

1 **AMENDMENTS TO TAX PROVISIONS**

2 2014 GENERAL SESSION

3 STATE OF UTAH

4 **Chief Sponsor: Curtis S. Bramble**

5 House Sponsor: \_\_\_\_\_

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7 **LONG TITLE**

8 **General Description:**

9 This bill addresses provisions related to the multi-channel video or audio service tax.

10 **Highlighted Provisions:**

11 This bill:

- 12 ▶ amends a tax credit;
- 13 ▶ repeals obsolete language related to a study; and
- 14 ▶ makes technical and conforming changes.

15 **Money Appropriated in this Bill:**

16 None

17 **Other Special Clauses:**

18 This bill takes effect on July 1, 2014.

19 **Utah Code Sections Affected:**

20 AMENDS:

21 **59-26-104.5**, as enacted by Laws of Utah 2007, Chapter 288

22 REPEALS:

23 **59-26-110**, as enacted by Laws of Utah 2004, Chapter 300

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

26 Section 1. Section **59-26-104.5** is amended to read:

27 **59-26-104.5. Nonrefundable credit against tax -- Amounts passed through to**



28 **customers within the state -- Tax may not be reduced by amounts passed through to**  
29 **customers within the state.**

30 (1) [~~Beginning on January 1, 2008, a~~] A multi-channel video or audio service provider  
31 may claim a nonrefundable tax credit as provided in this section.

32 (2) The nonrefundable tax credit described in Subsection (1):

33 (a) may be claimed against the tax the multi-channel video or audio service provider  
34 would otherwise be required to collect under this chapter from its purchasers within the state;  
35 and

36 (b) is in an amount equal to [~~50% of~~] the total amount of county or municipality  
37 franchise fees that the multi-channel video or audio service provider pays:

38 (i) to all of the counties and municipalities within the state that impose a county or  
39 municipality franchise fee; and

40 (ii) for the calendar quarter for which the multi-channel video or audio service provider  
41 files a return under this chapter.

42 (3) The nonrefundable tax credit described in Subsection (1) may not be carried  
43 forward or carried back.

44 (4) (a) Subject to Subsections (4)(b) and (c), a multi-channel video or audio service  
45 provider shall pass through to its purchasers within the state an amount equal to the amount of  
46 the nonrefundable tax credit the multi-channel video or audio service provider claims for a  
47 calendar quarter.

48 (b) The amount that a multi-channel video or audio service provider passes through to  
49 its purchasers within the state under Subsection (4)(a) shall be passed through during the same  
50 calendar quarter as the calendar quarter for which the multi-channel video or audio service  
51 provider claims the nonrefundable tax credit.

52 (c) A tax under this chapter on amounts paid or charged for multi-channel video or  
53 audio service may not be reduced as a result of the amount a multi-channel video or audio  
54 service provider passes through to its customers within this state under this Subsection (4).

55 **Section 2. Repealer.**

56 This bill repeals:

57 Section **59-26-110, Revenue and Taxation Interim Committee study.**

58 **Section 3. Effective date.**

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This bill takes effect on July 1, 2014.

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**Legislative Review Note**  
as of 2-14-14 9:26 AM

**Office of Legislative Research and General Counsel**