receive;
- ▶ provides a repeal date for certain provisions; and
- ▶ makes technical corrections.

Money Appropriated in this Bill:

None

Other Special Clauses:



26 None

27 **Utah Code Sections Affected:**

28 AMENDS:

29 **17C-1-402**, as last amended by Laws of Utah 2012, Chapter 235

30 **17C-1-403**, as renumbered and amended by Laws of Utah 2006, Chapter 359

31 **17C-1-407**, as last amended by Laws of Utah 2009, Chapter 387

32 **17C-2-201**, as last amended by Laws of Utah 2010, Chapter 279

33 **17C-3-201**, as last amended by Laws of Utah 2010, Chapter 279

34 ENACTS:

35 **63I-1-217**, Utah Code Annotated 1953



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

38 Section 1. Section **17C-1-402** is amended to read:

39 **17C-1-402. Taxing entity committee.**

40 (1) Each agency that adopts or proposes to adopt a post-June 30, 1993, urban renewal
41 or economic development project area plan shall, and any other agency may, cause a taxing
42 entity committee to be created.

43 (2) (a) (i) Each taxing entity committee shall be composed of:

44 (A) two school district representatives appointed as provided in Subsection (2)(a)(ii);

45 (B) (I) in a county of the second, third, fourth, fifth, or sixth class, two representatives
46 appointed by resolution of the legislative body of the county in which the agency is located; or

47 (II) in a county of the first class, one representative appointed by the county executive
48 and one representative appointed by the legislative body of the county in which the agency is
49 located;

50 (C) if the agency was created by a city or town, two representatives appointed by
51 resolution of the legislative body of that city or town;

52 (D) one representative appointed by the State Board of Education; and

53 (E) one representative selected by majority vote of the legislative bodies or governing
54 boards of all other taxing entities that levy a tax on property within the agency's boundaries, to
55 represent the interests of those taxing entities on the taxing entity committee.

56 (ii) (A) If the agency boundaries include only one school district, that school district

57 shall appoint the two school district representatives under Subsection (2)(a)(i)(A).

58 (B) If the agency boundaries include more than one school district, those school
59 districts shall jointly appoint the two school district representatives under Subsection
60 (2)(a)(i)(A).

61 (b) (i) Each taxing entity committee representative under Subsection (2)(a) shall be
62 appointed within 30 days after the agency provides notice of the creation of the taxing entity
63 committee.

64 (ii) If a representative is not appointed within the time required under Subsection
65 (2)(b)(i), the agency board may appoint a person to serve on the taxing entity committee in the
66 place of the missing representative until that representative is appointed.

67 (c) (i) A taxing entity committee representative may be appointed for a set term or
68 period of time, as determined by the appointing authority under Subsection (2)(a)(i).

69 (ii) Each taxing entity committee representative shall serve until a successor is
70 appointed and qualified.

71 (d) (i) Upon the appointment of each representative under Subsection (2)(a)(i), whether
72 an initial appointment or an appointment to replace an already serving representative, the
73 appointing authority shall:

74 (A) notify the agency in writing of the name and address of the newly appointed
75 representative; and

76 (B) provide the agency a copy of the resolution making the appointment or, if the
77 appointment is not made by resolution, other evidence of the appointment.

78 (ii) Each appointing authority of a taxing entity committee representative under
79 Subsection (2)(a)(i) shall notify the agency in writing of any change of address of a
80 representative appointed by that appointing authority.

81 (3) At its first meeting, a taxing entity committee shall adopt an organizing resolution:

82 (a) designating a chair and a secretary of the committee; and

83 (b) if the committee considers it appropriate, governing the use of electronic meetings
84 under Section 52-4-207.

85 (4) (a) A taxing entity committee represents all taxing entities regarding:

86 (i) an urban renewal project area; or

87 (ii) an economic development project area.

- 88 (b) A taxing entity committee may:
- 89 (i) cast votes that will be binding on all taxing entities;
- 90 (ii) negotiate with the agency concerning a draft project area plan;
- 91 (iii) approve or disapprove:
- 92 (A) an urban renewal project area budget as provided in Section 17C-2-204; or
- 93 (B) an economic development project area budget as provided in Section 17C-3-203;
- 94 (iv) approve or disapprove amendments to a project area budget as provided in:
- 95 (A) Section 17C-2-206 for an urban renewal project area budget; or
- 96 (B) Section 17C-3-205 for an economic development project area budget;
- 97 (v) approve exceptions to the limits on the value and size of a project area imposed
- 98 under this title;
- 99 (vi) approve:
- 100 (A) exceptions to the percentage of tax increment [~~and~~] to be paid to the agency;
- 101 (B) the period of time that tax increment is to be paid to the agency [~~as provided in this~~
- 102 ~~title~~]; and
- 103 (C) exceptions to the requirement for an urban renewal or economic development
- 104 project area budget to include a maximum cumulative dollar amount of tax increment that the
- 105 agency may receive;
- 106 (vii) approve the use of tax increment for publicly owned infrastructure and
- 107 improvements outside of an urban renewal or economic development project area that the
- 108 agency and community legislative body determine to be of benefit to the urban renewal or
- 109 economic development project area, as provided in Subsection 17C-1-409(1)(a)(iii)(D);
- 110 (viii) waive the restrictions imposed by Subsection 17C-2-202(1);
- 111 (ix) subject to Subsection (4)(c), designate in an approved urban renewal or economic
- 112 development project area budget the base taxable value for that project area budget; and
- 113 (x) give other taxing entity committee approval or consent required or allowed under
- 114 this title.
- 115 (c) The base year used for calculation of the base taxable value in Subsection (4)(b)(ix)
- 116 may not be a year that is earlier than the year during which the project area plan became
- 117 effective.
- 118 (5) A quorum of a taxing entity committee consists of:

- 119 (a) if the project area is located within a city or town, five members; or
- 120 (b) if the project area is not located within a city or town, four members.
- 121 (6) Taxing entity committee approval, consent, or other action requires:
- 122 (a) the affirmative vote of a majority of all members present at a taxing entity
- 123 committee meeting:
- 124 (i) at which a quorum is present; and
- 125 (ii) considering an action relating to a project area budget for, or approval of a finding
- 126 of blight within, a project area or proposed project area that contains:
- 127 (A) an inactive industrial site;
- 128 (B) an inactive airport site; or
- 129 (C) a closed military base; or
- 130 (b) for any other action not described in Subsection (6)(a)(ii), the affirmative vote of
- 131 two-thirds of all members present at a taxing entity committee meeting at which a quorum is
- 132 present.
- 133 (7) (a) An agency may call a meeting of the taxing entity committee by sending written
- 134 notice to the members of the taxing entity committee at least 10 days before the date of the
- 135 meeting.
- 136 (b) Each notice under Subsection (7)(a) shall be accompanied by:
- 137 (i) the proposed agenda for the taxing entity committee meeting; and
- 138 (ii) if not previously provided and if they exist and are to be considered at the meeting:
- 139 (A) the project area plan or proposed plan;
- 140 (B) the project area budget or proposed budget;
- 141 (C) the analysis required under Subsection 17C-2-103(2) or 17C-3-103(2);
- 142 (D) the blight study;
- 143 (E) the agency's resolution making a finding of blight under Subsection
- 144 17C-2-102(1)(a) (ii)(B); and
- 145 (F) other documents to be considered by the taxing entity committee at the meeting.
- 146 (c) (i) An agency may not schedule a taxing entity committee meeting to meet on a day
- 147 on which the Legislature is in session.
- 148 (ii) Notwithstanding Subsection (7)(c)(i), the taxing entity committee may, by
- 149 unanimous consent, waive the scheduling restriction described in Subsection (7)(c)(i).

150 (8) (a) A taxing entity committee may not vote on a proposed project area budget or
151 proposed amendment to a project area budget at the first meeting at which the proposed budget
152 or amendment is considered unless all members of the taxing entity committee present at the
153 meeting consent.

154 (b) A second taxing entity committee meeting to consider a project area budget or a
155 proposed amendment to a project area budget may not be held within 14 days after the first
156 meeting unless all members of the taxing entity committee present at the first meeting consent.

157 (9) (a) Except as provided in Subsection (9)(b), each taxing entity committee shall
158 meet at least annually during the time that the agency receives tax increment under an urban
159 renewal or economic development project area budget in order to review the status of the
160 project area.

161 (b) A taxing entity committee is not required under Subsection (9)(a) to meet if the
162 agency submits on or before November 1 of each year to the county auditor, the State Tax
163 Commission, the State Board of Education, and each taxing entity that levies a tax on property
164 from which the agency collects tax increment, a report containing the following:

165 (i) an assessment of growth of incremental values for each active project area,
166 including:

167 (A) the base year assessed value;

168 (B) the prior year's assessed value;

169 (C) the estimated current year assessed value for the project area; and

170 (D) a narrative description of the relative growth in assessed value within the project
171 area;

172 (ii) a description of the amount of tax increment received by the agency and passed
173 through to other taxing entities from each active project area, including:

174 (A) a comparison of the original forecasted amount of tax increment to actual receipts;

175 (B) a narrative discussion regarding the use of tax increment; and

176 (C) a description of the benefits derived by the taxing entities;

177 (iii) a description of activity within each active project area, including:

178 (A) a narrative of any significant development activity, including infrastructure
179 development, site development, and vertical construction within the project area; and

180 (B) a narrative discussion regarding the status of any agreements for development

181 within the project area;

182 (iv) a revised multi-year tax increment budget related to each active project area,

183 including:

184 (A) the prior year's tax increment receipts;

185 (B) the base year value and adjusted base year value, as applicable;

186 (C) the applicable tax rates within the project area; and

187 (D) a description of private and public investment within the project area;

188 (v) an estimate of the tax increment to be paid to the agency for the calendar years

189 ending December 31 and beginning the next January 1; and

190 (vi) any other project highlights included by the agency.

191 (10) Each taxing entity committee shall be governed by Title 52, Chapter 4, Open and
192 Public Meetings Act.

193 (11) Each time a school district representative or a representative of the State Board of
194 Education votes as a member of a taxing entity committee to allow an agency to be paid tax
195 increment or to increase the amount or length of time that an agency may be paid tax
196 increment, that representative shall, within 45 days after the vote, provide to the
197 representative's respective school board an explanation in writing of the representative's vote
198 and the reasons for the vote.

199 (12) (a) The auditor of each county in which the agency is located shall provide a
200 written report to the taxing entity committee stating, with respect to property within each urban
201 renewal and economic development project area:

202 (i) the base taxable value, as adjusted by any adjustments under Section 17C-1-408;

203 and

204 (ii) the assessed value.

205 (b) With respect to the information required under Subsection (12)(a), the auditor shall
206 provide:

207 (i) actual amounts for each year from the adoption of the project area plan to the time
208 of the report; and

209 (ii) estimated amounts for each year beginning the year after the time of the report and
210 ending the time that the agency expects no longer to be paid tax increment from property
211 within the urban renewal and economic development project area.

212 (c) The auditor of the county in which the agency is located shall provide a report
213 under this Subsection (12):

214 (i) at least annually; and

215 (ii) upon request of the taxing entity committee, before a taxing entity committee
216 meeting at which the committee will consider whether to allow the agency to be paid tax
217 increment or to increase the amount of tax increment that the agency may be paid or the length
218 of time that the agency may be paid tax increment.

219 (13) This section does not apply to a community development project area plan.

220 (14) A taxing entity committee resolution, whether adopted before, on, or after May 10,
221 2011, approving a blight finding, approving a project area budget, or approving an amendment
222 to a project area budget:

223 (a) is final; and

224 (b) is not subject to repeal, amendment, or reconsideration unless the agency first
225 consents by resolution to the proposed repeal, amendment, or reconsideration.

226 Section 2. Section **17C-1-403** is amended to read:

227 **17C-1-403. Tax increment under a pre-July 1, 1993, project area plan.**

228 (1) [~~This~~] Notwithstanding any other provision of law, this section applies retroactively
229 to tax increment under [a] all pre-July 1, 1993, project area [~~plan-only~~] plans, regardless of
230 when the applicable project area was created or the applicable project area plan was adopted.

231 (2) (a) Beginning with the first tax year after April 1, 1983 for which an agency accepts
232 tax increment, an agency [~~may~~] is entitled to be paid:

233 (i) (A) for the first through the fifth tax years, 100% of tax increment;

234 (B) for the sixth through the tenth tax years, 80% of tax increment;

235 (C) for the eleventh through the fifteenth tax years, 75% of tax increment;

236 (D) for the sixteenth through the twentieth tax years, 70% of tax increment; and

237 (E) for the twenty-first through the twenty-fifth tax years, 60% of tax increment; or

238 (ii) for an agency that has caused a taxing entity committee to be created under
239 Subsection 17C-1-402(1), any percentage of tax increment up to 100% and for any length of
240 time that the taxing entity committee approves.

241 (b) Notwithstanding any other provision of this section:

242 (i) an agency [~~may~~] is entitled to be paid 100% of tax increment from a project area for

243 32 years after April 1, 1983 to pay principal and interest on agency indebtedness incurred
244 before April 1, 1983, even though the size of the project area from which tax increment is paid
245 to the agency exceeds 100 acres of privately owned property under a project area plan adopted
246 on or before April 1, 1983; and

247 (ii) for up to 32 years after April 1, 1983, an agency debt incurred before April 1, 1983
248 may be refinanced and paid from 100% of tax increment if the principal amount of the debt is
249 not increased in the refinancing.

250 (3) (a) For purposes of this Subsection (3), "additional tax increment" means the
251 difference between 100% of tax increment for a tax year and the amount of tax increment an
252 agency is paid for that tax year under the percentages and time periods specified in Subsection
253 (2)(a).

254 (b) Notwithstanding the tax increment percentages and time periods in Subsection
255 (2)(a), an agency [may] is entitled to be paid additional tax increment for a period ending 32
256 years after the first tax year after April 1, 1983, for which the agency receives tax increment
257 from the project area if:

258 (i) (A) the additional tax increment is used solely to pay all or part of the value of the
259 land for and the cost of the installation and construction of a publicly or privately owned
260 convention center or sports complex or any building, facility, structure, or other improvement
261 related to the convention center or sports complex, including parking and infrastructure
262 improvements;

263 (B) construction of the convention center or sports complex or related building,
264 facility, structure, or other improvement is commenced on or before June 30, 2002;

265 (C) the additional tax increment is pledged to pay all or part of the value of the land for
266 and the cost of the installation and construction of the convention center or sports complex or
267 related building, facility, structure, or other improvement; and

268 (D) the agency board and the community legislative body have determined by
269 resolution that the convention center or sports complex is:

270 (I) within and a benefit to a project area;

271 (II) not within but still a benefit to a project area; or

272 (III) within a project area in which substantially all of the land is publicly owned and a
273 benefit to the community; or

274 (ii) (A) the additional tax increment is used to pay some or all of the cost of the land
275 for and installation and construction of a recreational facility, as defined in Section 59-12-702,
276 or a cultural facility, including parking and infrastructure improvements related to the
277 recreational or cultural facility, whether or not the facility is located within a project area;

278 (B) construction of the recreational or cultural facility is commenced on or before
279 December 31, 2005; and

280 (C) the additional tax increment is pledged on or before July 1, 2005, to pay all or part
281 of the cost of the land for and the installation and construction of the recreational or cultural
282 facility, including parking and infrastructure improvements related to the recreational or
283 cultural facility.

284 (c) Notwithstanding Subsection (3)(b)(ii), a school district may not, without its
285 consent, be paid less tax increment because of application of Subsection (3)(b)(ii) than it would
286 have been paid without that subsection.

287 (4) Notwithstanding any other provision of this section, an agency may use tax
288 increment received under Subsection (2) for any of the uses indicated in Subsection (3).

289 Section 3. Section **17C-1-407** is amended to read:

290 **17C-1-407. Limitations on tax increment.**

291 (1) (a) If the development of retail sales of goods is the primary objective of an urban
292 renewal project area, tax increment from the urban renewal project area may not be paid to or
293 used by an agency unless a finding of blight is made under Chapter 2, Part 3, Blight
294 Determination in Urban Renewal Project Areas.

295 (b) Development of retail sales of goods does not disqualify an agency from receiving
296 tax increment.

297 (c) After July 1, 2005, an agency may not be paid or use tax increment generated from
298 the value of property within an economic development project area that is attributable to the
299 development of retail sales of goods, unless the tax increment was previously pledged to pay
300 for bonds or other contractual obligations of the agency.

301 (2) (a) An agency may not be paid any portion of a taxing entity's taxes resulting from
302 an increase in the taxing entity's tax rate in accordance with Section 11-14-310, 59-2-919,
303 59-2-1328, 59-2-1330, or 63G-7-704 that occurs after the taxing entity committee approves the
304 project area budget unless, at the time the taxing entity committee approves the project area

305 budget, the taxing entity committee approves payment of those increased taxes to the agency.

306 (b) If the taxing entity committee does not approve of payment of the increased taxes to
307 the agency under Subsection (2)(a), the county shall distribute to the taxing entity the taxes
308 attributable to the tax rate increase in the same manner as other property taxes.

309 (c) Notwithstanding any other provision of this section, if, prior to tax year 2013,
310 increased taxes are paid to an agency without the approval of the taxing entity committee, and
311 notwithstanding the law at the time that the tax was collected or increased:

312 (i) the State Tax Commission, the county as the collector of the taxes, a taxing entity,
313 or any other person or entity may not recover, directly or indirectly, the increased taxes from
314 the agency by adjustment of a tax rate used to calculate tax increment or otherwise;

315 (ii) the county is not liable to a taxing entity or any other person or entity for the
316 increased taxes that were paid to the agency; and

317 (iii) tax increment, including the increased taxes, shall continue to be paid to the
318 agency subject to the same number of tax years, percentage of tax increment, and cumulative
319 dollar amount of tax increment as approved in the project area budget and previously paid to
320 the agency.

321 (3) Except as the taxing entity committee otherwise agrees, an agency may not receive
322 tax increment under an urban renewal or economic development project area budget adopted
323 on or after March 30, 2009:

324 (a) that exceeds the percentage of tax increment or cumulative dollar amount of tax
325 increment specified in the project area budget; or

326 (b) for more tax years than specified in the project area budget.

327 Section 4. Section **17C-2-201** is amended to read:

328 **17C-2-201. Project area budget -- Requirements for adopting -- Contesting the**
329 **budget or procedure -- Time limit.**

330 (1) (a) If an agency anticipates funding all or a portion of a post-June 30, 1993 urban
331 renewal project area plan with tax increment, the agency shall, subject to Section 17C-2-202,
332 adopt a project area budget as provided in this part.

333 (b) An urban renewal project area budget adopted on or after March 30, 2009 shall
334 specify:

335 (i) for a project area budget adopted on or after March 30, 2009:

336 [(i)] (A) the number of tax years for which the agency will be allowed to receive tax
337 increment from the project area; and

338 [(ii)] (B) the percentage of tax increment [~~or maximum cumulative dollar amount of~~
339 ~~tax increment~~] the agency is entitled to receive from the project area under the project area
340 budget[-]; and

341 (ii) for a project area budget adopted on or after March 30, 2013, unless approval is
342 obtained under Subsection 17C-1-402(4)(b)(vi)(C), the maximum cumulative dollar amount of
343 tax increment that the agency may receive from the project area under the project area budget.

344 (2) To adopt an urban renewal project area budget, the agency shall:

345 (a) prepare a draft of a project area budget;

346 (b) make a copy of the draft project area budget available to the public at the agency's
347 offices during normal business hours;

348 (c) provide notice of the budget hearing as required by Part 5, Urban Renewal Notice
349 Requirements;

350 (d) hold a public hearing on the draft project area budget and, at that public hearing,
351 allow public comment on:

352 (i) the draft project area budget; and

353 (ii) whether the draft project area budget should be revised, adopted, or rejected;

354 (e) (i) if required under Subsection 17C-2-204(1), obtain the approval of the taxing
355 entity committee on the draft project area budget or a revised version of the draft project area
356 budget; or

357 (ii) if applicable, comply with the requirements of Subsection 17C-2-204(2);

358 (f) if approval of the taxing entity committee is required under Subsection (2)(e)(i),
359 obtain a written certification, signed by an attorney licensed to practice law in this state, stating
360 that the taxing entity committee followed the appropriate procedures to approve the project
361 area budget; and

362 (g) after the budget hearing, hold a board meeting in the same meeting as the public
363 hearing or in a subsequent meeting to:

364 (i) consider comments made and information presented at the public hearing relating to
365 the draft project area budget; and

366 (ii) adopt by resolution the draft project area budget, with any revisions, as the project

367 area budget.

368 (3) (a) For a period of 30 days after the agency's adoption of the project area budget
369 under Subsection (2)(g), any person in interest may contest the project area budget or the
370 procedure used to adopt the project area budget if the budget or procedure fails to comply with
371 applicable statutory requirements.

372 (b) After the 30-day period under Subsection (3)(a) expires, a person, for any cause,
373 may not contest:

374 (i) the project area budget or procedure used by either the taxing entity committee or
375 the agency to approve and adopt the project area budget;

376 (ii) a payment to the agency under the project area budget; or

377 (iii) the agency's use of tax increment under the project area budget.

378 Section 5. Section **17C-3-201** is amended to read:

379 **17C-3-201. Economic development project area budget -- Requirements for**
380 **adopting -- Contesting the budget or procedure -- Time limit.**

381 (1) (a) If an agency anticipates funding all or a portion of a post-June 30, 1993
382 economic development project area plan with tax increment, the agency shall, subject to
383 Section 17C-3-202, adopt a project area budget as provided in this part.

384 (b) An economic development project area budget adopted on or after March 30, 2009
385 shall specify:

386 (i) for a project area budget adopted on or after March 30, 2009:

387 [(†)] (A) the number of tax years for which the agency will be allowed to receive tax
388 increment from the project area; and

389 [(†)] (B) the percentage of tax increment [~~or maximum cumulative dollar amount of~~
390 ~~tax increment~~] the agency is entitled to receive from the project area under the project area
391 budget[-]; and

392 (ii) for a project area budget adopted on or after March 30, 2013, unless approval is
393 obtained under Subsection 17C-1-402(4)(b)(vi)(C), the maximum cumulative dollar amount of
394 tax increment that the agency may receive from the project area under the project area budget.

395 (2) To adopt an economic development project area budget, the agency shall:

396 (a) prepare a draft of an economic development project area budget;

397 (b) make a copy of the draft project area budget available to the public at the agency's

398 offices during normal business hours;

399 (c) provide notice of the budget hearing as required by Part 4, Economic Development
400 Notice Requirements;

401 (d) hold a public hearing on the draft project area budget and, at that public hearing,
402 allow public comment on:

403 (i) the draft project area budget; and

404 (ii) whether the draft project area budget should be revised, adopted, or rejected;

405 (e) (i) if required under Subsection 17C-3-203(1), obtain the approval of the taxing
406 entity committee on the draft project area budget or a revised version of the draft project area
407 budget; or

408 (ii) if applicable, comply with the requirements of Subsection 17C-3-203(2);

409 (f) if approval of the taxing entity committee is required under Subsection (2)(e)(i),
410 obtain a written certification, signed by an attorney licensed to practice law in this state, stating
411 that the taxing entity committee followed the appropriate procedures to approve the project
412 area budget; and

413 (g) after the budget hearing, hold a board meeting in the same meeting as the public
414 hearing or in a subsequent meeting to:

415 (i) consider comments made and information presented at the public hearing relating to
416 the draft project area budget; and

417 (ii) adopt by resolution the draft project area budget, with any revisions, as the project
418 area budget.

419 (3) (a) For a period of 30 days after the agency's adoption of the project area budget
420 under Subsection (2)(g), any person in interest may contest the project area budget or the
421 procedure used to adopt the project area budget if the budget or procedure fails to comply with
422 applicable statutory requirements.

423 (b) After the 30-day period under Subsection (3)(a) expires, a person, for any cause,
424 may not contest:

425 (i) the project area budget or procedure used by either the taxing entity committee or
426 the agency to approve and adopt the project area budget;

427 (ii) a payment to the agency under the project area budget; or

428 (iii) the agency's use of tax increment under the project area budget.

429 Section 6. Section **63I-1-217** is enacted to read:
430 **63I-1-217. Repeal dates, Titles 17 and 17C.**
431 **Subsection 17C-1-407(2)(c) is repealed May 13, 2014.**