

# SB0197S01 compared with SB0197

{Omitted text} shows text that was in SB0197 but was omitted in SB0197S01

inserted text shows text that was not in SB0197 but was inserted into SB0197S01

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1

## Property Tax Amendments

2025 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Daniel McCay

House Sponsor:

2

### 3 LONG TITLE

#### 4 General Description:

5 This bill modifies provisions related to property {taxation} tax.

#### 6 Highlighted Provisions:

7 This bill:

8 ▶ defines terms;

9 ▶ {~~provides for annual reductions to the maximum amount available for the taxpayer relief known as the homeowner's credit;~~}

11 ▶ prohibits taxpayers from receiving {a-} the property tax relief known as the homeowner's credit  
{beginning in 2030} unless the taxpayer received the credit for the preceding calendar year;

11 ▶ removes requirements for annual inflation adjustments for the homeowner's credit;

12 ▶ changes the qualifications, scope, duration, and rates of interest applicable to the discretionary and nondiscretionary property tax deferral programs;

14 ▶ prohibits taxpayers from receiving the property tax relief known as indigent abatement unless the taxpayer received the abatement for the preceding calendar year;

12 ▶

SB0197

## SB0197 compared with SB0197S01

requires a county auditor to include information on the property tax valuation notice regarding the availability of {property} tax deferral programs {in lieu of} and the {homeowner's credit; and} amount of outstanding taxes and interest for taxpayers who receive a deferral;

▸ includes a coordination clause to address substantive and technical conflicts if this bill and H.B. 20, Property Tax Code Recodification, both pass and become law; and

▸ makes technical and conforming changes.

### Money Appropriated in this Bill:

None

### Other Special Clauses:

This bill provides a coordination clause.

This bill provides retrospective operation.

### AMENDS:

59-2-919.1 , as last amended by Laws of Utah 2024, Chapter 246 , as last amended by Laws of Utah 2024, Chapter 246

~~{59-2-1202 , as last amended by Laws of Utah 2024, Chapter 279 , as last amended by Laws of Utah 2024, Chapter 279}~~

~~{59-2-1208 , as last amended by Laws of Utah 2021, Chapter 391 , as last amended by Laws of Utah 2021, Chapter 391}~~

~~{59-2-1209 , as last amended by Laws of Utah 2024, Chapter 272 , as last amended by Laws of Utah 2024, Chapter 272}~~

59-2-1331 , as last amended by Laws of Utah 2024, Chapter 263 , as last amended by Laws of Utah 2024, Chapter 263

59-2-1343 , as last amended by Laws of Utah 2024, Chapter 263 , as last amended by Laws of Utah 2024, Chapter 263

59-2-1801 , as last amended by Laws of Utah 2024, Chapters 241, 263 , as last amended by Laws of Utah 2024, Chapters 241, 263

59-2-1803 , as last amended by Laws of Utah 2023, Chapter 471 , as last amended by Laws of Utah 2023, Chapter 471

59-2-1804 , as last amended by Laws of Utah 2023, Chapter 354 , as last amended by Laws of Utah 2023, Chapter 354

## SB0197 compared with SB0197S01

**63J-1-602.2 , as last amended by Laws of Utah 2024, Chapters 241, 285, 425, and 467 , as last amended by Laws of Utah 2024, Chapters 241, 285, 425, and 467**

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REPEALS AND REENACTS:

**59-2-1208 , as last amended by Laws of Utah 2021, Chapter 391 , as last amended by Laws of Utah 2021, Chapter 391**

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**59-2-1209 , as last amended by Laws of Utah 2024, Chapter 272 , as last amended by Laws of Utah 2024, Chapter 272**

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**59-2-1802 , as last amended by Laws of Utah 2024, Chapter 241 , as last amended by Laws of Utah 2024, Chapter 241**

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**59-2-1802.5 , as last amended by Laws of Utah 2024, Chapter 241 , as last amended by Laws of Utah 2024, Chapter 241**

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**Utah Code Sections affected by Coordination Clause:**

**59-2-1208 , as last amended by Laws of Utah 2021, Chapter 391 , as last amended by Laws of Utah 2021, Chapter 391**

**59-2-1209 , as last amended by Laws of Utah 2024, Chapter 272 , as last amended by Laws of Utah 2024, Chapter 272**

**59-2-1801 , as last amended by Laws of Utah 2024, Chapters 241, 263 , as last amended by Laws of Utah 2024, Chapters 241, 263**

**59-2-1802 , as last amended by Laws of Utah 2024, Chapter 241 , as last amended by Laws of Utah 2024, Chapter 241**

**59-2-1802.5 , as last amended by Laws of Utah 2024, Chapter 241 , as last amended by Laws of Utah 2024, Chapter 241**

**59-2-1804 , as last amended by Laws of Utah 2023, Chapter 354 , as last amended by Laws of Utah 2023, Chapter 354**

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

Section 1. Section **59-2-919.1** is amended to read:

**59-2-919.1. Notice of property valuation and tax changes.**

(1) In addition to the notice requirements of Section 59-2-919, the county auditor, on or before July 22 of each year, shall notify each owner of real estate who is listed on the assessment roll.

(2) The notice described in Subsection (1) shall:

## **SB0197 compared with SB0197S01**

- 34 (a) except as provided in Subsection (4), be sent to all owners of real property by mail 10 or more days  
before the day on which:
- 36 (i) the county board of equalization meets; and
- 37 (ii) the taxing entity holds a public hearing on the proposed increase in the certified tax rate;
- 39 (b) be on a form that is:
- 40 (i) approved by the commission; and
- 41 (ii) uniform in content in all counties in the state; and
- 42 (c) contain for each property:
- 43 (i) the assessor's determination of the value of the property;
- 44 (ii) the taxable value of the property;
- 45 (iii)
- (A) the deadline for the taxpayer to make an application to appeal the valuation or equalization of the  
property under Section 59-2-1004; or
- 47 (B) for property assessed by the commission, the deadline for the taxpayer to apply to the commission  
for a hearing on an objection to the valuation or equalization of the property under Section  
59-2-1007;
- 50 (iv) for a property assessed by the commission, a statement that the taxpayer may not appeal the  
valuation or equalization of the property to the county board of equalization;
- 53 (v) itemized tax information for all applicable taxing entities, including:
- 54 (A) the dollar amount of the taxpayer's tax liability for the property in the prior year; and
- 56 (B) the dollar amount of the taxpayer's tax liability under the current rate;
- 57 (vi) the following, stated separately:
- 58 (A) the charter school levy described in Section 53F-2-703;
- 59 (B) the multicounty assessing and collecting levy described in Subsection 59-2-1602(2);
- 61 (C) the county assessing and collecting levy described in Subsection 59-2-1602(4);
- 63 (D) levies for debt service voted on by the public;
- 64 (E) levies imposed for special purposes under Section 10-6-133.4;
- 65 (F) for a fiscal year that begins on or after July 1, 2023, the combined basic rate as defined in Section  
53F-2-301; and
- 67 (G) if applicable, the annual payment described in Subsection 63H-1-501(4)(a);
- 68 (vii) the tax impact on the property;

## SB0197 compared with SB0197S01

- 69 (viii) the date, time, and place of the required public hearing for each entity;
- 70 (ix) property tax information pertaining to:
- 71 (A) taxpayer relief;
- 72 (B) options for payment of taxes;
- 73 (C) collection procedures; and
- 74 (D) the residential exemption described in Section 59-2-103;
- 75 (x) information specifically authorized to be included on the notice under this chapter;
- 76 (xi) the last property review date of the property as described in Subsection 59-2-303.1(1)(c);
- 78 (xii) instructions on how the taxpayer may obtain additional information regarding the valuation of the property, including the characteristics and features of the property, from at least one the following sources:
- 81 (A) a website maintained by the county; or
- 82 (B) the county assessor's office; and
- 105 (xiii) information describing the availability of property tax deferral options for qualifying residential property owners under Sections 59-2-1802 and 59-2-1802.5, including a telephone number, or a website address on which a telephone is prominently listed, that residential property owners may call to obtain additional information about applying for a deferral;
- 110 (xiv) for an owner of residential property granted a property tax deferral under Section 59-2-1802 or 59-2-1802.5 and subject to a lien, the total amount of deferred taxes, deferred tax notice charges, and accrued interest that is outstanding; and
- 83 [(xiii)] (xv) other information approved by the commission.
- 84 (3) If a taxing entity that is subject to the notice and hearing requirements of Subsection 59-2-919(4) proposes a tax increase, the notice described in Subsection (1) shall state, in addition to the information required by Subsection (2):
- 87 (a) the dollar amount of the taxpayer's tax liability if the proposed increase is approved;
- 88 (b) the difference between the dollar amount of the taxpayer's tax liability if the proposed increase is approved and the dollar amount of the taxpayer's tax liability under the current rate, placed in close proximity to the information described in Subsection (2)(c)(viii);
- 92 (c) the percentage increase that the dollar amount of the taxpayer's tax liability under the proposed tax rate represents as compared to the dollar amount of the taxpayer's tax liability under the current tax rate; and

## SB0197 compared with SB0197S01

- 95 (d) for each taxing entity proposing a tax increase, the dollar amount of additional ad valorem tax  
revenue, as defined in Section 59-2-919, that would be generated each year if the proposed tax  
increase is approved.
- 98 ~~{(4) For a calendar year beginning on or after January 1, 2025, and before January 1, 2030, in addition  
to the information required by Subsection (2), the notice described in Subsection (1) shall: }~~
- 101 ~~{(a) state, "Beginning in 2025, the amount of property tax relief available to property owners through  
the homeowner's credit program will be reduced each year by 20% and will no longer be available  
starting in 2030. However, you may be eligible to defer payment of this property tax if you are 66  
years old or older and meet certain income requirements."; and }~~
- 106 ~~{(b) include a telephone number, or a website address on which a telephone number is prominently  
listed, that the property owner may call to obtain additional information about applying for a  
deferral. }~~
- 109 ~~{(4){ } (5){ } }~~
- (a) Subject to the other provisions of this Subsection {(4){ } (5)}, a county auditor may, at the county  
auditor's discretion, provide the notice required by this section to a taxpayer by electronic means if  
a taxpayer makes an election, according to procedures determined by the county auditor, to receive  
the notice by electronic means.
- 114 (b)
- (i) If a notice required by this section is sent by electronic means, a county auditor shall attempt to  
verify whether a taxpayer receives the notice.
- 116 (ii) If receipt of the notice sent by electronic means cannot be verified 14 days or more before the  
county board of equalization meets and the taxing entity holds a public hearing on a proposed  
increase in the certified tax rate, the notice required by this section shall also be sent by mail as  
provided in Subsection (2).
- 120 (c) A taxpayer may revoke an election to receive the notice required by this section by electronic means  
if the taxpayer provides written notice to the county auditor on or before April 30.
- 123 (d) An election or a revocation of an election under this Subsection {(4){ } (5)}:
- 124 (i) does not relieve a taxpayer of the duty to pay a tax due under this chapter on or before the due date  
for paying the tax; or

126

## SB0197 compared with SB0197S01

(ii) does not alter the requirement that a taxpayer appealing the valuation or the equalization of the taxpayer's real property submit the application for appeal within the time period provided in Subsection 59-2-1004(3).

129 (e) A county auditor shall provide the notice required by this section as provided in Subsection (2), until a taxpayer makes a new election in accordance with this Subsection ~~{(4)}{(5)}~~, if:

132 (i) the taxpayer revokes an election in accordance with Subsection ~~{(4)(c)}{(5)(e)}~~ to receive the notice required by this section by electronic means; or

134 (ii) the county auditor finds that the taxpayer's electronic contact information is invalid.

136 (f) A person is considered to be a taxpayer for purposes of this Subsection ~~{(4)}{(5)}~~ regardless of whether the property that is the subject of the notice required by this section is exempt from taxation.

139 ~~{Section 2. Section 59-2-1202 is amended to read: }~~

### 140 **59-2-1202. Definitions.**

As used in this part:

142 (1) "Base year credit" means the maximum amount allowed as a homeowner's credit for each income bracket under Section 59-2-1208 for the calendar year beginning on January 1, 2024.

145 ~~[(1)] (2)~~

(a) "Claimant" means a homeowner or renter who:

146 (i) files a claim under this part for a residence;

147 (ii) is domiciled in this state for the entire calendar year for which a claim for relief is filed under this part; and

149 (iii) on or before December 31 of the year for which a claim for relief is filed under this part, is:

151 (A) 66 years old or older if the individual was born on or before December 31, 1959; or

153 (B) 67 years old or older if the individual was born on or after January 1, 1960.

154 (b) Notwithstanding Subsection ~~[(1)(a)] (2)(a)~~, "claimant" includes a surviving spouse:

155 (i) regardless of:

156 (A) the age of the surviving spouse; or

157 (B) the age of the deceased spouse at the time of death;

158 (ii) if the surviving spouse meets the requirements of this part except for the age requirement;

160 (iii) if the surviving spouse is part of the same household of the deceased spouse at the time of death of the deceased spouse; and

## SB0197 compared with SB0197S01

- 162 (iv) if the surviving spouse is unmarried at the time the surviving spouse files the claim.
- 164 (c) If two or more individuals of a household are able to meet the qualifications for a claimant, they may determine among them as to who the claimant shall be, but if they are unable to agree, the matter shall be referred to the county legislative body for a determination of the claimant of an owned residence and to the commission for a determination of the claimant of a rented residence.
- 169 ~~[(2)]~~ (3) "Consumer price index housing" means the Consumer Price Index - All Urban Consumers, Housing United States Cities Average, published by the Bureau of Labor Statistics of the United States Department of Labor.
- 172 ~~[(3)]~~ (4)
- (a) "Gross rent" means rent actually paid in cash or its equivalent solely for the right of occupancy, at arm's-length, of a residence, exclusive of charges for any utilities, services, furniture, furnishings, or personal appliances furnished by the landlord as a part of the rental agreement.
- 176 (b) If a claimant occupies two or more residences in the year, "gross rent" means the total rent paid for the residences during the one-year period for which the renter files a claim under this part.
- 179 ~~[(4)]~~ (5)
- (a) "Homeowner" means:
- 180 (i) an individual whose name is listed on the deed of a residence; or
- 181 (ii) if a residence is owned in a qualifying trust, an individual who is a grantor, trustor, or settlor or holds another similar role in the trust.
- 183 (b) "Homeowner" does not include:
- 184 (i) if a residence is owned by any type of entity other than a qualifying trust, an individual who holds an ownership interest in that entity; or
- 186 (ii) an individual who is listed on a deed of a residence along with an entity other than a qualifying trust.
- 188 ~~[(5)]~~ (6) "Homeowner's credit" means a credit against a claimant's property tax liability.
- 189 ~~[(6)]~~ (7) "Household" means the association of individuals who live in the same dwelling, sharing the dwelling's furnishings, facilities, accommodations, and expenses.
- 191 ~~[(7)]~~ (8)
- (a) Except as provided in Subsection ~~[(7)(b)]~~ (8)(b), "household income" means all income received by all members of a claimant's household in:
- 193 (i) for a claimant who owns a residence, the calendar year preceding the calendar year in which property taxes are due; or



## SB0197 compared with SB0197S01

- 195 (ii) for a claimant who rents a residence, the year for which a claim is filed.
- 196 (b) "Household income" does not include income received by a member of a claimant's household who  
197 is:
- 198 (i) under~~[the age of]~~ 18 years old; or
- 199 (ii) a parent or a grandparent, through blood, marriage, or adoption, of the claimant or the claimant's  
200 spouse.
- 201 ~~[(8)]~~ (9) "Income" means the sum of:
- 202 (a) federal adjusted gross income as defined in Section 62, Internal Revenue Code; and
- 203 (b) nontaxable income.
- 204 ~~[(9)]~~ (10)
- (a) "Nontaxable income" means amounts excluded from adjusted gross income under the Internal  
Revenue Code, including:
- 206 (i) capital gains;
- 207 (ii) loss carry forwards claimed during the taxable year in which a claimant files for relief under this  
part or Part 18, Tax Deferral and Tax Abatement;
- 209 (iii) depreciation claimed pursuant to the Internal Revenue Code by a claimant on the residence for  
which the claimant files for relief under this part or Part 18, Tax Deferral and Tax Abatement;
- 212 (iv) support money received;
- 213 (v) nontaxable strike benefits;
- 214 (vi) the gross amount of a pension or annuity, including benefits under the Railroad Retirement Act  
of 1974, 45 U.S.C. Sec. 231 et seq., and veterans disability pensions;
- 217 (vii) except for payments described in Subsection ~~[(9)(b)(vi)]~~ (10)(b)(vi), payments received under  
the Social Security Act;
- 219 (viii) state unemployment insurance amounts;
- 220 (ix) nontaxable interest received from any source;
- 221 (x) workers' compensation;
- 222 (xi) the gross amount of "loss of time" insurance; and
- 223 (xii) voluntary contributions to a tax-deferred retirement plan.
- 224 (b) "Nontaxable income" does not include:
- 225 (i) public assistance;
- 226 (ii) aid, assistance, or contributions from a tax-exempt nongovernmental source;

## SB0197 compared with SB0197S01

- 227 (iii) surplus foods;
- 228 (iv) relief in kind supplied by a public or private agency;
- 229 (v) relief provided under this part or Part 18, Tax Deferral and Tax Abatement;
- 230 (vi) Social Security Disability Income payments received under the Social Security Act;
- 232 (vii) federal tax refunds;
- 233 (viii) federal child tax credits received under 26 U.S.C. Sec. 24;
- 234 (ix) federal earned income tax credits received under 26 U.S.C. Sec. 32;
- 235 (x) payments received under a reverse mortgage;
- 236 (xi) payments or reimbursements to senior program volunteers under 42 U.S.C. Sec. 5058; or
- 238 (xii) gifts or bequests.
- 239 ~~[(10)]~~ (11)
  - (a) "Property taxes accrued" means property taxes, exclusive of special assessments, delinquent interest, and charges for service, levied on 35% of the fair market value, as reflected on the assessment roll, of a claimant's residence in this state.
  - 243 (b) For a mobile home, "property taxes accrued" includes taxes imposed on both the land upon which the home is situated and on the structure of the home itself, whether classified as real property or personal property taxes.
  - 246 (c) The relief described in Subsection ~~[(10)(a)]~~ (11)(a) constitutes:
    - 247 (i) a tax abatement for the poor in accordance with Utah Constitution, Article XIII,
    - 248 Section 3; and
    - 249 (ii) the residential exemption provided for in Section 59-2-103.
  - 250 (d) For purposes of this Subsection ~~[(10)]~~ (11), property taxes accrued are levied on the lien date.
  - 252 (e) When a household owns and occupies two or more different residences in this state in the same calendar year, and neither residence is acquired or sold during the calendar year for which relief is claimed under this part, property taxes accrued shall relate only to the residence occupied on the lien date by the household as the household's principal place of residence.
  - 257 (f)
    - (i) If a residence is an integral part of a large unit such as a farm or a multipurpose or multidwelling building, property taxes accrued shall be calculated on the percentage that the value of the residence is of the total value of the unit.

260

## SB0197 compared with SB0197S01

(ii) For purposes of this Subsection [~~(10)~~(f)] (11)(f), "unit" refers to the parcel of property covered by a single tax statement of which the residence is a part.

262 [~~(11)~~] (12) "Public assistance" means:

263 (a) medical assistance provided under Title 26B, Chapter 3, Health Care - Administration and Assistance;

265 (b) SNAP benefits as defined in Section 35A-1-102;

266 (c) services or benefits provided under Title 35A, Chapter 3, Employment Support Act; and

268 (d) foster care maintenance payments provided from the General Fund or under Title IV-E of the Social Security Act.

270 [~~(12)~~] (13) "Qualifying trust" means a trust holding title to real or tangible personal property for which an individual:

272 (a) makes a claim under this part;

273 (b) proves to the satisfaction of the county that title to the portion of the trust will revest in the individual upon the exercise of a power:

275 (i) by:

276 (A) the individual as grantor, trustor, settlor, or in another similar role of the trust;

277 (B) a nonadverse party; or

278 (C) both the individual and a nonadverse party; and

279 (ii) regardless of whether the power is a power:

280 (A) to revoke;

281 (B) to terminate;

282 (C) to alter;

283 (D) to amend; or

284 (E) to appoint; and

285 (c) is obligated to pay the taxes on that portion of the trust property beginning January 1 of the year the individual makes the claim.

287 [~~(13)~~] (14)

(a) "Rental assistance payment" means any payment that:

288 (i) is made by a:

289 (A) governmental entity;

290 (B) charitable organization; or

## SB0197 compared with SB0197S01

291 (C) religious organization; and  
292 (ii) is specifically designated for the payment of rent of a claimant:  
293 (A) for the calendar year for which the claimant seeks a renter's credit under this part; and  
295 (B) regardless of whether the payment is made to the claimant or the landlord.  
296 (b) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the commission  
may make rules defining the terms:  
298 (i) "governmental entity";  
299 (ii) "charitable organization"; or  
300 (iii) "religious organization."  
301 [(14)] (15)  
(a)  
(i) "Residence" means the dwelling in this state, whether owned or rented, and so much of the land  
surrounding the dwelling, not exceeding one acre, as is reasonably necessary for use of the  
dwelling as a home.  
304 (ii) "Residence" includes a dwelling that is:  
305 (A) a part of a multidwelling or multipurpose building and a part of the land upon which the  
multidwelling or multipurpose building is built; and  
307 (B) a mobile home or houseboat.  
308 (b) "Residence" does not include personal property such as furniture, furnishings, or appliances.  
310 (c) For purposes of this Subsection [(14)] (15), "owned" includes a vendee in possession under a land  
contract or one or more joint tenants or tenants in common.

159 Section 2. Section **59-2-1208** is repealed and re-enacted to read:  
160 **59-2-1208. Amount of homeowner's credit -- {~~Cost-of-living-adjustment -- Annual reduction~~**  
**~~of credit amount -- Limitation~~ } Limitations -- General Fund as source of credit.**  
315 {(+) }  
{(a)} (1) Subject to {f} Subsections (2) and {(4)}~~Subsection (2)~~ } (3), for a calendar year beginning  
on or after January 1, {[2021]2024, and before January 1, 2030} 2024, a claimant may claim a  
homeowner's credit that does not exceed the following amounts:  
327 {(b) ~~For a calendar year beginning on or after January 1, [2022]2025, the commission shall increase or~~  
~~decrease the household income eligibility amounts[ and the credits under Subsection (1)(a)] by a~~

## SB0197 compared with SB0197S01

percentage equal to the percentage difference between the consumer price index [housing] for the preceding calendar year and the consumer price index [housing] for calendar year [2020]2023.}

332 {~~(c)~~} (2) {~~For a calendar year beginning on or after January 1, 2025, {and before January 1, 2030, the~~  
~~commission shall annually decrease }~~ an individual may receive the {~~maximum amount allowed as~~  
~~a }~~ homeowner's credit {~~for each income bracket }~~ under this section {~~by an amount that is equal to~~  
~~20% of the base }~~ only if the individual received the homeowner's credit for the same residence for  
the preceding calendar year credit}.

336 {~~(d)~~} {~~An individual may not receive a homeowner's credit under this section for a calendar year~~  
~~beginning on or after January 1, 2030.~~}

338 {~~(2)~~} (3)

(a) An individual described in Subsection (2) may not receive the homeowner's credit under this section or the {~~tax relief~~} abatement described in Subsection 59-2-1202(10)(a) on 20% of the fair market value of the residence if:

341 (i) the individual is claimed as a personal exemption on another individual's federal income  
tax return during any portion of a calendar year for which the individual seeks to claim the  
homeowner's credit {~~under this section~~} ;

344 (ii) the individual is a dependent with respect to whom another individual claims a tax credit under  
Section 24(h)(4), Internal Revenue Code, during any portion of a calendar year for which the  
individual seeks to claim the homeowner's credit {~~under this section~~} ; or

348 (iii) the individual did not own the residence for the entire calendar year for which the individual  
claims the homeowner's credit.

350 (b) For a calendar year in which a residence is sold, the amount received as a homeowner's credit under  
this section or as {~~tax relief~~} an abatement described in Subsection 59-2-1202(10)(a) on 20% of the  
fair market value of the residence shall be repaid to the county on or before the day on which the  
sale of the residence closes.

354 {~~(3)~~} (4) A payment for a homeowner's credit allowed by this section, and {~~provided for in~~} authorized  
by Section 59-2-1204, shall be paid from the General Fund.

356 {~~(4)~~} {~~For a calendar year that begins on or after January 1, 2018, after the commission has adjusted~~  
~~the homeowner credit amount under Subsection (1)(b), the~~}The commission shall increase each  
homeowner credit amount under Subsection (1) by {~~the following amounts:~~}\$49.}

360 {~~(a)~~} for a calendar year that begins on January 1, 2018, \$14.;}

## SB0197 compared with SB0197S01

- 361 ~~{(b) for a calendar year that begins on January 1, 2019, \$22;}~~
- 362 ~~{(c) for a calendar year that begins on January 1, 2020, \$31;}~~
- 363 ~~{(d) for a calendar year that begins on January 1, 2021, \$40; and}~~
- 364 ~~{(e) for a calendar year that begins on or after January 1, 2022, \$49.}~~
- 194 Section 3. Section **59-2-1209** is repealed and re-enacted to read:
- 195 **59-2-1209. Amount of renter's credit -- {~~Cost-of-living adjustment~~} Adjustments -- Renter's**  
**credit may be claimed only for gross rent that does not constitute a rental assistance payment --**  
**Calculation of credit when rent includes utilities -- Limitation -- General Fund as source of {~~credit~~**  
**--~~Maximum~~} credit.**
- 370 (1)
- (a) Subject to Subsections (2) and (3), for a calendar year beginning on or after January 1, {~~2021~~} 2024, a claimant may claim a renter's credit for the previous calendar year that does not exceed the following amounts:
- 382 (b) For a calendar year beginning on or after January 1, {~~2022~~} 2025, the commission shall increase or decrease the household income eligibility amounts and the maximum credit amounts under Subsection (1)(a) by a percentage equal to the percentage difference between the {~~Consumer Price Index housing~~} consumer price index housing for the preceding calendar year and the {~~Consumer Price Index housing~~} consumer price index housing for calendar year {~~2020~~} 2023.
- 215 (c) After the commission has adjusted the maximum credit amounts under Subsection (1)(b), the commission shall increase each maximum credit amount under Subsection (1)(a) by \$49.
- 218 (2)
- 387 {(2)} (a) A claimant may claim a renter's credit under this {~~part~~} section only for gross rent that does not constitute a rental assistance payment.
- 220 (b) For purposes of determining whether a claimant receives a rental assistance payment and in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the commission may make rules defining the terms:
- 223 (i) "charitable organization";
- 224 (ii) "governmental entity"; or
- 225 (iii) "religious organization."
- 389

## SB0197 compared with SB0197S01

(3) For purposes of calculating gross rent when a claimant's rent includes electricity or natural gas and the utility amount is not itemized in the statement provided in accordance with Section 59-2-1213, the commission shall deduct from rent:

(a) 7% of rent if the rent includes electricity or natural gas but not both; or

(b) 13% of rent if the rent includes both electricity and natural gas.

(4) An individual may not receive the renter's credit under this section if the individual is:

(a) claimed as a personal exemption on another individual's federal income tax return during any portion of a calendar year for which the individual seeks to claim the renter's credit { under this section } ; or

(b) a dependent with respect to whom another individual claims a tax credit under Section 24(h)(4), Internal Revenue Code, during any portion of a calendar year for which the individual seeks to claim the renter's credit { under this section } .

(5) A payment for a renter's credit allowed by this section, and { provided for in } authorized by Section 59-2-1204, shall be paid from the General Fund.

{ ~~(6) A credit under this section may not exceed the [maximum amount allowed as a homeowner's credit for each income bracket under Section 59-2-1208] base year credit as adjusted by the commission by a percentage equal to the percentage difference between the consumer price index for the preceding calendar year and the consumer price index for calendar year 2023.~~ }

Section 4. Section 59-2-1331 is amended to read:

**59-2-1331. Property tax due date -- Date tax is delinquent -- Penalty -- Interest -- Payments -- Refund of prepayment.**

(1)

(a) Except as provided in Subsection (1)(b) and subject to Subsections (1)(c) and (d), all property taxes, unless otherwise specifically provided for under Section 59-2-1332, or other law, and any tax notice charges, are due on November 30 of each year following the date of levy.

(b) If November 30 falls on a Saturday, Sunday, or holiday:

(i) the date of the next following day that is not a Saturday, Sunday, or holiday shall be substituted in Subsection (1)(a) and Subsection 59-2-1332(1) for November 30; and

(ii) the date of the day occurring 30 days after the date under Subsection (1)(b)(i) shall be substituted in Subsection 59-2-1332(1) for December 30.

## SB0197 compared with SB0197S01

- (c) If a property tax is paid or postmarked after the due date described in this Subsection (1) the property tax is delinquent.
- 255 (d) A county treasurer or other public official, public entity, or public employee may not require the payment of a property tax before the due date described in this Subsection (1).
- 258 (2)
- (a) Except as provided in Subsections (2)(e), (f), and [~~(g)~~(i)] (g), for each parcel, all delinquent taxes and tax notice charges on each separately assessed parcel are subject to a penalty of 2.5% of the amount of the delinquent taxes and tax notice charges or \$10, whichever is greater.
- 262 (b) Unless the delinquent taxes and tax notice charges, together with the penalty, are paid on or before January 31, the amount of taxes and tax notice charges and penalty shall bear interest on a per annum basis from the January 1 immediately following the delinquency date.
- 266 (c) Except as provided in Subsection (2)(d), for purposes of Subsection (2)(b), the interest rate is equal to the sum of:
- 268 (i) 6%; and
- 269 (ii) the federal funds rate target:
- 270 (A) established by the Federal Open Markets Committee; and
- 271 (B) that exists on the January 1 immediately following the date of delinquency.
- 272 (d) The interest rate described in Subsection (2)(c) may not be:
- 273 (i) less than 7%; or
- 274 (ii) more than 10%.
- 275 (e) The penalty described in Subsection (2)(a) is 1% of the amount of the delinquent taxes and tax notice charges or \$10, whichever is greater, if all delinquent taxes, all tax notice charges, and the penalty are paid on or before the January 31 immediately following the delinquency date.
- 279 (f) This section does not apply to the costs, charges, and interest rate accruing on any tax notice charge related to an assessment assessed in accordance with:
- 281 (i) Title 11, Chapter 42, Assessment Area Act; or
- 282 (ii) Title 11, Chapter 42a, Commercial Property Assessed Clean Energy Act.
- 283 (g)
- (i) The county shall waive any penalty or interest for a property granted a deferral in accordance with Section 59-2-1802.1 from the day of the delinquency through the end of the deferral period.
- 286



## SB0197 compared with SB0197S01

(ii) For a property granted a deferral in accordance with Section 59-2-1802 or 59-2-1802.5, from the day of the delinquency through the end of the deferral period:

289 (A) the county shall waive the penalty described in Subsection (2)(a); and

290 (B) interest accrues on deferred taxes and tax notice charges in accordance with Subsection 59-2-1802(8) or 59-2-1802.5(8), as applicable.

292 [(ii)] (iii) Penalties and interest accrue in accordance with this Subsection (2) on any tax or tax notice charge that is delinquent after the deferral period ends.

294 (3)

(a) If the delinquency exceeds one year, the amount of taxes, tax notice charges, and penalties for that year and all succeeding years shall bear interest until settled in full through redemption or tax sale.

297 (b) The interest rate to be applied shall be calculated for each year as established under Subsection (2) and shall apply on each individual year's delinquency until paid.

299 (4) The county treasurer may accept and credit on account against taxes and tax notice charges becoming due during the current year, at any time before or after the tax rates are adopted, but not subsequent to the date of delinquency, either:

302 (a) payments in amounts of not less than \$10; or

303 (b) the full amount of the unpaid tax and tax notice charges.

304 (5)

(a) At any time before the county treasurer provides the tax notice described in Section 59-2-1317, the county treasurer may refund amounts accepted and credited on account against taxes and tax notice charges becoming due during the current year.

307 (b) Upon recommendation by the county treasurer, the county legislative body shall adopt rules or ordinances to implement the provisions of this Subsection (5).

309 Section 5. Section 59-2-1343 is amended to read:

310 **59-2-1343. Tax sale listing.**

311 (1)

(a) If any property is not redeemed by March 15 following the lapse of four years from the date when any item in Subsection (1)(b) became delinquent, the county treasurer shall immediately file a listing with the county auditor of all properties whose redemption period is expiring in the nearest forthcoming tax sale to pay all outstanding property taxes and tax notice charges.

316

## SB0197 compared with SB0197S01

(b) Except as provided in Subsection (1)(c), a delinquency of any of the following triggers the tax sale process described in Subsection (1)(a):

(i) property tax; or

(ii) a tax notice charge.

(c) A property tax or a tax notice charge that is deferred in accordance with Section 59-2-1802.1 is delinquent only if full payment of the property tax and any tax notice charges is not made before the end of the five-year deferral period.

(d) Taxes and tax notice charges deferred in accordance with Section 59-2-1802 or 59-2-1802.5 become delinquent only if full payment of the following is not made before the end of the deferral period:

(i) the taxes and tax notice charges deferred during the deferral period; and

(ii) interest accrued on the taxes and tax notice charges described in Subsection (1)(d)(i).

(2) The listing is known as the "tax sale listing."

Section 6. Section 59-2-1801 is amended to read:

### **59-2-1801. Definitions.**

As used in this part:

(1) "Abatement" means a tax abatement described in Section 59-2-1803.

(2) "Base year property tax amount" means:

(a) for a calendar year in which an eligible owner did not receive a deferral under this part for the preceding calendar year, the amount of property taxes levied on the eligible owner's primary residence for the preceding calendar year; and

(b) for a calendar year in which an eligible owner received a deferral under this part for the preceding calendar year, the amount of property taxes levied on the eligible owner's primary residence for the calendar year immediately preceding the calendar year for which the eligible owner first received the deferral.

(3) "Current year property tax amount" means the amount of property taxes levied on an eligible owner's primary residence for the current calendar year.

[(2)] (4) "Deferral" means a postponement of a tax due date or a tax notice charge granted in accordance with Section 59-2-1802, 59-2-1802.1, or 59-2-1802.5.

(5) "Differential property tax amount" means the difference between:

(a) the current year property tax amount; and

(b) the base year property tax amount.

## SB0197 compared with SB0197S01

- 350 [~~(3) "Eligible owner" means an owner of an attached or a detached single-family residence:]~~  
351 [~~(a)~~  
352 ~~(i) who is 75 years old or older on or before December 31 of the year in which the individual applies for~~  
353 ~~a deferral under this part;]~~  
354 ~~(ii) whose household income does not exceed 200% of the maximum household income certified to a~~  
355 ~~homeowner's credit described in Section 59-2-1208; and]~~  
356 ~~(iii) whose household liquid resources do not exceed 20 times the amount of property taxes levied on~~  
357 ~~the owner's residence for the preceding calendar year; or]~~  
358 ~~(b) that is a trust described in Section 59-2-1805 if the grantor of the trust is an individual described in~~  
359 ~~Subsection (3)(a).]~~  
360 (6) "Eligible owner" means:  
361 (a) for a deferral under Section 59-2-1802, an owner of an attached or detached single-family residence:  
362 (i)  
363 (A) who uses the residence as the owner's primary residence as of January 1 of the calendar year for  
364 which the owner applies for the deferral;  
365 (B) who owns the residence for at least one year as of January 1 of the calendar year for which the  
366 owner applies for the deferral;  
367 (C) who receives public assistance as defined in Section 59-2-1202;  
368 (D) whose household income does not exceed \$45,000; and  
369 (E) whose household liquid resources do not exceed 20 times the amount of property taxes levied on the  
370 residence for the preceding calendar year; or  
371 (ii) that is a trust described in Section 59-2-1805 if the grantor of the trust is an individual described in  
372 Subsection (6)(a)(i); and  
373 (b) for a deferral under Section 59-2-1802.5, an owner of an attached or detached single-family  
374 residence:  
375 (i)  
376 (A) who uses the residence as the owner's primary residence as of January 1 of the calendar year for  
377 which the owner applies for the deferral;  
378 (B) who owns the residence for at least one year as of January 1 of the calendar year for which the  
379 owner applies for the deferral;

## SB0197 compared with SB0197S01

(C) who is 65 years old or older on or before December 31 of the calendar year for which the owner applies for the deferral;

380 (D) whose household income does not exceed \$55,000; and

381 (E) whose household liquid resources do not exceed 20 times the amount of property taxes levied on the residence for the preceding calendar year; or

383 (ii) that is a trust described in Section 59-2-1805 if the grantor of the trust is an individual described in Subsection (6)(b)(i).

385 [(4)] (7) "Household" means the same as that term is defined in Section 59-2-1202.

386 [(5)] (8) "Household income" means the same as that term is defined in Section 59-2-1202.

387 [(6)] (9) "Household liquid resources" means the following resources that are not included in an individual's household income and held by one or more members of the individual's household:

390 (a) cash on hand;

391 (b) money in a checking or savings account;

392 (c) savings certificates; and

393 (d) stocks or bonds.

394 [(7)] (10) "Indigent individual" means a poor individual as described in Utah Constitution, Article XIII, Section 3, Subsection (4), who:

396 (a)

(i) is at least 65 years old; or

397 (ii) is less than 65 years old and:

398 (A) the county finds that extreme hardship would prevail on the individual if the county does not defer or abate the individual's taxes; or

400 (B) the individual has a disability;

401 (b) has a total household income, as defined in Section 59-2-1202, of less than the maximum household income certified to a homeowner's credit described in Section 59-2-1208;

404 (c) resides for at least 10 months of the year in the residence that would be subject to the requested abatement or deferral; and

406 (d) cannot pay the tax assessed on the individual's residence when the tax becomes due.

407 [(8)] (11) "Property taxes due" means the taxes due on an indigent individual's property:

408 (a) for which a county granted an abatement under Section 59-2-1803; and

409 (b) for the calendar year for which the county grants the abatement.

## SB0197 compared with SB0197S01

- 410 ~~[(9)]~~ (12) "Property taxes paid" means an amount equal to the sum of:
- 411 (a) the amount of property taxes the indigent individual paid for the taxable year for which the indigent  
individual applied for the abatement; and
- 413 (b) the amount of the abatement the county grants under Section 59-2-1803.
- 414 ~~[(10)]~~ (13) "Qualifying increase" means a valuation that is equal to or more than 150% higher than the  
previous year's valuation for property that:
- 416 (a) is county assessed; and
- 417 (b) on or after January 1 of the previous year and before January 1 of the current year has not had:
- 419 (i) a physical improvement if the fair market value of the physical improvement increases enough to  
result in the valuation increase solely as a result of the physical improvement;
- 422 (ii) a zoning change if the fair market value of the real property increases enough to result in the  
valuation increase solely as a result of the zoning change; or
- 424 (iii) a change in the legal description of the real property, if the fair market value of the real property  
increases enough to result in the valuation increase solely as a result of the change in the legal  
description of the real property.
- 427 ~~[(11)]~~ (14) "Relative" means a spouse, child, parent, grandparent, grandchild, brother, sister, parent-  
in-law, brother-in-law, sister-in-law, nephew, niece, aunt, uncle, first cousin, or a spouse of any of  
these individuals.
- 430 ~~[(12)]~~ (15) "Residence" means real property where an individual resides, including:
- 431 (a) a mobile home, as defined in Section 41-1a-102; or
- 432 (b) a manufactured home, as defined in Section 41-1a-102.
- 433 ~~[(13)]~~ (16) "Tax notice charge" means the same as that term is defined in Section 59-2-1301.5.
- 436 Section 7. Section **59-2-1802** is repealed and re-enacted to read:
- 437 **59-2-1802. Discretionary deferral for eligible owners.**
- 438 (1) An owner of an attached or detached single-family residence may apply to the county for a  
discretionary deferral under this section for postponement of a portion of the property taxes due on  
the owner's residence if:
- 441 (a) the owner qualifies as an eligible owner under Subsection 59-2-1801(6)(a);
- 442 (b) the current year property tax amount exceeds the base year property tax amount; and
- 443

## SB0197 compared with SB0197S01

(c) there are no delinquent property taxes, delinquent tax notice charges, or outstanding penalties, interest, or administrative costs related to a delinquent property tax or a delinquent tax notice charge due on the owner's residence, other than:

(i) taxes and tax notice charges previously deferred under this section; and

(ii) interest accrued on the taxes and tax notice charges described in Subsection (1)(c)(i).

(2) A county may grant an application for a deferral under this section if:

(a) the county determines that the applicant meets the conditions of Subsection (1); and

(b) the applicant complies with the other applicable provisions of this part.

(3) Of the total amount of taxes and tax notice charges levied on an eligible owner's primary residence for a calendar year in which the eligible owner receives a deferral under this section:

(a) the minimum amount that the eligible owner shall pay is 75% of the base year property tax amount; and

(b) the maximum amount deferred is the amount exceeding 75% of the base year property tax amount.

(4)

(a) Except as provided in Subsection (4)(b), the deferral period under this section is one year.

(b) The county may extend the deferral period for one or more subsequent one-year periods if, for each subsequent calendar year in which the eligible owner seeks to extend the deferral period:

(i) the eligible owner applies for an extension of the deferral;

(ii) the county determines that the eligible owner has continued to meet the conditions of Subsection (1); and

(iii) the eligible owner complies with the other applicable provisions of this part.

(c) For purposes of Subsections 59-2-1331(2)(g)(ii) and 59-2-1343(1)(d), the deferral period ends on the last day of:

(i) the initial one-year deferral period, if the county does not extend the deferral period under Subsection (4)(b); or

(ii) the final one-year deferral period subsequently granted, if the county extends the deferral period under Subsection (4)(b).

(5)

(a) Taxes and tax notice charges deferred under this section accumulate with interest and applicable recording fees as a lien against the residential property.

## SB0197 compared with SB0197S01

(b) A lien described in this Subsection (5) has the same legal status as a lien described in Section 59-2-1325.

478 (c) To release the lien described in this Subsection (5), an eligible owner shall pay the total amount subject to the lien:

480 (i) upon the eligible owner selling or otherwise disposing of the residential property; or

482 (ii) when the residential property is no longer the eligible owner's primary residence.

483 (d)

(i) Notwithstanding Subsection (5)(c), an eligible owner that receives a deferral under this section does not have to pay the deferred taxes, deferred tax notice charges, or applicable recording fees when the residential property transfers:

486 (A) to the eligible owner's surviving spouse as a result of the eligible owner's death; or

488 (B) between the eligible owner and a trust described in Section 59-2-1805 for which the eligible owner is the grantor.

490 (ii) After the residential property transfers to the eligible owner's surviving spouse, the deferred taxes, deferred tax notice charges, and applicable recording fees are due:

493 (A) upon the surviving spouse selling or otherwise disposing of the residential property; or

495 (B) when the residential property is no longer the surviving spouse's primary residence.

497 (e) When the deferral period ends:

498 (i) the lien becomes due and subject to the collection procedures described in Section 59-2-1331; and

500 (ii) the date of levy is the date that the deferral period ends.

501 (6)

(a) If a county grants an eligible owner more than one deferral under this section for the same residential property, including an extension of the deferral period under Subsection (4)(b), the county is not required to submit for recording more than one lien.

505 (b) Each subsequent deferral relates back to the date of the initial lien filing.

506 (7)

(a) For each residential property for which the county grants a deferral under this section, the county treasurer shall maintain a record that is an itemized account of the total amount of deferred property taxes and deferred tax notice charges subject to the lien.

510 (b) The record described in this Subsection (7) is the official record of the amount of the lien.

512

## SB0197 compared with SB0197S01

(8) Notwithstanding Subsection 59-2-1331(2)(c), taxes and tax notice charges deferred under this section bear interest at a rate equal to the greater of:

(a) two percentage points below the federal funds rate:

(i) published by the Federal Reserve Bank of New York; and

(ii) that exists on January 1 of the calendar year immediately following the calendar year for which the deferral is granted; and

(b) 1%.

Section 8. Section **59-2-1802.5** is repealed and re-enacted to read:

### **59-2-1802.5. Nondiscretionary deferral for eligible owners.**

(1) An owner of an attached or detached single-family residence may apply to the county for a nondiscretionary deferral under this section for postponement of a portion of the property taxes due on the eligible owner's residence if:

(a) the owner qualifies as an eligible owner under Subsection 59-2-1801(6)(b);

(b) the current year property tax amount exceeds the base year property tax amount; and

(c) there are no delinquent property taxes, delinquent tax notice charges, or outstanding penalties, interest, or administrative costs related to a delinquent property tax or a delinquent tax notice charge due on the owner's residence, other than:

(i) taxes and tax notice charges previously deferred under this section; and

(ii) accrued interest on the taxes and tax notice charges described in Subsection (1)(c)(i).

(2) A county shall grant an application for a deferral under this section if:

(a) the county determines that the applicant meets the conditions of Subsection (1); and

(b) the applicant complies with the other applicable provisions of this part.

(3) Of the total amount of taxes and tax notice charges levied on an eligible owner's primary residence for a calendar year in which the eligible owner receives a deferral under this section:

(a) the eligible owner shall at a minimum pay the base year property tax amount; and

(b) the maximum amount deferred is the differential property tax amount.

(4)

(a) Except as provided in Subsection (4)(b), the deferral period under this section is one year.

(b) The county shall extend the deferral period for one or more subsequent one-year periods if, for each subsequent calendar year in which the eligible owner seeks to extend the deferral period:

(i) the eligible owner applies for an extension of the deferral;



## SB0197 compared with SB0197S01

- 547 (ii) the county determines that the eligible owner has continued to meet the conditions of Subsection  
549 (1); and
- 549 (iii) the eligible owner complies with the other applicable provisions of this part.
- 550 (c) For purposes of Subsections 59-2-1331(2)(g)(ii) and 59-2-1343(1)(d), the deferral period ends on  
552 the last day of:
- 552 (i) the initial one-year deferral period, if the county does not extend the deferral period under  
554 Subsection (4)(b); or
- 554 (ii) the final one-year deferral period subsequently granted, if the county extends the deferral period  
556 under Subsection (4)(b).
- 556 (5)
- 558 (a) Taxes and tax notice charges deferred under this section accumulate with interest and applicable  
560 recording fees as a lien against the residential property.
- 558 (b) A lien described in this Subsection (5) has the same legal status as a lien described in Section  
562 59-2-1325.
- 560 (c) To release the lien described in this Subsection (5), an eligible owner shall pay the total amount  
562 subject to the lien:
- 562 (i) upon the eligible owner selling or otherwise disposing of the residential property; or  
564 (ii) when the residential property is no longer the eligible owner's primary residence.
- 565 (d)
- 565 (i) Notwithstanding Subsection (5)(c), an eligible owner that receives a deferral under this section does  
568 not have to pay the deferred taxes, deferred tax notice charges, or applicable recording fees when the  
570 residential property transfers:
- 568 (A) to the eligible owner's surviving spouse as a result of the eligible owner's death; or  
570 (B) between the eligible owner and a trust described in Section 59-2-1805 for which the eligible  
572 owner is the grantor.
- 572 (ii) After the residential property transfers to the eligible owner's surviving spouse, the deferred taxes,  
575 deferred tax notice charges, and applicable recording fees are due:
- 575 (A) upon the surviving spouse selling or otherwise disposing of the residential property; or  
577 (B) when the residential property is no longer the surviving spouse's primary residence.
- 579 (e) When the deferral period ends:
- 580 (i) the lien becomes due and subject to the collection procedures described in Section 59-2-1331; and

## SB0197 compared with SB0197S01

- 582 (ii) the date of levy is the date that the deferral period ends.  
583 (6)  
(a) If a county grants an eligible owner more than one deferral under this section for the same  
residential property, including an extension of the deferral period under Subsection (4)(b), the  
county is not required to submit for recording more than one lien.  
587 (b) Each subsequent deferral relates back to the date of the initial lien filing.  
588 (7)  
(a) For each residential property for which the county grants a deferral under this section, the county  
treasurer shall maintain a record that is an itemized account of the total amount of deferred property  
taxes and deferred tax notice charges subject to the lien.  
592 (b) The record described in this Subsection (7) is the official record of the amount of the lien.  
594 (8) Notwithstanding Subsection 59-2-1331(2)(c), taxes and tax notice charges deferred under this  
section bear interest at a rate equal to the greater of:  
596 (a) one percentage point below the federal funds rate:  
597 (i) published by the Federal Reserve Bank of New York; and  
598 (ii) that exists on January 1 of the calendar year immediately following the calendar year for which the  
deferral is granted; and  
600 (b) 1%.  
601 Section 9. Section 59-2-1803 is amended to read:  
602 **59-2-1803. Tax abatement for indigent individuals -- Maximum amount -- Refund.**  
604 (1) In accordance with this part, a county may remit or abate the taxes of an indigent individual:  
606 (a) if the indigent individual owned the property as of January 1 of the year for which the county remits  
or abates the taxes; [and]  
608 (b) if the indigent individual, for a calendar year beginning on or after January 1, 2025, received an  
abatement under this section for the same property for the preceding calendar year; and  
611 [(b)] (c) in an amount not more than the lesser of:  
612 (i) the [amount provided as a homeowner's] maximum amount available as a renter's credit for the  
lowest household income bracket as described in Section [59-2-1208] 59-2-1209; or  
615 (ii) 50% of the total tax levied for the indigent individual for the current year.  
616

## SB0197 compared with SB0197S01

- (2) A county that grants an abatement to an indigent individual shall refund to the indigent individual an amount that is equal to the amount by which the indigent individual's property taxes paid exceed the indigent individual's property taxes due, if the amount is at least \$1.

Section 10. Section 59-2-1804 is amended to read:

### **59-2-1804. Application for tax deferral or tax abatement.**

(1)

- (a) Except as provided in Subsection (1)(b) or (2), an applicant for deferral or abatement for the current tax year shall annually file an application on or before September 1 with the county in which the applicant's property is located.

- (b) If a county finds good cause exists, the county may extend until December 31 the deadline described in Subsection (1)(a).

- (c) An indigent individual may apply and potentially qualify for deferral, abatement, or both.

(2)

- (a) A county shall extend the default application deadline by one additional year if the applicant had been approved for a deferral under this part in the prior year; or

- (b) the county determines that:

- (i) the applicant or a member of the applicant's immediate family had an illness or injury that prevented the applicant from filing the application on or before the default application deadline;

- (ii) a member of the applicant's immediate family died during the calendar year of the default application deadline;

- (iii) the failure of the applicant to file the application on or before the default application deadline was beyond the reasonable control of the applicant; or

- (iv) denial of an application would be unjust or unreasonable.

(3)

- (a) An applicant shall include in an application a signed statement that describes the eligibility of the applicant for deferral or abatement.

- (b) For an application for a deferral under Section 59-2-1802, the requirements described in Subsection (3)(a) include:

- (i) proof that the residence for which the applicant seeks the deferral is the applicant's primary residence;

## SB0197 compared with SB0197S01

(ii) proof that the applicant has owned the residence described in Subsection (3)(b)(i) for a period of at least one year as of January 1 of the calendar year for which the applicant seeks the deferral;

(iii) proof that the applicant receives public assistance as defined in Section 59-2-1201; and

(iv) proof of household income.

(c) For an application for a deferral under Section 59-2-1802.5, the requirements described in Subsection (3)(a) include:

(i) proof that the residence for which the applicant seeks the deferral is the applicant's primary residence;

(ii) proof that the applicant has owned the residence described in Subsection (3)(c)(i) for a period of at least one year as of January 1 of the calendar year for which the applicant seeks the deferral;

(iii) proof of age; and

(iv) proof of household income.

~~[(3)~~

~~(a) An applicant shall include in an application a signed statement that describes the eligibility of the applicant for deferral or abatement.]~~

~~[(b) For an application for a deferral under Section 59-2-1802.5, the requirements described in Subsection (3)(a) include:]~~

~~[(i) proof that the applicant resides at the single-family residence for which the applicant seeks the deferral;]~~

~~[(ii) proof of age; and]~~

~~[(iii) proof of household income.]~~

(4) Both spouses shall sign an application if the application seeks a deferral or abatement on a residence:

(a) in which both spouses reside; and

(b) that the spouses own as joint tenants.

(5) If an applicant is dissatisfied with a county's decision on the applicant's application for deferral or abatement, the applicant may appeal the decision to the commission in accordance with Section 59-2-1006.

(6) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the commission may make rules to implement this section.

Section 11. Section 63J-1-602.2 is amended to read:

## SB0197 compared with SB0197S01

### **63J-1-602.2. List of nonlapsing appropriations to programs.**

Appropriations made to the following programs are nonlapsing:

- (1) The Legislature and the Legislature's committees.
- (2) The State Board of Education, including all appropriations to agencies, line items, and programs under the jurisdiction of the State Board of Education, in accordance with Section 53F-9-103.
- (3) The Rangeland Improvement Act created in Section 4-20-101.
- (4) The Percent-for-Art Program created in Section 9-6-404.
- (5) The LeRay McAllister Working Farm and Ranch Fund created in Section 4-46-301.
- (6) The Utah Lake Authority created in Section 11-65-201.
- (7) Dedicated credits accrued to the Utah Marriage Commission as provided under Subsection 17-16-21(2)(d)(ii).
- (8) The Wildlife Land and Water Acquisition Program created in Section 23A-6-205.
- (9) Sanctions collected as dedicated credits from Medicaid providers under Subsection 26B-3-108(7).
- (10) The primary care grant program created in Section 26B-4-310.
- (11) The Opiate Overdose Outreach Pilot Program created in Section 26B-4-512.
- (12) The Utah Health Care Workforce Financial Assistance Program created in Section 26B-4-702.
- (13) The Rural Physician Loan Repayment Program created in Section 26B-4-703.
- (14) The Utah Medical Education Council for the:
  - (a) administration of the Utah Medical Education Program created in Section 26B-4-707;
  - (b) provision of medical residency grants described in Section 26B-4-711; and
  - (c) provision of the forensic psychiatric fellowship grant described in Section 26B-4-712.
- (15) The Division of Services for People with Disabilities, as provided in Section 26B-6-402.
- (16) The Communication Habits to reduce Adolescent Threats (CHAT) Pilot Program created in Section 26B-7-122.
- (17) Funds that the Department of Alcoholic Beverage Services retains in accordance with Subsection 32B-2-301(8)(a) or (b).
- (18) The General Assistance program administered by the Department of Workforce Services, as provided in Section 35A-3-401.
- (19) The Utah National Guard, created in Title 39A, National Guard and Militia Act.
- (20) The Search and Rescue Financial Assistance Program, as provided in Section 53-2a-1102.
- (21) The Emergency Medical Services Grant Program in Section 53-2d-207.

## **SB0197 compared with SB0197S01**

- 715 (22) The Motorcycle Rider Education Program, as provided in Section 53-3-905.
- 716 (23) The Utah Board of Higher Education for teacher preparation programs, as provided in Section  
53B-6-104.
- 718 (24) Innovation grants under Section 53G-10-608, except as provided in Subsection 53G-10-608(6).
- 720 (25) The Division of Fleet Operations for the purpose of upgrading underground storage tanks under  
Section 63A-9-401.
- 722 (26) The Division of Technology Services for technology innovation as provided under Section  
63A-16-903.
- 724 (27) The State Capitol Preservation Board created by Section 63O-2-201.
- 725 (28) The Office of Administrative Rules for publishing, as provided in Section 63G-3-402.
- 726 (29) The Colorado River Authority of Utah, created in Title 63M, Chapter 14, Colorado River  
Authority of Utah Act.
- 728 (30) The Governor's Office of Economic Opportunity to fund the Enterprise Zone Act, as provided in  
Title 63N, Chapter 2, Part 2, Enterprise Zone Act.
- 730 (31) The Governor's Office of Economic Opportunity's Rural Employment Expansion Program, as  
described in Title 63N, Chapter 4, Part 4, Rural Employment Expansion Program.
- 733 (32) County correctional facility contracting program for state inmates as described in Section  
64-13e-103.
- 735 (33) County correctional facility reimbursement program for state probationary inmates and state parole  
inmates as described in Section 64-13e-104.
- 737 (34) Programs for the Jordan River Recreation Area as described in Section 65A-2-8.
- 738 (35) The Division of Human Resource Management user training program, as provided in Section  
63A-17-106.
- 740 (36) A public safety answering point's emergency telecommunications service fund, as provided in  
Section 69-2-301.
- 742 (37) The Traffic Noise Abatement Program created in Section 72-6-112.
- 743 (38) The money appropriated from the Navajo Water Rights Negotiation Account to the Division of  
Water Rights, created in Section 73-2-1.1, for purposes of participating in a settlement of federal  
reserved water right claims.
- 746 (39) The Judicial Council for compensation for special prosecutors, as provided in Section 77-10a-19.
- 748 (40) A state rehabilitative employment program, as provided in Section 78A-6-210.

## SB0197 compared with SB0197S01

- 749 (41) The Utah Geological Survey, as provided in Section 79-3-401.  
750 (42) The Bonneville Shoreline Trail Program created under Section 79-5-503.  
751 (43) Adoption document access as provided in Sections 78B-6-141, 78B-6-144, and 78B-6-144.5.  
753 (44) Indigent defense as provided in Title 78B, Chapter 22, Part 4, Utah Indigent Defense Commission.  
755 (45) The program established by the Division of Facilities Construction and Management under Section  
63A-5b-703 under which state agencies receive an appropriation and pay lease payments for the use  
and occupancy of buildings owned by the Division of Facilities Construction and Management.  
759 ~~[(46) The State Tax Commission for reimbursing counties for deferrals in accordance with Section~~  
59-2-1802.5.]

761 ~~[(47)]~~ (46) The Veterinarian Education Loan Repayment Program created in Section 4-2-902.

762 Section 12. **Effective date.**

This bill takes effect on May 7, 2025.

764 Section 13. **Retrospective Operation.**

{ ~~This~~ } This bill has retrospective operation for a taxable year beginning on or after { ~~:~~ } January 1,  
2025.

767 Section 14. **Coordinating S.B. 197 with H.B. 20.**

If S.B. 197, Property Tax Amendments, and H.B. 20, Property Tax Code Recodification,  
both pass and become law, the Legislature intends that, on January 1, 2026:

770 (1) Section 59-2-1208, repealed and reenacted in S.B. 197, be renumbered to Section 59-2a-305;

772 (2)

(a) Section 59-2-1209, repealed and reenacted in S.B. 197, be renumbered to Section 59-2a-205; and

774 (b) Subsection 59-2-1209(1)(b), enacted in S.B. 197, be replaced with the following language:

776  
"(b) For a calendar year beginning on or after January 1, 2025, the commission shall increase  
or decrease the household income eligibility amounts and the maximum credit amounts under  
Subsection (1)(a) by a percentage equal to the percentage difference between the consumer price  
index for the preceding calendar year and the consumer price index for calendar year 2023.";  
781 (3) the following definition be inserted alphabetically as a new subsection in Section 59-2a-101  
(renumbered from Section 59-2-1202 in H.B. 20) and that the remaining subsections be renumbered  
accordingly:

784

""Base year property tax amount" means:

785

## SB0197 compared with SB0197S01

(a) for a calendar year in which an eligible owner did not receive a deferral under this chapter for the preceding calendar year, the amount of property taxes levied on the eligible owner's primary residence for the preceding calendar year; and

(b) for a calendar year in which an eligible owner received a deferral under this chapter for the preceding calendar year, the amount of property taxes levied on the eligible owner's primary residence for the calendar year immediately preceding the calendar year for which the eligible owner first received the deferral.";

(4) the following definition be inserted alphabetically as a new subsection in Section 59-2a-101 (renumbered from Section 59-2-1202 in H.B. 20) and that the remaining subsections be renumbered accordingly:

""Current year property tax amount" means the amount of property taxes levied on an eligible owner's primary residence for the current calendar year.";

(5) the following definition be inserted alphabetically as a new subsection in Section 59-2a-101 (renumbered from Section 59-2-1202 in H.B. 20) and that the remaining subsections be renumbered accordingly:

""Differential property tax amount" means the difference between:

(a) the current year property tax amount; and

(b) the base year property tax amount.";

(6) Subsection 59-2a-101(9), enacted in H.B. 20, be replaced with the following language:

""Eligible owner" means:

(a) for a deferral under Section 59-2a-701, an owner of an attached or detached single-family residence:

(i) (A) who uses the residence as the owner's primary residence as of January 1 of the calendar year for which the owner applies for the deferral;

(B) who owns the residence for at least one year as of January 1 of the calendar year for which the owner applies for the deferral;



## SB0197 compared with SB0197S01

(ii) that is a trust described in Section 59-2a-109 if the grantor of the trust is an individual described in Subsection (6)(a)(i); and

(b) for a deferral under Section 59-2a-901, an owner of an attached or detached single-family residence:

(i) (A) who uses the residence as the owner's primary residence as of January 1 of the calendar year for which the owner applies for the deferral;

(B) who owns the residence for at least one year as of January 1 of the calendar year for which the owner applies for the deferral;

(C) who is 65 years old or older on or before December 31 of the calendar year for which the owner applies for the deferral;

(D) whose household income does not exceed \$55,000; and

(E) whose household liquid resources do not exceed 20 times the amount of property taxes levied on the residence for the preceding calendar year; or

(ii) that is a trust described in Section 59-2a-109 if the grantor of the trust is an individual described in Subsection (6)(b)(i).";

(7) Section 59-2-1802, repealed and reenacted in S.B. 197, be renumbered to Section 59-2a-701;

(8) Section 59-2-1802.5, repealed and reenacted in S.B. 197, be renumbered to Section 59-2a-901; and

(9) Subsection 59-2-1804(3), enacted in S.B. 197, be replaced with the following language:

"(3) (a) An applicant shall include in an application a signed statement that describes the eligibility of the applicant for deferral or abatement.

(b) For an application for a deferral under Section 59-2a-701, the requirements described in Subsection (3)(a) include:

(i) proof that the residence for which the applicant seeks the deferral is the applicant's primary residence;

## SB0197 compared with SB0197S01

(i) proof that the residence for which the applicant seeks the deferral is the applicant's primary residence;

(ii) proof that the applicant has owned the residence described in Subsection (3)(c)(i) for a period of at least one year as of January 1 of the calendar year for which the applicant seeks the deferral;

(iii) proof of age; and

(iv) proof of household income.".

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