

# SB0078S04 compared with SB0078S02

~~{Omitted text}~~ shows text that was in SB0078S02 but was omitted in SB0078S04

inserted text shows text that was not in SB0078S02 but was inserted into SB0078S04

**DISCLAIMER: This document is provided to assist you in your comparison of the two bills. Sometimes this automated comparison will NOT be completely accurate. Therefore, you need to read the actual bills. This automatically generated document could contain inaccuracies caused by: limitations of the compare program; bad input data; or other causes.**

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**Property Tax Relief Amendments**  
2026 GENERAL SESSION  
STATE OF UTAH  
**Chief Sponsor: Daniel McCay**  
House Sponsor:



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**LONG TITLE**

**General Description:**

This bill modifies property tax relief provisions.

**Highlighted Provisions:**

This bill:

- ▶ defines terms;
- ▶ authorizes counties to provide ~~{specified forms of}~~ certain property tax relief to qualifying individuals ~~{within the county through county relief programs, at a county's discretion}~~ through a country relief program;
- ▶ ~~{establishes requirements for a county's provision of property tax relief through a county relief program, including requirements for:}~~
  - ~~{conducting a}~~ establishes notice and public hearing ~~{and providing notice}~~ requirements before ~~{approving the}~~ a county may approve a county relief program by ordinance;
  - ~~{approving}~~ requires a county to impose a separate county relief levy for the relief the county provides through a county relief program ~~{by ordinance; and}~~ ;
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~~{imposing a county relief levy and distributing revenue collected from the levy to impacted taxing entities;}~~

- 18       ▶ ~~{clarifies appeal rights for individuals to whom a county denies property tax relief;}~~
- 15       ▶ changes the qualifications, scope, duration, and interest rate applicable to the nondiscretionary deferral program;
- 17       ▶ authorizes the Multicounty Appraisal Trust to make loans to counties to pay the costs of granting nondiscretionary deferrals;
- 19       ▶ repeals ~~{existing}~~ certain property tax relief ~~{provisions; and}~~ programs;
- 20       ▶ includes a coordination clause to incorporate changes to Section 59-2-1602 in S.B. 206, Tax Amendments; and
- 20       ▶ makes technical and conforming changes.

### Money Appropriated in this Bill:

- 24       ▶ **This bill appropriates \$1,148,000 in operating and capital budgets for fiscal year 2027, all of which is from the General Fund.**

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### Other Special Clauses:

27       This bill provides a special effective date.

28       This bill provides a coordination clause.

### Utah Code Sections Affected:

30       AMENDS:

31       **59-2-919.1** [~~{(Effective 07/01/26)}~~] ~~{(Effective 01/01/27)}~~**(Effective 01/01/27)**, as last amended by Laws of Utah 2025, Chapter 518

32       **59-2-924 (Effective 01/01/27)**, as last amended by Laws of Utah 2025, First Special Session, Chapter 15

34       **59-2-1317 (Effective 01/01/27)**, as last amended by Laws of Utah 2025, First Special Session, Chapter 17

36       **59-2-1365 (Effective 01/01/27), as last amended by Laws of Utah 2018, Chapter 197**

37       **59-2-1601 (Effective 01/01/27), as last amended by Laws of Utah 2024, Chapter 263**

38       **59-2-1602 (Effective 01/01/27), as last amended by Laws of Utah 2025, Chapters 337, 484**

40       **59-2a-101 (Effective 01/01/27)**, as renumbered and amended by Laws of Utah 2025, Chapter 172

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**59-2a-102 (Effective 01/01/27), as renumbered and amended by Laws of Utah 2025, Chapter 172**

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44 **59-2a-108 (Effective 01/01/27), as renumbered and amended by Laws of Utah 2025, Chapter 172**

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46 **59-2a-109 (Effective 01/01/27), as renumbered and amended by Laws of Utah 2025, Chapter 172**

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48 **59-2a-902 (Effective 01/01/27), as enacted by Laws of Utah 2025, Chapter 172**

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49 **63J-1-602.2 (Effective 01/01/27) (Partially Repealed 07/01/29), as last amended by Laws of Utah 2025, First Special Session, Chapter 17**

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51 ENACTS:

52 **59-2a-112 (Effective 01/01/27), Utah Code Annotated 1953**

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53 **59-2a-113 (Effective 01/01/27), Utah Code Annotated 1953**

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54 **59-2a-114 (Effective 01/01/27), Utah Code Annotated 1953**

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55 REPEALS AND REENACTS:

36 ~~{59-2a-102 (Effective 01/01/27), as renumbered and amended by Laws of Utah 2025, Chapter 172}~~

38 ~~{59-2a-103 (Effective 01/01/27), as renumbered and amended by Laws of Utah 2025, Chapter 172}~~

40 ~~{59-2a-104 (Effective 01/01/27), as renumbered and amended by Laws of Utah 2025, Chapter 172}~~

42 ~~{59-2a-105 (Effective 01/01/27), as renumbered and amended by Laws of Utah 2025, Chapter 172}~~

56 **59-2a-901 (Effective 01/01/27), as renumbered and amended by Laws of Utah 2025, Chapter 172**

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58 REPEALS:

45 ~~{59-2a-106 (Effective 01/01/27), as renumbered and amended by Laws of Utah 2025, Chapter 172}~~

47 ~~{59-2a-107 (Effective 01/01/27), as renumbered and amended by Laws of Utah 2025, Chapter 172}~~

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~~{59-2a-108 (Effective 01/01/27), as renumbered and amended by Laws of Utah 2025, Chapter 172}~~

51 ~~{59-2a-109 (Effective 01/01/27), as renumbered and amended by Laws of Utah 2025, Chapter 172}~~

53 ~~{59-2a-110 (Effective 01/01/27), as renumbered and amended by Laws of Utah 2025, Chapter 172}~~

59 59-2a-201 (Effective 01/01/27), as enacted by Laws of Utah 2025, Chapter 172

60 59-2a-202 (Effective 01/01/27), as renumbered and amended by Laws of Utah 2025, Chapter 172

62 59-2a-203 (Effective 01/01/27), as renumbered and amended by Laws of Utah 2025, Chapter 172

64 59-2a-204 (Effective 01/01/27), as renumbered and amended by Laws of Utah 2025, Chapter 172

66 59-2a-205 (Effective 01/01/27), as renumbered and amended by Laws of Utah 2025, Chapter 172

68 59-2a-206 (Effective 01/01/27), as renumbered and amended by Laws of Utah 2025, Chapter 172

70 59-2a-301 (Effective 01/01/27), as renumbered and amended by Laws of Utah 2025, Chapter 172

72 59-2a-302 (Effective 01/01/27), as enacted by Laws of Utah 2025, Chapter 172

73 59-2a-303 (Effective 01/01/27), as renumbered and amended by Laws of Utah 2025, Chapter 172

75 59-2a-304 (Effective 01/01/27), as renumbered and amended by Laws of Utah 2025, Chapter 172

77 59-2a-305 (Effective 01/01/27), as renumbered and amended by Laws of Utah 2025, Chapter 172

79 59-2a-401 (Effective 01/01/27), as renumbered and amended by Laws of Utah 2025, Chapter 172

81 59-2a-402 (Effective 01/01/27), as renumbered and amended by Laws of Utah 2025, Chapter 172

79 ~~{59-2a-501 (Effective 01/01/27), as renumbered and amended by Laws of Utah 2025, Chapter 172}~~

81 ~~{59-2a-502 (Effective 01/01/27), as renumbered and amended by Laws of Utah 2025, Chapter 172}~~

83 ~~{59-2a-601 (Effective 01/01/27), as enacted by Laws of Utah 2025, Chapter 172}~~

84 ~~{59-2a-602 (Effective 01/01/27), as renumbered and amended by Laws of Utah 2025, Chapter 172}~~

83 59-2a-701 (Effective 01/01/27), as renumbered and amended by Laws of Utah 2025, Chapter 172

85 59-2a-702 (Effective 01/01/27), as enacted by Laws of Utah 2025, Chapter 172

86 59-2a-801 (Effective 01/01/27), as renumbered and amended by Laws of Utah 2025, Chapter 172

88 59-2a-802 (Effective 01/01/27), as enacted by Laws of Utah 2025, Chapter 172

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~~{59-2a-901 (Effective 01/01/27), as renumbered and amended by Laws of Utah 2025, Chapter 172}~~

94 ~~{59-2a-902 (Effective 01/01/27), as enacted by Laws of Utah 2025, Chapter 172}~~

89 **59-2a-903 (Effective 01/01/27)**, as enacted by Laws of Utah 2025, Chapter 172

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

91 **59-2-1602** , as last amended by Laws of Utah 2024, Chapter 263

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

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

95 **59-2-919.1.** [~~{(Effective 07/01/26)}~~] ~~{(Effective 01/01/27)}~~ **(Effective 01/01/27)** **Notice of property valuation and tax changes.**

- 101 (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.
- 104 (2) The notice described in Subsection (1) shall:
- 105 (a) except as provided in Subsection (5), be sent to all owners of real property by mail 10 or more days  
before the day on which:
- 107 (i) the county board of equalization meets; and
- 108 (ii) the taxing entity holds a public hearing on the proposed increase in the certified tax rate;
- 110 (b) be on a form that is:
- 111 (i) approved by the commission; and
- 112 (ii) uniform in content in all counties in the state; and
- 113 (c) contain for each property:
- 114 (i) the assessor's determination of the value of the property;
- 115 (ii) the taxable value of the property;
- 116 (iii) for property assessed by the county assessor:
- 117 (A) instructions on how the taxpayer may file an application with the county board of equalization to  
appeal the valuation or equalization of the property under Section 59-2-1004, including instructions  
for filing an application through electronic means; and
- 121 (B) the deadline for the taxpayer to make an application to appeal the valuation or equalization of the  
property under Section 59-2-1004;
- 123 (iv) for property assessed by the commission:

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- 124 (A) instructions on how the taxpayer may file an application with the commission for a hearing on an  
objection to the valuation or equalization of the property under Section 59-2-1007;
- 127 (B) 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; and
- 130 (C) a statement that the taxpayer may not appeal the valuation or equalization of the property to the  
county board of equalization;
- 132 (v) itemized tax information for all applicable taxing entities, including:
- 133 (A) the dollar amount of the taxpayer's tax liability for the property in the prior year; and
- 135 (B) the dollar amount of the taxpayer's tax liability under the current rate;
- 136 (vi) the following, stated separately:
- 137 (A) the charter school levy described in Section 53F-2-703;
- 138 (B) the multicounty assessing and collecting levy described in Subsection 59-2-1602(2);
- 140 (C) the county assessing and collecting levy described in Subsection 59-2-1602(4);
- 141 (D) levies for debt service voted on by the public;
- 142 (E) levies imposed for special purposes under Section 10-6-133.4;
- 143 (F) the minimum basic tax rate as defined in Section 53F-2-301; ~~{and}~~
- 144 (G) if applicable, the annual payment described in Subsection 63H-1-501(4)(a);
- 140 (vii) ~~{and}~~
- 146 ~~{(H) {if applicable, a county relief levy as described in Section 59-2a-104;}}~~
- 147 ~~{(vii)}~~ the tax impact on the property;
- 148 (viii) the date, time, and place of the required public hearing for each entity;
- 149 (ix) property tax information pertaining to:
- 150 (A) taxpayer relief; and
- 151 (B) the residential exemption described in Section 59-2-103;
- 152 (x) information specifically authorized to be included on the notice under this chapter;
- 153 (xi) the last property review date of the property as described in Subsection 59-2-303.1(1)(c);
- 155 (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:
- 158 (A) a website maintained by the county; or
- 159 (B) the statewide web portal developed and maintained by the Multicounty Appraisal Trust under  
Subsection 59-2-1606(5)(a) for uniform access to property characteristics and features; ~~{and}~~

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- 155 (xiii) if applicable, the following information in relation to a county relief levy imposed under Section  
156 59-2a-114:
- 157 (A) the rate of the county relief levy; and  
158 (B) the amount of tax levied; and  
162 [(xiii)] (xiv) other information approved by the commission.
- 163 (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):
- 166 (a) the dollar amount of the taxpayer's tax liability if the proposed increase is approved;  
167 (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);  
171 (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  
174 (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.
- 177 (4) In addition to any other tax relief information required under Subsection (2)(c)(ix)(A), a notice sent  
to a residential property shall:
- 179 (a) state, "If you are 65 years old or older, disabled, or experiencing extreme hardship, and this property  
is your primary residence, you may be eligible to defer payment of this property tax."; and  
182 (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.
- 185 (5)
- (a) Subject to the other provisions of this Subsection (5), a county auditor may provide, at the county  
auditor's discretion, 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.
- 190 (b)

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- (i) If a county auditor sends a notice required by this section by electronic means, the county auditor shall attempt to verify whether a taxpayer receives the notice.
- 192 (ii) If the county auditor cannot verify receipt of the notice sent by electronic means 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 county auditor shall send the notice required by this section by mail as provided in Subsection (2).
- 197 (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.
- 200 (d) An election or a revocation of an election under this Subsection (5):
- 201 (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
- 203 (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).
- 206 (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 (5), if:
- 209 (i) the taxpayer revokes an election in accordance with Subsection (5)(c) to receive the notice required by this section by electronic means; or
- 211 (ii) the county auditor finds that the taxpayer's electronic contact information is invalid.
- 213 (f) A person is considered to be a taxpayer for purposes of this Subsection (5) regardless of whether the property that is the subject of the notice required by this section is exempt from taxation.
- 213 Section 2. Section **59-2-924** is amended to read:
- 214 **59-2-924. Definitions -- Report of valuation of property to county auditor and commission -- Transmittal by auditor to governing bodies -- Calculation of certified tax rate -- Rulemaking authority -- Adoption of tentative budget -- Notice provided by the commission.**
- 221 (1) As used in this section:
- 222 (a)
- (i) "Ad valorem property tax revenue" means revenue collected in accordance with this chapter minus revenue the taxing entity receives {in accordance with Subsection 59-2a-104(4)} from the imposition of a county relief levy under Section 59-2a-114.
- 225 (ii) "Ad valorem property tax revenue" does not include:

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- 226 (A) interest;
- 227 (B) penalties;
- 228 (C) collections from redemptions; or
- 229 (D) revenue received by a taxing entity from personal property that is semiconductor manufacturing  
equipment assessed by a county assessor in accordance with Part 3, County Assessment.
- 232 (b) "Adjusted tax increment" means the same as that term is defined in Section 17C-1-102.
- 234 (c)
- (i) "Aggregate taxable value of all property taxed" means:
- 235 (A) the aggregate taxable value of all real property a county assessor assesses in accordance with  
Part 3, County Assessment, for the current year;
- 237 (B) the aggregate taxable value of all real and personal property the commission assesses in  
accordance with Part 2, Assessment of Property, for the current year; and
- 240 (C) the aggregate year end taxable value of all personal property a county assessor assesses in  
accordance with Part 3, County Assessment, contained on the prior year's tax rolls of the taxing  
entity.
- 243 (ii) "Aggregate taxable value of all property taxed" does not include the aggregate year end taxable  
value of personal property that is:
- 245 (A) semiconductor manufacturing equipment assessed by a county assessor in accordance with Part 3,  
County Assessment; and
- 247 (B) contained on the prior year's tax rolls of the taxing entity.
- 248 (d) "Base taxable value" means:
- 249 (i) for an authority created under Section 11-58-201, the same as that term is defined in Section  
11-58-102;
- 251 (ii) for the Point of the Mountain State Land Authority created in Section 11-59-201, the same as that  
term is defined in Section ~~[11-59-207]~~ 11-59-208;
- 253 (iii) for the Utah Fairpark Area Investment and Restoration District created in Section 11-70-201, the  
same as that term is defined in Section 11-70-101;
- 255 (iv) for an agency created under Section 17C-1-201.5, the same as that term is defined in Section  
17C-1-102;
- 257 (v) for an authority created under Section 63H-1-201, the same as that term is defined in Section  
63H-1-102;

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- 259 (vi) for a host local government, the same as that term is defined in Section 63N-2-502;
- 261 (vii) for a housing and transit reinvestment zone or convention center reinvestment zone created under  
Title 63N, Chapter 3, Part 6, Housing and Transit Reinvestment Zone Act, the same as that term is  
defined in Section 63N-3-602;
- 264 (viii) for a home ownership promotion zone created under Title 10, Chapter 21, Part 5, Home  
Ownership Promotion Zone for Municipalities, or Title 17, Chapter 80, Part 5, Home Ownership  
Promotion Zone, a property's taxable value as shown upon the assessment roll last equalized during  
the base year, as that term is defined in Section 10-21-101 or Section 17-80-101;
- 269 (ix) for a first home investment zone created under Title 63N, Chapter 3, Part 16, First Home  
Investment Zone Act, a property's taxable value as shown upon the assessment roll last equalized  
during the base year, as that term is defined in Section 63N-3-1601;
- 273 (x) for a major sporting event venue zone created under Title 63N, Chapter 3, Part 17, Major Sporting  
Event Venue Zone Act, a property's taxable value as shown upon the assessment roll last equalized  
during the property tax base year, as that term is defined in Section 63N-3-1701; or
- 277 (xi) for an electrical energy development zone [~~created~~] designated under Section 79-6-1104, the value  
of the property within an electrical energy development zone, as shown on the assessment roll last  
equalized before the [~~creation~~] designation of the electrical energy development zone, as that term is  
defined in Section 79-6-1104.
- 282 (e) "Centrally assessed benchmark value" means an amount equal to the average year end taxable value  
of real and personal property the commission assesses in accordance with Part 2, Assessment of  
Property, for the previous three calendar years, adjusted for taxable value attributable to:
- 286 (i) an annexation to a taxing entity;
- 287 (ii) an incorrect allocation of taxable value of real or personal property the commission assesses in  
accordance with Part 2, Assessment of Property; or
- 289 (iii) a change in value as a result of a change in the method of apportioning the value prescribed by the  
Legislature, a court, or the commission in an administrative rule or administrative order.
- 292 (f) "Centrally assessed industry" means the following industry classes the commission assesses in  
accordance with Part 2, Assessment of Property:
- 294 (i) air carrier;
- 295 (ii) coal;
- 296 (iii) coal load out property;

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- 297 (iv) electric generation;
- 298 (v) electric rural;
- 299 (vi) electric utility;
- 300 (vii) gas utility;
- 301 (viii) ground access property;
- 302 (ix) land only property;
- 303 (x) liquid pipeline;
- 304 (xi) metalliferous mining;
- 305 (xii) nonmetalliferous mining;
- 306 (xiii) oil and gas gathering;
- 307 (xiv) oil and gas production;
- 308 (xv) oil and gas water disposal;
- 309 (xvi) railroad;
- 310 (xvii) sand and gravel; and
- 311 (xviii) uranium.
- 312 (g)
- (i) "Centrally assessed new growth" means the greater of:
- 313 (A) for each centrally assessed industry, zero; or
- 314 (B) the amount calculated by subtracting the centrally assessed benchmark value for each centrally assessed industry, adjusted for prior year end incremental value, from the taxable value of real and personal property the commission assesses in accordance with Part 2, Assessment of Property, for each centrally assessed industry for the current year, adjusted for current year incremental value.
- 320 (ii) "Centrally assessed new growth" does not include a change in value for a centrally assessed industry as a result of a change in the method of apportioning the value prescribed by the Legislature, a court, or the commission in an administrative rule or administrative order.
- 324 (h) "Certified tax rate" means a tax rate that will provide the same ad valorem property tax revenue for a taxing entity as was budgeted by that taxing entity for the prior year.
- 326 (i) "Community reinvestment agency" means the same as that term is defined in Section 17C-1-102.
- 328 (j) "Eligible new growth" means the greater of:
- 329 (i) zero; or

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- 330 (ii) the sum of:
- 331 (A) locally assessed new growth;
- 332 (B) centrally assessed new growth; and
- 333 (C) project area new growth or hotel property new growth.
- 334 (k) "Host local government" means the same as that term is defined in Section 63N-2-502.
- 336 (l) "Hotel property" means the same as that term is defined in Section 63N-2-502.
- 337 (m) "Hotel property new growth" means an amount equal to the incremental value that is no longer provided to a host local government as incremental property tax revenue.
- 339 (n) "Incremental property tax revenue" means the same as that term is defined in Section 63N-2-502.
- 341 (o) "Incremental value" means:
- 342 (i) for an authority created under Section 11-58-201, the amount calculated by multiplying:
- 344 (A) the difference between the taxable value and the base taxable value of the property that is located within a project area and on which property tax differential is collected; and
- 347 (B) the number that represents the percentage of the property tax differential that is paid to the authority;
- 349 (ii) for the Point of the Mountain State Land Authority created in Section 11-59-201, an amount calculated by multiplying:
- 351 (A) the difference between the current assessed value of the property and the base taxable value; and
- 353 (B) the number that represents the percentage of the property tax augmentation, as defined in Section ~~[11-59-207]~~ 11-59-208, that is paid to the Point of the Mountain State Land Authority;
- 356 (iii) for the Utah Fairpark Area Investment and Restoration District created in Section 11-70-201, the amount calculated by multiplying:
- 358 (A) the difference between the taxable value for the current year and the base taxable value of the property that is located within a project area; and
- 360 (B) the number that represents the percentage of enhanced property tax revenue, as defined in Section 11-70-101;
- 362 (iv) for an agency created under Section 17C-1-201.5, the amount calculated by multiplying:
- 364 (A) the difference between the taxable value and the base taxable value of the property located within a project area and on which tax increment is collected; and
- 367 (B) the number that represents the adjusted tax increment from that project area that is paid to the agency;

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- 369 (v) for an authority created under Section 63H-1-201, the amount calculated by multiplying:  
371 (A) the difference between the taxable value and the base taxable value of the property located within a  
project area and on which property tax allocation is collected; and  
374 (B) the number that represents the percentage of the property tax allocation from that project area that is  
paid to the authority;
- 376 (vi) for a housing and transit reinvestment zone or convention center reinvestment zone created in  
accordance with Title 63N, Chapter 3, Part 6, Housing and Transit Reinvestment Zone Act, an  
amount calculated by multiplying:  
379 (A) the difference between the taxable value and the base taxable value of the property that is located  
within a housing and transit reinvestment zone or convention center reinvestment zone and on which  
tax increment is collected; and  
383 (B) the number that represents the percentage of the tax increment that is paid to the housing and transit  
reinvestment zone or convention center reinvestment zone;
- 386 (vii) for a host local government, an amount calculated by multiplying:  
387 (A) the difference between the taxable value and the base taxable value of the hotel property on which  
incremental property tax revenue is collected; and  
389 (B) the number that represents the percentage of the incremental property tax revenue from that hotel  
property that is paid to the host local government;
- 391 (viii) for a home ownership promotion zone created under Title 10, Chapter 21, Part 5, Home  
Ownership Promotion Zone for Municipalities, or Title 17, Chapter 80, Part 5, Home Ownership  
Promotion Zone, an amount calculated by multiplying:  
394 (A) the difference between the taxable value and the base taxable value of the property that is located  
within a home ownership promotion zone and on which tax increment is collected; and  
397 (B) the number that represents the percentage of the tax increment that is paid to the home ownership  
promotion zone;
- 399 (ix) for a first home investment zone created in accordance with Title 63N, Chapter 3, Part 16, First  
Home Investment Zone Act, an amount calculated by multiplying:  
401 (A) the difference between the taxable value and the base taxable value of the property that is located  
within a first home investment zone and on which tax increment is collected; and  
404 (B) the number that represents the percentage of the tax increment that is paid to the first home  
investment zone;

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- 406 (x) for a major sporting event venue zone created [~~pursuant to~~] in accordance with Title 63N, Chapter 3,  
Part 17, Major Sporting Event Venue Zone Act, an amount calculated by multiplying:
- 409 (A) the difference between the taxable value and the base taxable value of the property located within  
a qualified development zone for a major sporting event venue zone and upon which property tax  
increment is collected; and
- 412 (B) the number that represents the percentage of tax increment that is paid to the major sporting event  
venue zone, as approved by a major sporting event venue zone committee described in Section  
63N-1a-1706; or
- 415 (xi) for an electrical energy development zone [~~created~~] designated under Section 79-6-1104, the  
amount calculated by multiplying:
- 417 (A) the difference between the taxable value and the base taxable value of the property that is located  
within the electrical energy developmental zone; and
- 419 (B) the number that represents the percentage of the tax increment that is paid to a community  
reinvestment agency and the Electrical Energy Development Investment Fund created in Section  
79-6-1105.
- 422 (p)
- (i) "Locally assessed new growth" means the greater of:
- 423 (A) zero; or
- 424 (B) the amount calculated by subtracting the year end taxable value of real property the county  
assessor assesses in accordance with Part 3, County Assessment, for the previous year, adjusted  
for prior year end incremental value from the taxable value of real property the county assessor  
assesses in accordance with Part 3, County Assessment, for the current year, adjusted for current  
year incremental value.
- 430 (ii) "Locally assessed new growth" does not include a change in:
- 431 (A) value as a result of factoring in accordance with Section 59-2-704, reappraisal, or another  
adjustment;
- 433 (B) assessed value based on whether a property is allowed a residential exemption for a primary  
residence under Section 59-2-103;
- 435 (C) assessed value based on whether a property is assessed under Part 5, Farmland Assessment Act; or
- 437 (D) assessed value based on whether a property is assessed under Part 17, Urban Farming Assessment  
Act.

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- 439 (q) "Project area" means:
- 440 (i) for an authority created under Section 11-58-201, the same as that term is defined in Section  
11-58-102;
- 442 (ii) for the Utah Fairpark Area Investment and Restoration District created in Section 11-70-201, the  
same as that term is defined in Section 11-70-101;
- 444 (iii) for an agency created under Section 17C-1-201.5, the same as that term is defined in Section  
17C-1-102;
- 446 (iv) for an authority created under Section 63H-1-201, the same as that term is defined in Section  
63H-1-102;
- 448 (v) for a housing and transit reinvestment zone or convention center reinvestment zone created under  
Title 63N, Chapter 3, Part 6, Housing and Transit Reinvestment Zone Act, the same as that term is  
defined in Section 63N-3-602;
- 451 (vi) for a home ownership promotion zone created under Title 10, Chapter 21, Part 5, Home Ownership  
Promotion Zone for Municipalities, or Title 17, Chapter 80, Part 5, Home Ownership Promotion  
Zone, the same as that term is defined in Section 10-21-101 or Section 17-80-101;
- 455 (vii) for a first home investment zone created under Title 63N, Chapter 3, Part 16, First Home  
Investment Zone Act, the same as that term is defined in Section 63N-3-1601; or
- 458 (viii) for a major sporting event venue zone established under Title 63N, Chapter 3, Part 17, Major  
Sporting Event Venue Zone Act, the qualified development zone, as defined in Section 63N-3-1701.
- 461 (r) "Project area new growth" means:
- 462 (i) for an authority created under Section 11-58-201, an amount equal to the incremental value that is no  
longer provided to an authority as property tax differential;
- 465 (ii) for the Point of the Mountain State Land Authority created in Section 11-59-201, an amount  
equal to the incremental value that is no longer provided to the Point of the Mountain State Land  
Authority as property tax augmentation, as defined in Section [~~11-59-207~~] 11-59-208;
- 469 (iii) for the Utah Fairpark Area Investment and Restoration District created in Section 11-70-201,  
an amount equal to the incremental value that is no longer provided to the Utah Fairpark Area  
Investment and Restoration District;
- 472 (iv) for an agency created under Section 17C-1-201.5, an amount equal to the incremental value that is  
no longer provided to an agency as tax increment;

474

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- (v) for an authority created under Section 63H-1-201, an amount equal to the incremental value that is no longer provided to an authority as property tax allocation;
- 477 (vi) for a housing and transit reinvestment zone or convention center reinvestment zone created under Title 63N, Chapter 3, Part 6, Housing and Transit Reinvestment Zone Act, an amount equal to the incremental value that is no longer provided to a housing and transit reinvestment zone or convention center reinvestment zone as tax increment;
- 482 (vii) for a home ownership promotion zone created under Title 10, Chapter 21, Part 5, Home Ownership Promotion Zone for Municipalities, or Title 17, Chapter 80, Part 5, Home Ownership Promotion Zone, an amount equal to the incremental value that is no longer provided to a home ownership promotion zone as tax increment;
- 486 (viii) for a first home investment zone created under Title 63N, Chapter 3, Part 16, First Home Investment Zone Act, an amount equal to the incremental value that is no longer provided to a first home investment zone as tax increment; or
- 489 (ix) for a major sporting event venue zone created under Title 63N, Chapter 3, Part 17, Major Sporting Event Venue Zone Act, an amount equal to the incremental value that is no longer provided to the creating entity of a major sporting event venue zone as property tax increment.
- 493 (s) "Project area incremental revenue" means the same as that term is defined in Section 17C-1-1001.
- 495 (t) "Property tax allocation" means the same as that term is defined in Section 63H-1-102.
- 496 (u) "Property tax differential" means the same as that term is defined in Sections 11-58-102 and 79-6-1104.
- 498 ~~{(v) "Subtraction" means the amount of revenue the taxing entity receives in the prior year in accordance with Subsection 59-2a-104(4).}~~
- 500 ~~{(v)}~~ ~~{(w)}~~ "Tax increment" means:
- 501 (i) for a project created under Section 17C-1-201.5, the same as that term is defined in Section 17C-1-102;
- 503 (ii) for a housing and transit reinvestment zone or convention center reinvestment zone created under Title 63N, Chapter 3, Part 6, Housing and Transit Reinvestment Zone Act, the same as the term "property tax increment" is defined in Section 63N-3-602;
- 507 (iii) for a home ownership promotion zone created under Title 10, Chapter 21, Part 5, Home Ownership Promotion Zone for Municipalities, or Title 17, Chapter 80, Part 5, Home Ownership Promotion Zone, the same as that term is defined in Section 10-21-101 or Section 17-80-101;

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- 511 (iv) for a first home investment zone created under Title 63N, Chapter 3, Part 16, First Home  
Investment Zone Act, the same as that term is defined in Section 63N-3-1601; or
- 514 (v) for a major sporting event venue zone created under Title 63N, Chapter 3, Part 17, Major Sporting  
Event Venue Zone Act, property tax increment, as that term is defined in Section 63N-3-1701.
- 517 (2) Before June 1 of each year, each county assessor shall deliver to the county auditor and the  
commission the following statements:
- 519 (a) a statement containing the aggregate valuation of all taxable real property a county assessor assesses  
in accordance with Part 3, County Assessment, for each taxing entity; and
- 522 (b) a statement containing the taxable value of all personal property a county assessor assesses in  
accordance with Part 3, County Assessment, from the prior year end values.
- 525 (3) The county auditor shall, on or before June 8, transmit to the governing body of each taxing entity:
- 527 (a) the statements described in Subsections (2)(a) and (b);
- 528 (b) an estimate of the revenue from personal property;
- 529 (c) the certified tax rate; and
- 530 (d) all forms necessary to submit a tax levy request.
- 531 (4)
- (a) Except as otherwise provided in this section, the certified tax rate shall be calculated by dividing the  
ad valorem property tax revenue that a taxing entity budgeted for the prior year { ~~minus subtractions~~  
} by the amount calculated under Subsection (4)(b).
- 535 (b) For purposes of Subsection (4)(a), the legislative body of a taxing entity shall calculate an amount as  
follows:
- 537 (i) calculate for the taxing entity the difference between:
- 538 (A) the aggregate taxable value of all property taxed; and
- 539 (B) any adjustments for current year incremental value;
- 540 (ii) after making the calculation required by Subsection (4)(b)(i), calculate an amount determined by  
increasing or decreasing the amount calculated under Subsection (4)(b)(i) by the average of the  
percentage net change in the value of taxable property for the equalization period for the three  
calendar years immediately preceding the current calendar year;
- 545 (iii) after making the calculation required by Subsection (4)(b)(ii), calculate the product of:
- 547 (A) the amount calculated under Subsection (4)(b)(ii); and
- 548

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- (B) the percentage of property taxes collected for the five calendar years immediately preceding the current calendar year; and
- 550 (iv) after making the calculation required by Subsection (4)(b)(iii), calculate an amount determined by:
- 552 (A) multiplying the percentage of property taxes collected for the five calendar years immediately preceding the current calendar year by eligible new growth; and
- 555 (B) subtracting the amount calculated under Subsection (4)(b)(iv)(A) from the amount calculated under Subsection (4)(b)(iii).
- 557 (5) A certified tax rate for a taxing entity described in this Subsection (5) shall be calculated as follows:
- 559 (a) except as provided in Subsection (5)(b) or (c), for a new taxing entity, the certified tax rate is zero;
- 561 (b) for a municipality incorporated on or after July 1, 1996, the certified tax rate is:
- 562 (i) in a county of the first, second, or third class, the levy imposed for municipal-type services under Title 17, Chapter 78, Part 5, Provision of Municipal-Type Services to Unincorporated Areas; and
- 565 (ii) in a county of the fourth, fifth, or sixth class, the levy imposed for general county purposes and such other levies imposed solely for the municipal-type services identified in Section 17-78-501 and Subsection 17-63-101(23);
- 568 (c) for a community reinvestment agency that received all or a portion of a taxing entity's project area incremental revenue in the prior year under Title 17C, Chapter 1, Part 10, Agency Taxing Authority, the certified tax rate is calculated as described in Subsection (4) except that the commission shall treat the total revenue transferred to the community reinvestment agency as ad valorem property tax revenue that the taxing entity budgeted for the prior year; and
- 574 (d) for debt service voted on by the public, the certified tax rate is the actual levy imposed by that section, except that a certified tax rate for the following levies shall be calculated in accordance with Section 59-2-913 and this section:
- 577 (i) a school levy provided for under Section 53F-8-301, 53F-8-302, or 53F-8-303; and
- 578 (ii) a levy to pay for the costs of state legislative mandates or judicial or administrative orders under Section 59-2-1602.
- 580 (6)
- (a) A taxing entity may impose a judgment levy under Section 59-2-1328 or 59-2-1330 at a rate that is sufficient to generate only the revenue required to satisfy one or more eligible judgments.
- 583 (b) The ad valorem property tax revenue generated by a judgment levy described in Subsection (6)(a) may not be considered in establishing a taxing entity's aggregate certified tax rate.

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- 586 (7)
- (a) For the purpose of calculating the certified tax rate, the county auditor shall use:
- 587 (i) the taxable value of real property:
- 588 (A) the county assessor assesses in accordance with Part 3, County Assessment; and
- 590 (B) contained on the assessment roll;
- 591 (ii) the year end taxable value of personal property:
- 592 (A) a county assessor assesses in accordance with Part 3, County Assessment; and
- 593 (B) contained on the prior year's assessment roll; and
- 594 (iii) the taxable value of real and personal property the commission assesses in accordance with Part  
2, Assessment of Property.
- 596 (b) For purposes of Subsection (7)(a), taxable value does not include eligible new growth.
- 598 (8)
- (a) On or before June 30 of each year, a taxing entity shall adopt a tentative budget.
- 599 (b) If a taxing entity intends to exceed the certified tax rate, the taxing entity shall notify the county  
auditor of:
- 601 (i) the taxing entity's intent to exceed the certified tax rate; and
- 602 (ii) the amount by which the taxing entity proposes to exceed the certified tax rate.
- 603 (c) The county auditor shall notify property owners of any intent to levy a tax rate that exceeds the  
certified tax rate in accordance with Sections 59-2-919 and 59-2-919.1.
- 605 (9)
- (a) Subject to Subsection (9)(d), the commission shall provide notice, through electronic means on or  
before July 31, to a taxing entity and the Revenue and Taxation Interim Committee if:
- 608 (i) the amount calculated under Subsection (9)(b) is 10% or more of the year end taxable value of  
the real and personal property the commission assesses in accordance with Part 2, Assessment  
of Property, for the previous year, adjusted for prior year end incremental value; and
- 612 (ii) the amount calculated under Subsection (9)(c) is 50% or more of the total year end taxable  
value of the real and personal property of a taxpayer the commission assesses in accordance  
with Part 2, Assessment of Property, for the previous year.
- 615 (b) For purposes of Subsection (9)(a)(i), the commission shall calculate an amount by subtracting the  
taxable value of real and personal property the commission assesses in accordance with Part 2,  
Assessment of Property, for the current year, adjusted for current year incremental value, from the

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year end taxable value of the real and personal property the commission assesses in accordance with Part 2, Assessment of Property, for the previous year, adjusted for prior year end incremental value.

621 (c) For purposes of Subsection (9)(a)(ii), the commission shall calculate an amount by subtracting  
the total taxable value of real and personal property of a taxpayer the commission assesses in  
accordance with Part 2, Assessment of Property, for the current year, from the total year end taxable  
value of the real and personal property of a taxpayer the commission assesses in accordance with  
Part 2, Assessment of Property, for the previous year.

627 (d) The notification under Subsection (9)(a) shall include a list of taxpayers that meet the requirement  
under Subsection (9)(a)(ii).

623 Section 3. Section **59-2-1317** is amended to read:

624 **59-2-1317. Tax notice -- Contents of notice -- Procedures and requirements for providing  
notice.**

632 (1) As used in this section, "political subdivision lien" means the same as that term is defined in Section  
11-60-102.

634 (2) Subject to the other provisions of this section, the county treasurer shall:

635 (a) collect the taxes and tax notice charges; and

636 (b) provide a notice to each taxpayer that contains the following:

637 (i) the kind and value of property assessed to the taxpayer;

638 (ii) the street address of the property, if available to the county;

639 (iii) that the property may be subject to a detailed review in the next year under Section 59-2-303.1;

641 (iv) the amount of taxes levied;

642 (v) a separate statement of the taxes levied only on a certain kind or class of property for a special  
purpose;

644 (vi) instructions for payment of the taxes and tax notice charges applicable to the property, including the  
taxpayer's payment options and collection procedures;

646 (vii) any tax notice charges applicable to the property, including:

647 (A) if applicable, a political subdivision lien for road damage that a railroad company causes, as  
described in Section 10-7-30;

649 (B) if applicable, a political subdivision lien for municipal water distribution, as described in Section  
10-8-17, or a political subdivision lien for an increase in supply from a municipal water distribution,  
as described in Section 10-8-19;

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- 652 (C) if applicable, a political subdivision lien for unpaid abatement fees as described in Section 10-11-4;
- 654 (D) if applicable, a political subdivision lien for the unpaid portion of an assessment assessed in accordance with Title 11, Chapter 42, Assessment Area Act, or Title 11, Chapter 42a, Commercial Property Assessed Clean Energy Act, including unpaid costs, charges, and interest as of the date the local entity certifies the unpaid amount to the county treasurer;
- 659 (E) if applicable, for a special district in accordance with Section 17B-1-902, a political subdivision lien for an unpaid fee, administrative cost, or interest;
- 661 (F) if applicable, a political subdivision lien for an unpaid irrigation district use charge as described in Section 17B-2a-506;
- 663 (G) if applicable, a political subdivision lien for a contract assessment under a water contract, as described in Section 17B-2a-1007;
- 665 (H) if applicable, a property tax penalty that a public infrastructure district imposes, as described in Section 17D-4-304; ~~{and}~~
- 667 (I) if applicable, an annual payment to the Military Installation Development Authority or an entity designated by the authority in accordance with Section 63H-1-501;
- 664 ~~(viii) {and}~~
- 670 ~~{(J) {if applicable, a county relief levy that a county imposes, as described in Section 59-2a-104;}}~~
- 672 ~~{(viii)}~~ if a county's tax notice includes an assessment area charge, a statement that, due to potentially ongoing assessment area charges, costs, penalties, and interest, payment of a tax notice charge may not:
- 675 (A) pay off the full amount the property owner owes to the tax notice entity; or
- 676 (B) cause a release of the lien underlying the tax notice charge;
- 677 (ix) if applicable, the annual payment described in Subsection 63H-1-501(4)(a);
- 678 (x) the date the taxes and tax notice charges are due;
- 679 (xi) the street address or website at which the taxes and tax notice charges may be paid;
- 681 (xii) the date on which the taxes and tax notice charges are delinquent;
- 682 (xiii) the penalty imposed on delinquent taxes and tax notice charges;
- 683 (xiv) a statement that explains the taxpayer's right to direct allocation of a partial payment in accordance with Subsection (9);
- 685 (xv) other information specifically authorized to be included on the notice under this chapter;
- 679

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(xvi) if applicable, the following information in relation to a county relief levy imposed under Section 59-2a-114:

681 (A) the rate of the county relief levy; and

682 (B) the amount of tax levied;

687 [~~(xvi)~~] (xvii) other property tax information approved by the commission; and

688 [~~(xvii)~~] (xviii) if sent in calendar year 2024, 2025, or 2026:

689 (A) notice that the taxpayer may request electronic notice as described in Subsection 17-71-302(1)(m);  
and

691 (B) instructions describing how to elect to receive a notice as described in Subsection 17-71-302(1)(m).

693 (3)

(a) Unless expressly allowed under this section or another statutory provision, the treasurer may not add an amount to be collected to the property tax notice.

695 (b) If the county treasurer adds an amount to be collected to the property tax notice under this section or another statutory provision that expressly authorizes the item's inclusion on the property tax notice:

698 (i) the amount constitutes a tax notice charge; and

699 (ii)

(A) the tax notice charge has the same priority as property tax; and

700 (B) a delinquency of the tax notice charge triggers a tax sale, in accordance with Section 59-2-1343.

702 (4) For any property for which property taxes or tax notice charges are delinquent, the notice described in Subsection (2) shall state, "Prior taxes or tax notice charges are delinquent on this parcel."

705 (5) Except as provided in Subsection (6), the county treasurer shall:

706 (a) mail the notice required by this section, postage prepaid; or

707 (b) leave the notice required by this section at the taxpayer's residence or usual place of business, if known.

709 (6)

(a) Subject to the other provisions of this Subsection (6), a county treasurer may, at the county treasurer's discretion, provide the notice required by this section by electronic mail if a taxpayer makes an election, according to procedures determined by the county treasurer, to receive the notice by electronic mail.

713 (b) A taxpayer may revoke an election to receive the notice required by this section by electronic mail if the taxpayer provides written notice to the treasurer on or before October 1.

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- 716 (c) A revocation of an election under this section does not relieve a taxpayer of the duty to pay a tax or  
tax notice charge due under this chapter on or before the due date for paying the tax or tax notice  
charge.
- 719 (d) A county treasurer shall provide the notice required by this section using a method described in  
Subsection (5), until a taxpayer makes a new election in accordance with this Subsection (6), if:
- 722 (i) the taxpayer revokes an election in accordance with Subsection (6)(b) to receive the notice required  
by this section by electronic mail; or
- 724 (ii) the county treasurer finds that the taxpayer's electronic mail address is invalid.
- 725 (e) A person is considered to be a taxpayer for purposes of this Subsection (6) regardless of whether the  
property that is the subject of the notice required by this section is exempt from taxation.
- 728 (7)
- (a) The county treasurer shall provide the notice required by this section to a taxpayer on or before  
November 1.
- 730 (b) The county treasurer shall keep on file in the county treasurer's office the information set forth in the  
notice.
- 732 (c) The county treasurer is not required to mail a tax receipt acknowledging payment.
- 733 (8) This section does not apply to property taxed under Section 59-2-1302 or 59-2-1307.
- 734 (9)
- (a) A taxpayer who pays less than the full amount due on the taxpayer's property tax notice may, on a  
form provided by the county treasurer, direct how the county treasurer allocates the partial payment  
between:
- 737 (i) the total amount due for property tax;
- 738 (ii) the amount due for assessments, past due special district fees, and other tax notice charges; and
- 740 (iii) any other amounts due on the property tax notice.
- 741 (b) The county treasurer shall comply with a direction submitted to the county treasurer in accordance  
with Subsection (9)(a).
- 743 (c) The provisions of this Subsection (9) do not:
- 744 (i) affect the right or ability of a local entity to pursue any available remedy for non-payment of any  
item listed on a taxpayer's property tax notice; or
- 746 (ii) toll or otherwise change any time period related to a remedy described in Subsection (9)(c)(i).
- 744 Section 4. Section 59-2-1365 is amended to read:

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- 745           **59-2-1365. Payment to taxing entities by county treasurer -- Investment of proceeds --**  
746           **Transfer and receipt of money between taxing entities.**
- 747           (1) Except as provided in Subsections (3) and (4), the county treasurer shall pay to the treasurer of  
748           each taxing entity and each tax notice charge entity in the county on or before the tenth day of each  
749           month:
- 750           (a) all money that the county treasurer received during the preceding month that is due to the entity; and  
751           (b) each entity's proportionate share of money the county treasurer received during the preceding month  
752           for:
- 753           (i) delinquent taxes and tax notice charges;  
754           (ii) interest;  
755           (iii) penalties; and  
756           (iv) costs on all tax sales and redemptions.
- 757           (2) Except as provided in Subsections (3) and (4), the county treasurer shall:
- 758           (a) adopt an appropriate procedure to account for the transfer and receipt of money between taxing  
759           entities and tax notice charge entities;
- 760           (b) make a final annual settlement on March 31 with each taxing entity and tax notice charge entity,  
761           including providing the entity a written statement for the most recent calendar year of the amount of:
- 762           (i) total taxes and tax notice charges charged;  
763           (ii) current taxes and tax notice charges collected;  
764           (iii) treasurer's relief;  
765           (iv) redemptions;  
766           (v) penalties;  
767           (vi) interest;  
768           (vii) in lieu fee collections on motor vehicles; [~~and~~]  
769           (viii) the forfeited revenue amount, as defined in Section 59-2a-101; and  
770           [~~(viii)~~] (ix) miscellaneous collections;
- 771           (c) invest the money it receives under Subsection (1); and  
772           (d) pay annually to each taxing entity and tax notice charge entity in the county the interest earned on  
773           the invested money under Subsection (2)(c):
- 774           (i) on or before March 31; and  
775           (ii) apportioned according to the proportion that the:

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- 778 (A) taxing entity's tax receipts bear to the total tax receipts received by the county treasurer; and  
780 (B) tax notice charge entity's tax notice charge receipts bear to the total tax notice charge receipts that  
the county treasurer receives.
- 782 (3) Notwithstanding Subsections (1) and (2), a county may:
- 783 (a) negotiate with a taxing entity or tax notice charge entity a procedure other than the procedure  
provided in Subsection (2)(a) to account for the transfer and receipt of money between the county  
and the taxing entity or tax notice charge entity; and
- 786 (b) establish a date other than the tenth day of each month for the county treasurer to make payments  
required under Subsection (1).
- 788 (4) This section does not invalidate an existing contract between a county and a taxing entity or tax  
notice charge entity relating to the apportionment and payment of money or interest.

791 Section 5. Section 59-2-1601 is amended to read:

792 **59-2-1601. Definitions.**

As used in this part:

- 794 (1) "County additional property tax" means the property tax levy described in Subsection 59-2-1602(4).  
796 (2) "Fund" means the Property Tax Valuation Fund created in Section 59-2-1602.
- 797 (3) "Impacted taxing entity" means the same as that term is defined in Section 59-2a-101.
- 798 [~~3~~] (4) "Multicounty Appraisal Trust" means the Multicounty Appraisal Trust created by an  
agreement:
- 800 (a) entered into by all of the counties in the state; and  
801 (b) authorized by Title 11, Chapter 13, Interlocal Cooperation Act.
- 802 [~~4~~] (5) "Multicounty assessing and collecting levy" means a property tax levied in accordance with  
Subsection 59-2-1602(2).
- 804 [~~5~~] (6)
- (a) "Property valuation service" means any service or technology that promotes uniform assessment  
levels for the valuation of personal property and real property in accordance with Part 3, County  
Assessment.
- 807 (b) "Property valuation service" includes statewide aerial imagery, change detection, sketch validation,  
exception analysis, commercial valuation modeling, residential valuation modeling, automated  
valuation modeling, and equity analysis.

810

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[(6)] (7) "Statewide property tax system" means a computer assisted system for mass appraisal, equalization, collection, distribution, and administration related to property tax, created by the Multicounty Appraisal Trust in accordance with Section 59-2-1606.

814 Section 6. Section 59-2-1602 is amended to read:

815 **59-2-1602. Property Tax Valuation Fund -- Statewide levy -- Additional county levy.**

817 (1)

(a) There is created a custodial fund known as the "Property Tax Valuation Fund."

818 (b) The fund consists of:

819 (i) deposits made and penalties received under Subsection (3);~~and~~

820 (ii) interest on money deposited into the fund~~[-]~~ ; and

821 (iii) appropriations from the Legislature.

822 (c) Deposits, penalties, and interest described in Subsection (1)(b) shall be disbursed and used as provided in Section 59-2-1603 and Subsection (5).

824 (2)

(a) Each county shall annually impose a multicounty assessing and collecting levy as provided in this Subsection (2).

826 (b) The tax rate of the multicounty assessing and collecting levy is the certified revenue levy rounded up to the sixth decimal place.

828 (c) The state treasurer shall allocate all revenue collected from the multicounty assessing and collecting levy to the Multicounty Appraisal Trust.

830 (3)

(a) The multicounty assessing and collecting levy imposed under Subsection (2) shall be separately stated on the tax notice as a multicounty assessing and collecting levy.

832 (b) The multicounty assessing and collecting levy is:

833 (i) exempt from Sections 17C-1-403 through 17C-1-406;

834 (ii) in addition to and exempt from the maximum levies allowable under Section 59-2-908; and

836 (iii) exempt from the notice and public hearing requirements of Section 59-2-919.

837 (c)

(i) Each county shall transmit quarterly to the state treasurer the revenue collected from the multicounty assessing and collecting levy.

839

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- 842 (ii) The revenue transmitted under Subsection (3)(c)(i) shall be transmitted no later than the tenth day of the month following the end of the quarter in which the revenue is collected.
- 846 (iii) If revenue transmitted under Subsection (3)(c)(i) is transmitted after the tenth day of the month following the end of the quarter in which the revenue is collected, the county shall pay an interest penalty at the rate of 10% each year until the revenue is transmitted.
- 848 (d) The state treasurer shall allocate the penalties received under this Subsection (3) in the same manner as revenue is allocated under Subsection (2)(c).
- 848 (4)
- 850 (a) A county may levy a county additional property tax in accordance with this Subsection (4).
- 850 (b) The county additional property tax:
- 851 (i) shall be separately stated on the tax notice as a county assessing and collecting levy;
- 853 (ii) may not be incorporated into the rate of any other levy;
- 854 (iii) is exempt from Sections 17C-1-403 through 17C-1-406; and
- 855 (iv) is in addition to and exempt from the maximum levies allowable under Section 59-2-908.
- 857 (c) Revenue collected from the county additional property tax shall be used to:
- 858 (i) promote the accurate valuation and uniform assessment levels of property as required by Section 59-2-103;
- 860 (ii) promote the efficient administration of the property tax system, including the costs of assessment, collection, and distribution of property taxes;
- 862 (iii) fund state mandated actions to meet legislative mandates or judicial or administrative orders that relate to promoting:
- 864 (A) the accurate valuation of property; and
- 865 (B) the establishment and maintenance of uniform assessment levels within and among counties; and
- 867 (iv) establish reappraisal programs that:
- 868 (A) are adopted by a resolution or ordinance of the county legislative body; and
- 869 (B) conform to rules the commission makes in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act.
- 871 (5)
- 873 (a) Subject to appropriation, the Multicounty Appraisal Trust may use money in the fund to:

## SB0078S02 compared with SB0078S04

- (i) make loans to counties to pay the costs to the county and impacted taxing entities from the county's granting of deferrals under Chapter 2a, Part 9, Nondiscretionary Deferral for Eligible Owners; and
- 876 (ii) pay the Multicounty Appraisal Trust's administrative costs in making loans under this Subsection (5).
- 878 (b) A county or impacted taxing entity that receives loan proceeds under this Subsection (5), either directly or indirectly, may not increase the county's or impacted taxing entity's certified tax rate as a result of receiving less property tax revenue from the county's granting of deferrals under Chapter 2a, Part 9, Nondiscretionary Deferral for Eligible Owners.
- 883 (c) On or before October 1 of each year, the Multicounty Appraisal Trust shall submit an electronic report to the Revenue and Taxation Interim Committee that contains a summary of the Multicounty Appraisal Trust's use of revenue under this Subsection (5) during the current calendar year.

887 Section 7. Section **59-2a-101** is amended to read:

749

### Part 1. County Relief Programs

888

#### **59-2a-101. Definitions.**

As used in this chapter:

752

- (1) "Active component of the United States Armed Forces" means the same as that term is defined in Section 59-10-1027.

754

~~{(2) "Active-duty service member" means an individual who serves outside of the state as a member of an active component of the United States Armed Forces or a reserve component of the United States Armed Forces for at least 200 days, regardless of whether consecutive, in any continuous 365-day period, if the days of active-duty military service: }~~

759

~~{(a) were completed in the year before the individual applies for property tax relief; and }~~

760

~~{(b) have not been previously counted for purposes of the individual qualifying for or applying to receive property tax relief. }~~

762

~~{(2) "Active duty claimant" means a member of an active component of the United States Armed Forces or a reserve component of the United States Armed Forces who: }~~

764

~~{(a) performed qualifying active duty military service; and }~~

765

~~{(b) applies for an exemption described in Part 6, Active Duty Armed Forces Exemption. }~~

896

## SB0078S02 compared with SB0078S04

(3) "Adjusted property tax amount" means the amount of property taxes, from the current year property tax amount, that an eligible owner is required to pay for a calendar year in which the eligible owner receives a deferral under Part 9, Nondiscretionary Deferral for Eligible Owners.

766 [~~(3)~~] (4) {"Adjusted taxable value limit" means:}

767 {(a) for the calendar year that begins on January 1, 2023, \$479,504; or}

768 {(b) for each calendar year after the calendar year that begins on January 1, 2023, the amount of the adjusted taxable value limit for the previous year plus an amount calculated by multiplying the amount of the adjusted taxable value limit for the previous year by the actual percent change in the consumer price index during the previous calendar year.}}

907 (5) "Base year property tax amount" means:

908 (a) for a calendar year in which an eligible owner did not receive a deferral for the preceding calendar year under Part 9, Nondiscretionary Deferral for Eligible Owners, the amount of property taxes levied on the eligible owner's primary residence for the preceding calendar year; and

912 (b) for a calendar year in which an eligible owner received a deferral for the preceding calendar year under Part 9, Nondiscretionary Deferral for Eligible Owners, the amount of property taxes levied on the eligible owner's primary residence for the calendar year immediately preceding the calendar year in which the eligible owner first received the deferral.

773 [~~(4)~~] (6) {"Claim" means:}

774 [(a) a claim for tax abatement described in Subsection (21)(a) or a credit under Part 2, Renter's Credit, or Part 3, Homeowner's Credit;]

776 [~~(b)~~] (a) {an exemption under Part 5, Veteran Armed Forces Exemption, or Part 6, Active Duty Armed Forces Exemption; or}

778 [~~(c)~~] (b) {an application for } [an abatement under Part 4, Abatement for Indigent Individuals, or] { a deferral under } [Part 7, Discretionary Deferral, Part 8, Nondiscretionary Deferral for Property with Qualifying Increase, or] { Part 9, Nondiscretionary Deferral for } [Elderly Property] Eligible { Owners. }

782 [(5)

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

783 [(i) files a claim under Part 2, Renter's Credit, or Part 3, Homeowner's Credit, for a residence;]

785 [(ii) is domiciled in this state for the entire calendar year for which a claim for relief is filed; and]

787 [(iii) on or before December 31 of the year for which a claim for relief is filed, is:]

## SB0078S02 compared with SB0078S04

- 788 [~~(A) 66 years old or older if the individual was born on or before December 31, 1959; or]~~  
790 [~~(B) 67 years old or older if the individual was born on or after January 1, 1960.]~~
- 791 [~~(b) Notwithstanding Subsection (5)(a), "claimant" includes a surviving spouse:]~~  
792 [~~(i) regardless of:]~~  
793 [~~(A) the age of the surviving spouse; or]~~  
794 [~~(B) the age of the deceased spouse at the time of death;]~~  
795 [~~(ii) if the surviving spouse meets:]~~  
796 [~~(A) the requirements described in Subsections (5)(a)(i) and (5)(a)(ii); and]~~  
797 [~~(B) the income requirements described in Part 2, Renter's Credit, if the surviving spouse is filing a  
claim for a renter's credit, or Part 3, Homeowner's Credit, if the surviving spouse is filing a claim for  
a homeowner's credit;]~~
- 800 [~~(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]~~
- 802 [~~(iv) if the surviving spouse is unmarried at the time the surviving spouse files the claim.]~~
- 804 [~~(e) If two or more individuals of a household are able to meet the qualifications for a claimant, the  
individuals may determine among them as to who the claimant shall be, but if the individuals 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.]~~
- 809 [~~(6)~~ (7) {"Consumer price index" means} ;]
- 810 [~~(a) for Part 2, Renter's Credit, and Part 3, Homeowner's Credit,]~~ { 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 } ; and]
- 813 [~~(b)~~ ] ;
- 957 (b) for the other parts of this chapter, the same as that term is described in Section 1(f)(4), Internal  
Revenue Code, and defined in Section 1(f)(5), Internal Revenue Code.]
- 816 (3) (8) "County relief levy" means a property tax levied in accordance with Section {59-2a-104}  
59-2a-114.
- 817 (4) (9) "County relief program" means a discretionary county {program, implemented at the county's  
discretion, that provides a form of } property tax relief {to a specific demographic within the

## SB0078S02 compared with SB0078S04

county, as authorized under Utah Constitution, Article XIII, Section 3.} program established in accordance with Sections 59-2a-112 and 59-2a-113.

820 [(7)] (5){(10)} "Deceased veteran with a disability" means a deceased individual who was a veteran  
with a disability at the time the individual died.

822 [(8)] (11) {"Deferral" means a postponement of a tax due date or a tax notice charge granted in  
accordance with Section }[59-2a-701, 59-2a-801, or ]{ 59-2a-901.}}

824 [(9)] (12) {"Eligible owner" means an owner of an attached or a detached single-family residence:}}

825 {(a)}

{(i) who is }[75] 65{ years old or older on or before December 31 of the year in which the individual  
applies for a deferral under Part 9, Nondiscretionary Deferral for }[Elderly Property] Eligible{  
Owners;}}

972 (ii) who uses the residence as the owner's primary residence as of January 1 of the calendar year for  
which the owner applies for a deferral under Part 9, Nondiscretionary Deferral for Eligible Owners;

828 [(ii)] (iii) {whose household income does not exceed }[200% of the maximum household income  
certified to a homeowner's credit described in Section 59-2a-305] \$75,000{ ; and}}

830 [(iii)] (iv) {whose household liquid resources do not exceed }[20] 40{ times the amount of property  
taxes levied on the owner's residence for the preceding calendar year; or}}

832 {(b) that is a trust described in Section 59-2a-109 if the grantor of the trust is an individual described in  
Subsection }[(9)(a)] (12)(a){.}}

834 [(10)] (13) {"Eligible property" means property owned by a veteran claimant that is:}}

835 {(a) the veteran claimant's primary residence, including a residence that the veteran claimant does not  
reside in because the veteran claimant is admitted as an inpatient at a health care facility as defined  
in Section 26B-4-501; or}}

838 {(b) tangible personal property that:}}

839 {(i) is held exclusively for personal use; and}}

840 {(ii) is not used in a trade or business.}}

841 [(11)

(a) "Gross rent" means rent actually paid in cash or the cash 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.]

845

## SB0078S02 compared with SB0078S04

[~~(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.]~~

848 [~~(12)~~

(a) "~~Homeowner~~" means:]

849 [~~(i) an individual whose name is listed on the deed of a residence; or]~~

850 [~~(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.]~~

852 [(b) "~~Homeowner~~" does not include:]

853 [(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]

855 [(ii) an individual who is listed on a deed of a residence along with an entity other than a qualifying trust.]

857 [(13) "~~Homeowner's credit~~" means a credit against a claimant's property tax liability.]

1006 (14) "Forfeited revenue amount" means the total amount of the decrease in budgeted property tax revenue in a calendar year for all impacted taxing entities within a county resulting from the county's provision of property tax relief through a county relief program.

858 [~~(14)~~] (15) {"Household" means the association of individuals who live in the same dwelling, sharing the dwelling's furnishings, facilities, accommodations, and expenses.}}

860 [~~(15)~~] (16)

{(a) "~~Household income~~" means all income received by all members of a claimant's household in:}}

862 {{(i) for a claimant who owns a residence, the calendar year preceding the calendar year in which property taxes are due; or}}

864 {{(ii) for a claimant who rents a residence, the year for which a claim is filed.}}

865 {(b) "~~Household income~~" does not include income received by a member of a claimant's household who is:}}

867 {{(i) under 18 years old; or}}

868 {{(ii) a parent or a grandparent, through blood, marriage, or adoption, of the claimant or the claimant's spouse.}}

870 [~~(16)~~] (17) {"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:}}

873 {{(a) cash on hand;}}

## SB0078S02 compared with SB0078S04

- 874 ~~{(b) money in a checking or savings account;}~~
- 875 ~~{(c) savings certificates; and}~~
- 876 ~~{(d) stocks or bonds.}~~
- 877 ~~[(17)]~~ (18) {"Income" means the sum of:}
- 878 ~~{(a) federal adjusted gross income as defined in Section 62, Internal Revenue Code; and}~~
- 879 ~~{(b) nontaxable income.}~~
- 880 [(18) "Indigent individual" means a poor individual as described in Utah Constitution, Article XIII,  
Section 3, Subsection (4), who:]
- 882 [(a)
- (i) ~~is 65 years old or older; or~~
- 883 (ii) ~~is less than 65 years old and:]~~
- 884 [(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]
- 886 [(B) the individual has a disability;]
- 887 [(b) has a total household income of less than the maximum household income certified to a  
homeowner's credit described in Section 59-2a-305;]
- 889 [(c) resides for at least 10 months of the year in the residence that would be subject to the requested  
abatement; and]
- 891 [(d) cannot pay the tax assessed on the individual's residence when the tax becomes due.]
- 892 (6) ~~{(19)}~~ "Impacted taxing entity" means any taxing entity within a county that receives a decrease  
in budgeted property tax revenue in a calendar year as a result of the county's ~~{implementation}~~  
provision of {a county relief program} property tax relief.
- 1047 ~~[(19)]~~ (20) {"Forfeited revenue amount" means the total amount of the decrease in budgeted property  
tax revenue in a calendar year for all impacted taxing entities within a county as a result of the  
county's implementation of a county relief program.}
- 898 ~~{(19)} (8)~~ "Military entity" means:
- 899 (a) the United States Department of Veterans Affairs;
- 900 (b) an active component of the United States Armed Forces; or
- 901 (c) a reserve component of the United States Armed Forces.
- 902 ~~[(20)]~~ (21)

## SB0078S02 compared with SB0078S04

- {(a) "Nontaxable income" means amounts excluded from adjusted gross income under the Internal Revenue Code, including:}}
- 904     {{(i) capital gains;}}
- 905     {{(ii) loss carry forwards claimed during the taxable year in which a claimant files for relief under this chapter;}}
- 907     {{(iii) depreciation claimed }}]pursuant to] in accordance with{ the Internal Revenue Code by a claimant on the residence for which the claimant files for relief under this chapter;}}
- 909     {{(iv) support money received;}}
- 910     {{(v) nontaxable strike benefits;}}
- 911     {{(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;}}
- 914     {{(vii) except for payments described in Subsection }~~[(20)(b)(vi)]~~ (21)(b)(vi){, payments received under the Social Security Act;}}
- 916     {{(viii) state unemployment insurance amounts;}}
- 917     {{(ix) nontaxable interest received from any source;}}
- 918     {{(x) workers' compensation;}}
- 919     {{(xi) the gross amount of "loss of time" insurance; and}}
- 920     {{(xii) voluntary contributions to a tax-deferred retirement plan.}}
- 921    {{(b) "Nontaxable income" does not include:}}
- 922    {{(i) public assistance;}}
- 923    {{(ii) aid, assistance, or contributions from a tax-exempt nongovernmental source;}}
- 924    {{(iii) surplus foods;}}
- 925    {{(iv) relief in kind supplied by a public or private agency;}}
- 926    {{(v) relief provided under this chapter;}}
- 927    {{(vi) Social Security Disability Income payments received under the Social Security Act;}}
- 929    {{(vii) federal tax refunds;}}
- 930    {{(viii) federal child tax credits received under 26 U.S.C. Sec. 24;}}
- 931    {{(ix) federal earned income tax credits received under 26 U.S.C. Sec. 32;}}
- 932    {{(x) payments received under a reverse mortgage;}}
- 933    {{(xi) payments or reimbursements to senior program volunteers under 42 U.S.C. Sec. 5058; or}}
- 935    {{(xii) gifts or bequests.}}

## SB0078S02 compared with SB0078S04

936 [(21)

(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.]~~

940 [(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.~~]

943 [(e) ~~The relief described in Subsection (21)(a) constitutes:~~]

944 [(i) ~~a tax abatement for the poor in accordance with Utah Constitution, Article XIII,~~  
945 ~~Section 3; and]~~

946 [(ii) ~~the residential exemption provided for in Section 59-2-103.]~~

947 [(d) ~~For purposes of this Subsection (21), property taxes accrued are levied on the lien date.]~~

949 [(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.~~]

954 [(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.]~~

957 [(ii) ~~For purposes of this Subsection (21)(f), "unit" refers to the parcel of property covered by a single tax statement of which the residence is a part.]~~

959 ~~{(22) "Property taxes due" means:}~~

960 [(a) ~~for a claimant:]~~

961 [(i) ~~the taxes due for which the county or the commission grants a tax abatement for the poor described in Subsection (21) or a credit; and]~~

963 [(ii) ~~for the calendar year for which the tax abatement for the poor or credit is granted;]~~

964 [(b) ~~for an indigent individual:]~~

965 [(i) ~~the taxes due for which a county granted an abatement under Section 59-2a-401; and]~~

967 [(ii) ~~for the calendar year for which the county grants the abatement;]~~

968 [(e)] (a) {for an active duty claimant:}

## SB0078S02 compared with SB0078S04

- 969    {(i) the taxes due for which the county or the commission grants an exemption; and}}
- 970    {(ii) for the calendar year for which the exemption is granted; or}}
- 971    ~~{(b) }~~ {for a veteran claimant;}}
- 972    ~~{(i) }~~
- ~~{(A) }~~ (i) {the taxes due for which the county or the commission grants an exemption; and}}
- 974    ~~{(B) }~~ (ii) {for the calendar year for which the exemption is granted}; and]
- 975    ~~{(ii) }~~ ;
- 1126   (ii) a uniform fee on tangible personal property described in Section 59-2-405 that is:]
- 976    ~~{(A) owned by the veteran claimant; and]~~
- 977    ~~{(B) assessed for the calendar year for which the county grants an exemption.}]~~
- 978    {(23) "Property taxes paid" means an amount equal to the sum of:}}
- 979    {(a) the amount of property taxes}; and for a veteran claimant, uniform fee, {paid for the taxable year  
          for which the individual applied for relief described in this chapter; and}}
- 981    {(b) the amount of the relief the county grants under this chapter.}}
- 982    ~~{(24) "Public assistance" means:~~
- 983    ~~{(a) medical assistance provided under Title 26B, Chapter 3, Health Care – Administration and  
          Assistance;]~~
- 985    ~~{(b) SNAP benefits as defined in Section 35A-1-102;]~~
- 986    ~~{(c) services or benefits provided under Title 35A, Chapter 3, Employment Support Act; and]~~
- 988    ~~{(d) foster care maintenance payments provided from the General Fund or under Title IV-E of the  
          Social Security Act.}]~~
- 990    ~~{(25) }~~ (24) {"Qualifying active duty military service" means at least 200 days, regardless of whether  
          consecutive, in any continuous 365-day period of active duty military service outside the state in an  
          active component of the United States Armed Forces or a reserve component of the United States  
          Armed Forces, if the days of active duty military service:}}
- 994    {(a) were completed in the year before an individual applies for an exemption described in Section  
          59-2a-601; and}}
- 996    {(b) have not previously been counted as qualifying active duty military service for purposes of  
          qualifying for an exemption described in Section 59-2a-601 or applying for the exemption as  
          described in Section 59-2a-602.}}
- 999

## SB0078S02 compared with SB0078S04

~~[(26)]~~ (25) {"Qualifying disabled veteran claimant" means a veteran claimant who has a 100% service-connected disability rating by the Veterans Benefits Administration that is permanent and total.}

1002 ~~[(27) "Qualifying increase" means a valuation that is equal to or more than 150% higher than the previous year's valuation for property that:]~~

1004 ~~[(a) is county assessed; and]~~

1005 ~~[(b) on or after January 1 of the previous year and before January 1 of the current year has not had:]~~

1007 ~~[(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;]~~

1010 ~~[(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]~~

1012 ~~[(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.]~~

1015 ~~[(28) "Qualifying trust" means a trust holding title to real or tangible personal property for which an individual:]~~

1017 ~~[(a) makes a claim under this part;]~~

1018 ~~[(b) proves to the satisfaction of the county that title to the portion of the trust will revert in the individual upon the exercise of a power:]~~

1020 ~~[(i) by:]~~

1021 ~~[(A) the individual as grantor, trustor, settlor, or in another similar role of the trust;]~~

1022 ~~[(B) a nonadverse party; or]~~

1023 ~~[(C) both the individual and a nonadverse party; and]~~

1024 ~~[(ii) regardless of whether the power is a power:]~~

1025 ~~[(A) to revoke;]~~

1026 ~~[(B) to terminate;]~~

1027 ~~[(C) to alter;]~~

1028 ~~[(D) to amend; or]~~

1029 ~~[(E) to appoint; and]~~

1030 ~~[(e) is obligated to pay the taxes on that portion of the trust property beginning January 1 of the year the individual makes the claim.]~~

1032

## SB0078S02 compared with SB0078S04

[~~(29) "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.]~~

1035 [~~(30) "Rental assistance payment" means any payment that:]~~

1036 [~~(a) is made by a:~~

1037 [~~(i) governmental entity;~~

1038 [~~(ii) charitable organization; or]~~

1039 [~~(iii) religious organization; and]~~

1040 [~~(b) is specifically designated for the payment of rent of a claimant:]~~

1041 [~~(i) for the calendar year for which the claimant seeks a renter's credit under this part; and]~~

1043 [~~(ii) regardless of whether the payment is made to the claimant or the landlord.]~~

1044 ~~{(9) "County relief levy" means the property tax levy described in Section 59-2a-104.}~~

1045 [~~(31)~~ (10){(26)} "Reserve component of the United States Armed Forces" means the same as that term is defined in Section 59-10-1027.

1047 [~~(32)~~ (27)

{(a)}

{(i) "Residence" means a 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.}}

1050 {{(ii) "Residence" includes a dwelling that is:}}

1051 {{(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}}

1053 {{(B) a mobile home, manufactured home, or houseboat.}}

1054 {{(b) "Residence" does not include personal property such as furniture, furnishings, or appliances.}}

1056 {{(c) For purposes of this Subsection }~~(32)~~ (27){, "owned" includes a vendee in possession under a land contract or one or more joint tenants or tenants in common.}}

1058 [~~(33)~~ (28) {"Statement of disability" means a document:}}

1059 {{(a) issued by a military entity; and}}

1060 {{(b) that lists the percentage of disability for the veteran with a disability or deceased veteran with a disability.}}

1062 [~~(34)~~ (29) {"Tax notice charge" means the same as that term is defined in Section 59-2-1301.5.}}

## SB0078S02 compared with SB0078S04

- 1063 [~~(35)~~] (30) {"Veteran claimant" means one of the following individuals who applies for an exemption  
described in Section 59-2a-501:}
- 1065 {(a) a veteran with a disability;}
- 1066 {(b) the unmarried surviving spouse of;}
- 1067 {(i) a deceased veteran with a disability; or}
- 1068 {(ii) a veteran who was killed in action or died in the line of duty; or}
- 1069 {(c) a minor orphan of;}
- 1070 {(i) a deceased veteran with a disability; or}
- 1071 {(ii) a veteran who was killed in action or died in the line of duty.}
- 1072 ~~{(11) "Property tax relief" means: }~~
- 1073 ~~{(a) an exemption from property tax for property; or }~~
- 1074 ~~{(b) an abatement or deferral of property tax owed for property. }~~
- 1075 ~~{(12) "Surviving relative" means the unmarried surviving spouse or minor orphan of: }~~
- 1076 ~~{(a) a deceased veteran with a disability; or }~~
- 1077 ~~{(b) a veteran who was killed in action or died in the line of duty. }~~
- 1078 [~~(36)~~] (13){(31)} "Veteran who was killed in action or died in the line of duty" means an individual  
who was killed in action or died in the line of duty in an active component of the United States  
Armed Forces or a reserve component of the United States Armed Forces, regardless of whether that  
individual had a disability at the time that individual was killed in action or died in the line of duty.
- 1083 [~~(37)~~] (14){(32)} "Veteran with a disability" means an individual with a disability who, during military  
training or a military conflict, acquired a disability in the line of duty in an active component of  
the United States Armed Forces or a reserve component of the United States Armed Forces, as  
determined by a military entity.
- 1232 Section 8. Section 59-2a-102 is amended to read:
- 1233 **59-2a-102. Right to file claim -- Death of claimant.**
- 1234 (1)
- 1235 (a) The right to file a claim under this chapter is personal to the individual eligible to file the claim.
- 1236 (b) The right to file a claim does not survive the death of the individual eligible to file the claim.
- 1238 (c) The right to file a claim may be exercised on behalf of an individual eligible to file the claim by:
- 1240 (i) a legal guardian; or
- 1241 (ii) an attorney-in-fact.

## SB0078S02 compared with SB0078S04

- 1242 (2)
- (a) If an individual dies after having filed a timely claim, the county or the commission shall disburse the amount of the claim to another member of the household as determined by the commission by rule.
- 1245 (b) If the individual described in Subsection (2)(a) was the only member of the household, the county or the commission may pay the claim to the executor or administrator, except that if neither an executor or administrator is appointed and qualified within two years of the filing of the claim, the amount of the claim escheats to the state.
- 1250 (3) If the individual is the grantor, trustor, or settlor of or holds another similar role in a qualifying trust and the individual meets the requirements of one or more parts of this chapter, the individual may claim the portion of the credit and be treated as the owner of that portion of the property held in trust.
- 1254 [~~(4) The relief described in Subsection 59-2a-101(21)(a) is in addition to any other exemption or reduction for which a homeowner may be eligible, including the homeowner's credit provided for in Section 59-2a-305.]~~

1087 Section 5. Section **59-2a-102** is repealed and reenacted to read:

1088 **59-2a-102. County authority to establish county relief program -- Requirements.**

- 1090 (1) For a calendar year beginning on or after January 1, 2027, a county may, at the county's discretion, implement a county relief program to provide property tax relief to individuals within the county if:
- 1093 (a) the county relief program provides one of the following forms of property tax relief:
- 1094 (i) as authorized under Utah Constitution, Article XIII, Section 3, Subsection (3):
- 1095 (A) relief in the form of a property tax exemption for property owned by veterans with a disability;
- 1097 (B) relief in the form of a property tax exemption for property owned by surviving relatives; or
- 1099 (C) relief in the form of a property tax exemption for real property owned by active duty service members, spouses of active duty service members, or both; or
- 1102 (ii) as authorized under Utah Constitution, Article XIII, Section 3, Subsection (4), relief in the form of a tax abatement for the poor;
- 1104 (b) in the calendar year immediately preceding the calendar year in which the county first implements the county relief program, the county, in accordance with Section 59-2a-103:
- 1107 (i) advertises the county's intention to consider the county relief program;
- 1108 (ii) conducts a public hearing to consider the county relief program; and

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- 1109 (iii) approves the county relief program by ordinance;
- 1110 (c) for each calendar year after the calendar year in which the county first implements the county relief program, the county, in accordance with Section 59-2a-104:
- 1112 (i) imposes a county relief levy; and
- 1113 (ii) proportionately distributes the revenue collected from the county relief levy to impacted taxing entities; and
- 1115 (d) the county complies with all other requirements under this chapter.
- 1116 (2) A county may establish more than one county relief program in accordance with this chapter, provided that:
- 1118 (a) each county relief program the county establishes provides no more than one form of relief described in Subsection (1)(a); and
- 1120 (b) the county complies with Subsections (1)(b) through (d) for each county relief program the county establishes, including a separate county relief levy under Section 59-2a-104.
- 1123 (3) The authority granted to counties under this chapter is an extension of the Legislature's exercise of authority under Utah Constitution, Article XIII, Section 3, to provide for property tax relief by statute.
- 1126 Section 6. Section **59-2a-103** is repealed and reenacted to read:
- 1127 **59-2a-103. Public hearing and notice for approval of county relief program -- Ordinance.**
- 1129 (1) A county may not provide property tax relief through a county relief program under this chapter unless the county first advertises the county's intention to do so, holds a public hearing for purposes of considering the county relief program, and approves the county relief program by ordinance as provided in this section.
- 1133 (2) The advertisement required by this section:
- 1134 (a) shall be published:
- 1135 (i) electronically in accordance with Section 45-1-101;
- 1136 (ii) as a class A notice under Section 63G-30-102; and
- 1137 (iii) for at least 14 days before the day on which the taxing entity conducts the public hearing required under this section; and
- 1139 (b) shall contain:
- 1140 (i) the date, time, and location of the public hearing at which the county considers the county relief program; and

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- 1142 (ii) the estimated tax impact on an average residential and business property within the county that  
results from the county relief program.
- 1144 (3) The requirements of Subsections 59-2-919(8)(b)(i) and (c) through (f) apply to the public hearing  
required by this section.
- 1146 (4) At or following the public hearing required by this section, the county shall approve the county  
relief program by ordinance.
- 1148 (5) The ordinance described in Subsection (4) shall:
- 1149 (a) describe the purpose of the county relief program and include information regarding the county  
relief levy required by Section 59-2a-104;
- 1151 (b) establish the qualifications, procedures, and requirements for individuals within the county to apply  
for and receive property tax relief in accordance with the county relief program;
- 1154 (c) explain a property tax relief applicant's right to appeal the county's denial of property tax relief to the  
county board of equalization in accordance with Section 59-2a-105; and
- 1157 (d) include any other information the county requires to administer the county relief program.
- 1159 (6) Upon approval of the ordinance described in Subsection (4), the county may provide property tax  
relief through the county relief program beginning no sooner than the calendar year after adoption of  
the ordinance.

1162 Section 7. Section **59-2a-104** is repealed and reenacted to read:

1163 **59-2a-104. Imposition of county relief levy for each county relief program -- Rate -- Notice**  
**and public hearing requirements -- Distribution of revenue.**

- 1166 (1) A county that provides property tax relief within the county through a county relief program shall  
impose a county relief levy as provided in this section:
- 1168 (a) beginning in the calendar year immediately following the calendar year in which the county first  
provides property tax relief through the county relief program; and
- 1170 (b) in each calendar year after the calendar year described in Subsection (1)(a) in which the county  
provides property tax relief through the county relief program.
- 1172 (2) A county shall impose a separate county relief levy for each county relief program the county  
approves in accordance with Section 59-2a-103.
- 1174 (3) The county relief levy:
- 1175 (a) shall be imposed at a rate that is sufficient to generate only the forfeited revenue amount from the  
prior calendar year;

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- 1177 (b) is subject to the notice and public hearing requirements of Section 59-2-919; and  
1178 (c) shall be separately stated on the notices described in:  
1179 (i) Section 59-2-919.1; and  
1180 (ii) Section 59-2-1317.  
1181 (4) A county shall distribute the revenue the county collects from the county relief levy to each impacted taxing entity within the county, based on the impacted taxing entity's proportionate share of forfeited revenue in the prior calendar year.

1184 Section 8. Section **59-2a-105** is repealed and reenacted to read:

1185 **59-2a-105. Denial of property tax relief by county -- Appeal.**

- 1186 (1) An individual who is aggrieved by a denial in whole or in part of property tax relief claimed in accordance with a county relief program under this chapter may appeal the denial to the county board of equalization.  
1189 (2) If an individual is dissatisfied with the county board of equalization's decision in an appeal under this section, the individual may appeal to the district court.

1257 **Section 9. Section 59-2a-108 is amended to read:**

1258 **59-2a-108. Extension of time for filing application -- Rulemaking authority -- County authority to make refunds.**

- 1260 (1)  
(a) The commission or a county may extend the time for filing an application until December 31 of the year the application is required to be filed if, subject to any rules made by the commission under Subsection (1)(b), the commission or county finds that good cause exists to extend the deadline.  
1264 (b) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the commission may make rules to establish the circumstances under which the commission or a county may, for good cause, extend the deadline for filing an application under Subsection (1)(a).  
1268 (2) A county granting an [~~abatement described in Subsection 59-2a-101(21) or to an indigent individual, a homeowner's credit, or an ]exemption described in Part 5, Veteran Armed Forces Exemption, or Part 6, Active Duty Armed Forces Exemption, shall refund to the recipient of the [~~abatement, homeowner's credit, or ]exemption an amount equal to the amount by which the property taxes paid exceed the property taxes due, if that amount is \$1 or more.~~~~

1274 **Section 10. Section 59-2a-109 is amended to read:**

1275 **59-2a-109. Treatment of trusts.**

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If an applicant for a [~~homeowner's credit, a deferral, or an abatement~~]deferral under Part 9, Nondiscretionary Deferral for Eligible Owners, is the grantor of a trust holding title to real [~~or tangible personal~~]property for which [~~a homeowner's credit, a deferral, or an abatement~~]a deferral is claimed, a county may allow the applicant to claim a portion of the [~~homeowner's credit, deferral, or abatement~~]deferral and be treated as the owner of that portion of the property held in trust, if the applicant proves to the satisfaction of the county that:

- 1282 (1) title to the portion of the trust will revert in the applicant upon the exercise of a power by:
- 1284 (a) the claimant as grantor of the trust;
- 1285 (b) a nonadverse party; or
- 1286 (c) both the claimant and a nonadverse party;
- 1287 (2) title will revert as described in Subsection (1), regardless of whether the power described in Subsection (1) is a power to revoke, terminate, alter, amend, or appoint;
- 1289 (3) the applicant is obligated to pay the taxes on that portion of the trust property beginning January 1 of the year the claimant claims the [~~homeowner's credit, deferral, or abatement~~]deferral; and
- 1292 (4) the claimant satisfies the requirements described in this chapter for [~~homeowner's credit, deferral, or abatement~~]deferral.

1294 Section 11. Section 11 is enacted to read:

1295 **59-2a-112. County authority to establish county relief program -- Requirements -- Appeal.**

- 1297 (1) For a calendar year beginning on or after January 1, 2027, a county may, at the county's discretion, implement a county relief program to provide property tax relief in the form of a tax abatement for the poor, as authorized under Utah Constitution, Article XIII, Section 3, Subsection (4), if:
- 1301 (a) the county relief program meets the requirements of Subsection (2);
- 1302 (b) in the calendar year immediately preceding the calendar year in which the county first implements the county relief program, the county, in accordance with Section 59-2a-113:
- 1305 (i) advertises the county's intention to consider the county relief program;
- 1306 (ii) conducts a public hearing to consider the county relief program; and
- 1307 (iii) approves the county relief program by ordinance;
- 1308 (c) for each calendar year after the first calendar year in which the county implements the county relief program, the county, in accordance with Section 59-2a-114:
- 1310 (i) imposes a county relief levy; and
- 1311

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- (ii) proportionately distributes the revenue collected from the county relief levy to each impacted taxing entity; and
- 1313 (d) the county complies with all other requirements under this chapter.
- 1314 (2)
- (a) The relief a county provides through a county relief program may only be provided:
- 1316 (i) to an individual whose total household income is equal to or less than \$45,000, subject to adjustment under Subsection (2)(b);
- 1318 (ii) in relation to a claimant's primary residence;
- 1319 (iii) for residential property not exceeding one acre of land;
- 1320 (iv) to an individual whose household liquid resources do not exceed 40 times the amount of property taxes levied on the residence for the preceding calendar year; and
- 1323 (v) for not more than 50% of the total tax levied for the individual for the current year.
- 1324 (b) For a calendar year beginning on or after January 1, 2028, the commission shall increase or decrease the household income eligibility amount under Subsection (2)(a)(i) 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 2026.
- 1329 (3) The requirements of this section, Section 59-2a-113, and Section 59-2a-114 do not apply to:
- 1331 (a) an exemption under Part 5, Veteran Armed Forces Exemption, or Part 6, Active Duty Armed Forces Exemption; or
- 1333 (b) a deferral under Part 9, Nondiscretionary Deferral for Eligible Owners.
- 1334 (4)
- (a) Notwithstanding Section 59-2a-106, an individual who is aggrieved by a denial in whole or in part of relief claimed under a county relief program may appeal the denial to the county board of equalization.
- 1337 (b) If an individual is dissatisfied with the county board of equalization's decision in an appeal under this Subsection (4), the individual may appeal to the commission by filing a notice of appeal in accordance with Section 59-2-1006.
- 1340 (5) The authority granted to counties under this section is an extension of the Legislature's exercise of authority to provide for property tax relief by statute under Utah Constitution, Article XIII, Section 3.
- 1343 Section 12. Section 12 is enacted to read:

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1344 **59-2a-113. Notice and public hearing before approval of county relief program -- Approval**  
1345 **by ordinance.**

1346 (1) A county may not provide property tax relief through a county relief program unless the county  
first advertises the county's intention to do so, holds a public hearing for purposes of considering  
the county relief program, and approves the county relief program by ordinance as provided in this  
section.

1350 (2) The advertisement required by this section:

1351 (a) shall be published:

1352 (i) electronically in accordance with Section 45-1-101;

1353 (ii) as a class A notice under Section 63G-30-102; and

1354 (iii) for at least 14 days before the day on which the taxing entity conducts the public hearing required  
under this section; and

1356 (b) shall contain:

1357 (i) the date, time, and location of the public hearing at which the county considers the county relief  
program; and

1359 (ii) the estimated tax impact on an average residential and business property within the county that  
results from the county relief program.

1361 (3) The requirements of Subsections 59-2-919(8)(b)(i) and (c) through (f) apply to the public hearing  
required by this section.

1363 (4) At or following the public hearing required by this section, the county shall approve the county  
relief program by ordinance.

1365 (5) The ordinance described in Subsection (4) shall:

1366 (a) describe the purpose of the county relief program and include information regarding the county  
relief levy required by Section 59-2a-114;

1368 (b) establish the qualifications, procedures, and requirements for individuals within the county to apply  
for and receive relief;

1370 (c) explain a property tax relief applicant's appeal rights as described in Subsection 59-2a-112(4); and

1372 (d) include any other information the county requires to administer the county relief program.

1374 (6)

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(a) Upon approval of the ordinance described in Subsection (4), the county may provide relief through the county relief program beginning no sooner than the calendar year after adoption of the ordinance.

1377 (b) An ordinance described in Subsection (4), or any amendment to an ordinance described in  
1379 Subsection (4), shall take effect on the first day of a calendar year.

1379 Section 13. Section **13** is enacted to read:

1380 **59-2a-114. Imposition of county relief levy -- Distribution of revenue.**

1382 (1) A county that provides relief through a county relief program shall impose a county relief levy as  
1384 provided in this section.

(2) A county shall impose the county relief levy described in Subsection (1):

1385 (a) beginning in the calendar year after the first calendar year in which the county provides relief  
1387 through the county relief program; and

(b) in each calendar year after the calendar year described in Subsection (2)(a) in which the county  
1389 provides relief through the county relief program.

(3) A county relief levy:

1390 (a) shall be imposed at a rate that is sufficient to generate only the forfeited revenue amount from the  
1393 prior calendar year for the relief for which the county relief levy is imposed; and

(b) is subject to the notice and public hearing requirements of Section 59-2-919 for each calendar year  
1396 after the first calendar year in which the county imposes the county relief levy.

(4) A county that imposes a county relief levy shall separately state the following information on the  
1398 notices described in Sections 59-2-919.1 and 59-2-1317:

(a) the rate of the county relief levy; and

1399 (b) the amount of tax levied.

1400 (5) A county shall distribute the revenue the county collects from a county relief levy to each impacted  
taxing entity within the county, based on the impacted taxing entity's proportionate share of forfeited  
revenue in the prior calendar year.

1403 Section 14. Section **59-2a-901** is repealed and reenacted to read:

1404 **Part 9. Nondiscretionary Deferral for Eligible Owners**

1405 **59-2a-901. Nondiscretionary deferral for eligible owners.**

1406

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- (1) For a calendar year beginning on or after January 1, 2027, an eligible owner 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 primary residence.
- 1409 (2) A county shall grant an application for a deferral under this section if:
- 1410 (a) the applicant meets the definition of an eligible owner;
- 1411 (b) with respect to the primary residence for which the applicant applies for the deferral:
- 1412 (i) the eligible owner discloses all outstanding mortgages on the residence, none of which are a reverse mortgage;
- 1414 (ii) the eligible owner's equity interest in the residence exceeds the sum of:
- 1415 (A) the amount of taxes and tax notice charges that would be deferred for the applicant under this section for the current calendar year; and
- 1417 (B) the amount of outstanding taxes and tax notice charges previously deferred for the applicant under this section, including accrued interest; and
- 1419 (iii) 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 residence, other than:
- 1422 (A) taxes and tax notice charges previously deferred under this section; and
- 1423 (B) accrued interest on the taxes and tax notice charges described in Subsection (2)(b)(iii)(A); and
- 1425 (c) the applicant complies with the other applicable provisions of this part.
- 1426 (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:
- 1429 (a) the adjusted property tax amount is:
- 1430 (i) for an eligible owner whose household income is \$65,000 or more, 100% of the lesser of:
- 1432 (A) the base year property tax amount; and
- 1433 (B) the current year property tax amount;
- 1434 (ii) for an eligible owner whose household income is \$55,000 or more but less than \$65,000, 75% of the lesser of:
- 1436 (A) the base year property tax amount; and
- 1437 (B) the current year property tax amount;
- 1438 (iii) for an eligible owner whose household income is \$45,000 or more but less than \$55,000, 50% of the lesser of:

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- 1440 (A) the base year property tax amount; and
- 1441 (B) the current year property tax amount;
- 1442 (iv) for an eligible owner whose household income is \$35,000 or more but less than \$45,000, 25% of  
the lesser of:
- 1444 (A) the base year property tax amount; and
- 1445 (B) the current year property tax amount; and
- 1446 (v) for an eligible owner whose household income is less than \$35,000, \$0; and
- 1447 (b) the amount deferred is the amount of property taxes exceeding the adjusted property tax amount.
- 1449 (4)
- (a) Except as provided in Subsection (4)(b), the deferral period under this section is one year.
- 1451 (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:
- 1454 (i) the eligible owner applies for an extension of the deferral; and
- 1455 (ii) the application meets the requirements of Subsection (2).
- 1456 (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:
- 1458 (i) the initial one-year deferral period, if the county does not extend the deferral period under  
Subsection (4)(b); or
- 1460 (ii) the final one-year deferral period subsequently granted, if the county extends the deferral period  
under Subsection (4)(b).
- 1462 (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.
- 1464 (b) A lien described in this Subsection (5) has the same legal status as a lien described in Section  
59-2-1325.
- 1466 (c) To release the lien described in this Subsection (5), except as provided in Subsections (5)(d) through  
(f), an eligible owner shall pay the total amount subject to the lien:
- 1469 (i) upon the eligible owner selling or otherwise disposing of the residential property; or
- 1471 (ii) when the residential property is no longer the eligible owner's primary residence.
- 1472 (d)

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- 1476 (i) 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 to the eligible owner's surviving spouse as a result of the eligible owner's death.
- 1479 (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:
- 1481 (A) upon the surviving spouse selling or otherwise disposing of the residential property; or
- 1483 (B) when the residential property is no longer the surviving spouse's primary residence.
- (e)
- (i) 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 between the eligible owner and a trust described in Section 59-2a-109 if:
- 1487 (A) the eligible owner is the grantor of the trust; and
- 1488 (B) the residential property remains the eligible owner's primary residence.
- 1489 (ii) After the residential property transfers between the eligible owner and a trust described in Subsection (5)(e)(i), the deferred taxes, deferred tax notice charges, and applicable recording fees are due when the residential property is no longer the eligible owner's primary residence.
- 1493 (f)
- (i) 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 between the eligible owner and a special needs trust as described in 42 U.S.C. Sec. 1396p(d)(4) if the beneficiary of the trust meets the definition of an eligible owner.
- 1498 (ii) After the residential property transfers to a special needs trust described in Subsection (5)(f)(i), the deferred taxes, deferred tax notice charges, and applicable recording fees are due:
- 1501 (A) upon the sale or disposal of the residential property; or
- 1502 (B) when the residential property is no longer the primary residence of the beneficiary of the trust described in Subsection (5)(f)(i).
- 1504 (g) When the deferral period ends:
- 1505 (i) the lien becomes due and subject to the collection procedures described in Section 59-2-1331; and
- 1507 (ii) the date of levy is the date that the deferral period ends.
- 1508 (6)

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(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.

1512 (b) Each subsequent deferral relates back to the date of the initial lien filing.

1513 (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.

1517 (b) The record described in this Subsection (7) is the official record of the amount of the lien.

1519 (8) Notwithstanding Subsection 59-2-1331(2)(c), taxes and tax notice charges deferred under this section bear interest at a rate of 3%.

1521 (9) A county may not require approval from lien holders for residential property that is subject to a mortgage or trust deed to receive a deferral under this section.

1523 (10) A county that grants a deferral to an eligible owner under this section shall:

1524 (a) provide notice of the adjusted property tax amount to the holder of each mortgage or trust deed outstanding on the residential property; and

1526 (b) refund to the eligible owner any amount of property taxes paid by the eligible owner during the deferral period in excess of the adjusted property tax amount.

1528 Section 15. Section 59-2a-902 is amended to read:

1529 **59-2a-902. Application -- Rulemaking authority.**

1530 (1)

~~[(a)]~~ Except as provided in Section 59-2a-108 or Subsection (2), an applicant for deferral 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.

1533 ~~[(b) An indigent individual may apply and potentially qualify for deferral under Part 7, Discretionary Deferral, or Part 8, Nondiscretionary Deferral for Property with Qualifying Increase, an abatement, or both.]~~

1536 (2) A county shall extend the September 1 application deadline by one additional year if:

1537 (a) the applicant had been approved for a deferral under this part in the prior year; or

1538 (b) the county determines that:

1539

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- 1542 (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 September 1 application deadline;
- 1544 (ii) a member of the applicant's immediate family died during the calendar year of the September 1 application deadline;
- 1546 (iii) the failure of the applicant to file the application on or before the September 1 application deadline was beyond the reasonable control of the applicant; or
- 1547 (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.
- 1549 [~~(b)~~ The requirements described in Subsection (3)(a) include:]
- 1550 [~~(i)~~ proof that the applicant resides at the single-family residence for which the applicant seeks the deferral;]
- 1552 [~~(ii)~~ proof of age; and]
- 1553 [~~(iii)~~ proof of household income.]
- 1554 (4) Both spouses shall sign an application if the application seeks a deferral on a residence:
- 1555 (a) in which both spouses reside; and
- 1556 (b) that the spouses own as joint tenants.
- 1557 (5) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the commission may make rules to implement this section.

1559 Section 16. Section 63J-1-602.2 is amended to read:

1560 **63J-1-602.2. List of nonlapsing appropriations to programs.**

Appropriations made to the following programs are nonlapsing:

- 1563 (1) The Legislature and the Legislature's committees.
- 1564 (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.
- 1567 (3) The Rangeland Improvement Act created in Section 4-20-101.
- 1568 (4) The Percent-for-Art Program created in Section 9-6-404.
- 1569 (5) The LeRay McAllister Working Farm and Ranch Fund Program created in Title 4, Chapter 46, Part 3, LeRay McAllister Working Farm and Ranch Fund.
- 1571 (6) The Utah Lake Authority created in Section 11-65-201.

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- 1572 (7) Dedicated credits accrued to the Utah Marriage Commission as provided under Subsection  
17-66-303(2)(d)(ii).
- 1574 (8) The Wildlife Land and Water Acquisition Program created in Section 23A-6-205.
- 1575 (9) Sanctions collected as dedicated credits from Medicaid providers under Subsection 26B-3-108(7).
- 1577 (10) The primary care grant program created in Section 26B-4-310.
- 1578 (11) The Opiate Overdose Outreach Pilot Program created in Section 26B-4-512.
- 1579 (12) The Utah Health Care Workforce Financial Assistance Program created in Section 26B-4-702.
- 1581 (13) The Rural Physician Loan Repayment Program created in Section 26B-4-703.
- 1582 (14) The Utah Medical Education Council for the:
- 1583 (a) administration of the Utah Medical Education Program created in Section 26B-4-707;
- 1584 (b) provision of medical residency grants described in Section 26B-4-711; and
- 1585 (c) provision of the forensic psychiatric fellowship grant described in Section 26B-4-712.
- 1586 (15) The Division of Services for People with Disabilities, as provided in Section 26B-6-402.
- 1587 (16) The Communication Habits to reduce Adolescent Threats (CHAT) Pilot Program created in  
Section 26B-7-122.
- 1589 (17) Funds that the Department of Alcoholic Beverage Services retains in accordance with Subsection  
32B-2-301(8)(a) or (b).
- 1591 (18) The General Assistance program administered by the Department of Workforce Services, as  
provided in Section 35A-3-401.
- 1593 (19) The Utah National Guard, created in Title 39A, National Guard and Militia Act.
- 1594 (20) The Search and Rescue Financial Assistance Program, as provided in Section 53-2a-1102.
- 1596 (21) The Emergency Medical Services Grant Program, as provided in Section 53-2d-207.
- 1597 (22) The Motorcycle Rider Education Program, as provided in Section 53-3-905.
- 1598 (23) The Utah Board of Higher Education for teacher preparation programs, as provided in Section  
53H-5-402.
- 1600 (24) Innovation grants under Section 53G-10-608, except as provided in Subsection 53G-10-608(3).
- 1602 (25) The Division of Fleet Operations for the purpose of upgrading underground storage tanks under  
Section 63A-9-401.
- 1604 (26) The Division of Technology Services for technology innovation as provided under Section  
63A-16-903.
- 1606 (27) The State Capitol Preservation Board created by Section 63O-2-201.

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- 1607 (28) The Office of Administrative Rules for publishing, as provided in Section 63G-3-402.
- 1608 (29) The Colorado River Authority of Utah, created in Title 63M, Chapter 14, Colorado River Authority of Utah Act.
- 1610 (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.
- 1612 (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.
- 1615 (32) County correctional facility contracting program for state inmates as described in Section 64-13e-103.
- 1617 (33) County correctional facility reimbursement program for state probationary inmates and state parole inmates as described in Section 64-13e-104.
- 1619 (34) Programs for the Jordan River Recreation Area as described in Section 65A-2-8.
- 1620 (35) The Division of Human Resource Management user training program, as provided in Section 63A-17-106.
- 1622 (36) A public safety answering point's emergency telecommunications service fund, as provided in Section 69-2-301.
- 1624 (37) The Traffic Noise Abatement Program created in Section 72-6-112.
- 1625 (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.
- 1628 (39) The Judicial Council for compensation for special prosecutors, as provided in Section 77-10a-19.
- 1630 (40) A state rehabilitative employment program, as provided in Section 78A-6-210.
- 1631 (41) The Utah Geological Survey, as provided in Section 79-3-401.
- 1632 (42) The Bonneville Shoreline Trail Program created under Section 79-5-503.
- 1633 (43) Adoption document access as provided in Sections 81-13-103, 81-13-504, and 81-13-505.
- 1635 (44) Indigent defense as provided in Title 78B, Chapter 22, Part 4, Utah Indigent Defense Commission.
- 1637 (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.
- 1641 [~~46) The State Tax Commission for reimbursing counties for deferrals in accordance with Section 59-2-1802.5.]~~

## SB0078S02 compared with SB0078S04

1643 [(47)] (46) The Veterinarian Education Loan Repayment Program created in Section 4-2-902.

1644 Section 17. **Repealer.**

This Bill Repeals:

1193 Section **59-2a-106, Denial of relief -- Appeal.**

1194 Section **59-2a-107, Claim disallowed if residence obtained for purpose of receiving**  
1195 **benefits.**

1196 Section **59-2a-108, Extension of time for filing application -- Rulemaking authority --**  
1197 **County authority to make refunds.**

1198 Section **59-2a-109, Treatment of trusts.**

1199 Section **59-2a-110, County legislative body authority to adopt rules or ordinances.**

1645 This bill repeals:

1646 Section **59-2a-201, Purpose.**

1647 Section **59-2a-202, Renter's credit authorized -- No interest allowed.**

1648 Section **59-2a-203, Time for filing claim for renter's credit -- One claimant per household**  
1649 **per year.**

1650 Section **59-2a-204, Statement required of renter claimant.**

1651 Section **59-2a-205, Amount of renter's credit -- Cost-of-living adjustment -- Prohibition**  
1652 **on credit for rental assistance payment -- Calculation of credit when rent includes utilities --**  
1653 **Limitation -- General Fund as source of credit -- Maximum credit.**

1654 Section **59-2a-206, Determination of rent when not arm's-length transaction.**

1655 Section **59-2a-301, Purpose of part.**

1656 Section **59-2a-302, Homeowner's credit authorized -- No interest allowed.**

1657 Section **59-2a-303, Application for homeowner's credit -- Time for filing -- Obtaining**  
1658 **payment from General Fund.**

1659 Section **59-2a-304, Claim applied against tax liability -- One claimant per household per**  
1660 **year.**

1661 Section **59-2a-305, Amount of homeowner's credit -- Cost-of-living adjustment --**  
1662 **Limitation -- General Fund as source of credit.**

1219 Section **59-2a-501, Veteran armed forces exemption amount.**

1220 Section **59-2a-502, Application -- Rulemaking authority.**

1221 Section **59-2a-601, Active duty armed forces exemption amount.**

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1222 Section **59-2a-602, Application -- Rulemaking authority.**  
1663 Section **59-2a-401, Tax abatement for indigent individuals -- Maximum amount.**  
1664 Section **59-2a-402, Application -- Rulemaking.**  
1665 Section **59-2a-701, Tax and tax notice charge deferral.**  
1666 Section **59-2a-702, Application -- Rulemaking authority.**  
1228 Section **59-2a-901, Nondiscretionary tax and tax notice charge deferral for elderly**  
1229 **property owners.**  
1230 Section **59-2a-902, Application -- Rulemaking authority.**  
1667 Section **59-2a-801, Nondiscretionary property tax and tax notice charge deferral for**  
1668 **property with qualifying increase.**  
1669 Section **59-2a-802, Application -- Rulemaking authority.**  
1670 Section **59-2a-903, Reimbursement to counties.**  
1671 Section . **FY 2027 Appropriations.**  
1672 The following sums of money are appropriated for the fiscal year beginning July 1,  
1673 2026, and ending June 30, 2027. These are additions to amounts previously appropriated for  
1674 fiscal year 2027.  
1675 Subsection 18(a). **Operating and Capital Budgets**  
1676 Under the terms and conditions of Title 63J, Chapter 1, Budgetary Procedures Act, the  
1677 Legislature appropriates the following sums of money from the funds or accounts indicated for  
1678 the use and support of the government of the state of Utah.  
1679 To Department of Government Operations - Finance - Mandated  
1680 8,954,000  
1681 (7,806,000)  
1682 Schedule of Programs:  
1683 1,148,000  
1684 Under the provisions of Utah Code Annotated  
1685 Title 63G, Chapter 6b, the Legislature intends that the  
1686 Division of Finance provide a direct award grant of  
1687 \$1,148,000 to the Utah Association of Counties in Fiscal  
1688 Year 2027 for payment of loans to counties and  
1689 administrative costs in accordance with Subsection

## SB0078S02 compared with SB0078S04

1690 59-2-1602(5), enacted in S.B. 78, Property Tax Relief  
1691 Amendments.

1692 Section 19. **Effective date.**

Effective Date.

This bill takes effect on January 1, 2027.

1694 Section 20. **Coordinating S.B. 78 with S.B. 206.**

If S.B. 78, Property Tax Relief Amendments, and S.B. 206, Tax Amendments, both pass and become law, the Legislature intends that, on January 1, 2027:

1697 (1) the amendments to Subsection 59-2-1602(1)(b) in S.B. 78 not be made;

1698 (2) Subsection 59-2-1602(1)(e), enacted in S.B. 206, be amended to read:

1699 "(e) Except as provided in Subsection (6), the program manager may spend money the Division of Finance allocates to the program manager only for STATS."; and

1701 (3) Subsection 59-2-1602(5), enacted in S.B. 78, be renumbered and amended to read:

1702 "(6) (a) Subject to appropriation, the program manager may use money in the fund to:

1703 (i) make loans to counties to pay the costs to the county and impacted taxing entities resulting from the county's granting of deferrals under Chapter 2a, Part 9, Nondiscretionary Deferral for Eligible Owners; and

1706 (ii) pay the program manager's administrative costs in making loans under this Subsection (6).

1708 (b) A county or impacted taxing entity that receives loan proceeds under this Subsection (6), either directly or indirectly, may not increase the county's or impacted taxing entity's certified tax rate as a result of receiving less property tax revenue resulting from the county's granting of deferrals under Chapter 2a, Part 9, Nondiscretionary Deferral for Eligible Owners."

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