

SB0278S01 compared with SB0278

~~{Omitted text}~~ shows text that was in SB0278 but was omitted in SB0278S01

inserted text shows text that was not in SB0278 but was inserted into SB0278S01

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1 Point of the Mountain State Land Authority Modifications

2026 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Jerry W Stevenson

House Sponsor:



2

3 LONG TITLE

4 General Description:

5 This bill deals with the Point of the Mountain State Land Authority.

6 Highlighted Provisions:

7 This bill:

8 ▶ defines terms;

9 ▶ authorizes a municipality to coordinate with a state agency, independent entity, or regional economic development authority with exclusive control over the management, development, and disposition of a parcel of state-owned land in order to ensure future alignment with municipal general plans and land use regulations;

13 ▶ provides that the Point of the Mountain State Land Authority (authority) may coordinate with Draper when the authority intends to dispose of a parcel of point of the mountain state land to a private party;

16 ▶ modifies the distribution percentages of privilege tax to the authority for certain parcels of point of the mountain state land;

18 ▶

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modifies the percentage of property tax augmentation that shall be distributed to the authority for certain transferred parcels;

- 20 ▶ repeals a sunset date and creates a sunset date; and
- 21 ▶ makes technical and conforming changes.

22 **Money Appropriated in this Bill:**

23 None

24 **Other Special Clauses:**

25 None

26 **Utah Code Sections Affected:**

27 AMENDS:

28 **10-20-305 (Effective 05/06/26)**, as renumbered and amended by Laws of Utah 2025, First Special Session, Chapter 15

30 **11-59-103 (Effective 05/06/26) (Repealed 01/01/29)**, as last amended by Laws of Utah 2025, First Special Session, Chapter 15

32 **11-59-207 (Effective 05/06/26) (Repealed 01/01/29)**, as last amended by Laws of Utah 2025, Chapter 31

34 **11-59-208 (Effective 05/06/26) (Repealed 01/01/29)**, as enacted by Laws of Utah 2022, Chapter 237

36 **63I-1-210 (Effective 05/06/26), as last amended by Laws of Utah 2024, Third Special Session, Chapter 5**

38 **63I-1-211 (Effective 05/06/26), as last amended by Laws of Utah 2024, Third Special Session, Chapters 4, 5**

REPEALS:

37 ~~**{63I-1-211 (Effective 05/06/26), as last amended by Laws of Utah 2024, Third Special Session, Chapters 4, 5}**~~

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

42 Section 1. Section **10-20-305** is amended to read:

43 **10-20-305. State and federal property.**

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(1) Unless otherwise provided by law, nothing contained in this chapter or Chapter 21, Municipalities and Housing Supply, may be construed as giving a municipality jurisdiction over property owned by the state or the United States.

46 (2)

{(a) ~~{As used in this Subsection (2):}~~}

47 (i) ~~{(a)}~~ ~~{"Exempted"}~~ As used in this Subsection (2), "exempted government landowner" means a state agency, independent entity, or regional economic development authority that has exclusive control over the management, development, and disposition of a parcel of state-owned land.

50 ~~{(ii) "Regional economic development authority" means:}~~

51 ~~{(A) the Utah Inland Port Authority created in Section 11-58-201;}~~

52 ~~{(B) the Point of the Mountain State Land Authority created in Section 11-59-201;}~~

53 ~~{(C) the Utah Fairpark Area Investment and Restoration District created in Section 11-70-201; or}~~

55 ~~{(D) the Military Installation Development Authority created in Section 63H-1-201.}~~

56 (b) Notwithstanding Subsection (1), when an exempted government landowner intends to dispose of a parcel of state-owned land, a municipality may coordinate with the exempted government landowner to develop a prospective land use regulation or general plan amendment for the parcel in order to ensure alignment between the exempted government landowner's activity and objectives and the municipality's role as the land use authority in the event that the parcel is conveyed to a private owner.

62 (c) A municipal legislative body that adopts a prospective land use regulation or amends a general plan under Subsection (2)(b) is not required to comply with the notice provisions of Part 2, Notice, the procedure specified in Section 10-20-502, or Subsections 10-20-503(2) and (3), if:

66 (i) the prospective land use regulation will govern, or the general plan amendment describes, state-owned land in the event that the state-owned land is transferred to private ownership; and

69 (ii) the exempted government landowner requested the prospective land use regulation or general plan amendment.

66 Section 2. Section **11-59-103** is amended to read:

67 **11-59-103. Scope of chapter -- Limit on selling or leasing point of the mountain state land -- Authority control over point of the mountain state land -- Role of Division of Facilities Construction and Management -- Local government authority not applicable.**

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(1) This chapter governs the management of the point of the mountain state land, and the process of planning, managing, and implementing the development of the point of the mountain state land.

79 (2)

(a) No part of the point of the mountain state land may be sold or otherwise disposed of or leased without the approval of the board.

81 (b) The authority has complete and exclusive control over the management, development, and disposition of the point of the mountain state land.

83 (3)

(a) The facilities division serves the role of compliance agency under Title 15A, State Construction and Fire Codes Act, with respect to the point of the mountain state land.

85 (b) The facilities division is the permitting agency responsible for the issuance of a building permit or certificate of occupancy related to construction on the point of the mountain state land, in accordance with applicable building codes and standards.

88 (4) The authority of a local government under Title 10, Chapter 20, Municipal Land Use, Development, and Management Act, or Title 17, Chapter 79, County Land Use, Development, and Management Act, does not apply to the use of the point of the mountain state land or to any improvements constructed on the point of the mountain state land, including improvements constructed by an entity other than the authority.

93 (5) If the authority intends to dispose of a parcel of point of the mountain state land to a private party, the authority may:

95 (a) coordinate with Draper in accordance with Section 10-20-305 to ensure:

96 (i) the authority's objectives described in Section 11-59-203 are achieved in regard to the parcel;

98 (ii) the highest and best use of the parcel; and

99 (iii) that the planning for and development of the parcel, if any, may continue after disposal in the same manner as before disposal;and

101 (b) provide Draper with a draft land use regulation to govern the parcel of point of the mountain state land.

98 Section 3. Section **11-59-207** is amended to read:

99 **11-59-207. Privilege tax on leased property on state-owned land.**

106 (1) As used in this section:

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- 109 (a) "Exempt property" means real property that is exempt from ad valorem property tax because the real property is owned by the state.
- 111 (b) "Lease agreement" means an agreement by which a private person leases from the state real property that is part of the point of the mountain state land.
- 112 (c)
- 113 (i) "Leased property" means real property that:
- 114 (A) is part of the point of the mountain state land;
- 115 (B) is leased by a private person; and
- 116 (C) would be subject to ad valorem property tax if the real property were owned by the private person.
- 117 (ii) "Leased property" includes attachments and other improvements to the real property that would be included in an assessment of the value of the real property if the real property were not exempt property.
- 118 (d) "Lessee" means a private person that leases property that is part of the point of the mountain state land under a lease agreement.
- 119 (e) "Phase one land" means a portion of the leased property that:
- 120 (i) is identified by a plat or legal description;
- 121 (ii) consists, or will consist, of one or more parcels;
- 122 (iii) is identified by the authority in a written agreement, executed before January 1, 2026, as either
- 123 intended for development as:
- 124 (A) the first phase of development of the point of the mountain state land; or
- 125 (B) an event center and related facilities, including parking and public infrastructure; and
- 126 (iv) does not exceed 105 total acres.
- 127 [~~e~~] (f) "Privilege tax" means a tax imposed under Section 59-4-101.
- 128 (2) Beginning January 1 of the year immediately following the execution of a lease agreement, the possession or other beneficial use enjoyed by any person of property on point of the mountain state land, if that property is used in connection with a business conducted for profit, is subject to Title 59, Chapter 4, Privilege Tax.
- 129 (3) The treasurer of the county in which the point of the mountain state land is located shall, in the manner and at the time provided in Section 59-2-1365:
- 130 (a) collect privilege tax from a lessee; and
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- 138 (b) distribute privilege tax revenue to the authority in the following percentages:
139 (i) for phase one land:
140 [(i)] (A) beginning January 1, 2025, 100% of the privilege tax revenue~~[-generated by the privilege tax~~
on point of the mountain state land];
142 [(ii)] (B) beginning January 1, 2038, 96.3% of the privilege tax revenue~~[-generated by the privilege tax~~
on point of the mountain state land];
144 [(iii)] (C) beginning January 1, 2044, 92.5% of the privilege tax revenue~~[-generated by the privilege tax~~
on point of the mountain state land];
146 [(iv)] (D) beginning January 1, 2049, 90% of the privilege tax revenue~~[-generated by the privilege tax~~
on point of the mountain state land];
148 [(v)] (E) beginning January 1, 2054, 87.5% of the privilege tax revenue~~[-generated by the privilege tax~~
on point of the mountain state land]; and
150 [(vi)] (F) beginning January 1, 2068, 25% of the privilege tax revenue~~[-generated by the privilege tax on~~
point of the mountain state land.] ; and
152 (ii) for point of the mountain state land that is not phase one land, according to the same terms as
in Subsection (3)(b)(i), unless the authority provides notice to the county treasurer that a lower
percentage of privilege tax shall be distributed to the authority.
156 (4) If applicable, the authority shall provide the notice described in Subsection (3)(b)(ii):
157 (a) in writing; and
158 (b) by no later than October 1 of the year before the reduced distribution percentage for the privilege
tax revenue generated on point of the mountain state land that is not phase one land is intended to
commence.

156 Section 4. Section **11-59-208** is amended to read:

157 **11-59-208. Portion of property tax augmentation to be paid to authority.**

164 (1) As used in this section:

165 (a) "Base taxable value" means the taxable value in the year before the transfer date.

166 (b) "Property tax augmentation":

167 (i) means the amount of property tax that is the difference between:

168 (A) the amount of property tax revenues generated each tax year by all taxing entities from a transferred
parcel, using the current assessed value of the property; and

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- (B) the amount of property tax revenues that would be generated from that same transferred parcel using the base taxable value of the property; and
- 173 (ii) does not include property tax revenue from:
- 174 (A) a county additional property tax or multicounty assessing and collecting levy imposed in accordance with Section 59-2-1602;
- 176 (B) a judgment levy imposed by a taxing entity under Section 59-2-1328 or 59-2-1330; or
- 178 (C) a levy imposed by a taxing entity under Section 11-14-310 to pay for a general obligation bond.
- 180 (c) "Transfer date" means the date that fee title to land that is part of the point of the mountain state land is transferred to a private person.
- 182 (d) "Transferred parcel" means a parcel of land:
- 183 (i) that is part of the point of the mountain state land; and
- 184 (ii) the fee title to which has been transferred to a private person.
- 185 (2) Beginning January 1, [~~2023~~] 2026, the authority shall be paid [~~75%~~] 25% of property tax augmentation from a transferred parcel:
- 187 (a) for a period of 25 years beginning January 1 of the year immediately following the transfer date for the transferred parcel; and
- 189 (b) for a period of an additional 15 years beyond the period stated in Subsection (2)(a) if:
- 190 (i) the board determines by resolution that the additional years will produce a significant benefit to the authority; and
- 192 (ii) the resolution is adopted before the end of the 25-year period under Subsection (2)(a).
- 194 (3) A county that collects property tax on property within the county in which the point of the mountain state land is located shall pay and distribute to the authority the amount of property tax augmentation that the authority is entitled to collect under Subsection (2), in the manner and at the time provided in Section 59-2-1365.

193 Section 5. Section **63I-1-210** is amended to read:

194 **63I-1-210. Repeal dates: Title 10.**

- 195 (1) Subsection 10-1-104(5)(c), regarding a preliminary municipality, is repealed January 1, 2031.
- 197 (2) Subsection 10-2a-201.5(1)(b), regarding a preliminary municipality, is repealed January 1, 2031.
- 199 (3) Subsection 10-2a-202(5), regarding a feasibility request, is repealed January 1, 2031.
- 200 (4) Title 10, Chapter 2a, Part 5, Incorporation of a Preliminary Municipality, is repealed January 1, 2031.

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202 (5) Subsection 10-20-305(2), authorizing a municipality to coordinate with the exempted government
landowner to develop a prospective land use regulation or general plan amendment for a parcel of
state-owned land, is repealed January 1, 2036.

205 Section 6. Section 63I-1-211 is amended to read:

206 **63I-1-211. Repeal dates: Title 11.**

[Title 11, Chapter 59, Point of the Mountain State Land Authority Act, is repealed
January 1, 2029.]

Subsection 11-59-103(5), authorizing the Point of the Mountain State Land Authority to
coordinate with the city of Draper before disposing of certain parcels of state-owned land, is
repealed January 1, 2036.

212 **Section 7. Effective date.**

Effective Date.

This bill takes effect on May 6, 2026.

Section 7. Repealer.

This Bill Repeals:

200 **Section 63I-1-211, Repeal dates: Title 11.**

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