

Casey Snider proposes the following substitute bill:

Rollback Tax Amendments

2025 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Casey Snider

Senate Sponsor: Scott D. Sandall

2

3 **LONG TITLE**

4 **General Description:**

5 This bill modifies provisions related to property taxes and fees imposed when land is no
6 longer used for agricultural purposes.

7 **Highlighted Provisions:**

8 This bill:

- 9 ▶ authorizes the county to use 100% of the rollback tax or fee-in-lieu revenue collected
10 within the county when land is no longer used for agricultural purposes for open land
11 and agricultural use;
- 12 ▶ directs the unused ~~§~~ **or unobligated** ~~←§~~ rollback tax or fee-in-lieu revenue from the
12a county where the land is
13 located to the LeRay McAllister Working Farm and Ranch Fund after five years;
- 14 ▶ updates the sources of revenue to the LeRay McAllister Working Farm and Ranch Fund
15 to include the rollback tax and fee-in-lieu revenue; and
- 16 ▶ makes technical and conforming changes.

17 **Money Appropriated in this Bill:**

18 None

19 **Other Special Clauses:**

20 None

21 **Utah Code Sections Affected:**

22 AMENDS:

23 **4-46-301**, as last amended by Laws of Utah 2024, Chapter 59

24 **17-41-601**, as enacted by Laws of Utah 2023, Chapter 180

25 **17-41-602**, as enacted by Laws of Utah 2023, Chapter 180

26 **59-2-506**, as last amended by Laws of Utah 2024, Chapter 297

27 **59-2-511**, as last amended by Laws of Utah 2024, Chapter 297

28 **59-2-1705**, as last amended by Laws of Utah 2024, Chapter 297

29 **59-2-1710**, as last amended by Laws of Utah 2024, Chapter 297

30

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

32 Section 1. Section **4-46-301** is amended to read:

33 **4-46-301 . LeRay McAllister Working Farm and Ranch Fund.**

34 (1) There is created a restricted account within the General Fund entitled the "[~~-~~]LeRay
35 McAllister Working Farm and Ranch Fund."

36 (2) The LeRay McAllister Working Farm and Ranch Fund shall consist of:

37 (a) appropriations by the Legislature;

38 (b) grants from federal or private sources; [~~and~~]

39 (c) revenue paid in accordance with Section 59-2-506, 59-2-511, 59-2-1705, or

40 59-2-1710; and

41 [~~(e)~~] (d) interest and earnings from the account.

42 (3) The Land Conservation Board created in Section 4-46-201 may use appropriations from
43 the fund in accordance with Section 4-46-302.

44 Section 2. Section **17-41-601** is amended to read:

45 **17-41-601 . Definitions.**

46 As used in this part:

47 (1) "Agricultural land" means "land in agricultural use," as defined in Section 59-2-502.

48 (2)(a) "Open land" means land that is:

49 (i) preserved in or restored to a predominantly natural, open, and undeveloped
50 condition; and

51 (ii) used for:

52 (A) wildlife habitat;

53 (B) cultural or recreational use;

54 (C) watershed protection; or

55 (D) another use consistent with the preservation of the land in, or restoration of
56 the land to, a predominantly natural, open, and undeveloped condition.

57 (b) "Open land" includes land described in Subsection (2)(a) that contains facilities,
58 including trails, waterways, and grassy areas, that, in the judgment of the county
59 legislative body:

60 (i) enhance the natural, scenic, or aesthetic qualities of the land; or

61 (ii) facilitate the public's access to, or use of, the land for the enjoyment of the land's

62 natural, scenic, or aesthetic qualities and for compatible recreational activities.

63 (c) "Open land" does not include land whose predominant use is as a developed facility
64 for active recreational activities played on fields or courses, including baseball,
65 tennis, soccer, golf, or other sporting or similar activities.

66 (3) "Public land county" means a county in which over 50% of the land area is publicly
67 owned.

68 (4) "Rollback tax funds" means the rollback taxes or in lieu fee payments paid to a county
69 in accordance with Sections 59-2-506, 59-2-511, 59-2-1705, and 59-2-1710.

70 Section 3. Section **17-41-602** is amended to read:

71 **17-41-602 . Use of money -- Criteria -- Administration.**

72 (1) The county treasurer shall[;]

73 [~~(a) pay rollback taxes in accordance with Sections 59-2-506, 59-2-511, 59-2-1705, and~~
74 ~~59-2-1710; and]~~

75 [~~(b)]~~ deposit [20] 100% of the rollback tax funds into an account or fund of the county
76 set aside for preserving or restoring open land and agricultural land.

77 (2) [~~The percentage of rollback tax funds described in Subsection (1)(b)]~~ The rollback funds:

78 (a) may be used to establish a conservation easement under Title 57, Chapter 18, Land
79 Conservation Easement Act, or to fund similar methods to preserve open land or
80 agricultural land; and

81 (b) if the property to be purchased is in a public land county, may not be used to
82 purchase a fee interest in real property to preserve open land or agricultural land,
83 unless, the governmental entity purchasing the property contemporaneously transfers
84 to the private ownership real property, in the same public land county, that is roughly
85 equivalent in size to the property to be purchased.

86 (3) Eminent domain may not be used or threatened in connection with any purchase using
87 the [~~percentage of rollback tax funds described in Subsection (1)(b)]~~ rollback tax funds.

88 (4) The funds collected by the account or fund of the county may roll over from year-to-year,
89 except that if the county does not spend \$→ , or obligate, ←\$ 100% of the rollback tax funds
\$→ for

89a a purpose described in Subsection (2) ←\$ within five years

90 after the year in which the county collects the rollback tax funds, the county shall pay
91 the balance to the LeRay McAllister Working Farm and Ranch Fund created in Section
92 4-46-301.

93 Section 4. Section **59-2-506** is amended to read:

94 **59-2-506 . Rollback tax -- Penalty -- Computation of tax -- Procedure -- Lien --**
95 **Interest -- Notice -- Collection -- Distribution.**

96 (1) Except as provided in this section, Section 59-2-506.5, or Section 59-2-511, if land is
97 withdrawn from this part, the land is subject to a rollback tax imposed in accordance
98 with this section.

99 (2)(a) An owner shall notify the county assessor that land is withdrawn from this part
100 within 120 days after the day on which the land is withdrawn from this part.

101 (b) An owner that fails to notify the county assessor under Subsection (2)(a) that land is
102 withdrawn from this part is subject to a penalty equal to the greater of:

103 (i) \$10; or

104 (ii) 2% of the rollback tax due for the last year of the rollback period.

105 (3)(a) The county assessor shall determine the amount of the rollback tax by computing
106 the difference for the rollback period described in Subsection (3)(b) between:

107 (i) the tax paid while the land was assessed under this part; and

108 (ii) the tax that would have been paid had the property not been assessed under this
109 part.

110 (b) For purposes of this section, the rollback period is a time period that:

111 (i) begins on the later of:

112 (A) the date the land is first assessed under this part; or

113 (B) five years preceding the day on which the county assessor mails the notice
114 required by Subsection (5); and

115 (ii) ends the day on which the county assessor mails the notice required by
116 Subsection (5).

117 (4)(a) The county treasurer shall:

118 (i) collect the rollback tax; and

119 (ii) after the rollback tax is paid, certify to the county recorder that the rollback tax
120 lien on the property has been satisfied by:

121 (A) preparing a document that certifies that the rollback tax lien on the property
122 has been satisfied; and

123 (B) providing the document described in Subsection (4)(a)(ii)(A) to the county
124 recorder for recordation.

125 (b) The county treasurer shall pay 100% of the rollback tax collected under this section
126 to the county, which the county shall deposit and use in accordance with Section
127 17-41-602.

- 128 ~~[(b) The county treasurer shall pay the rollback tax collected under this section as~~
129 ~~follows:]~~
- 130 ~~[(i) 20% to the county for use for open land and working agricultural land as those~~
131 ~~terms are defined in Section 4-46-102; and]~~
- 132 ~~[(ii) 80% to the various taxing entities pro rata in accordance with the property tax~~
133 ~~levies for the current year.]~~
- 134 (5)(a) The county assessor shall mail to an owner of the land that is subject to a rollback
135 tax a notice that:
- 136 (i) the land is withdrawn from this part;
- 137 (ii) the land is subject to a rollback tax under this section; and
- 138 (iii) the rollback tax is delinquent if the owner of the land does not pay the tax on or
139 before the due date listed on the notice described in this Subsection (5)(a).
- 140 (b)(i) The rollback tax is due and payable within 60 days after the day on which the
141 county assessor mails the notice required by Subsection (5)(a).
- 142 (ii) Subject to Subsection (7), the rollback tax is delinquent if an owner of the land
143 that is withdrawn from this part does not pay the rollback tax on or before the due
144 date listed on the notice described in Subsection (5)(a).
- 145 (6)(a) Subject to Subsection (6)(b), the following are a lien on the land assessed under
146 this part:
- 147 (i) the rollback tax; and
- 148 (ii) interest imposed in accordance with Subsection (7).
- 149 (b) The lien described in Subsection (6)(a) shall:
- 150 (i) arise upon the imposition of the rollback tax under this section;
- 151 (ii) end on the day on which the rollback tax and interest imposed in accordance with
152 Subsection (7) are paid in full; and
- 153 (iii) relate back to the first day of the rollback period described in Subsection (3)(b).
- 154 (7)(a) A delinquent rollback tax under this section shall accrue interest:
- 155 (i) from the date of delinquency until paid; and
- 156 (ii) at the interest rate established under Section 59-2-1331 and in effect on January 1
157 of the year in which the delinquency occurs.
- 158 (b) The county treasurer shall include in the notice required by Section 59-2-1317 a
159 rollback tax that is delinquent on September 1 of any year and interest calculated on
160 that delinquent amount through November 30 of the year in which the county
161 treasurer provides the notice under Section 59-2-1317.

- 162 (8)(a) Land that becomes ineligible for assessment under this part only as a result of an
163 amendment to this part is not subject to the rollback tax if the owner of the land
164 notifies the county assessor, in accordance with Subsection (2), that the land is
165 withdrawn from this part.
- 166 (b) Land described in Subsection (8)(a) that is withdrawn from this part as a result of an
167 event other than an amendment to this part, whether voluntary or involuntary, is
168 subject to the rollback tax.
- 169 (9) Except as provided in Section 59-2-511, land that becomes exempt from taxation under
170 Utah Constitution, Article XIII, Section 3, is not subject to the rollback tax if the land meets
171 the requirements of Section 59-2-503 to be assessed under this part.
- 172 (10) Land that becomes ineligible for assessment under this part only as a result of a split
173 estate mineral rights owner exercising the right to extract a mineral is not subject to the
174 rollback tax:
- 175 (a)(i) for the portion of the land required by a split estate mineral rights owner to
176 extract a mineral if, after the split estate mineral rights owner exercises the right to
177 extract a mineral, the portion of the property that remains in agricultural
178 production still meets the acreage requirements of Section 59-2-503 for
179 assessment under this part; or
- 180 (ii) for the entire acreage that would otherwise qualify for assessment under this part
181 if, after the split estate mineral rights owner exercises the right to extract a
182 mineral, the entire acreage that would otherwise qualify for assessment under this
183 part no longer meets the acreage requirements of Section 59-2-503 for assessment
184 under this part only due to the extraction of the mineral by the split estate mineral
185 rights owner; and
- 186 (b) for the period of time that the property described in Subsection (10)(a) is ineligible
187 for assessment under this part due to the extraction of a mineral by the split estate
188 mineral rights owner.
- 189 (11)(a) A portion of land withdrawn from this part is not subject to the rollback tax if the
190 portion of land:
- 191 (i) qualifies for assessment under Part 17, Urban Farming Assessment Act; and
192 (ii) for the tax year immediately following withdrawal, the owner of the portion of
193 land applies in accordance with Section 59-2-1707 for the land to be assessed
194 under Part 17, Urban Farming Assessment Act.
- 195 (b) Any remaining portion of the withdrawn land that does not satisfy the requirements

196 of Subsection (11)(a) is subject to the rollback tax.

197 Section 5. Section **59-2-511** is amended to read:

198 **59-2-511 . Acquisition of land by governmental entity -- Requirements --**

199 **Rollback tax -- One-time in lieu fee payment -- Passage of title.**

200 (1) For purposes of this section, "governmental entity" means:

201 (a) the United States;

202 (b) the state;

203 (c) a political subdivision of the state, including:

204 (i) a county;

205 (ii) a city;

206 (iii) a town;

207 (iv) a school district;

208 (v) a special district; or

209 (vi) a special service district; or

210 (d) an entity created by the state or the United States, including:

211 (i) an agency;

212 (ii) a board;

213 (iii) a bureau;

214 (iv) a commission;

215 (v) a committee;

216 (vi) a department;

217 (vii) a division;

218 (viii) an institution;

219 (ix) an instrumentality; or

220 (x) an office.

221 (2)(a) Except as provided in Subsections (3) through (5), land acquired by a

222 governmental entity is subject to the rollback tax imposed by this part if:

223 (i) [~~prior to the governmental entity acquiring~~] before the governmental entity acquires

224 the land, the land is assessed under this part; and

225 (ii) after the governmental entity acquires the land, the land does not meet the

226 requirements of Section 59-2-503 for assessment under this part.

227 (b) A person dedicating a public right-of-way to a governmental entity shall pay the

228 rollback tax imposed by this part if:

229 (i) a portion of the public right-of-way is located within a subdivision as defined in

- 230 Section 10-9a-103; or
- 231 (ii) in exchange for the dedication, the person dedicating the public right-of-way
- 232 receives:
- 233 (A) money; or
- 234 (B) other consideration.
- 235 (3)(a) Except as provided in Subsections (4) and (5), land acquired by a governmental
- 236 entity is not subject to the rollback tax imposed by this part, but is subject to a
- 237 one-time in lieu fee payment as provided in Subsection (3)(b), if:
- 238 (i) the governmental entity acquires the land by eminent domain;
- 239 (ii)(A) the land is under the threat or imminence of eminent domain proceedings;
- 240 and
- 241 (B) the governmental entity provides written notice of the proceedings to the
- 242 owner; or
- 243 (iii) the land is donated to the governmental entity.
- 244 (b)(i) If a governmental entity acquires land under Subsection (3)(a)(iii), the
- 245 governmental entity shall make a one-time in lieu fee payment:
- 246 (A) to the county treasurer of the county in which the land is located; and
- 247 (B) in an amount equal to the amount of rollback tax calculated under Section
- 248 59-2-506.
- 249 (ii) If a governmental entity acquires land under Subsection (3)(a)(i) or (3)(a)(ii), the
- 250 governmental entity shall make a one-time in lieu fee payment:
- 251 (A) to the county treasurer of the county in which the land is located; and
- 252 (B)(I) if the land remaining after the acquisition by the governmental entity
- 253 meets the requirements of Section 59-2-503, in an amount equal to the
- 254 rollback tax under Section 59-2-506 on the land acquired by the
- 255 governmental entity; or
- 256 (II) if the land remaining after the acquisition by the governmental entity is less
- 257 than five acres, in an amount equal to the rollback tax under Section
- 258 59-2-506 on the land acquired by the governmental entity and the land
- 259 remaining after the acquisition by the governmental entity.
- 260 (iii) For purposes of Subsection (3)(b)(ii), "land remaining after the acquisition by the
- 261 governmental entity" includes other eligible acreage that is used in conjunction
- 262 with the land remaining after the acquisition by the governmental entity.
- 263 (c) The county treasurer shall pay 100% of the in lieu fee payment collected under this

264 section to the county, which the county shall deposit and use in accordance with
 265 Section 17-41-602.

266 [~~(e) A county receiving an in lieu fee payment under Subsection (3)(b) shall distribute~~
 267 ~~the revenues generated by the payment as follows:]~~

268 [~~(i) 20% to the county for use for open land and working agricultural land as those~~
 269 ~~terms are defined in Section 4-46-102; and]~~

270 [~~(ii) 80% to the taxing entities in which the land is located.]~~

271 (4) Except as provided in Section 59-2-506.5, if land acquired by a governmental entity is
 272 made subject to a conservation easement in accordance with Section 59-2-506.5:

273 (a) the land is not subject to the rollback tax imposed by this part; and

274 (b) the governmental entity acquiring the land is not required to make an in lieu fee
 275 payment under Subsection (3)(b).

276 (5)(a) This Subsection (5) applies only to a governmental entity that is the state or a
 277 political subdivision of the state as described in Subsections (1)(b) and (c).

278 (b) Land acquired by a governmental entity described in Subsection (5)(a) is not subject
 279 to the rollback tax imposed by this part.

280 (c) Notwithstanding Subsection (5)(b), a governmental entity described in Subsection
 281 (5)(a) may not, within five years after the day on which the governmental entity
 282 acquires land, sell the land to a private entity unless the governmental entity makes a
 283 one-time in lieu fee payment:

284 (i) to the county treasurer of the county in which the land is located;

285 (ii) in an amount equal to the rollback tax under Section 59-2-506 on the land
 286 acquired by the governmental entity at the time of acquisition; and

287 (iii) before selling the land to the private entity.

288 (6) If a governmental entity acquires land subject to assessment under this part, title to the
 289 land may not pass to the governmental entity until the following are paid to the county
 290 treasurer:

291 (a) any tax due under this part;

292 (b) any one-time in lieu fee payment due under this part; and

293 (c) any interest due under this part.

294 Section 6. Section **59-2-1705** is amended to read:

295 **59-2-1705 . Rollback tax -- Penalty -- Computation of tax -- Procedure -- Lien --**
 296 **Interest -- Notice -- Collection -- Distribution.**

297 (1) Except as provided in this section or Section 59-2-1710, land that is withdrawn from

- 298 this part is subject to a rollback tax imposed as provided in this section.
- 299 (2)(a) An owner shall notify the county assessor that land is withdrawn from this part
300 within 120 days after the day on which the land is withdrawn from this part.
- 301 (b) An owner who fails to notify the county assessor under Subsection (2)(a) that land is
302 withdrawn from this part is subject to a penalty equal to the greater of:
- 303 (i) \$10; or
304 (ii) 2% of the rollback tax due for the last year of the rollback period.
- 305 (3)(a) The county assessor shall determine the amount of the rollback tax by computing
306 the difference for the rollback period described in Subsection (3)(b) between:
- 307 (i) the tax paid while the land was assessed under this part; and
308 (ii) the tax that would have been paid had the property not been assessed under this
309 part.
- 310 (b) For purposes of this section, the rollback period is a time period that:
- 311 (i) begins on the later of:
- 312 (A) except as provided in Subsection (3)(c), the date the land is first assessed
313 under this part; or
314 (B) five years preceding the day on which the county assessor mails the notice
315 required by Subsection (5); and
- 316 (ii) ends the day on which the county assessor mails the notice required by
317 Subsection (5).
- 318 (c) For land that was previously assessed under Part 5, Farmland Assessment Act, the
319 date described in Subsection (3)(b)(i)(A) is the date the land was first assessed under
320 Part 5, Farmland Assessment Act, unless the land was subject to a rollback tax
321 imposed under Section 59-2-506.
- 322 (4)(a) The county treasurer shall:
- 323 (i) collect the rollback tax; and
324 (ii) after the rollback tax is paid, certify to the county recorder that the rollback tax
325 lien on the property has been satisfied by:
- 326 (A) preparing a document that certifies that the rollback tax lien on the property
327 has been satisfied; and
328 (B) providing the document described in Subsection (4)(a)(ii)(A) to the county
329 recorder for recording.
- 330 (b) The county treasurer shall pay 100% of the rollback tax collected under this section
331 to the county, which the county shall deposit and use in accordance with Section

332 17-41-602.

333 [~~(b) The county treasurer shall pay the rollback tax collected under this section as~~
334 ~~follows:]~~

335 [~~(i) 20% to the county for use for land and working agricultural land as those terms~~
336 ~~are defined in Section 4-46-102; and]~~

337 [~~(ii) 80% to the various taxing entities pro-rata in accordance with the property tax~~
338 ~~levies for the current year.]~~

339 (5)(a) The county assessor shall mail to an owner of the land that is subject to a rollback
340 tax a notice that:

341 (i) the land is withdrawn from this part;

342 (ii) the land is subject to a rollback tax under this section; and

343 (iii) the rollback tax is delinquent if the owner of the land does not pay the tax on or
344 before the due date listed on the notice described in this Subsection (5)(a).

345 (b)(i) The rollback tax is due and payable within 60 days after the day on which the
346 county assessor mails the notice required by Subsection (5)(a).

347 (ii) Subject to Subsection (7), the rollback tax is delinquent if an owner of the land
348 that is withdrawn from this part does not pay the rollback tax on or before the due
349 date listed on the notice described in Subsection (5)(a).

350 (6)(a) Subject to Subsection (6)(b), the rollback tax and interest imposed under
351 Subsection (7) are a lien on the land assessed under this part.

352 (b) The lien described in Subsection (6)(a) shall:

353 (i) arise upon the imposition of the rollback tax under this section;

354 (ii) end on the day on which the rollback tax and interest imposed under Subsection
355 (7) are paid in full; and

356 (iii) relate back to the first day of the rollback period described in Subsection (3)(b).

357 (7)(a) A delinquent rollback tax under this section shall accrue interest:

358 (i) from the date of delinquency until paid; and

359 (ii) at the interest rate established under Section 59-2-1331 and in effect on January 1
360 of the year in which the delinquency occurs.

361 (b) The county treasurer shall include in the notice required by Section 59-2-1317 a
362 rollback tax that is delinquent on September 1 of any year and interest calculated on
363 that delinquent amount through November 30 of the year in which the county
364 treasurer provides the notice under Section 59-2-1317.

365 (8)(a) Land that becomes ineligible for assessment under this part only as a result of an

366 amendment to this part is not subject to the rollback tax if the owner of the land
 367 notifies the county assessor, in accordance with Subsection (2), that the land is
 368 withdrawn from this part.

369 (b) Land described in Subsection (8)(a) that is withdrawn from this part as a result of an
 370 event other than an amendment to this part, whether voluntary or involuntary, is
 371 subject to the rollback tax.

372 (9) Except as provided in Section 59-2-1710, land that becomes exempt from taxation
 373 under Utah Constitution, Article XIII, Section 3, is not subject to the rollback tax if the
 374 land meets the requirements of Section 59-2-1703 to be assessed under this part.

375 Section 7. Section **59-2-1710** is amended to read:

376 **59-2-1710 . Acquisition of land by governmental entity -- Requirements --**
 377 **Rollback tax -- One-time in lieu fee payment -- Passage of title.**

378 (1) For purposes of this section, "governmental entity" means:

379 (a) the United States;

380 (b) the state;

381 (c) a political subdivision of the state, including a county, city, town, school district,
 382 special district, or special service district; or

383 (d) an entity created by the state or the United States, including an agency, board,
 384 bureau, commission, committee, department, division, institution, instrumentality, or
 385 office.

386 (2)(a) Except as provided in Subsections (3) and (4), land acquired by a governmental
 387 entity is subject to the rollback tax imposed by this part if:

388 (i) before the governmental entity acquires the land, the land is assessed under this
 389 part; and

390 (ii) after the governmental entity acquires the land, the land does not meet the
 391 requirements of Section 59-2-1703 for assessment under this part.

392 (b) A person dedicating a public right-of-way to a governmental entity shall pay the
 393 rollback tax imposed by this part if:

394 (i) a portion of the public right-of-way is located within a subdivision as defined in
 395 Section 10-9a-103; or

396 (ii) in exchange for the dedication, the person dedicating the public right-of-way
 397 receives money or other consideration.

398 (3)(a) Except as provided in Subsection (4), land acquired by a governmental entity is
 399 not subject to the rollback tax imposed by this part, but is subject to a one-time in lieu

- 400 fee payment as provided in Subsection (3)(b), if:
- 401 (i) the governmental entity acquires the land by eminent domain;
- 402 (ii)(A) the land is under the threat or imminence of eminent domain proceedings;
- 403 and
- 404 (B) the governmental entity provides written notice of the proceedings to the
- 405 owner; or
- 406 (iii) the land is donated to the governmental entity.
- 407 (b)(i) If a governmental entity acquires land under Subsection (3)(a)(iii), the
- 408 governmental entity shall make a one-time in lieu fee payment:
- 409 (A) to the county treasurer of the county in which the land is located; and
- 410 (B) in an amount equal to the amount of rollback tax calculated under Section
- 411 59-2-1705.
- 412 (ii) A governmental entity that acquires land under Subsection (3)(a)(i) or (ii) shall
- 413 make a one-time in lieu fee payment to the county treasurer of the county in which
- 414 the land is located:
- 415 (A) if the land remaining after the acquisition by the governmental entity meets
- 416 the requirements of Section 59-2-1703, in an amount equal to the rollback tax
- 417 under Section 59-2-1705 on the land acquired by the governmental entity; or
- 418 (B) if the land remaining after the acquisition by the governmental entity is less
- 419 than one acre, in an amount equal to the rollback tax under Section 59-2-1705
- 420 on the land acquired by the governmental entity and the land remaining after
- 421 the acquisition by the governmental entity.
- 422 (c) The county treasurer shall pay 100% of the in lieu fee payment collected under this
- 423 section to the county, which the county shall deposit and use in accordance with
- 424 Section 17-41-602.
- 425 ~~[(e) A county receiving an in lieu fee payment under Subsection (3)(b) shall distribute~~
- 426 ~~the revenues collected from the payment as follows:]~~
- 427 ~~[(i) 20% to the county for use for open land and working agricultural land as those~~
- 428 ~~terms are defined in Section 4-46-102; and]~~
- 429 ~~[(ii) 80% to the taxing entities in which the land is located.]~~
- 430 (4)(a) This Subsection (4) applies only to a governmental entity that is the state or a
- 431 political subdivision of the state as described in Subsections (1)(b) and (c).
- 432 (b) Land acquired by a governmental entity described in Subsection (4)(a) is not subject
- 433 to the rollback tax imposed by this part.

434 (c) Notwithstanding Subsection (4)(b), a governmental entity described in Subsection
435 (4)(a) may not, within five years after the day on which the governmental entity
436 acquires land, sell the land to a private entity unless the governmental entity makes a
437 one-time in lieu fee payment:

- 438 (i) to the county treasurer of the county in which the land is located;
- 439 (ii) in an amount equal to the rollback tax under Section 59-2-1705 on the land
440 acquired by the governmental entity at the time of acquisition; and
- 441 (iii) before selling the land to the private entity.

442 (5) If a governmental entity acquires land subject to assessment under this part, title to the
443 land may not pass to the governmental entity until any tax, one-time in lieu fee payment,
444 and applicable interest due under this part are paid to the county treasurer.

445 **Section 8. Effective Date.**

446 This bill takes effect on May 7, 2025.