

# SB0078S02 compared with SB0078S01

~~{Omitted text}~~ shows text that was in SB0078S01 but was omitted in SB0078S02

inserted text shows text that was not in SB0078S01 but was inserted into SB0078S02

**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.**

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



2  
3 **LONG TITLE**

4 **General Description:**

5 This bill modifies property tax relief provisions.

6 **Highlighted Provisions:**

7 This bill:

8 ▶ defines terms;

9 ▶ ~~{expands household income eligibility and increases credit amounts for property tax relief in the form of a renter's credit, beginning in 2027;}~~

11 ▶ ~~{prohibits taxpayers from receiving}~~ authorizes counties to provide specified forms of property tax relief ~~{in the form of a homeowner's credit unless the taxpayer received the credit}~~ to individuals within the ~~{previous two years}~~ county through county relief programs, ~~{beginning in 2027}~~ at a county's discretion;

13 ▶ ~~{removes requirements for annual inflation adjustments for a homeowner's credit;}~~

14 ▶ ~~{changes the qualifications, scope, duration, and rates of interest applicable to the discretionary and nondiscretionary property tax deferral programs, beginning in 2027;}~~

16 ▶

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~~{ prohibits taxpayers from receiving indigent property tax abatement unless the taxpayer received an abatement within the previous two years, beginning in 2027; }~~

- 18       ▶ ~~{ requires county auditors to include information on the property tax valuation notice regarding the availability of property tax deferral programs; }~~
- 20       ▶ ~~{ requires county treasurers to include information on the tax notice regarding the amount of outstanding taxes and interest for taxpayers who receive a property tax deferral; }~~
- 22       ▶ ~~{ prohibits taxpayers from receiving more than one form }~~ establishes requirements for a county's provision of property tax relief through a county relief program, { with certain exceptions, beginning in 2027; } including requirements for:
- 13             • conducting a public hearing and providing notice before approving the county relief program;
- 15             • approving the county relief program by ordinance; and
- 16             • 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;
- 24       ▶ ~~{ requires }~~ repeals existing property tax ~~{ deferral revenue to offset the county's certified tax rate calculation; }~~ relief provisions; and
- 25       ▶ ~~{ extends the delinquency period after which a tax sale listing is required for individuals 70 years old or older, from four years to 10 years; }~~
- 27       ▶ ~~{ sets the interest rate at 6% for delinquent property tax and tax notice charges for individuals 65 years old or older; }~~
- 29       ▶ ~~{ excludes a veteran's residential property from eligibility for the veteran armed forces property tax exemption if the veteran's household liquid resources exceed a certain amount; and }~~
- 32       ▶ makes technical and conforming changes.

### Money Appropriated in this Bill:

None

### Other Special Clauses:

This bill provides a special effective date.

### Utah Code Sections Affected:

AMENDS:

## SB0078S01 compared with SB0078S02

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

29 **59-2-924 (Effective 01/01/27), as last amended by Laws of Utah 2025, First Special Session,**  
**Chapter 15**

40 ~~{59-2-924.2 (Effective 01/01/27), as last amended by Laws of Utah 2025, Chapter 29}~~

31 **59-2-1317 (Effective 01/01/27)**, as last amended by Laws of Utah 2025, First Special Session,  
Chapter 17

43 ~~{59-2-1331 (Effective 01/01/27), as last amended by Laws of Utah 2025, Chapter 172}~~

44 ~~{59-2-1343 (Effective 01/01/27), as last amended by Laws of Utah 2025, Chapter 172}~~

33 **59-2a-101 (Effective 01/01/27)**, as renumbered and amended by Laws of Utah 2025, Chapter 172

47 ~~{59-2a-102 (Effective 01/01/27), as renumbered and amended by Laws of Utah 2025,~~  
~~Chapter 172}~~

49 ~~{59-2a-108 (Effective 01/01/27), as renumbered and amended by Laws of Utah 2025,~~  
~~Chapter 172}~~

51 ~~{59-2a-205 (Effective 01/01/27), as renumbered and amended by Laws of Utah 2025,~~  
~~Chapter 172}~~

53 ~~{59-2a-303 (Effective 01/01/27), as renumbered and amended by Laws of Utah 2025,~~  
~~Chapter 172}~~

55 ~~{59-2a-305 (Effective 01/01/27), as renumbered and amended by Laws of Utah 2025,~~  
~~Chapter 172}~~

57 ~~{59-2a-401 (Effective 01/01/27), as renumbered and amended by Laws of Utah 2025,~~  
~~Chapter 172}~~

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

61 ~~{59-2a-702 (Effective 01/01/27), as enacted by Laws of Utah 2025, Chapter 172}~~

62 ~~{59-2a-902 (Effective 01/01/27), as enacted by Laws of Utah 2025, Chapter 172}~~

63 ~~{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}~~

35 REPEALS AND REENACTS:

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

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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**

66 ~~59-2a-701 (Effective 01/01/27), as renumbered and amended by Laws of Utah 2025,  
Chapter 172}~~

68 ~~59-2a-901 (Effective 01/01/27), as renumbered and amended by Laws of Utah 2025,  
Chapter 172}~~

44 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**

49 **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**

55 **59-2a-201 (Effective 01/01/27), as enacted by Laws of Utah 2025, Chapter 172**

56 **59-2a-202 (Effective 01/01/27), as renumbered and amended by Laws of Utah 2025, Chapter  
172**

58 **59-2a-203 (Effective 01/01/27), as renumbered and amended by Laws of Utah 2025, Chapter  
172**

60 **59-2a-204 (Effective 01/01/27), as renumbered and amended by Laws of Utah 2025, Chapter  
172**

62 **59-2a-205 (Effective 01/01/27), as renumbered and amended by Laws of Utah 2025, Chapter  
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64	<b>59-2a-206 (Effective 01/01/27), as renumbered and amended by Laws of Utah 2025, Chapter 172</b>
66	<b>59-2a-301 (Effective 01/01/27), as renumbered and amended by Laws of Utah 2025, Chapter 172</b>
68	<b>59-2a-302 (Effective 01/01/27), as enacted by Laws of Utah 2025, Chapter 172</b>
69	<b>59-2a-303 (Effective 01/01/27), as renumbered and amended by Laws of Utah 2025, Chapter 172</b>
71	<b>59-2a-304 (Effective 01/01/27), as renumbered and amended by Laws of Utah 2025, Chapter 172</b>
73	<b>59-2a-305 (Effective 01/01/27), as renumbered and amended by Laws of Utah 2025, Chapter 172</b>
75	<b>59-2a-401 (Effective 01/01/27), as renumbered and amended by Laws of Utah 2025, Chapter 172</b>
77	<b>59-2a-402 (Effective 01/01/27), as renumbered and amended by Laws of Utah 2025, Chapter 172</b>
79	<b>59-2a-501 (Effective 01/01/27), as renumbered and amended by Laws of Utah 2025, Chapter 172</b>
81	<b>59-2a-502 (Effective 01/01/27), as renumbered and amended by Laws of Utah 2025, Chapter 172</b>
83	<b>59-2a-601 (Effective 01/01/27), as enacted by Laws of Utah 2025, Chapter 172</b>
84	<b>59-2a-602 (Effective 01/01/27), as renumbered and amended by Laws of Utah 2025, Chapter 172</b>
86	<b>59-2a-701 (Effective 01/01/27), as renumbered and amended by Laws of Utah 2025, Chapter 172</b>
88	<b>59-2a-702 (Effective 01/01/27), as enacted by Laws of Utah 2025, Chapter 172</b>
89	<b>59-2a-801 (Effective 01/01/27), as renumbered and amended by Laws of Utah 2025, Chapter 172</b>
91	<b>59-2a-802 (Effective 01/01/27), as enacted by Laws of Utah 2025, Chapter 172</b>
92	<b>59-2a-901 (Effective 01/01/27), as renumbered and amended by Laws of Utah 2025, Chapter 172</b>

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

95 **59-2a-903 (Effective 01/01/27), as enacted by Laws of Utah 2025, Chapter 172**

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

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

99 **59-2-919.1. ~~{(Effective 01/01/27)}~~(Effective 07/01/26) (Effective 01/01/27) Notice of**  
**property valuation and tax changes.**

74 (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.

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

78 (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:

80 (i) the county board of equalization meets; and

81 (ii) the taxing entity holds a public hearing on the proposed increase in the certified tax rate;

83 (b) be on a form that is:

84 (i) approved by the commission; and

85 (ii) uniform in content in all counties in the state; and

86 (c) contain for each property:

87 (i) the assessor's determination of the value of the property;

88 (ii) the taxable value of the property;

89 (iii) for property assessed by the county assessor:

90 (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

94 (B) the deadline for the taxpayer to make an application to appeal the valuation or equalization of the  
property under Section 59-2-1004;

96 (iv) for property assessed by the commission:

97 (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;

100 (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

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- 103 (C) a statement that the taxpayer may not appeal the valuation or equalization of the property to the  
county board of equalization;
- 105 (v) itemized tax information for all applicable taxing entities, including:
- 106 (A) the dollar amount of the taxpayer's tax liability for the property in the prior year; and
- 108 (B) the dollar amount of the taxpayer's tax liability under the current rate;
- 109 (vi) the following, stated separately:
- 110 (A) the charter school levy described in Section 53F-2-703;
- 111 (B) the multicounty assessing and collecting levy described in Subsection 59-2-1602(2);
- 113 (C) the county assessing and collecting levy described in Subsection 59-2-1602(4);
- 114 (D) levies for debt service voted on by the public;
- 115 (E) levies imposed for special purposes under Section 10-6-133.4;
- 116 (F) the minimum basic tax rate as defined in Section 53F-2-301; and
- 117 (G) if applicable, the annual payment described in Subsection 63H-1-501(4)(a);
- 118 ~~{(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;
- 119 (viii) the date, time, and place of the required public hearing for each entity;
- 120 (ix) property tax information pertaining to:
- 121 (A) taxpayer relief; and
- 122 (B) the residential exemption described in Section 59-2-103;
- 123 (x) information specifically authorized to be included on the notice under this chapter;
- 124 (xi) the last property review date of the property as described in Subsection 59-2-303.1(1)(c);
- 126 (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:
- 129 (A) a website maintained by the county; or
- 130 (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}~~
- 133 ~~{(xiii) information describing the availability of property tax deferral options for qualifying residential  
property owners under Sections 59-2a-701 and 59-2a-901, including a telephone number, or a  
website address on which a telephone is prominently listed, that residential property owners may  
call to obtain additional information about applying for a deferral; and }~~

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- 138 ~~{(xiii)}~~ ~~{(xiv)}~~ other information approved by the commission.
- 139 (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):
- 142 (a) the dollar amount of the taxpayer's tax liability if the proposed increase is approved;
- 143 (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);
- 147 (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
- 150 (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.
- 153 (4) In addition to any other tax relief information required under Subsection (2)(c)(ix)(A), a notice sent  
to a residential property shall:
- 155 (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
- 158 (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.
- 161 (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.
- 166 (b)
- (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.
- 168 (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

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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).

- 173 (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.
- 176 (d) An election or a revocation of an election under this Subsection (5):
- 177 (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
- 179 (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).
- 182 (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:
- 185 (i) the taxpayer revokes an election in accordance with Subsection (5)(c) to receive the notice required  
by this section by electronic means; or
- 187 (ii) the county auditor finds that the taxpayer's electronic contact information is invalid.
- 189 (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.

216 Section 2. Section 59-2-924 is amended to read:

217 **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).
- 225 (ii) "Ad valorem property tax revenue" does not include:
- 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.

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- 232 (b) "Adjusted tax increment" means the same as that term is defined in Section 17C-1-102.
- 234 (c)
- 235 (i) "Aggregate taxable value of all property taxed" means:
- 237 (A) the aggregate taxable value of all real property a county assessor assesses in accordance with  
Part 3, County Assessment, for the current year;
- 240 (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
- (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;
- 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;

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- (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;
- 297 (iv) electric generation;
- 298 (v) electric rural;
- 299 (vi) electric utility;
- 300 (vii) gas utility;

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- 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
- 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.

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- 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;
- 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
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- (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;
- 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

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- (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.
- 439 (q) "Project area" means:
- 440

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- (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 (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;

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- 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;
- 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

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- 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 (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:

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- 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.
- 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:

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- 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  
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

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- (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).

192 {Section 2. ~~Section 59-2-924.2 is amended to read:~~ }

### 193 **59-2-924.2. Adjustments to the calculation of a taxing entity's certified tax rate.**

- 195 (1) For purposes of this section, "certified tax rate" means a certified tax rate calculated in accordance with Section 59-2-924.
- 197 (2) Beginning January 1, 1997, if a taxing entity receives increased revenues from uniform fees on tangible personal property under Section 59-2-405, 59-2-405.1, 59-2-405.2, 59-2-405.3, or 72-10-110.5 as a result of any county imposing a sales and use tax under Chapter 12, Part 11, County Option Sales and Use Tax, the taxing entity shall decrease its certified tax rate to offset the increased revenues.
- 202 (3)
- (a) Beginning July 1, 1997, if a county has imposed a sales and use tax under Chapter 12, Part 11, County Option Sales and Use Tax, the county's certified tax rate shall be:
- 204 (i) decreased on a one-time basis by the amount of the estimated sales and use tax revenue to be distributed to the county under Subsection 59-12-1102(4); and
- 206 (ii) increased by the amount necessary to offset the county's reduction in revenue from uniform fees on tangible personal property under Section 59-2-405, 59-2-405.1, 59-2-405.2, 59-2-405.3, or 72-10-110.5 as a result of the decrease in the certified tax rate under Subsection (3)(a)(i).
- 210 (b) The commission shall determine estimates of sales and use tax distributions for purposes of Subsection (3)(a).
- 212 (4) Beginning January 1, 1998, if a municipality has imposed an additional resort communities sales and use tax under Section 59-12-402, the municipality's certified tax rate shall be decreased on a one-time basis by the amount necessary to offset the first 12 months of estimated revenue from the additional resort communities sales and use tax imposed under Section 59-12-402.
- 217 (5)

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- (a) This Subsection (5) applies to each county that:
- 218 (i) establishes a countywide special service district under Title 17D, Chapter 1, Special Service  
District Act, to provide jail service, as provided in Subsection 17D-1-201(10); and
- 221 (ii) levies a property tax on behalf of the special service district under Section 17D-1-105.
- 223 (b)
- (i) The certified tax rate of each county to which this Subsection (5) applies shall be decreased by the  
amount necessary to reduce county revenues by the same amount of revenues that will be generated  
by the property tax imposed on behalf of the special service district.
- 227 (ii) Each decrease under Subsection (5)(b)(i) shall occur contemporaneously with the levy on behalf of  
the special service district under Section 17D-1-105.
- 229 (6)
- (a) As used in this Subsection (6):
- 230 (i) "Annexing county" means a county whose unincorporated area is included within a public safety  
district by annexation.
- 232 (ii) "Annexing municipality" means a municipality whose area is included within a public safety  
district by annexation.
- 234 (iii) "Equalized public safety protection tax rate" means the tax rate that results from:
- 235 (A) calculating, for each participating county and each participating municipality, the property tax  
revenue necessary:
- 237 (I) in the case of a fire district, to cover all of the costs associated with providing fire protection,  
paramedic, and emergency services:
- 239 (Aa) for a participating county, in the unincorporated area of the county; and
- 240 (Bb) for a participating municipality, in the municipality; or
- 241 (II) in the case of a police district, to cover all the costs:
- 242 (Aa) associated with providing law enforcement service:
- 243 (Ii) for a participating county, in the unincorporated area of the county; and
- 245 (IIii) for a participating municipality, in the municipality; and
- 246 (Bb) that the police district board designates as the costs to be funded by a property tax; and
- 248 (B) adding all the amounts calculated under Subsection (6)(a)(iii)(A) for all participating counties and  
all participating municipalities and then dividing that sum by the aggregate taxable value of the  
property, as adjusted in accordance with Section 59-2-913:

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- 252 (I) for participating counties, in the unincorporated area of all participating counties; and  
254 (II) for participating municipalities, in all the participating municipalities.
- 255 (iv) "Fire district" means a service area under Title 17B, Chapter 2a, Part 9, Service Area Act:  
257 (A) created to provide fire protection, paramedic, and emergency services; and  
258 (B) in the creation of which an election was not required under Subsection 17B-1-214(3)(d).
- 260 (v) "Participating county" means a county whose unincorporated area is included within a public  
safety district at the time of the creation of the public safety district.
- 263 (vi) "Participating municipality" means a municipality whose area is included within a public safety  
district at the time of the creation of the public safety district.
- 265 (vii) "Police district" means a service area under Title 17B, Chapter 2a, Part 9, Service Area Act,  
within a county of the first class:  
267 (A) created to provide law enforcement service; and  
268 (B) in the creation of which an election was not required under Subsection 17B-1-214(3)(d).
- 270 (viii) "Public safety district" means a fire district or a police district.
- 271 (ix) "Public safety service" means:  
272 (A) in the case of a public safety district that is a fire district, fire protection, paramedic, and emergency  
services; and  
274 (B) in the case of a public safety district that is a police district, law enforcement service.
- 276 (b) In the first year following creation of a public safety district, the certified tax rate of each  
participating county and each participating municipality shall be decreased by the amount of the  
equalized public safety tax rate.
- 279 (c) In the first budget year following annexation to a public safety district, the certified tax rate of each  
annexing county and each annexing municipality shall be decreased by an amount equal to the  
amount of revenue budgeted by the annexing county or annexing municipality:  
283 (i) for public safety service; and  
284 (ii) in:  
285 (A) for a taxing entity operating under a January 1 through December 31 fiscal year, the prior calendar  
year; or  
287 (B) for a taxing entity operating under a July 1 through June 30 fiscal year, the prior fiscal year.  
289 (d) Each tax levied under this section by a public safety district shall be considered to be levied by:  
291

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- (i) each participating county and each annexing county for purposes of the county's tax limitation under Section 59-2-908; and
- 293 (ii) each participating municipality and each annexing municipality for purposes of the municipality's tax limitation under Section 10-5-112, for a town, or Section 10-6-133, for a city.
- 296 (e) The calculation of a public safety district's certified tax rate for the year of annexation shall be adjusted to include an amount of revenue equal to one half of the amount of revenue budgeted by the annexing entity for public safety service in the annexing entity's prior fiscal year if:
- 300 (i) the public safety district operates on a January 1 through December 31 fiscal year;
- 301 (ii) the public safety district approves an annexation of an entity operating on a July 1 through June 30 fiscal year; and
- 303 (iii) the annexation described in Subsection (6)(e)(ii) takes effect on July 1.
- 304 (7)
- (a) The base taxable value as defined in Section 17C-1-102 shall be reduced for any year to the extent necessary to provide a community reinvestment agency established under Title 17C, Limited Purpose Local Government Entities - Community Reinvestment Agency Act, with approximately the same amount of money the agency would have received without a reduction in the county's certified tax rate, calculated in accordance with Section 59-2-924, if:
- 310 (i) in that year there is a decrease in the certified tax rate under Subsection (2) or [~~(3)(a)~~] (3)(a)(i);
- 312 (ii) the amount of the decrease is more than 20% of the county's certified tax rate of the previous year; and
- 314 (iii) the decrease results in a reduction of the amount to be paid to the agency under Section 17C-1-403 or 17C-1-404.
- 316 (b) The base taxable value as defined in Section 17C-1-102 shall be increased in any year to the extent necessary to provide a community reinvestment agency with approximately the same amount of money as the agency would have received without an increase in the certified tax rate that year if:
- 320 (i) in that year the base taxable value as defined in Section 17C-1-102 is reduced due to a decrease in the certified tax rate under Subsection (2) or [~~(3)(a)~~] (3)(a)(i); and
- 322 (ii) the certified tax rate of a city, school district, special district, or special service district increases independent of the adjustment to the taxable value of the base year.
- 325 (c) Notwithstanding a decrease in the certified tax rate under Subsection (2) or (3)(a), the amount of money allocated and, when collected, paid each year to a community reinvestment agency

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established under Title 17C, Limited Purpose Local Government Entities - Community Reinvestment Agency Act, for the payment of bonds or other contract indebtedness, but not for administrative costs, may not be less than that amount would have been without a decrease in the certified tax rate under Subsection (2) or ~~[(3)(a)]~~ (3)(a)(i).

332 (8)

(a) For the calendar year beginning on January 1, 2014, the calculation of a county assessing and collecting levy shall be adjusted by the amount necessary to offset:

334 (i) any change in the certified tax rate that may result from amendments to Part 16, Multicounty Assessing and Collecting Levy, in Laws of Utah 2014, Chapter 270, Section 3; and

337 (ii) the difference in the amount of revenue a taxing entity receives from or contributes to the Property Tax Valuation Fund, created in Section 59-2-1602, that may result from amendments to Part 16, Multicounty Assessing and Collecting Levy, in Laws of Utah 2014, Chapter 270, Section 3.

341 (b) A taxing entity is not required to comply with the notice and public hearing requirements in Section 59-2-919 for an adjustment to the county assessing and collecting levy described in Subsection (8) (a).

344 (9) If a taxing entity receives decreased revenues from uniform fees on tangible personal property under Section 59-2-405 as a result of any error in applying uniform fees to motor vehicle registration in the calendar year beginning on January 1, 2023, the commission may, for the calendar year beginning on January 1, 2024, increase the taxing entity's budgeted revenue to offset the decreased revenues.

349 (10) Beginning January 1, 2027:

350 (a) if a county receives increased revenues from payment of deferred property taxes under Section 59-2a-701 or 59-2a-901, the county's certified tax rate shall be decreased by the amount necessary to offset the increased revenues; and

353 (b) if a county receives decreased revenues from deferral of property taxes under Section 59-2a-701 or 59-2a-901, the county's certified tax rate shall be increased by the amount necessary to offset the decreased revenues.

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

630 **59-2-1317. Tax notice -- Contents of notice -- Procedures and requirements for providing notice.**

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- 359 (1) As used in this section, "political subdivision lien" means the same as that term is defined in Section  
11-60-102.
- 361 (2) Subject to the other provisions of this section, the county treasurer shall:
- 362 (a) collect the taxes and tax notice charges; and
- 363 (b) provide a notice to each taxpayer that contains the following:
- 364 (i) the kind and value of property assessed to the taxpayer;
- 365 (ii) the street address of the property, if available to the county;
- 366 (iii) that the property may be subject to a detailed review in the next year under Section 59-2-303.1;
- 368 (iv) the amount of taxes levied;
- 369 (v) a separate statement of the taxes levied only on a certain kind or class of property for a special  
purpose;
- 371 (vi) instructions for payment of the taxes and tax notice charges applicable to the property, including the  
taxpayer's payment options and collection procedures;
- 373 (vii) any tax notice charges applicable to the property, including:
- 374 (A) if applicable, a political subdivision lien for road damage that a railroad company causes, as  
described in Section 10-7-30;
- 376 (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;
- 379 (C) if applicable, a political subdivision lien for unpaid abatement fees as described in Section 10-11-4;
- 381 (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;
- 386 (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;
- 388 (F) if applicable, a political subdivision lien for an unpaid irrigation district use charge as described in  
Section 17B-2a-506;
- 390 (G) if applicable, a political subdivision lien for a contract assessment under a water contract, as  
described in Section 17B-2a-1007;

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- (H) if applicable, a property tax penalty that a public infrastructure district imposes, as described in Section 17D-4-304; [and]
- 394 (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; and
- 397 (J) if applicable, {the total amount of deferred taxes, deferred tax notice charges, and accrued interest that is outstanding for an owner of residential property granted} a county relief levy that a {property tax deferral under Section 59-2a-701 or 59-2a-901} county imposes, as described in Section 59-2a-104;
- 400 (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:
- 403 (A) pay off the full amount the property owner owes to the tax notice entity; or
- 404 (B) cause a release of the lien underlying the tax notice charge;
- 405 (ix) if applicable, the annual payment described in Subsection 63H-1-501(4)(a);
- 406 (x) the date the taxes and tax notice charges are due;
- 407 (xi) the street address or website at which the taxes and tax notice charges may be paid;
- 409 (xii) the date on which the taxes and tax notice charges are delinquent;
- 410 (xiii) the penalty imposed on delinquent taxes and tax notice charges;
- 411 (xiv) a statement that explains the taxpayer's right to direct allocation of a partial payment in accordance with Subsection (9);
- 413 (xv) other information specifically authorized to be included on the notice under this chapter;
- 415 (xvi) other property tax information approved by the commission; and
- 416 (xvii) if sent in calendar year 2024, 2025, or 2026:
- 417 (A) notice that the taxpayer may request electronic notice as described in Subsection 17-71-302(1)(m); and
- 419 (B) instructions describing how to elect to receive a notice as described in Subsection 17-71-302(1)(m).
- 421 (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.
- 423 (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:

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- 426 (i) the amount constitutes a tax notice charge; and  
427 (ii)  
(A) the tax notice charge has the same priority as property tax; and  
428 (B) a delinquency of the tax notice charge triggers a tax sale, in accordance with Section 59-2-1343.  
430 (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."  
433 (5) Except as provided in Subsection (6), the county treasurer shall:  
434 (a) mail the notice required by this section, postage prepaid; or  
435 (b) leave the notice required by this section at the taxpayer's residence or usual place of business, if  
known.  
437 (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.  
441 (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.  
444 (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.  
447 (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:  
450 (i) the taxpayer revokes an election in accordance with Subsection (6)(b) to receive the notice required  
by this section by electronic mail; or  
452 (ii) the county treasurer finds that the taxpayer's electronic mail address is invalid.  
453 (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.  
456 (7)  
(a) The county treasurer shall provide the notice required by this section to a taxpayer on or before  
November 1.

458

## SB0078S01 compared with SB0078S02

(b) The county treasurer shall keep on file in the county treasurer's office the information set forth in the notice.

460 (c) The county treasurer is not required to mail a tax receipt acknowledging payment.

461 (8) This section does not apply to property taxed under Section 59-2-1302 or 59-2-1307.

462 (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:

465 (i) the total amount due for property tax;

466 (ii) the amount due for assessments, past due special district fees, and other tax notice charges; and

468 (iii) any other amounts due on the property tax notice.

469 (b) The county treasurer shall comply with a direction submitted to the county treasurer in accordance with Subsection (9)(a).

471 (c) The provisions of this Subsection (9) do not:

472 (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

474 (ii) toll or otherwise change any time period related to a remedy described in Subsection (9)(c)(i).

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

477 **59-2-1331. Property tax due date -- Date tax is delinquent -- Penalty -- Interest -- Payments -- Refund of prepayment.**

479 (1)

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

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

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

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

489 (c) If a property tax is paid or postmarked after the due date described in this Subsection (1) the property tax is delinquent.

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- 491 (d) A county treasurer or other public official, public entity, or public employee may not require the  
payment of a property tax before the due date described in this Subsection (1).
- 494 (2)
- (a) Except as provided in Subsections (2)(e), (f), and [~~(g)~~(i)] (g), for each parcel, all delinquent taxes  
and tax notice charges on each separately assessed parcel are subject to a penalty of 2.5% of the  
amount of the delinquent taxes and tax notice charges or \$10, whichever is greater.
- 498 (b) Unless the delinquent taxes and tax notice charges, together with the penalty, are paid on or before  
January 31, the amount of taxes and tax notice charges and penalty shall bear interest on a per  
annum basis from the January 1 immediately following the delinquency date.
- 502 (c) Except as provided in Subsection (2)(d), for purposes of Subsection (2)(b), the interest rate is equal  
to the sum of:
- 504 (i) 6%; and
- 505 (ii) the federal funds rate target:
- 506 (A) established by the Federal Open Market Committee; and
- 507 (B) that exists on the January 1 immediately following the date of delinquency.
- 508 (d)
- (i) The interest rate described in Subsection (2)(c) may not be:
- 509 [~~(i)~~] (A) less than 7%; or
- 510 [~~(ii)~~] (B) more than 10%.
- 511 (ii) Notwithstanding Subsection (2)(c), for purposes of Subsection (2)(b), the interest rate for an  
individual who is 65 years old or older is equal to 6%.
- 513 (e) The penalty described in Subsection (2)(a) is 1% of the amount of the delinquent taxes and tax  
notice charges or \$10, whichever is greater, if all delinquent taxes, all tax notice charges, and the  
penalty are paid on or before the January 31 immediately following the delinquency date.
- 517 (f) This section does not apply to the costs, charges, and interest rate accruing on any tax notice charge  
related to an assessment assessed in accordance with:
- 519 (i) Title 11, Chapter 42, Assessment Area Act; or
- 520 (ii) Title 11, Chapter 42a, Commercial Property Assessed Clean Energy Act.
- 521 (g)
- (i) The county shall waive any penalty or interest for a property granted a deferral in accordance with  
Section 59-2a-801 from the day of the delinquency through the end of the deferral period.

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- 524 (ii) For a property granted a deferral in accordance with Section 59-2a-701 or 59-2a-901 for a calendar  
year beginning on or after January 1, 2027, from the day of the delinquency through the end of the  
deferral period:
- 527 (A) the county shall waive the penalty described in Subsection (2)(a); and
- 528 (B) interest accrues on deferred taxes and tax notice charges in accordance with Subsection  
59-2a-701(8) or 59-2a-901(8), as applicable.
- 530 [(ii)] (iii) Penalties and interest accrue in accordance with this Subsection (2) on any tax or tax notice  
charge that is delinquent after the deferral period ends.
- 532 (3)
- (a) If the delinquency exceeds one year, the amount of taxes, tax notice charges, and penalties for that  
year and all succeeding years shall bear interest until settled in full through redemption or tax sale.
- 535 (b) The interest rate to be applied shall be calculated for each year as established under Subsection (2)  
and shall apply on each individual year's delinquency until paid.
- 537 (4) The county treasurer may accept and credit on account against taxes and tax notice charges  
becoming due during the current year, at any time before or after the tax rates are adopted, but not  
subsequent to the date of delinquency, either:
- 540 (a) payments in amounts of not less than \$10; or
- 541 (b) the full amount of the unpaid tax and tax notice charges.
- 542 (5)
- (a) At any time before the county treasurer provides the tax notice described in Section 59-2-1317, the  
county treasurer may refund amounts accepted and credited on account against taxes and tax notice  
charges becoming due during the current year.
- 545 (b) Upon recommendation by the county treasurer, the county legislative body shall adopt rules or  
ordinances to implement the provisions of this Subsection (5).
- 547 ~~{Section 5. Section 59-2-1343 is amended to read: }~~
- 548 **59-2-1343. Tax sale listing.**
- 549 (1)
- (a)
- (i) [H] Except as provided in Subsection (1)(a)(ii), if any property is not redeemed by March 15  
following the lapse of four years from the date when any item in Subsection (1)(b) became  
delinquent, the county treasurer shall immediately file a listing with the county auditor of all

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properties whose redemption period is expiring in the nearest forthcoming tax sale to pay all outstanding property taxes and tax notice charges.

555 (ii) The county treasurer may not file a tax sale listing under this Subsection (1)(a) for an individual who, as of the first year in which any item in Subsection (1)(b) became delinquent, is 70 years old or older until the lapse of 10 years from the date on which the item in Subsection (1)(b) became delinquent.

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

561 (i) property tax; or

562 (ii) a tax notice charge.

563 (c) A property tax or a tax notice charge that is deferred in accordance with Section 59-2a-801 is delinquent only if full payment of the property tax and any tax notice charges is not made before the end of the five-year deferral period.

566 (d) For a calendar year beginning on or after January 1, 2027, tax and tax notice charges deferred in accordance with Section 59-2a-701 or 59-2a-901 become delinquent only if full payment of the following is not made before the end of the deferral period:

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

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

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

748 Section 4. Section **59-2a-101** is amended to read:

749

### **Part 1. County Relief Programs**

750 **59-2a-101. Definitions.**

As used in this chapter:

576 (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

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

578 [(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:]

580 [(a) performed qualifying active duty military service; and]

581 [(b) applies for an exemption described in Part 6, Active Duty Armed Forces Exemption.]

582 {(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 7, Discretionary Deferral for Eligible Owners, or Part 9, Nondiscretionary Deferral for Eligible Owners. }

586 [(3){ } {(4)}] "Adjusted taxable value limit" means:]

587 [(a) for the calendar year that begins on January 1, 2023, \$479,504; or]

588 [(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 { } Consumer Price Index } during the previous calendar year.]

593 {(5) "Base year property tax amount" means: }

594 {(a) for a calendar year in which an eligible owner did not receive a deferral under Part 7, Discretionary Deferral for Eligible Owners, or Part 9, Nondiscretionary Deferral for Eligible Owners, for the preceding calendar year, the amount of property taxes levied on the eligible owner's primary residence for the preceding calendar year; and }

598 {(b) for a calendar year in which an eligible owner received a deferral under Part 7, Discretionary Deferral for Eligible Owners, or Part 9, Nondiscretionary Deferral for Eligible Owners, for the preceding calendar year, the amount of property taxes levied on the eligible owner's primary residence for the calendar year immediately preceding the calendar year for which the eligible owner first received the deferral. }

603 [(4){ } {(6)}] "Claim" means:]

604 [(a) a claim for tax abatement described in Subsection { } (21)(a){ } (24)(a) } or a credit under Part 2, Renter's Credit, or Part 3, Homeowner's Credit;]

606 [(b) an exemption under Part 5, Veteran Armed Forces Exemption, or Part 6, Active Duty Armed Forces Exemption; or]

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- 608 [(e) an application for an abatement under Part 4, Abatement for Indigent Individuals, or a deferral  
under Part 7, Discretionary Deferral { for Eligible Owners }, Part 8, Nondiscretionary Deferral  
for Property with Qualifying Increase, or Part 9, Nondiscretionary Deferral for {f} Elderly  
Property { } Eligible } Owners.]
- 612 [(5){ } {(7)}]
- (a) "Claimant" means a homeowner or renter who:
- 613 [(i) files a claim under Part 2, Renter's Credit, or Part 3, Homeowner's Credit, for a residence;]  
615 [(ii) is domiciled in this state for the entire calendar year for which a claim for relief is filed; and]  
617 [(iii) on or before December 31 of the year for which a claim for relief is filed, is:]
- 618 [(A) 66 years old or older if the individual was born on or before December 31, 1959; or]  
620 [(B) 67 years old or older if the individual was born on or after January 1, 1960.]
- 621 [(b) Notwithstanding Subsection {f} (5)(a){ } (7)(a)}, "claimant" includes a surviving spouse:]  
622 [(i) regardless of:]  
623 [(A) the age of the surviving spouse; or]  
624 [(B) the age of the deceased spouse at the time of death;]  
625 [(ii) if the surviving spouse meets:]  
626 [(A) the requirements described in Subsections {f} (5)(a)(i){ } (7)(a)(i)} and {f} (5)(a)(ii){ } (7)(a)(ii)};  
and]  
628 [(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;]
- 631 [(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]
- 633 [(iv) if the surviving spouse is unmarried at the time the surviving spouse files the claim.]
- 635 [(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.]
- 640 [(6){ } {(8)}] "Consumer {f} price index { } Price Index" means:]  
641

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- 644 ~~[(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]~~
- 647 ~~[(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.]~~
- 649 (9){(3)} ~~["Current year property tax amount"]~~ "County relief levy" means ~~{the amount of}~~ a property ~~{taxes}~~ tax ~~levied {on an eligible owner's primary residence for the current calendar year}~~ in accordance with Section 59-2a-104.
- 651 ~~{(7)}{(10)}~~ "County relief program" means a county program, implemented at the county's discretion, that provides a form of property tax relief to a specific demographic within the county, as authorized under Utah Constitution, Article XIII, Section 3.
- 820 ~~[(7)](5)~~ "Deceased veteran with a disability" means a deceased individual who was a veteran with a disability at the time the individual died.
- 651 ~~[(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.]
- 653 ~~[(9) "Eligible owner" means an owner of an attached or a detached single-family residence:]~~
- 654 [(a)
- 657 (i) who is 75 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 Owners;]
- 659 [(ii) whose household income does not exceed 200% of the maximum household income certified to a homeowner's credit described in Section 59-2a-305; and]
- 661 [(iii) whose household liquid resources do not exceed 20 times the amount of property taxes levied on the owner's residence for the preceding calendar year; or]
- 663 [(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).]
- 664 ~~{(12) "Eligible owner" means:}~~
- 666 ~~{(a) for a deferral under Part 7, Discretionary Deferral for Eligible Owners, an owner of an attached or detached single-family residence:}~~
- ~~{(i)}~~
- ~~{(A) who uses the residence as the owner's primary residence as of January 1 of the calendar year for which the owner applies for the deferral;}~~

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- 668     ~~{(B) who owns the residence for at least one year as of January 1 of the calendar year for which the~~  
          ~~owner applies for the deferral;}~~
- 670     ~~{(C) whose household income does not exceed \$60,000, subject to adjustment in accordance with~~  
          ~~59-2a-701(11); and}~~
- 672     ~~{(D) whose household liquid resources do not exceed 40 times the amount of property taxes levied on~~  
          ~~the residence for the preceding calendar year; or}~~
- 674     ~~{(ii) that is a trust described in Section 59-2a-109 if the grantor of the trust is an individual described in~~  
          ~~Subsection (12)(a)(i); and}~~
- 676     ~~{(b) for a deferral under Part 9, Nondiscretionary Deferral for Eligible Owners, an owner of an attached~~  
          ~~or detached single-family residence;}~~
- 678     ~~{(i)}~~  
          ~~{(A) who uses the residence as the owner's primary residence as of January 1 of the calendar year for~~  
          ~~which the owner applies for the deferral;}~~
- 680     ~~{(B) who owns the residence for at least one year as of January 1 of the calendar year for which the~~  
          ~~owner applies for the deferral;}~~
- 682     ~~{(C) who is 65 years old or older on or before December 31 of the calendar year for which the owner~~  
          ~~applies for the deferral;}~~
- 684     ~~{(D) whose household income does not exceed \$75,000, subject to adjustment in accordance with~~  
          ~~Subsection 59-2a-901(11); and}~~
- 686     ~~{(E) whose household liquid resources do not exceed 40 times the amount of property taxes levied on~~  
          ~~the residence for the preceding calendar year; or}~~
- 688     ~~{(ii) that is a trust described in Section 59-2a-109 if the grantor of the trust is an individual described in~~  
          ~~Subsection (12)(b)(i).}~~
- 690     ~~[(10){ } {(13)}]~~  
          ~~{(a)} "Eligible property" means property owned by a veteran claimant that is:~~
- 691         ~~[(a){ } {(i)}] except as provided in Subsection (13)(b), } 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~~
- 695         ~~[(b){ } {(ii)}] tangible personal property that:~~
- 696         ~~[(i){ } {(A)}] is held exclusively for personal use; and~~
- 697         ~~[(ii){ } {(B)}] is not used in a trade or business.~~

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- 698 ~~{(b) "Eligible property" does not include a veteran claimant's primary residence if the veteran claimant's household liquid resources exceed 40 times the amount of property taxes levied on the primary residence for the preceding calendar year.}~~
- 701 ~~[(11){ } {(14)}]~~
- (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.~~
- 705 ~~[(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.]~~
- 708 ~~[(12){ } {(15)}]~~
- (a) ~~"Homeowner" means:~~
- 709 ~~[(i) an individual whose name is listed on the deed of a residence; or]~~
- 710 ~~[(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.]~~
- 712 ~~[(b) "Homeowner" does not include:]~~
- 713 ~~[(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]~~
- 715 ~~[(ii) an individual who is listed on a deed of a residence along with an entity other than a qualifying trust.]~~
- 717 ~~[(13){ } {(16)}]~~ "Homeowner's credit" means a credit against a claimant's property tax liability.
- 718 ~~[(14){ } {(17)}]~~ "Household" means the association of individuals who live in the same dwelling, sharing the dwelling's furnishings, facilities, accommodations, and expenses.
- 720 ~~[(15){ } {(18)}]~~
- (a) ~~"Household income" means all income received by all members of a claimant's household in:~~
- 722 ~~[(i) for a claimant who owns a residence, the calendar year preceding the calendar year in which property taxes are due; or]~~
- 724 ~~[(ii) for a claimant who rents a residence, the year for which a claim is filed.]~~
- 725 ~~[(b) "Household income" does not include income received by a member of a claimant's household who is:]~~
- 727 ~~[(i) under 18 years old; or]~~
- 728

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- 730 ~~[(ii) a parent or a grandparent, through blood, marriage, or adoption, of the claimant or the claimant's spouse.]~~
- 733 ~~[(16){ } {(19)}] "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:~~
- 734 ~~[(a) cash on hand;~~
- 736 ~~[(b) money in a checking or savings account;~~
- 737 ~~[(c) savings certificates; and~~
- 738 ~~[(d) stocks or bonds.]~~
- 739 ~~[(17){ } {(20)}] "Income" means the sum of:~~
- 740 ~~[(a) federal adjusted gross income as defined in Section 62, Internal Revenue Code; and~~
- 742 ~~[(b) nontaxable income.]~~
- 743 ~~[(18){ } {(21)}] "Indigent individual" means a poor individual as described in Utah Constitution, Article XIII, Section 3, Subsection (4), who:~~
- 744 ~~[(a)~~
- 745 ~~(i) is 65 years old or older; or~~
- 746 ~~[(ii) is less than 65 years old and:~~
- 747 ~~[(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~~
- 748 ~~[(B) the individual has a disability;~~
- 749 ~~[(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;~~
- 750 ~~[(c) resides for at least 10 months of the year in the residence that would be subject to the requested abatement; and~~
- 751 ~~[(d) cannot pay the tax assessed on the individual's residence when the tax becomes due.]~~
- 752 ~~[(6) "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 of a county relief program.~~
- 753 ~~[(7) "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.~~
- 754 ~~[(19)] (22){ (8)} "Military entity" means:~~

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- 753 (a) the United States Department of Veterans Affairs;
- 754 (b) an active component of the United States Armed Forces; or
- 755 (c) a reserve component of the United States Armed Forces.
- 756 [(20){ } (23)- ]
- (a) "Nontaxable income" means amounts excluded from adjusted gross income under the Internal Revenue Code, including: ]
- 758 [(i) capital gains; ]
- 759 [(ii) loss carry forwards claimed during the taxable year in which a claimant files for relief under this chapter; ]
- 761 [(iii) depreciation claimed pursuant to the Internal Revenue Code by a claimant on the residence for which the claimant files for relief under this chapter; ]
- 763 [(iv) support money received; ]
- 764 [(v) nontaxable strike benefits; ]
- 765 [(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; ]
- 768 [(vii) except for payments described in Subsection {f} (20)(b)(vi){ } (23)(b)(vi) }, payments received under the Social Security Act; ]
- 770 [(viii) state unemployment insurance amounts; ]
- 771 [(ix) nontaxable interest received from any source; ]
- 772 [(x) workers' compensation; ]
- 773 [(xi) the gross amount of "loss of time" insurance; and ]
- 774 [(xii) voluntary contributions to a tax-deferred retirement plan. ]
- 775 [(b) "Nontaxable income" does not include: ]
- 776 [(i) public assistance; ]
- 777 [(ii) aid, assistance, or contributions from a tax-exempt nongovernmental source; ]
- 778 [(iii) surplus foods; ]
- 779 [(iv) relief in kind supplied by a public or private agency; ]
- 780 [(v) relief provided under this chapter; ]
- 781 [(vi) {f} Social Security Disability Income { } social security disability income } payments received under the Social Security Act; ]
- 783 [(vii) federal tax refunds; ]

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- 784 [(viii) federal child tax credits received under 26 U.S.C. Sec. 24;]  
785 [(ix) federal earned income tax credits received under 26 U.S.C. Sec. 32;]  
786 [(x) payments received under a reverse mortgage;]  
787 [(xi) payments or reimbursements to senior program volunteers under 42 U.S.C. Sec. 5058; or]  
789 [(xii) gifts or bequests.]  
790 [(21){ } {(24)}]  
(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.]  
794 [(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.]  
797 [(e) The relief described in Subsection { } (21)(a){ } (24)(a) } constitutes:]  
798 [(i) a tax abatement for the poor in accordance with Utah Constitution, Article XIII, { }  
799 Section 3; and]  
946 [(ii) { -Section 3; and  
800 { (ii) } the residential exemption provided for in Section 59-2-103.]  
801 [(d) For purposes of this Subsection { } (21){ } (24) }, property taxes accrued are levied on the lien date.]  
803 [(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.]  
808 [(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.]  
811 [(ii) For purposes of this Subsection { } (21)(f){ } (24)(f) }, "unit" refers to the parcel of property covered by a single tax statement of which the residence is a part.]  
813 [(22){ } {(25)}] "Property taxes due" means:]  
814 [(a) for a claimant:]  
815

## SB0078S01 compared with SB0078S02

- (i) the taxes due for which the county or the commission grants a tax abatement for the poor described in Subsection ~~{ }~~ (21) ~~{ } (24)~~ or a credit; and
- 817 (ii) for the calendar year for which the tax abatement for the poor or credit is granted;
- 818 (b) for an indigent individual;
- 819 (i) the taxes due for which a county granted an abatement under Section 59-2a-401; and
- 821 (ii) for the calendar year for which the county grants the abatement;
- 822 (e) for an active duty claimant;
- 823 (i) the taxes due for which the county or the commission grants an exemption; and
- 824 (ii) for the calendar year for which the exemption is granted; or
- 825 (d) for a veteran claimant;
- 826 (i)  
(A) the taxes due for which the county or the commission grants an exemption; and
- 828 (B) for the calendar year for which the exemption is granted; and
- 829 (ii) a uniform fee on tangible personal property described in Section 59-2-405 that is:
- 830 (A) owned by the veteran claimant; and
- 831 (B) assessed for the calendar year for which the county grants an exemption.
- 832 ~~{ } (26)~~ "Property taxes paid" means an amount equal to the sum of:
- 833 (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
- 835 (b) the amount of the relief the county grants under this chapter.
- 836 ~~{ } (27)~~ "Public assistance" means:
- 837 (a) medical assistance provided under Title 26B, Chapter 3, Health Care - Administration and Assistance;
- 839 (b) SNAP benefits as defined in Section 35A-1-102;
- 840 (e) services or benefits provided under Title 35A, Chapter 3, Employment Support Act; and
- 842 (d) foster care maintenance payments provided from the General Fund or under Title IV-E of the Social Security Act.
- 844 ~~{ } (28)~~ "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:

## SB0078S01 compared with SB0078S02

- 848 (a) were completed in the year before an individual applies for an exemption described in Section  
59-2a-601; and
- 850 (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.
- 853 [(26){ } {(29)}] "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.
- 856 [(27){ } {(30)}] "Qualifying increase" means a valuation that is equal to or more than 150% higher than  
the previous year's valuation for property that:
- 858 (a) is county assessed; and
- 859 (b) on or after January 1 of the previous year and before January 1 of the current year has not had:
- 861 (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;
- 864 (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
- 866 (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.
- 869 [(28){ } {(31)}] "Qualifying trust" means a trust holding title to real or tangible personal property for  
which an individual:
- 871 (a) makes a claim under this { } part { } chapter;
- 872 (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:
- 874 (i) by:
- 875 (A) the individual as grantor, trustor, settlor, or in another similar role of the trust;
- 876 (B) a nonadverse party; or
- 877 (C) both the individual and a nonadverse party; and
- 878 (ii) regardless of whether the power is a power:
- 879 (A) to revoke;
- 880 (B) to terminate;

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- 881 ~~[(C) to alter;]~~
- 882 ~~[(D) to amend; or]~~
- 883 ~~[(E) to appoint; and]~~
- 884 ~~[(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.]~~
- 886 ~~[(29){ } {(32)}] "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.]~~
- 889 ~~[(30){ } {(33)}] "Rental assistance payment" means any payment that:~~
- 890 ~~[(a) is made by a:~~
- 891 ~~[(i) governmental entity;~~
- 892 ~~[(ii) charitable organization; or]~~
- 893 ~~[(iii) religious organization; and]~~
- 894 ~~[(b) is specifically designated for the payment of rent of a claimant:]~~
- 895 ~~[(i) for the calendar year for which the claimant seeks a renter's credit under this part; and]~~
- 897 ~~[(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.
- 898 ~~[(31)] (34){ (10)} "Reserve component of the United States Armed Forces" means the same as that term is defined in Section 59-10-1027.~~
- 900 ~~[(32){ } {(35)}]~~
- (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.]~~
- 903 ~~[(ii) "Residence" includes a dwelling that is:]~~
- 904 ~~[(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]~~
- 906 ~~[(B) a mobile home, manufactured home, or houseboat.]~~
- 907 ~~[(b) "Residence" does not include personal property such as furniture, furnishings, or appliances:]~~
- 909 ~~[(e) For purposes of this Subsection { } (32){ } (35)}, "owned" includes a vendee in possession under a land contract or one or more joint tenants or tenants in common.]~~

## SB0078S01 compared with SB0078S02

- 911 [~~(33)~~]{~~(36)~~} "~~Statement of disability" means a document:~~
- 912 [~~(a) issued by a military entity; and~~
- 913 [~~(b) that lists the percentage of disability for the veteran with a disability or deceased veteran with a~~  
~~disability.~~
- 915 [~~(34)~~]{~~(37)~~} "~~Tax notice charge" means the same as that term is defined in Section 59-2-1301.5.~~
- 917 [~~(35)~~]{~~(38)~~} "~~Veteran claimant" means one of the following individuals who applies for an~~  
~~exemption described in Section 59-2a-501:~~
- 919 [~~(a) a veteran with a disability;~~
- 920 [~~(b) the unmarried surviving spouse of:~~
- 921 [~~(i) a deceased veteran with a disability; or~~
- 922 [~~(ii) a veteran who was killed in action or died in the line of duty; or~~
- 923 [~~(c) a minor orphan of:~~
- 924 [~~(i) a deceased veteran with a disability; or~~
- 925 [~~(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.
- 926 [~~(36)~~]{~~(39)~~}{(13)} "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.
- 931 [~~(37)~~]{~~(40)~~}{(14)} "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.
- 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

## SB0078S01 compared with SB0078S02

- 1093 (1) For a calendar year beginning on or after January 1, 2027, a county may, at the county's discretion,  
1094 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
- 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.
- 935 ~~{Section 7. Section 59-2a-102 is amended to read: }~~

## SB0078S01 compared with SB0078S02

936 **59-2a-102. Right to file claim -- Death of claimant.**

937 (1)

(a) The right to file a claim under this chapter is personal to the individual eligible to file the claim.

939 (b) The right to file a claim does not survive the death of the individual eligible to file the claim.

941 (c) The right to file a claim may be exercised on behalf of an individual eligible to file the claim by:

943 (i) a legal guardian; or

944 (ii) an attorney-in-fact.

945 (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.

948 (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.

953 (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.

957 (4) The relief described in Subsection [~~59-2a-101(21)(a)~~] 59-2a-101(24)(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.

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;

## SB0078S01 compared with SB0078S02

- 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
- 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

## SB0078S01 compared with SB0078S02

(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;

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.

1191 Section 9. **Repealer.**

This Bill Repeals:

1192 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.**

## SB0078S01 compared with SB0078S02

- 1200 Section 59-2a-201, Purpose.
- 1201 Section 59-2a-202, Renter's credit authorized -- No interest allowed.
- 1202 Section 59-2a-203, Time for filing claim for renter's credit -- One claimant per household  
1203 per year.
- 1204 Section 59-2a-204, Statement required of renter claimant.
- 1205 Section 59-2a-205, Amount of renter's credit -- Cost-of-living adjustment -- Prohibition  
1206 on credit for rental assistance payment -- Calculation of credit when rent includes utilities --  
1207 Limitation -- General Fund as source of credit -- Maximum credit.
- 1208 Section 59-2a-206, Determination of rent when not arm's-length transaction.
- 1209 Section 59-2a-301, Purpose of part.
- 1210 Section 59-2a-302, Homeowner's credit authorized -- No interest allowed.
- 1211 Section 59-2a-303, Application for homeowner's credit -- Time for filing -- Obtaining  
1212 payment from General Fund.
- 1213 Section 59-2a-304, Claim applied against tax liability -- One claimant per household per  
1214 year.
- 1215 Section 59-2a-305, Amount of homeowner's credit -- Cost-of-living adjustment --  
1216 Limitation -- General Fund as source of credit.
- 1217 Section 59-2a-401, Tax abatement for indigent individuals -- Maximum amount.
- 1218 Section 59-2a-402, Application -- Rulemaking.
- 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.
- 1222 Section 59-2a-602, Application -- Rulemaking authority.
- 1223 Section 59-2a-701, Tax and tax notice charge deferral.
- 1224 Section 59-2a-702, Application -- Rulemaking authority.
- 1225 Section 59-2a-801, Nondiscretionary property tax and tax notice charge deferral for  
1226 property with qualifying increase.
- 1227 Section 59-2a-802, 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.

## SB0078S01 compared with SB0078S02

1231 Section 59-2a-903, Reimbursement to counties.

960 ~~{Section 8. Section 59-2a-108 is amended to read: }~~

961 **59-2a-108. Extension of time for filing application -- Rulemaking authority -- County  
authority to make refunds.**

963 (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.

967 (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).

971 (2) A county granting an abatement described in Subsection ~~[59-2a-101(21)]~~ 59-2a-101(24) 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.

977 ~~{Section 9. Section 59-2a-205 is amended to read: }~~

978 **59-2a-205. Amount of renter's credit -- Cost-of-living adjustment -- Prohibition on credit  
for rental assistance payment -- Calculation of credit when rent includes utilities -- Limitation --  
General Fund as source of credit -- Maximum credit.**

982 (1)

(a) Subject to Subsections ~~[(2) and]~~ (3) and (4), for a calendar year beginning on or after January 1, ~~[2024]~~ 2025, and before January 1, 2027, a claimant may claim a renter's credit for the previous calendar year that does not exceed the following amounts:

986	If household income is	Percentage of gross rent allowed as a credit
987	\$0 -- <del>[\$13,884]</del> <u>\$14,490</u>	9.5%
988	<del>[\$13,885 -- \$18,515]</del> <u>\$14,491 -- \$19,324</u>	8.5%
989	<del>[\$18,516 -- \$23,141]</del> <u>\$19,325 -- \$24,152</u>	7.0%
990	<del>[\$23,142 -- \$27,770]</del> <u>\$24,153 -- \$28,983</u>	5.5%
991	<del>[\$27,771 -- \$32,401]</del> <u>\$28,984 -- \$33,816</u>	4.0%
992	<del>[\$32,402 -- \$36,754]</del> <u>\$33,817 -- \$38,360</u>	3.0%

## SB0078S01 compared with SB0078S02

993	<del>[\$36,755 -- \$40,840]</del> <u>\$38,361 -- \$42,623</u>	2.5%
994	(b) For [a] <u>the calendar year beginning on [or after] January 1, [2025] 2026</u> , the commission shall increase or decrease the household income eligibility amounts under Subsection (1)(a) by a percentage equal to the percentage difference between the [ <del>consumer price index</del> ] <u>Consumer Price Index</u> for the preceding calendar year and the [ <del>consumer price index</del> ] <u>Consumer Price Index</u> for calendar year [ <del>2023</del> ] <u>2024</u> .	
999	(c) <u>For a calendar year beginning on or after January 1, 2025, and before January 1, 2027, a credit under this section may not exceed the maximum amount allowed as a homeowner's credit for each income bracket under Section 59-2a-305.</u>	
1002	(2)	
	(a) <u>Subject to Subsections (3) and (4), for a calendar year beginning on or after January 1, 2027, a claimant may claim a renter's credit for the previous calendar year that does not exceed the following amounts:</u>	
1005	<u>If household income is</u>	<u>Percentage of gross rent allowed as a credit</u>
		<u>Maximum credit amount</u>
1006	<u>\$0 -- \$14,500</u>	<u>9.5%</u>
1007	<u>\$14,501 -- \$18,750</u>	<u>8.5%</u>
1008	<u>\$18,751 -- \$23,000</u>	<u>7.0%</u>
1009	<u>\$23,001 -- \$27,250</u>	<u>5.5%</u>
1010	<u>\$27,251 -- \$31,500</u>	<u>4.0%</u>
1011	<u>\$31,501 -- \$35,750</u>	<u>3.0%</u>
1012	<u>\$35,751 -- \$40,000</u>	<u>2.5%</u>
1013	<u>\$40,001 -- \$46,000</u>	<u>2.0%</u>
1014	(b) <u>For a calendar year beginning on or after January 1, 2028:</u>	
1015	(i) <u>the commission shall increase or decrease the household income eligibility amounts and the maximum credit amounts under Subsection (2)(a) by a percentage equal to the percentage difference between the Consumer Price Index for the preceding calendar year and the Consumer Price Index for calendar year 2026; and</u>	
1020	(ii) <u>after the commission has adjusted the maximum credit amounts in accordance with Subsection (2)(b)(i), the commission shall increase each maximum credit amount under Subsection (2)(a) by \$49.</u>	
1023	<del>[(2)]</del> (3)	

## SB0078S01 compared with SB0078S02

- (a) A claimant may claim a renter's credit under this part only for gross rent that does not constitute a rental assistance payment.
- 1025 (b) For purposes of determining whether a claimant receives a rental assistance payment and in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the commission may make rules defining the terms:
- 1028 (i) "governmental entity";
- 1029 (ii) "charitable organization"; or
- 1030 (iii) "religious organization."
- 1031 ~~[(3)]~~ (4) For purposes of calculating gross rent when a claimant's rent includes electricity or natural gas and the utility amount is not itemized in the statement provided in accordance with Section 59-2a-204, the commission shall deduct from rent:
- 1034 (a) 7% of rent if the rent includes electricity or natural gas but not both; or
- 1035 (b) 13% of rent if the rent includes both electricity and natural gas.
- 1036 ~~[(4)]~~ (5) An individual may not receive the renter's credit under this section if the individual is:
- 1038 (a) claimed as a personal exemption on another individual's federal income tax return during any portion of a calendar year for which the individual seeks to claim the renter's credit under this section; or
- 1041 (b) a dependent with respect to whom another individual claims a tax credit under Section 24(h)(4), Internal Revenue Code, during any portion of a calendar year for which the individual seeks to claim the renter's credit under this section.
- 1044 ~~[(5)]~~ (6) A payment for a renter's credit allowed by this section, and authorized by Section 59-2a-202, shall be paid from the General Fund.
- 1046 ~~[(6) A credit under this section may not exceed the maximum amount allowed as a homeowner's credit for each income bracket under Section 59-2a-305.]~~
- 1048 ~~{Section 10. Section 59-2a-303 is amended to read: }~~
- 1049 **59-2a-303. Application for homeowner's credit -- Time for filing -- Obtaining payment from General Fund.**
- 1051 (1)
- (a) A claimant shall file annually an application for the credit with the county in which the residence for which the claimant is seeking a homeowner's credit is located before September 1.
- 1054 (b) The application under this section shall:

## SB0078S01 compared with SB0078S02

- 1055 (i) be on forms provided by the county that meet the requirements of Subsection 59-2a-103(3); and  
1057 (ii) include a household income statement signed by the claimant stating that:  
1058 (A) the income statement is correct; and  
1059 (B) the claimant qualifies for the credit.  
1060 (c)  
(i) Subject to Subsection (1)(c)(ii), a county shall apply the credit in accordance with this section  
and Section 59-2a-304 for the year in which the claimant applies for a homeowner's credit if the  
claimant meets the criteria for obtaining a homeowner's credit as provided in this part.  
1064 (ii) A homeowner's credit under this part may not exceed the claimant's property tax liability for the  
residence for the year in which the claimant applies for a homeowner's credit under this part.  
1067 (d) A claimant may qualify for a homeowner's credit under this part regardless of whether the claimant  
owes delinquent property taxes.  
1069 (2)  
(a)  
(i) The county shall compile a list of claimants and the homeowner's credits granted to the  
claimants for purposes of obtaining payment from the General Fund for the amount of credits  
granted.  
1072 (ii) A county may not obtain payment from the General Fund for the amount described in  
Subsection [~~59-2a-101(21)~~] 59-2a-101(24).  
1074 (b) Upon certification by the commission the payment for the credits under this Subsection (2) shall be  
made to the county on or before January 1 if the list of claimants and the credits granted are received  
by the commission on or before November 30 of the year in which the credits under this part are  
granted.  
1078 (c) If the commission does not receive the list under this Subsection (2) on or before November 30,  
payment shall be made within 30 days of receipt of the list of claimants and credits from the county.  
1081 ~~{Section 11. Section 59-2a-305 is amended to read: }~~  
1082 **59-2a-305. Amount of homeowner's credit -- Limitations -- General Fund as source of credit.**  
1084 (1)  
(a) Subject to [~~Subsection~~] Subsections (2) and (3), for a calendar year beginning on or after January  
1, [2024] 2025, a claimant may claim a homeowner's credit that does not exceed the following  
amounts:

## SB0078S01 compared with SB0078S02

	If household income is	Homeowner's credit
1087		
1088	\$0 -- [ <del>\$13,884</del> ] <u>\$14,490</u>	[ <del>\$1,259</del> ] <u>\$1,312</u>
1089	[ <del>\$13,885 -- \$18,515</del> ] <u>\$14,491 -- \$19,324</u>	[ <del>\$1,105</del> ] <u>\$1,151</u>
1090	[ <del>\$18,516 -- \$23,141</del> ] <u>\$19,325 -- \$24,152</u>	[ <del>\$954</del> ] <u>\$993</u>
1091	[ <del>\$23,142 -- \$27,770</del> ] <u>\$24,153 -- \$28,983</u>	[ <del>\$726</del> ] <u>\$756</u>
1092	[ <del>\$27,771 -- \$32,401</del> ] <u>\$28,984 -- \$33,816</u>	[ <del>\$577</del> ] <u>\$600</u>
1093	[ <del>\$32,402 -- \$36,754</del> ] <u>\$33,817 -- \$38,360</u>	[ <del>\$351</del> ] <u>\$364</u>
1094	[ <del>\$36,755 -- \$40,840</del> ] <u>\$38,361 -- \$42,623</u>	[ <del>\$197</del> ] <u>\$204</u>
1095	(b) For [a] <u>the</u> calendar year beginning on[ <del>or after</del> ] January 1, [ <del>2025,</del> ] <u>2026</u> :	
1096	(i) <u>the commission shall increase or decrease the household income eligibility and credit amounts</u> [ <del>and the credits</del> ] under Subsection (1)(a) by a percentage equal to the percentage difference between the [ <del>consumer price index</del> ] <u>Consumer Price Index</u> for the preceding calendar year and the [ <del>consumer price index</del> ] <u>Consumer Price Index</u> for calendar year [ <del>2023,</del> ] <u>2024</u> ; and	
1101	(ii) <u>after the commission has adjusted the credit amounts in accordance with Subsection (1)(b)(i), the commission shall increase each credit amount under Subsection (1)(a) by \$49.</u>	
1104	(c) <u>The household income eligibility and credit amounts under Subsection (1)(a) that apply for the calendar year beginning on January 1, 2026, as adjusted in accordance with Subsection (1)(b), shall apply for each calendar year beginning on or after January 1, 2027.</u>	
1108	(2)	
	(a) An individual may not receive the homeowner's credit under this section or the abatement described in Subsection [ <del>59-2a-101(21)]</del> <u>59-2a-101(24)</u> on 20% of the fair market value of the residence if:	
1111	(i) the individual is claimed as a personal exemption on another individual's federal income tax return during any portion of a calendar year for which the individual seeks to claim the homeowner's credit under this section;	
1114	(ii) the individual is a dependent with respect to whom another individual claims a tax credit under Section 24(h)(4), Internal Revenue Code, during any portion of a calendar year for which the individual seeks to claim the homeowner's credit under this section; or	
1118	(iii) the individual did not own the residence for the entire calendar year for which the individual claims the homeowner's credit.	
1120	(b) For a calendar year in which a residence is sold, the amount received as a homeowner's credit under this section or as an abatement described in Subsection [ <del>59-2a-101(21)]</del> <u>59-2a-101(24)</u> on 20% of	

## SB0078S01 compared with SB0078S02

the fair market value of the residence shall be repaid to the county on or before the day on which the sale of the residence closes.

1124 (3) For a calendar year beginning on or after January 1, 2027, an individual may not receive a  
homeowner's credit under this section if:

1126 (a) the individual did not receive the homeowner's credit for the same residence at least once within the  
preceding two calendar years; or

1128 (b) the individual receives any of the following forms of property tax relief for the same residence:

1130 (i) a deferral under:

1131 (A) Part 7, Discretionary Deferral for Eligible Owners; or

1132 (B) Part 9, Nondiscretionary Deferral for Eligible Owners; or

1133 (ii) an abatement under Part 4, Abatement for Indigent Individuals.

1134 [~~(3)~~] (4) A payment for a homeowner's credit allowed by this section, and authorized by Section  
59-2a-302, shall be paid from the General Fund.

1136 [~~(4)~~] After the commission has adjusted the homeowner credit amount under Subsection (1)(b), the  
commission shall increase each homeowner credit amount under Subsection (1) by \$49.]

1139 {Section 12. Section 59-2a-401 is amended to read: }

1140 **59-2a-401. Tax abatement for indigent individuals -- Maximum amount.**

~~[In accordance with this part]~~ For a calendar year beginning on or after January 1, 2027,  
a county may remit or abate the taxes of an indigent individual:

1144 (1) if the indigent individual owned the property as of January 1 of the year for which the county remits  
or abates the taxes; [and]

1146 (2) if the indigent individual received an abatement under this part for the same property at least once  
within the previous two calendar years;

1148 (3) if the indigent individual is not receiving any of the following forms of property tax relief for the  
same property:

1150 (a) the homeowner's credit under Part 3, Homeowner's Credit; or

1151 (b) a deferral under:

1152 (i) Part 7, Discretionary Deferral for Eligible Owners; or

1153 (ii) Part 9, Nondiscretionary Deferral for Eligible Owners; and

1154 [~~(2)~~] (4) in an amount not more than the lesser of:

1155

## SB0078S01 compared with SB0078S02

(a) the [amount provided as a homeowner's] maximum amount available as a renter's credit for the lowest household income bracket as described in Section [59-2a-305] 59-2a-205; or

(b) 50% of the total tax levied for the indigent individual for the current year.

~~{Section 13. Section 59-2a-402 is amended to read: }~~

### **59-2a-402. Application -- Rulemaking.**

(1)

(a) Except as provided in Section 59-2a-108 or Subsection (2), an applicant for abatement for the current tax year shall annually file an application on or before September 1 with the county in which the applicant's property is located.

(b) An indigent individual may for the same property apply and potentially qualify only for an abatement under this part, or both an abatement under this part and a deferral under [Part 7, Discretionary Deferral,]Part 8, Nondiscretionary Deferral for Property with Qualifying Increase[, or Part 9, Nondiscretionary Abatement for Elderly Property Owners, abatement, or both].

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

(a) 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;

(b) a member of the applicant's immediate family died during the calendar year of the September 1 application deadline;

(c) 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

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

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

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

(a) in which both spouses reside; and

(b) that the spouses own as joint tenants.

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

Section 14. Section **59-2a-701** is repealed and reenacted to read:

### **Part 7. Discretionary Deferral for Eligible Owners**

## SB0078S01 compared with SB0078S02

- 1189 **59-2a-701. Discretionary deferral for eligible owners.**
- 1190 (1) For a calendar year beginning on or after January 1, 2027, an eligible owner may apply to the county  
1191 for a discretionary deferral under this section for postponement of a portion of the property taxes  
1192 due on the eligible owner's primary residence.
- 1193 (2) A county may grant an application for a deferral under this section if:
- 1194 (a) the applicant meets the definition of an eligible owner;
- 1195 (b) with respect to the primary residence for which the applicant applies for the deferral:
- 1196 (i) the applicant discloses all outstanding mortgages on the residence;
- 1197 (ii) the applicant is not receiving any of the following forms of property tax relief for the same  
1198 residence:
- 1199 (A) the homeowner's credit under Part 3, Homeowner's Credit;
- 1200 (B) an abatement under Part 4, Abatement for Indigent Individuals; or
- 1201 (C) a deferral under Part 9, Nondiscretionary Deferral for Eligible Owners; and
- 1202 (iii) there are no delinquent property taxes, delinquent tax notice charges, or outstanding penalties,  
1203 interest, or administrative costs related to a delinquent property tax or a delinquent tax notice charge  
1204 due on the residence, other than:
- 1205 (A) taxes and tax notice charges previously deferred under this section; and
- 1206 (B) interest accrued on the taxes and tax notice charges described in Subsection (2)(b)(iii)(A); and
- 1207 (C) the applicant complies with the other applicable provisions of this part.
- 1208 (3) Of the total amount of taxes and tax notice charges levied on an eligible owner's primary residence  
1209 for a calendar year in which the eligible owner receives a deferral under this section:
- 1210 (a) the adjusted property tax amount is 50% of the lesser of:
- 1211 (i) the base year property tax amount; and
- 1212 (ii) the current year property tax amount; and
- 1213 (b) the amount deferred is the amount of property taxes exceeding the adjusted property tax amount.
- 1214 (4)
- 1215 (a) Except as provided in Subsection (4)(b), the deferral period under this section is one year.
- 1216 (b) The county may extend the deferral period for one or more subsequent one-year periods if, for each  
1217 subsequent calendar year in which the eligible owner seeks to extend the deferral period:
- 1218 (i) the eligible owner applies for an extension of the deferral; and
- 1219 (ii) the application meets the requirements of Subsection (2).

## SB0078S01 compared with SB0078S02

- 1224 (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:
- 1226 (i) the initial one-year deferral period, if the county does not extend the deferral period under  
Subsection (4)(b); or
- 1228 (ii) the final one-year deferral period subsequently granted, if the county extends the deferral period  
under Subsection (4)(b).
- 1230 (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.
- 1232 (b) A lien described in this Subsection (5):
- 1233 (i) has the same legal status as a lien described in Section 59-2-1325; and
- 1234 (ii) is subordinate to any mortgage on the property.
- 1235 (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:
- 1238 (i) upon the eligible owner selling or otherwise disposing of the residential property; or
- 1240 (ii) when the residential property is no longer the eligible owner's primary residence.
- 1241 (d)
- (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.
- 1245 (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:
- 1248 (A) upon the surviving spouse selling or otherwise disposing of the residential property; or
- 1250 (B) when the residential property is no longer the surviving spouse's primary residence.
- 1252 (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:
- 1256 (A) the eligible owner is the grantor of the trust; and
- 1257 (B) the residential property remains the eligible owner's primary residence.
- 1258

## SB0078S01 compared with SB0078S02

- 1262 (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.
- (f)
- 1270 (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.
- 1271 (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:
- 1273 (A) upon the sale or disposal of the residential property; or
- 1274 (B) when the residential property is no longer the primary residence of the beneficiary of the trust described in Subsection (5)(f)(i).
- 1275 (g) When the deferral period ends:
- 1276 (i) the lien becomes due and subject to the collection procedures described in Section 59-2-1331; and
- 1277 (ii) the date of levy is the date that the deferral period ends.
- (6)
- 1281 (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.
- 1282 (b) Each subsequent deferral relates back to the date of the initial lien filing.
- (7)
- 1286 (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.
- 1288 (b) The record described in this Subsection (7) is the official record of the amount of the lien.
- 1290 (8) Notwithstanding Subsection 59-2-1331(2)(c), taxes and tax notice charges deferred under this section bear interest at a rate of 2%.
- 1292 (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.
- (10) A county that grants a deferral to an eligible owner under this section shall:

## SB0078S01 compared with SB0078S02

- 1293 (a) provide notice of the adjusted property tax amount to the holder of each mortgage or trust deed  
1295 outstanding on the residential property; and
- 1297 (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.
- 1297 (11) For a calendar year beginning on or after January 1, 2028, the commission shall increase or  
decrease the household income eligibility amount specified in Subsection 59-2a-101(12)(a)(i)(C) 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.
- 1302 ~~{Section 15. Section 59-2a-702 is amended to read: }~~
- 1303 **59-2a-702. Application -- Rulemaking authority.**
- 1304 (1)
- 1307 (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.
- 1311 (b) An indigent individual may for the same property apply and potentially qualify only for a deferral  
1312 under this part, or both a deferral under this part and Part 8, Nondiscretionary Deferral for Property  
1313 with Qualifying Increase[, or Part 9, Nondiscretionary Deferral for Elderly Property Owners, an  
1314 abatement, or both].
- 1317 (2) A county shall extend the September 1 application deadline by one additional year if:
- 1319 (a) the applicant had been approved for a deferral under this part in the prior year; or
- 1321 (b) the county determines that:
- 1322 (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;
- 1324 (ii) a member of the applicant's immediate family died during the calendar year of the September 1  
application deadline;
- (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
- (iv) denial of an application would be unjust or unreasonable.
- (3) An applicant shall include in an application a signed statement that describes the eligibility of the  
applicant for deferral.

## SB0078S01 compared with SB0078S02

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

1326 (a) in which both spouses reside; and

1327 (b) that the spouses own as joint tenants.

1328 (5) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the commission may make rules to implement this section.

1330 Section 16. Section **59-2a-901** is repealed and reenacted to read:

1331 **Part 9. Nondiscretionary Deferral for Eligible Owners**

1332 **59-2a-901. Nondiscretionary deferral for eligible owners.**

1333 (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.

1336 (2) A county shall grant an application for a deferral under this section if:

1337 (a) the applicant meets the definition of an eligible owner;

1338 (b) with respect to the primary residence for which the applicant applies for the deferral:

1339 (i) the eligible owner discloses all outstanding mortgages on the residence, none of which is a reverse mortgage;

1341 (ii) the eligible owner is not receiving an abatement under Part 4, Abatement for Indigent Individuals, or a deferral under Part 7, Discretionary Deferral for Eligible Owners, for the same residence;

1344 (iii) the assessed value of the residence, as listed on the valuation notice sent in accordance with Section 59-2-919.1, is greater than the amount of any outstanding mortgage on the residence by 5% or more; and

1347 (iv) 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:

1350 (A) taxes and tax notice charges previously deferred under this section; and

1351 (B) accrued interest on the taxes and tax notice charges described in Subsection (2)(b)(iv)(A); and

1353 (c) the applicant complies with the other applicable provisions of this part.

1354 (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:

1357 (a) the adjusted property tax amount is 100% of the lesser of:

## SB0078S01 compared with SB0078S02

- 1358 (i) the base year property tax amount; and
- 1359 (ii) the current year property tax amount; and
- 1360 (b) the amount deferred is the amount of property taxes exceeding the adjusted property tax amount.
- 1362 (4)
- (a) Except as provided in Subsection (4)(b), the deferral period under this section is one year.
- 1364 (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:
- 1367 (i) the eligible owner applies for an extension of the deferral; and
- 1368 (ii) the application meets the requirements of Subsection (2).
- 1369 (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:
- 1371 (i) the initial one-year deferral period, if the county does not extend the deferral period under Subsection (4)(b); or
- 1373 (ii) the final one-year deferral period subsequently granted, if the county extends the deferral period under Subsection (4)(b).
- 1375 (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.
- 1377 (b) A lien described in this Subsection (5) has the same legal status as a lien described in Section 59-2-1325.
- 1379 (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:
- 1382 (i) upon the eligible owner selling or otherwise disposing of the residential property; or
- 1384 (ii) when the residential property is no longer the eligible owner's primary residence.
- 1385 (d)
- (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.
- 1389 (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:
- 1392 (A) upon the surviving spouse selling or otherwise disposing of the residential property; or

## SB0078S01 compared with SB0078S02

- 1394 (B) when the residential property is no longer the surviving spouse's primary residence.
- 1396 (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:
- 1400 (A) the eligible owner is the grantor of the trust; and
- 1401 (B) the residential property remains the eligible owner's primary residence.
- 1402 (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.
- 1406 (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.
- 1411 (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:
- 1414 (A) upon the sale or disposal of the residential property; or
- 1415 (B) when the residential property is no longer the primary residence of the beneficiary of the trust described in Subsection (5)(f)(i).
- 1417 (g) When the deferral period ends:
- 1418 (i) the lien becomes due and subject to the collection procedures described in Section 59-2-1331; and
- 1420 (ii) the date of levy is the date that the deferral period ends.
- 1421 (6)
- (a) If a county grants an eligible owner more than one deferral under this section for the same residential property, including an extension of the deferral period under Subsection (4)(b), the county is not required to submit for recording more than one lien.
- 1425 (b) Each subsequent deferral relates back to the date of the initial lien filing.
- 1426 (7)

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(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.

1430 (b) The record described in this Subsection (7) is the official record of the amount of the lien.

1432 (8) Notwithstanding Subsection 59-2-1331(2)(c), taxes and tax notice charges deferred under this section bear interest at a rate of 3%.

1434 (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.

1436 (10) A county that grants a deferral to an eligible owner under this section shall:

1437 (a) provide notice of the adjusted property tax amount to the holder of each mortgage or trust deed outstanding on the residential property; and

1439 (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.

1441 (11) For a calendar year beginning on or after January 1, 2028, the commission shall increase or decrease the household income eligibility amount specified in Subsection 59-2a-101(12)(b)(i)(D) 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.

1446 ~~{Section 17. Section 59-2a-902 is amended to read: }~~

1447 **59-2a-902. Application -- Rulemaking authority.**

1448 (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.

1451 (b) An indigent individual may for the same property apply and potentially qualify only for a deferral under [~~Part 7, Discretionary Deferral,~~ or] this part, or both a deferral under this part and Part 8, Nondiscretionary Deferral for Property with Qualifying Increase~~[-an abatement, or both].~~

1455 (2) A county shall extend the September 1 application deadline by one additional year if:

1456 (a) the applicant had been approved for a deferral under this part in the prior year; or

1457 (b) the county determines that:

1458 (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;

## SB0078S01 compared with SB0078S02

- 1461 (ii) a member of the applicant's immediate family died during the calendar year of the September 1  
application deadline;
- 1463 (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
- 1465 (iv) denial of an application would be unjust or unreasonable.
- 1466 (3)
- [~~(a)~~] An applicant shall include in an application a signed statement that describes the eligibility of the  
applicant for deferral.
- 1468 [~~(b) The requirements described in Subsection (3)(a) include:~~]
- 1469 [~~(i) proof that the applicant resides at the single-family residence for which the applicant seeks the  
deferral;~~]
- 1471 [~~(ii) proof of age; and~~]
- 1472 [~~(iii) proof of household income.~~]
- 1473 (4) Both spouses shall sign an application if the application seeks a deferral on a residence:
- 1474 (a) in which both spouses reside; and
- 1475 (b) that the spouses own as joint tenants.
- 1476 (5) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the commission  
may make rules to implement this section.
- 1478 ~~{Section 18. Section 63J-1-602.2 is amended to read: }~~
- 1479 **63J-1-602.2. List of nonlapsing appropriations to programs.**  
Appropriations made to the following programs are nonlapsing:
- 1482 (1) The Legislature and the Legislature's committees.
- 1483 (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.
- 1486 (3) The Rangeland Improvement Act created in Section 4-20-101.
- 1487 (4) The Percent-for-Art Program created in Section 9-6-404.
- 1488 (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.
- 1490 (6) The Utah Lake Authority created in Section 11-65-201.
- 1491 (7) Dedicated credits accrued to the Utah Marriage Commission as provided under Subsection  
17-66-303(2)(d)(ii).

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- 1493 (8) The Wildlife Land and Water Acquisition Program created in Section 23A-6-205.
- 1494 (9) Sanctions collected as dedicated credits from Medicaid providers under Subsection 26B-3-108(7).
- 1496 (10) The primary care grant program created in Section 26B-4-310.
- 1497 (11) The Opiate Overdose Outreach Pilot Program created in Section 26B-4-512.
- 1498 (12) The Utah Health Care Workforce Financial Assistance Program created in Section 26B-4-702.
- 1500 (13) The Rural Physician Loan Repayment Program created in Section 26B-4-703.
- 1501 (14) The Utah Medical Education Council for the:
- 1502 (a) administration of the Utah Medical Education Program created in Section 26B-4-707;
- 1503 (b) provision of medical residency grants described in Section 26B-4-711; and
- 1504 (c) provision of the forensic psychiatric fellowship grant described in Section 26B-4-712.
- 1505 (15) The Division of Services for People with Disabilities, as provided in Section 26B-6-402.
- 1506 (16) The Communication Habits to reduce Adolescent Threats (CHAT) Pilot Program created in Section 26B-7-122.
- 1508 (17) Funds that the Department of Alcoholic Beverage Services retains in accordance with Subsection 32B-2-301(8)(a) or (b).
- 1510 (18) The General Assistance program administered by the Department of Workforce Services, as provided in Section 35A-3-401.
- 1512 (19) The Utah National Guard, created in Title 39A, National Guard and Militia Act.
- 1513 (20) The Search and Rescue Financial Assistance Program, as provided in Section 53-2a-1102.
- 1515 (21) The Emergency Medical Services Grant Program, as provided in Section 53-2d-207.
- 1516 (22) The Motorcycle Rider Education Program, as provided in Section 53-3-905.
- 1517 (23) The Utah Board of Higher Education for teacher preparation programs, as provided in Section 53H-5-402.
- 1519 (24) Innovation grants under Section 53G-10-608, except as provided in Subsection 53G-10-608(3).
- 1521 (25) The Division of Fleet Operations for the purpose of upgrading underground storage tanks under Section 63A-9-401.
- 1523 (26) The Division of Technology Services for technology innovation as provided under Section 63A-16-903.
- 1525 (27) The State Capitol Preservation Board created by Section 63O-2-201.
- 1526 (28) The Office of Administrative Rules for publishing, as provided in Section 63G-3-402.
- 1527

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- (29) The Colorado River Authority of Utah, created in Title 63M, Chapter 14, Colorado River Authority of Utah Act.
- 1529 (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.
- 1531 (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.
- 1534 (32) County correctional facility contracting program for state inmates as described in Section 64-13e-103.
- 1536 (33) County correctional facility reimbursement program for state probationary inmates and state parole inmates as described in Section 64-13e-104.
- 1538 (34) Programs for the Jordan River Recreation Area as described in Section 65A-2-8.
- 1539 (35) The Division of Human Resource Management user training program, as provided in Section 63A-17-106.
- 1541 (36) A public safety answering point's emergency telecommunications service fund, as provided in Section 69-2-301.
- 1543 (37) The Traffic Noise Abatement Program created in Section 72-6-112.
- 1544 (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.
- 1547 (39) The Judicial Council for compensation for special prosecutors, as provided in Section 77-10a-19.
- 1549 (40) A state rehabilitative employment program, as provided in Section 78A-6-210.
- 1550 (41) The Utah Geological Survey, as provided in Section 79-3-401.
- 1551 (42) The Bonneville Shoreline Trail Program created under Section 79-5-503.
- 1552 (43) Adoption document access as provided in Sections 81-13-103, 81-13-504, and 81-13-505.
- 1554 (44) Indigent defense as provided in Title 78B, Chapter 22, Part 4, Utah Indigent Defense Commission.
- 1556 (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.
- 1560 [~~(46) The State Tax Commission for reimbursing counties for deferrals in accordance with Section 59-2-1802.5.~~]
- 1562 [~~(47)~~ (46) The Veterinarian Education Loan Repayment Program created in Section 4-2-902.

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Section 10. **Effective date.**

Effective Date.

This bill takes effect on January 1, 2027.

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