

MUNICIPAL BUSINESS LICENSING AMENDMENTS

2016 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Jacob L. Anderegg

Senate Sponsor: _____

LONG TITLE

General Description:

This bill amends provisions related to a municipality's authority to license a business.

Highlighted Provisions:

This bill:

- ▶ amends provisions authorizing a municipality to license a business;
- ▶ prohibits a municipality from requiring a license for certain businesses; ~~H→~~ **and**
- [~~→~~ ~~▶ prohibits a municipality from transmitting information about certain businesses; and~~ ~~←H~~]
- ▶ makes technical corrections.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

10-1-203, as last amended by Laws of Utah 2014, Chapter 189

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

Section 1. Section **10-1-203** is amended to read:

10-1-203. License fees and taxes -- Application information to be transmitted to the county assessor.

H.B. 132



152 (B) the amounts that are reasonably related to the costs of the municipal services
153 provided by the municipality.

154 (ii) The amount of a fee under Subsection (5)(a)(i)(C)(I) shall be reasonably related to
155 the costs of the municipal services provided by the municipality.

156 (d) (i) Before the legislative body of a municipality imposes a license fee on a
157 purchaser from a business for which it provides an enhanced level of municipal services under
158 Subsection (5)(a)(i)(C)(II), the legislative body of the municipality shall adopt an ordinance
159 defining for purposes of the fee under Subsection (5)(a)(i)(C)(II):

160 (A) the level of municipal services that constitutes the basic level of municipal services
161 in the municipality; and

162 (B) the amounts that are reasonably related to the costs of providing an enhanced level
163 of municipal services in the municipality.

164 (ii) The amount of a fee under Subsection (5)(a)(i)(C)(II) shall be reasonably related to
165 the costs of providing an enhanced level of the municipal services.

166 (6) All license fees and taxes shall be uniform in respect to the class upon which they
167 are imposed.

168 (7) The municipality ~~H→~~ [:

169 ~~(a)] ←H~~ shall transmit the information from each approved business license application to
170 the county assessor within 60 days following the approval of the application ~~H→~~ [f] . [f] [; ~~and~~

171 ~~(b) may not transmit to the county or other government entity any information~~
172 ~~regarding a business that is not required to be licensed under this section.] ←H~~

173 (8) If challenged in court, an ordinance enacted by a municipality before January 1,
174 1994, imposing a business license fee on rental dwellings under this section shall be upheld
175 unless the business license fee is found to impose an unreasonable burden on the fee payer.

Legislative Review Note
Office of Legislative Research and General Counsel