

SB0206S03 compared with SB0206S02

~~{Omitted text}~~ shows text that was in SB0206S02 but was omitted in SB0206S03

inserted text shows text that was not in SB0206S02 but was inserted into SB0206S03

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

Tax Amendments

2026 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Wayne A. Harper

House Sponsor: R. Neil Walter

2

3

LONG TITLE

4

General Description:

5

This bill modifies provisions relating to tax.

6

Highlighted Provisions:

7

This bill:

8

▸ creates the Statewide Tax Administration and Technology Solutions program, which includes the following services:

10

- maintenance and enhancement of the statewide property tax system, including statewide web portals;

12

- provision of property valuation services;

13

- valuation of personal property of telecommunications service providers;

14

- ~~{mediation of disputes about commission orders between the State Tax Commission and a county;}~~

16

- participation in a study on the rate of a recovery fee for rentals of heavy equipment; and

18

- collation of information from county auditors on project areas and from entities that seek to receive and receive tax increment financing;

SB0206S02

SB0206S02 compared with SB0206S03

- 20 ▶ establishes the program manager;
- 21 ▶ transfers responsibilities from the Multicounty Appraisal Trust (MCAT) to the program manager;
- 23 ▶ transfers existing MCAT personal property and unexpended revenue to the program manager;
- 25 ▶ imposes accounting and reporting obligations on the program manager;
- 26 ▶ grants rulemaking authority to the State Tax Commission to establish the requirements for the statewide property tax system and for a county to comply with a factoring order;
- 28 ▶ provides the conditions for a county to opt out of use of the statewide property tax system;
- 30 ▶ beginning July 1, 2026, requires ~~{ a local }~~ an entity ~~{ seeking }~~ intending to use tax increment to first:
- 31 • conduct a public meeting; and
- 32 • ~~{ submit a notice to the program manager; }~~
- 33 ▶ ~~{ authorizes }~~ submit information to the program manager ~~{ to determine if the local entity complied with the }~~ and notice ~~{ requirements }~~ to ~~{ begin the process to trigger, collect, }~~ the taxing entities providing tax increment and ~~{ use }~~ the entities distributing tax increment;
- 35 ▶ requires ~~{ a public entity }~~ most types of entities that ~~{ receives }~~ receive more revenue from tax increment than anticipated to use the revenue to pay off debt;
- 37 ▶ requires ~~{ local entities that receive }~~ an entity that receives tax increment to report annually to the program manager;
- 39 ▶ modifies definitions relating to public service districts to reflect the transition of land within the public service districts from unincorporated county to incorporated cities or towns since the public service districts formed; and
- 42 ▶ makes technical and conforming changes.

39 **Money Appropriated in this Bill:**

40 None

41 **Other Special Clauses:**

42 This bill provides a special effective date.

43 This bill provides retrospective operation.

44 **Utah Code Sections Affected:**

45 AMENDS:

46 **10-21-101 (Effective 05/06/26)**, as renumbered and amended by Laws of Utah 2025, First Special Session, Chapter 15

SB0206S02 compared with SB0206S03

- 48 **10-21-504 (Effective 05/06/26)**, as renumbered and amended by Laws of Utah 2025, First Special
Session, Chapter 15
- 50 **11-58-803 (Effective 05/06/26)**, as last amended by Laws of Utah 2018, Second Special Session,
Chapter 1
- 52 **11-59-208 (Effective 05/06/26) (Repealed 01/01/29)**, as enacted by Laws of Utah 2022, Chapter
237
- 54 **11-70-401 (Effective 05/06/26)**, as last amended by Laws of Utah 2025, First Special Session,
Chapter 16
- 56 **17-80-101 (Effective 05/06/26)**, as renumbered and amended by Laws of Utah 2025, First Special
Session, Chapter 14
- 58 **17-80-504 (Effective 05/06/26)**, as renumbered and amended by Laws of Utah 2025, First Special
Session, Chapter 14
- 60 **17C-1-606 (Effective 05/06/26)**, as last amended by Laws of Utah 2025, Chapter 480
- 61 **17D-4-205 (Effective 05/06/26)**, as renumbered and amended by Laws of Utah 2021, Chapter 314
- 63 **59-2-306.5 (Effective 05/06/26) (Applies beginning 01/01/26)**, as last amended by Laws of Utah
2024, Chapter 315
- 65 **59-2-307 (Effective 05/06/26) (Applies beginning 01/01/26)**, as last amended by Laws of Utah
2022, Chapter 239
- 67 **59-2-308 (Effective 05/06/26) (Applies beginning 01/01/26)**, as last amended by Laws of Utah
2022, Chapter 239
- 69 **59-2-704 (Effective 05/06/26) (Applies beginning 01/01/26)**, as last amended by Laws of Utah
2025, Chapter 337
- 71 **59-2-919.1 (Effective 05/06/26) (Superseded 07/01/26) (Applies beginning 01/01/26)**, as last
amended by Laws of Utah 2025, Chapter 518
- 73 **59-2-919.1 (Effective 07/01/26)**, as last amended by Laws of Utah 2025, Chapter 518
- 74 **59-2-924.2 (Effective 05/06/26) (Applies beginning 01/01/26)**, as last amended by Laws of Utah
2025, Chapter 29
- 76 **59-2-1601 (Effective 05/06/26) (Applies beginning 01/01/26)**, as last amended by Laws of Utah
2024, Chapter 263
- 78 **59-2-1602 (Effective 05/06/26) (Applies beginning 01/01/26)**, as last amended by Laws of Utah
2025, Chapters 337, 484

SB0206S02 compared with SB0206S03

80 **59-2-1605 (Effective 05/06/26) (Applies beginning 01/01/26)**, as last amended by Laws of Utah
2014, Chapter 270

82 **59-2-1606 (Effective 05/06/26) (Applies beginning 01/01/26)**, as last amended by Laws of Utah
2025, Chapter 337

84 **59-2-2001 (Effective 05/06/26) (Applies beginning 01/01/26)**, as enacted by Laws of Utah 2025,
Chapter 432

86 **59-2-2002 (Effective 05/06/26) (Applies beginning 01/01/26)**, as enacted by Laws of Utah 2025,
Chapter 432

88 **63H-1-501 (Effective 05/06/26)**, as last amended by Laws of Utah 2024, Chapter 514

89 **63I-1-259** ~~{(Effective 05/06/26)}~~ ~~{(Applies beginning 01/01/26)}~~ (Effective 05/06/26), as last
amended by Laws of Utah 2025, Chapter 270

90 **63N-3-602 (Effective 05/06/26)**, as last amended by Laws of Utah 2025, Chapter 29

91 **63N-3-603.1 (Effective 05/06/26)**, as enacted by Laws of Utah 2025, Chapter 29

92 **63N-3-607 (Effective 05/06/26)**, as last amended by Laws of Utah 2025, Chapter 404

93 **63N-3-609 (Effective 05/06/26)**, as last amended by Laws of Utah 2025, Chapter 29

94 **63N-3-1601 (Effective 05/06/26)**, as last amended by Laws of Utah 2025, Chapter 440

95 **63N-3-1606 (Effective 05/06/26)**, as enacted by Laws of Utah 2024, Chapter 537

96 **63N-3-1608 (Effective 05/06/26)**, as enacted by Laws of Utah 2024, Chapter 537

97 **63N-3-1701 (Effective 05/06/26)**, as enacted by Laws of Utah 2025, Chapter 495

98 **63N-3-1708 (Effective 05/06/26)**, as enacted by Laws of Utah 2025, Chapter 495

99 ENACTS:

100 **59-1-1901 (Effective 05/06/26)**, Utah Code Annotated 1953

101 **59-1-1902 (Effective 05/06/26)**, Utah Code Annotated 1953

102 **59-35-101 (Effective 05/06/26)**, Utah Code Annotated 1953

103 **59-35-201 (Effective 05/06/26)**, Utah Code Annotated 1953

104 **59-35-202 (Effective 05/06/26)**, Utah Code Annotated 1953

105 **59-35-203 (Effective 05/06/26)**, Utah Code Annotated 1953

106 **59-35-204 (Effective 05/06/26)**, Utah Code Annotated 1953

107 **59-35-301 (Effective 05/06/26)**, Utah Code Annotated 1953

108 **59-35-302 (Effective 05/06/26)**, Utah Code Annotated 1953

109 REPEALS AND REENACTS:

SB0206S02 compared with SB0206S03

110 **17C-1-603 (Effective 05/06/26)**, as last amended by Laws of Utah 2025, Chapter 480

111 REPEALS:

112 **59-2-1603 (Effective 05/06/26) (Repealed 07/01/30)**, as last amended by Laws of Utah 2022,
Chapter 451

114

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

116 Section 1. Section **10-21-101** is amended to read:

117 **10-21-101. Definitions.**

As used in this part:

- 124 (1) "Affordable housing" means housing offered for sale at 80% or less of the median county home
price for housing of that type.
- 126 (2) "Agency" means the same as that term is defined in Section 17C-1-102.
- 127 (3) "Applicable metropolitan planning organization" means the metropolitan planning organization that
has jurisdiction over the area in which a fixed guideway public transit station is located.
- 130 (4) "Applicable public transit district" means the public transit district, as defined in Section
17B-2a-802, of which a fixed guideway public transit station is included.
- 132 (5) "Base taxable value" means a property's taxable value as shown upon the assessment roll last
equalized during the base year.
- 134 (6) "Base year" means, for a proposed home ownership promotion zone area, a year beginning the first
day of the calendar quarter determined by the last equalized tax roll before the adoption of the home
ownership promotion zone.
- 137 (7) "Division" means the Housing and Community Development Division within the Department of
Workforce Services.
- 139 (8) "Existing fixed guideway public transit station" means a fixed guideway public transit station for
which construction begins before June 1, 2022.
- 141 (9) "Fixed guideway" means the same as that term is defined in Section 59-12-102.
- 142 (10) "Home ownership promotion zone" means a home ownership promotion zone created in
accordance with this part.
- 144 (11) "Implementation plan" means the implementation plan adopted as part of the moderate income
housing element of a specified municipality's general plan as provided in Subsection 10-21-201(4).

147

SB0206S02 compared with SB0206S03

- (12) "Initial report" or "initial moderate income housing report" means the one-time report described in Subsection 10-21-202(1).
- 149 (13) "Internal accessory dwelling unit" means an accessory dwelling unit created:
150 (a) within a primary dwelling;
151 (b) within the footprint of the primary dwelling described in Subsection (13)(a) at the time the internal
accessory dwelling unit is created; and
153 (c) for the purpose of offering a long-term rental of 30 consecutive days or longer.
- 154 (14) "Moderate income housing strategy" means a strategy described in Subsection 10-21-201(3)(a)(iii).
- 156 (15) "New fixed guideway public transit station" means a fixed guideway public transit station for
which construction begins on or after June 1, 2022.
- 158 (16) "Participant" means the same as that term is defined in Section 17C-1-102.
- 159 (17) "Participation agreement" means the same as that term is defined in Section 17C-1-102.
- 160 (18)
(a) "Primary dwelling" means a single-family dwelling that:
161 (i) is detached; and
162 (ii) is occupied as the primary residence of the owner of record.
- 163 (b) "Primary dwelling" includes a garage if the garage:
164 (i) is a habitable space; and
165 (ii) is connected to the primary dwelling by a common wall.
- 166 (19) "Project improvements" means the same as that term is defined in Section 11-36a-102.
- 167 (20) "Qualifying land use petition" means a petition:
168 (a) that involves land located within a station area for an existing public transit station that provides rail
services;
170 (b) that involves land located within a station area for which the municipality has not yet satisfied the
requirements of Subsection 10-21-203(1)(a);
172 (c) that proposes the development of an area greater than five contiguous acres, with no less than 51%
of the acreage within the station area;
174 (d) that would require the municipality to amend the municipality's general plan or change a zoning
designation for the land use application to be approved;
176 (e) that would require a higher density than the density currently allowed by the municipality;
178

SB0206S02 compared with SB0206S03

(f) that proposes the construction of new residential units, at least 10% of which are dedicated to moderate income housing; and

180 (g) for which the land use applicant requests the municipality to initiate the process of satisfying the requirements of Subsection 10-21-203(1)(a) for the station area in which the development is proposed, subject to Subsection 10-21-203(2)(d).

183 (21) "Report" means an initial report or a subsequent progress report.

184 (22) "Specified municipality" means:

185 (a) a city of the first, second, third, or fourth class; or

186 (b) a city of the fifth class with a population of 5,000 or more, if the city is located within a county of the first, second, or third class.

188 (23)

(a) "Station area" means:

189 (i) for a fixed guideway public transit station that provides rail services, the area within a one-half mile radius of the center of the fixed guideway public transit station platform; or

192 (ii) for a fixed guideway public transit station that provides bus services only, the area within a one-fourth mile radius of the center of the fixed guideway public transit station platform.

195 (b) "Station area" includes any parcel bisected by the radius limitation described in Subsection (a)(i) or (ii).

197 (24) "Station area plan" means a plan that:

198 (a) establishes a vision, and the actions needed to implement that vision, for the development of land within a station area; and

200 (b) is developed and adopted in accordance with this section.

201 (25) "Subsequent progress report" means the annual report described in Subsection 10-21-202(2).

203 (26) "System improvements" means the same as that term is defined in Section 11-36a-102.

204 (27) "Tax commission" means the State Tax Commission created in Section 59-1-201.

205 (28)

(a) "Tax increment" means the difference between:

206 (i) the amount of property tax revenue generated each tax year by a taxing entity from the area within a home ownership promotion zone, using the current assessed value and each taxing entity's current certified tax rate as defined in Section 59-2-924; and

210

SB0206S02 compared with SB0206S03

(ii) the amount of property tax revenue that would be generated from that same area using the base taxable value and each taxing entity's current certified tax rate as defined in Section 59-2-924.

213 (b) "Tax increment" does not include property revenue from~~[:]~~ a multicounty assessing and collecting
levy or a county additional property tax described in Section 59-2-1602.

215 [~~(i) a multicounty assessing and collecting levy described in Subsection 59-2-1602(2); or]~~

217 [~~(ii) a county additional property tax described in Subsection 59-2-1602(4).]~~

218 (29) "Taxing entity" means the same as that term is defined in Section 17C-1-102.

214 Section 2. Section **10-21-504** is amended to read:

215 **10-21-504. Payment, use, and administration of revenue from a home ownership promotion**
zone.

222 (1)

(a) A municipality may receive tax increment and use home ownership promotion zone funds in accordance with this section.

224 (b) The maximum amount of time that a municipality may receive and use tax increment in accordance with a home ownership promotion zone is 15 consecutive years.

226 (2) A county that collects property tax on property located within a home ownership promotion zone shall distribute, in accordance with Section 59-2-1365, [~~distribute~~]60% of the tax increment [~~collected~~] the county collects from property within the home ownership promotion zone to the municipality over the home ownership promotion zone to [~~be used~~] use as described in this section.

231 (3)

(a) Tax increment distributed to a municipality in accordance with Subsection (2) is not revenue of the taxing entity or municipality, but home ownership promotion zone funds.

234 (b) [~~Home ownership promotion zone funds may be administered by an agency created by the municipality within which the home ownership promotion zone is located.]~~ An agency created by the municipality within which the home ownership promotion zone is located may administer home ownership promotion zone funds.

238 (c) Before an agency may receive home ownership promotion zone funds from a municipality, the agency shall enter into an interlocal agreement with the municipality.

241 (4)

(a) A municipality or agency shall use home ownership promotion zone funds within, or for the direct benefit of, the home ownership promotion zone.

SB0206S02 compared with SB0206S03

- 243 (b) If any home ownership promotion zone funds will be used outside of the home ownership
promotion zone, the legislative body of the municipality shall make a finding that the use of the
home ownership promotion zone funds outside of the home ownership promotion zone will directly
benefit the home ownership promotion zone.
- 247 (5) A municipality or agency shall use home ownership promotion zone funds to achieve the purposes
described in Section 10-21-502 by paying all or part of the costs of any of the following:
- 250 (a) project improvement costs;
- 251 (b) systems improvement costs;
- 252 (c) water exaction costs;
- 253 (d) street lighting costs;
- 254 (e) environmental remediation costs; or
- 255 (f) the costs of the municipality or agency to create and administer the home ownership promotion zone,
which may not exceed 3% of the total home ownership promotion zone funds.
- 258 (6) Home ownership promotion zone funds may be paid to a participant, if the municipality and
participant enter into a participation agreement which requires the participant to [~~utilize~~] use the
home ownership promotion zone funds as allowed in this section.
- 261 (7) Home ownership promotion zone funds may be used to pay all of the costs of bonds issued by the
municipality in accordance with Title 17C, Chapter 1, Part 5, Agency Bonds, including the cost to
issue and repay the bonds including interest.
- 264 (8) A municipality may:
- 265 (a) create one or more public infrastructure districts within a home ownership promotion zone under
Title 17D, Chapter 4, Public Infrastructure District Act; and
- 267 (b) pledge and [~~utilize~~] use the home ownership promotion zone funds to guarantee the payment of
public infrastructure bonds issued by a public infrastructure district.
- 269 (9) A municipality, agency, or public infrastructure district that ~~intends to receive or~~ receives tax
increment, as defined in Section 59-35-101, shall comply with the requirements described in Title
59, Chapter 35, Tax Increment Financing Reporting.
- 267 Section 3. Section **11-58-803** is amended to read:
- 268 **11-58-803. Port authority reporting.**
- 274 (1)

SB0206S02 compared with SB0206S03

- (a) On or before November 1 of each year, the authority shall prepare and file a report with the county auditor of each county in which the authority jurisdictional land is located, the State Tax Commission, the State Board of Education, and each taxing entity that levies a tax on property from which the authority collects property tax differential.
- 279 (b) The requirement of Subsection (1)(a) to file a copy of the report with the state as a taxing entity is met if the authority files a copy with the State Tax Commission and the state auditor.
- 282 (2) Each report under Subsection (1) shall contain:
- 283 (a) an estimate of the property tax differential to be paid to the authority for the calendar year ending December 31; and
- 285 (b) an estimate of the property tax differential to be paid to the authority for the calendar year beginning the next January 1.
- 287 (3) Before November 30 of each year, the board shall present a report to the Executive Appropriations Committee of the Legislature, as the Executive Appropriations Committee directs, that includes:
- 290 (a) an accounting of how authority funds have been spent, including funds spent on the environmental sustainability component of the authority business plan under Subsection 11-58-202(1)(a);
- 293 (b) an update about the progress of the development and implementation of the authority business plan under Subsection 11-58-202(1)(a), including the development and implementation of the environmental sustainability component of the plan; and
- 296 (c) an explanation of the authority's progress in achieving the policies and objectives described in Subsection 11-58-203(1).
- 298 (4) The authority shall comply with the requirements described in Title 59, Chapter 35, Tax Increment Financing Reporting.
- 295 Section 4. Section **11-59-208** is amended to read:
- 296 **11-59-208. Portion of property tax augmentation to be paid to authority -- Reporting.**
- 303 (1) As used in this section:
- 304 (a) "Base taxable value" means the taxable value in the year before the transfer date.
- 305 (b) "Property tax augmentation":
- 306 (i) means the amount of property tax that is the difference between:
- 307 (A) the amount of property tax revenues generated each tax year by all taxing entities from a transferred parcel, using the current assessed value of the property; and

310

SB0206S02 compared with SB0206S03

- (B) the amount of property tax revenues that would be generated from that same transferred parcel using the base taxable value of the property; and
- 312 (ii) does not include property tax revenue from:
- 313 (A) a county additional property tax or multicounty assessing and collecting levy imposed in accordance with Section 59-2-1602;
- 315 (B) a judgment levy imposed by a taxing entity under Section 59-2-1328 or 59-2-1330; or
- 317 (C) a levy imposed by a taxing entity under Section 11-14-310 to pay for a general obligation bond.
- 319 (c) "Transfer date" means the date that fee title to land that is part of the point of the mountain state land is transferred to a private person.
- 321 (d) "Transferred parcel" means a parcel of land:
- 322 (i) that is part of the point of the mountain state land; and
- 323 (ii) the fee title to which has been transferred to a private person.
- 324 (2) Beginning January 1, 2023, the authority shall be paid 75% of property tax augmentation from a transferred parcel:
- 326 (a) for a period of 25 years beginning January 1 of the year immediately following the transfer date for the transferred parcel; and
- 328 (b) for a period of an additional 15 years beyond the period stated in Subsection (2)(a) if:
- 329 (i) the board determines by resolution that the additional years will produce a significant benefit to the authority; and
- 331 (ii) the resolution is adopted before the end of the 25-year period under Subsection (2)(a).
- 333 (3) A county that collects property tax on property within the county in which the point of the mountain state land is located shall pay and distribute to the authority the amount of property tax augmentation that the authority is entitled to collect under Subsection (2), in the manner and at the time provided in Section 59-2-1365.
- 337 (4) The authority shall comply with the requirements described in Title 59, Chapter 35, Tax Increment Financing Reporting.
- 334 Section 5. Section **11-70-401** is amended to read:
- 335 **11-70-401. Enhanced property tax revenue to be paid to fairpark district -- Reporting.**
- 342 (1) Subject to Subsection (5), the fairpark district shall be paid 90% of enhanced property tax revenue generated from each parcel of privately owned land within the fairpark district boundary:
- 345 (a) beginning the tax year that begins on January 1, 2025; and

SB0206S02 compared with SB0206S03

- 346 (b) until the transition date for that parcel.
- 347 (2) Subject to Subsection (5), during the payment period the fairpark district shall be paid up to 100% of enhanced property tax revenue:
- 349 (a) generated from designated parcels of privately owned land within a project area; and
- 350 (b) as the board specifies in a designation resolution adopted in consultation with a qualified owner.
- 352 (3) For purposes of the payment of enhanced property tax revenue under this section, a payment period shall begin, as specified in the designation resolution, on January 1 of a year that begins after the designation resolution is adopted.
- 355 (4)
- (a) For purposes of this section, the fairpark district may designate an improved portion of a parcel in a project area as a separate parcel.
- 357 (b) A fairpark district designation of an improved portion of a parcel as a separate parcel under Subsection (4)(a) does not constitute a subdivision, as defined in Section 10-20-102 or Section 17-79-102.
- 360 (c) A county recorder shall assign a separate tax identification number to the improved portion of a parcel designated by the fairpark district as a separate parcel under Subsection (4)(a).
- 363 (5) A host municipality shall be paid a minimum of 25% of the enhanced property tax revenue generated by a property tax imposed by the host municipality to reimburse the host municipality for services the host municipality provides to a project area in accordance with Subsection 11-70-206(6)(c), with the exact amount determined in an agreement between the host municipality and the fairpark district.
- 368 (6) The fairpark district shall comply with the requirements described in Title 59, Chapter 35, Tax Increment Financing Reporting.
- 365 Section 6. Section **17-80-101** is amended to read:
- 366 **17-80-101. Definitions.**
- As used in this part:
- 373 (1) "Affordable housing" means housing offered for sale at 80% or less of the median county home price for housing of that type.
- 375 (2) "Agency" means the same as that term is defined in Section 17C-1-102.
- 376 (3) "Base taxable value" means a property's taxable value as shown upon the assessment roll last equalized during the base year.

SB0206S02 compared with SB0206S03

- 378 (4) "Base year" means, for a proposed home ownership promotion zone area, a year beginning the first
day of the calendar quarter determined by the last equalized tax roll before the adoption of the home
ownership promotion zone.
- 381 (5) "Division" means the Housing and Community Development Division within the Department of
Workforce Services.
- 383 (6) "Home ownership promotion zone" means a home ownership promotion zone created in accordance
with this part.
- 385 (7) "Implementation plan" means the implementation plan adopted as part of the moderate income
housing element of a specified county's general plan.
- 387 (8) "Initial report" means the one-time moderate income housing report described in Subsection
17-80-202(1).
- 389 (9) "Internal accessory dwelling unit" means an accessory dwelling unit created:
- 390 (a) within a primary dwelling;
- 391 (b) within the footprint of the detached primary dwelling at the time the internal accessory dwelling unit
is created; and
- 393 (c) for the purpose of offering a long-term rental of 30 consecutive days or longer.
- 394 (10) "Moderate income housing strategy" means a strategy described in Section 17-80-201.
- 395 (11) "Participant" means the same as that term is defined in Section 17C-1-102.
- 396 (12) "Participation agreement" means the same as that term is defined in Section 17C-1-102.
- 397 (13)
- (a) "Primary dwelling" means a single-family dwelling that:
- 398 (i) is detached; and
- 399 (ii) is occupied as the primary residence of the owner of record.
- 400 (b) "Primary dwelling" includes a garage if the garage:
- 401 (i) is a habitable space; and
- 402 (ii) is connected to the primary dwelling by a common wall.
- 403 (14) "Project improvements" means the same as that term is defined in Section 11-36a-102.
- 404 (15) "Report" means an initial report or a subsequent report described in Section 17-80-202.
- 405 (16) "Specified county" means a county of the first, second, or third class, which has a population of
more than 5,000 in the county's unincorporated areas.

407

SB0206S02 compared with SB0206S03

(17) "Subsequent progress report" means the annual moderate income housing report described in Section 17-80-202.

409 (18) "System improvements" means the same as that term is defined in Section 11-36a-102.

410 (19) "Tax commission" means the State Tax Commission created in Section 59-1-201.

411 (20)

(a) "Tax increment" means the difference between:

412 (i) the amount of property tax revenue generated each tax year by a taxing entity from the area within a home ownership promotion zone, using the current assessed value and each taxing entity's current certified tax rate as defined in Section 59-2-924; and

416 (ii) the amount of property tax revenue that would be generated from that same area using the base taxable value and each taxing entity's current certified tax rate as defined in Section 59-2-924.

419 (b) "Tax increment" does not include property revenue from~~[:]~~ a multicounty assessing and collecting levy or a county additional property tax described in Section 59-2-1602.

421 [~~(i) a multicounty assessing and collecting levy described in Subsection 59-2-1602(2); or]~~

423 [~~(ii) a county additional property tax described in Subsection 59-2-1602(4).]~~

424 (21) "Taxing entity" means the same as that term is defined in Section 17C-1-102.

420 Section 7. Section **17-80-504** is amended to read:

421 **17-80-504. Payment, use, and administration of revenue from a home ownership promotion zone -- Reporting.**

428 (1)

(a) A county may receive tax increment and use home ownership promotion zone funds in accordance with this section.

430 (b) The maximum amount of time that a county may receive and use tax increment collected from a home ownership promotion zone is 15 consecutive years.

432 (2) A county that collects property tax on property located within a home ownership promotion zone shall retain, in accordance with Section 59-2-1365,~~[retain]~~ 60% of the tax increment [~~collected~~] the county collects from property within the home ownership promotion zone to [~~be used~~] use as described in this section.

436 (3)

(a) Tax increment retained by a county in accordance with Subsection (2) is not revenue of the taxing entity or county, but home ownership promotion zone funds.

SB0206S02 compared with SB0206S03

- 438 (b) ~~[Home ownership promotion zone funds may be administered by an agency created by the county within which the home ownership promotion zone is located.]~~ An agency created by the county within which the home ownership promotion zone is located may administer home ownership promotion zone funds.
- 442 (c) Before an agency may receive home ownership promotion zone funds from a county, the agency shall enter into an interlocal agreement with the county.
- 444 (4)
- (a) A county or agency shall use home ownership promotion zone funds within, or for the direct benefit of, the home ownership promotion zone.
- 446 (b) If any home ownership promotion zone funds will be used outside of the home ownership promotion zone, the legislative body of the county shall make a finding that the use of the home ownership promotion zone funds outside of the home ownership promotion zone will directly benefit the home ownership promotion zone.
- 450 (5) A county or agency shall use home ownership promotion zone funds to achieve the purposes described in Section 17-80-502 by paying all or part of the costs of any of the following:
- 453 (a) project improvement costs;
- 454 (b) systems improvement costs;
- 455 (c) water exaction costs;
- 456 (d) street lighting costs;
- 457 (e) environmental remediation costs; or
- 458 (f) the costs of the county to create and administer the home ownership promotion zone, which may not exceed 3% of the total home ownership promotion zone funds.
- 460 (6) Home ownership promotion zone funds may be paid to a participant, if the county and participant enter into a participation agreement which requires the participant to ~~[utilize]~~ use the home ownership promotion zone funds as allowed in this section.
- 463 (7) Home ownership promotion zone funds may be used to pay all of the costs of bonds issued by the county in accordance with Title 17C, Chapter 1, Part 5, Agency Bonds, including the cost to issue and repay the bonds including interest.
- 466 (8) A county may:
- 467 (a) create one or more public infrastructure districts within home ownership promotion zone under Title 17D, Chapter 4, Public Infrastructure District Act; and

SB0206S02 compared with SB0206S03

- 469 (b) pledge and [utilize] use the home ownership promotion zone funds to guarantee the payment of
public infrastructure bonds issued by a public infrastructure district.
- 471 (9) A county, an agency, or the public infrastructure district that **intends to receive or** receives tax
increment, **as defined in Section 59-35-101**, shall comply with the requirements described in Title
59, Chapter 35, Tax Increment Financing Reporting.
- 469 Section 8. Section **17C-1-603** is repealed and reenacted to read:
470 **17C-1-603. Reporting requirements.**
An agency shall comply with the requirements described in Title 59, Chapter 35, Tax
Increment Financing Reporting.
- 473 Section 9. Section **17C-1-606** is amended to read:
474 **17C-1-606. County auditor report on project areas.**
- 480 (1)
- (a) On or before March 31 of each year, the auditor of each county in which an agency is located shall
prepare a report on the project areas within each agency.
- 482 (b) The county auditor shall send a copy of each report under Subsection (1)(a) to the agency that is
the subject of the report, the State Tax Commission, the State Board of Education, and each taxing
entity from which the agency receives tax increment.
- 485 (c) On or before March 31 of each year, the county auditor shall submit a copy of each report under
Subsection (1)(a) to the [~~Governor's Office of Economic Opportunity~~] {project} program manager,
as defined in Section 59-2-1601, for inclusion in the database described in [~~Section 17C-1-603~~] Title
59, Chapter 35, Tax Increment Financing Reporting.
- 489 (2) Each report under Subsection (1)(a) shall report:
490 (a) the total assessed property value within each project area for the previous tax year;
491 (b) the base taxable value of each project area for the previous tax year;
492 (c) the tax increment available to be paid to the agency for the previous tax year;
493 (d) the tax increment requested by the agency for the previous tax year; and
494 (e) the tax increment paid to the agency for the previous tax year.
- 495 (3) Within 30 days after a request by an agency, the State Tax Commission, the State Board of
Education, or any taxing entity from which the agency receives tax increment, the county auditor or
the county assessor shall provide access to:
- 498 (a) the county auditor's method and calculations used to make adjustments under Section 17C-1-408;

SB0206S02 compared with SB0206S03

- 500 (b) the unequalized assessed valuation of an existing or proposed project area, or any parcel or parcels
within an existing or proposed project area, if the equalized assessed valuation has not yet been
determined for that year;
- 503 (c) the most recent equalized assessed valuation of an existing or proposed project area or any parcel or
parcels within an existing or proposed project area; and
- 505 (d) the tax rate of each taxing entity adopted as of November 1 for the previous tax year.
- 506 (4) Each report described in Subsection (1)(a) shall include:
- 507 (a) sufficient detail regarding the calculations performed by a county auditor so that an agency or other
interested party could repeat and verify the calculations; and
- 509 (b) a detailed explanation of any adjustments made to the base taxable value of each project area.
- 507 Section 10. Section **17D-4-205** is amended to read:
- 508 **17D-4-205. Reporting.**
- 513 (1) A public infrastructure district shall file annual reports with the creating entity regarding the public
infrastructure district's actions as provided in the governing document.
- 516 (2) A public infrastructure district shall comply with the requirements described in Title 59, Chapter 35,
Tax Increment Financing Reporting.
- 514 Section 11. Section **11** is enacted to read:
- 516 **59-1-1901. Definitions.**
19. Statewide Tax Administration and Technology Solutions
- 521 (1) "Agency" means a community reinvestment agency, as defined in Section 17C-1-102.
- 522 (2) "Database" means a collection of electronic data to track the information that each {local} **TIF**
entity is required to submit, or the program manager collects, in accordance with Chapter 35, Tax
Increment Financing Reporting.
- 525 {~~(3)~~ }
- {~~(a)~~ {"Local entity" means a political subdivision of the state that seeks to receive, receives, or is
authorized to receive tax increment for an approved project area.} }
- 527 {~~(b)~~ {"Local entity" includes an agency.} }
- 528 (4){~~(3)~~} "Program manager" means the same as that term is defined in Section 59-2-1601.
- 529 (5){~~(4)~~} "STATS" means the Statewide Tax Administration and Technology Solutions program,
created in Section 59-1-1902.
- 524 (5)

SB0206S02 compared with SB0206S03

(a) "TIF entity" means a political subdivision of the state that intends to receive, receives, or is authorized to receive tax increment for an approved project area.

526 (b) "TIF entity" includes an agency.

527 Section 12. Section 12 is enacted to read:

528 **59-1-1902. Statewide Tax Administration and Technology Solutions -- Duties of program manager.**

534 (1) There is created the "Statewide Tax Administration and Technology Solutions" program, administered by the program manager.

536 (2) STATS services are:

537 (a) subject to Subsection (3), the hiring of one or more professional appraisers to provide property valuation services within a county of the third, fourth, fifth, or sixth class, as classified in Section 17-60-104;

540 (b) the performance of the duties related to telecommunications service providers described in Sections 59-2-306.5 and 59-2-307;

542 ~~{(e) {the mediation of factoring orders as required by Section 59-2-704;}}~~

543 (d){(c)} the maintenance and enhancement of the statewide property tax system in accordance with Section 59-2-1606;

545 (e){(d)} the coordination with the commission to conduct a study to determine the need for adjustment to the rate of the recovery fee as required by Section 59-2-2002; and

547 (f){(e)} the collation and distribution of the information regarding tax increment financing that a ~~local~~ TIF entity provides, or the program manager collects, in accordance with Part 35, Tax Increment Financing Reporting, and a county auditor submits in accordance with Section 17C-1-606.

550 (3) A professional appraiser hired to provide property valuation services under Subsection (2) shall hold an appraiser's certificate or license from the Division of Real Estate in accordance with Title 61, Chapter 2g, Real Estate Appraiser Licensing and Certification Act.

554 (4)

(a) The commission shall approve a professional appraiser before the program manager hires the professional appraiser.

556 (b) The program manager shall determine that hiring a professional appraiser to provide property valuation services promotes the objectives described in Subsection 59-2-1606(2)(a) before hiring a professional appraiser.

SB0206S02 compared with SB0206S03

- 559 (5)
- (a) The program manager shall:
- 560 (i) create and maintain a database;
- 561 (ii) summarize and provide analysis of the electronic data within the database; and
- 562 (iii) make the database publicly accessible from the STATS website.
- 563 (b) The program manager may:
- 564 (i) contract with a third party to create and maintain the database; and
- 565 (ii) charge a fee to a {local} TIF entity to cover the program manager's cost of complying with
Subsection {(4)(a)} (5)(a).
- 567 (c) The program manager shall determine the amount of the fee described in Subsection {(4)(b)(ii)}
(5)(b)(ii), provided that the combined fees charged to all {local} TIF entities may not exceed the
actual cost of complying with Subsection {(4)(a)} (5)(a).
- 566 Section 13. Section 59-2-306.5 is amended to read:
- 567 **59-2-306.5. Valuation of personal property of telecommunications service provider --**
Reporting information to counties.
- 574 (1) As used in this section, [~~"Multicounty Appraisal Trust"~~] "program manager" means the same as that
term is defined in Section 59-2-1601.
- 576 (2) A telecommunications service provider shall provide to the [~~Multicounty Appraisal Trust~~] program
manager a signed statement setting forth all of the personal property that the telecommunications
service provider owns, possesses, manages, or has under the telecommunications service provider's
control in the state.
- 580 (3) The signed statement:
- 581 (a) may be requested by the [~~Multicounty Appraisal Trust~~] program manager on or before January 31
of each year;
- 583 [(i) each year; and]
- 584 [(ii) if requested, on or before January 31;]
- 585 (b) shall itemize each item of personal property that the telecommunications service provider owns,
possesses, manages, or has under the telecommunications service provider's control:
- 588 (i) by county and by tax area; and
- 589 (ii) for the tax year that began on January 1; and
- 590 (c) shall be submitted:

SB0206S02 compared with SB0206S03

- 591 (i) annually on or before March 31; and
- 592 (ii) electronically in a form [~~approved by~~]the commission approves.
- 593 (4)
- (a) Except where an estimate is made in accordance with Subsection [~~59-2-307(3)(b)(i)(C)~~] 59-2-307(4)
(b)(i)(C), the [~~Multicounty Appraisal Trust~~] program manager shall value each item of personal
property of a telecommunications service provider according to the personal property valuation
guides and schedules [~~established by~~]the commission establishes.
- 598 (b)
- (i) Between March 31 and May 31 of each year:
- 599 (A) the [~~Multicounty Appraisal Trust~~] program manager may communicate with a
telecommunications service provider to address any inconsistency or error in the filed signed
statement; and
- 602 (B) the telecommunications service provider may file an amended signed statement with the
[~~Multicounty Appraisal Trust~~] program manager regarding the items agreed to by the
[~~Multicounty Appraisal Trust~~] program manager and the telecommunications service provider.
- 606 (ii) The communication described in this Subsection (4)(b) is in addition to the audit authority provided
by this chapter.
- 608 (c) On or before May 31 of each year, the [~~Multicounty Appraisal Trust~~] program manager shall:
- 610 (i) forward to each county information about the total value of personal property of each
telecommunications service provider within the county, by tax area, including a listing of personal
property that is exempt; and
- 613 (ii) issue a tax notice to each telecommunications service provider listing the tax due to each county, by
tax area.
- 615 (d) On or before June 30 of each year, a telecommunications service provider shall pay to the county the
tax due on the tax notice.
- 617 (e) A telecommunications service provider may appeal the valuation of personal property to the county
on or before the later of:
- 619 (i) July 30 of the year the [~~Multicounty Appraisal Trust~~] program manager requests a statement
described in Subsection (3)(a); or
- 621 (ii) 60 days after mailing of a tax notice.
- 622

SB0206S02 compared with SB0206S03

(5) The [~~Multicounty Appraisal Trust~~] program manager shall forward to each county information about the total value of personal property of each telecommunications service provider within the county.

625 (6) If a signed statement filed in accordance with this section discloses real property, the [~~Multicounty Appraisal Trust~~] program manager shall send a copy of the signed statement to the county in which the property is located.

624 Section 14. Section **59-2-307** is amended to read:

625 **59-2-307. Refusal by taxpayer to file signed statement -- Estimation of value -- Penalty.**

631 (1) As used in this section, "program manager" means the same as that term is defined in Section 59-2-1601.

633 [~~(a)~~] (2)

(a) Each person that fails to file the signed statement required by Section 59-2-306 or Section 59-2-306.5, fails to file the signed statement with respect to name and place of residence, or fails to appear and testify when requested by the county assessor[;] shall pay a penalty equal to 10% of the estimated tax due, but not less than \$25 for each failure to file a signed and completed statement.

638 (b) The [~~Multicounty Appraisal Trust~~] program manager shall notify the county assessor of a telecommunications service provider's failure to file the signed statement.

640 (c) The county assessor shall collect each penalty under Subsection [~~(1)(a)~~] (2)(a) in the manner provided by Sections 59-2-1302 and 59-2-1303, except as otherwise provided for in this section, or by a judicial proceeding brought in the name of the county assessor.

644 (d) The county assessor shall pay all money recovered under this section into the county treasury.

646 [~~(2)~~] (3)

(a) Upon a showing of reasonable cause, a county may waive or reduce a penalty imposed under Subsection [~~(1)(a)~~] (2)(a).

648 (b)

(i) Except as provided in Subsection [~~(2)(b)(ii)~~] (3)(b)(ii), a county assessor may impose a penalty under Subsection [~~(1)(a)~~] (2)(a) on or after May 16 of the year the county assessor requests the statement described in Section 59-2-306 or is due under Section 59-2-306.5.

652 (ii) A county assessor may not impose a penalty under Subsection [~~(1)(a)~~] (2)(a) until 30 days after the postmark date of mailing of a subsequent notice if the signed statement described in Section 59-2-306 is requested:

655 (A) on or after March 16; or

SB0206S02 compared with SB0206S03

- 656 (B) by a county assessor of a county of the first class, as classified in Section 17-60-104.
658 [~~(3)~~] (4)
- (a) If an owner neglects or refuses to file a signed statement [~~requested by an assessor~~] as required under Section 59-2-306 after the county assessor makes a request:
- 661 (i) the county assessor shall:
- 662 (A) make a record of the failure to file; and
663 (B) make an estimate of the value of the property of the owner based on known facts and circumstances; and
- 665 (ii) the county assessor of a county of the first class, as classified in Section 17-60-104:
- 666 (A) shall make a subsequent request by mail for the signed statement, informing the owner of the consequences of not filing a signed statement; and
668 (B) may impose a fee for the actual and necessary expenses of the mailing under Subsection [~~(3)(a)(ii)~~] (4)(a).
- 670 (b)
- (i) If a telecommunications service provider neglects or refuses to file a signed statement in accordance with Section 59-2-306.5, the [~~Multicounty Appraisal Trust~~] program manager shall make:
- 673 (A) a record of the failure to file;
674 (B) a request by mail for the signed statement, informing the telecommunications service provider of the consequences of not filing a signed statement; and
676 (C) an estimate of the value of the personal property of the telecommunications service provider based on known facts and circumstances.
- 678 (ii) The [~~Multicounty Appraisal Trust~~] program manager may impose a fee for the actual and necessary expenses of the mailing under Subsection [~~(3)(b)(i)(B)~~] (4)(b).
- 680 (c) A county board of equalization or the commission may not reduce the value fixed by the county assessor in accordance with Subsection [~~(3)(a)(i)~~] (4)(a)(i) or the [~~Multicounty Appraisal Trust~~] program manager in accordance with Subsection [~~(3)(b)(i)~~] (4)(b)(i).
- 680 Section 15. Section **59-2-308** is amended to read:
- 681 **59-2-308. Assessment in name of representative -- Assessment of property of decedents -- Assessment of property in litigation -- Assessment of personal property valued by program manager.**
- 688 (1) If a person is assessed as agent, trustee, bailee, guardian, executor, or administrator, a county shall:

SB0206S02 compared with SB0206S03

- 690 (a) add the representative designation to the name; and
691 (b) enter the assessment separately from the individual assessment.
- 692 (2) A county may assess the undistributed or unpartitioned property of a deceased individual to an heir,
guardian, executor, or administrator, and the payment of taxes binds all the parties in interest.
- 695 (3) Property in litigation, which is in the possession of a court or receiver, shall be assessed to the court
clerk or receiver, and the taxes shall be paid under the direction of the court.
- 697 (4) A county shall add the valuation the ~~[Multicounty Appraisal Trust]~~ program manager, as that term is
defined in Section 59-2-1601, gives to personal property of a telecommunications service provider
to the valuation of any real property of the telecommunications service provider within the county
before making an assessment in accordance with this part.
- 698 Section 16. Section **59-2-704** is amended to read:
699 **59-2-704. Assessment studies -- Sharing of data -- Factoring assessment rates -- Rulemaking.**
- 705 (1)
- (a) Each year, to assist in the evaluation of appraisal performance of taxable real property, the
commission shall conduct and publish studies to determine the relationship between the market
value shown on the assessment roll and the market value of real property in each county.
- 709 (b) The studies conducted under this Subsection (1) shall include measurements of uniformity within
counties and use statistical methods established by the commission.
- 711 (c) County assessors may provide sales information to the commission for purposes of the studies
conducted under this Subsection (1).
- 713 (d) The commission shall make the sales and appraisal information related to the studies conducted
under this Subsection (1) available to the county assessors upon request.
- 715 (2)
- (a) ~~[The]~~ Each year, the commission shall ~~[, each year,]~~ order each county to adjust or factor [its] the
county's assessment rates using the most current studies so that the assessment rate in each county is
in accordance with ~~[that prescribed in]~~ Section 59-2-103.
- 718 (b) The adjustment or factoring ordered under this Subsection (2) may include an entire county,
geographical areas within a county, and separate classes of properties.
- 720 (3) If the commission determines that sales data in any county is insufficient to perform the studies
required under Subsection (1), the commission may conduct appraisals of property within ~~[that]~~ the
county.

SB0206S02 compared with SB0206S03

- 723 (4) If a county fails to implement factoring [~~ordered~~] the commission orders under Subsection (2), the
commission shall:
- 725 (a) implement the factoring; and
- 726 (b) charge an amount equal to the reasonable implementation costs of the factoring to that county.
- 728 ~~[(5) If a county disputes the factoring ordered under Subsection (2), { } the matter may be mediated by
the Multicounty Appraisal Trust{ } the program manager, } as defined in Section 59-2-1601{ , may
mediate the matter }:]~~
- 731 ~~[(6)]~~ (5)
- (a) The commission may change the factor for any county ~~[which]~~ that, after a hearing before the
commission, establishes that the factor should properly be set at a different level for ~~[that]~~ the
county.
- 734 (b) The commission shall establish the method, procedure, and timetable for the hearings authorized
under this section, including access to information to ensure a fair hearing.
- 736 ~~[(7)]~~ (6) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the
commission may establish rules to implement this section, including providing a means for a county
to cure noncompliance with a factoring order.
- 735 Section 17. Section **59-2-919.1** is amended to read:
- 736 **59-2-919.1. Notice of property valuation and tax changes.**
- 741 (1) ~~[In addition to the notice requirements of Section 59-2-919, the county auditor, on or before July
22 of each year,]~~ On or before July 22 of each year, the county auditor, in addition to the notice
requirements of Section 59-2-919, shall notify each owner of real estate who is listed on the
assessment roll.
- 745 (2) The notice described in Subsection (1) shall:
- 746 (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:
- 748 (i) the county board of equalization meets; and
- 749 (ii) the taxing entity holds a public hearing on the proposed increase in the certified tax rate;
- 751 (b) be on a form that~~[is]~~:
- 752 (i) ~~[approved by]~~ the commission approves; and
- 753 (ii) is uniform in content in all counties in the state; and
- 754 (c) contain for each property:

SB0206S02 compared with SB0206S03

- 755 (i) the assessor's determination of the value of the property;
- 756 (ii) the taxable value of the property;
- 757 (iii) for property assessed by the county assessor:
- 758 (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
- 762 (B) the deadline for the taxpayer to make an application to appeal the valuation or equalization of the property under Section 59-2-1004;
- 764 (iv) for property assessed by the commission:
- 765 (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;
- 768 (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
- 771 (C) a statement that the taxpayer may not appeal the valuation or equalization of the property to the county board of equalization;
- 773 (v) itemized tax information for all applicable taxing entities, including:
- 774 (A) the dollar amount of the taxpayer's tax liability for the property in the prior year; and
- 776 (B) the dollar amount of the taxpayer's tax liability under the current rate;
- 777 (vi) the following, stated separately:
- 778 (A) the charter school levy described in Section 53F-2-703;
- 779 (B) the multicounty assessing and collecting levy described in [~~Subsection 59-2-1602(2)~~] Section 59-2-1602;
- 781 (C) the county assessing and collecting levy described in [~~Subsection 59-2-1602(4)~~] Section 59-2-1602;
- 783 (D) levies for debt service voted on by the public;
- 784 (E) levies imposed for special purposes under Section 10-6-133.4;
- 785 (F) the combined basic rate as defined in Section 53F-2-301; and
- 786 (G) if applicable, the annual payment described in Subsection 63H-1-501(4)(a);
- 787 (vii) the tax impact on the property;
- 788 (viii) the date, time, and place of the required public hearing for each entity;
- 789 (ix) property tax information pertaining to:
- 790 (A) taxpayer relief; and

SB0206S02 compared with SB0206S03

- 791 (B) the residential exemption described in Section 59-2-103;
- 792 (x) information specifically authorized to be included on the notice under this chapter;
- 793 (xi) the last property review date of the property as [~~described in Subsection 59-2-303.1(1)(e)~~] defined
in Section 59-2-303.1;
- 795 (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:
- 798 (A) a website maintained by the county; or
- 799 (B) the statewide web portal developed and maintained [~~by the Multicounty Appraisal Trust under~~]
[~~Subsection 59-2-1606(5)(a)~~] in accordance with Section 59-2-1606 for uniform access to property
characteristics and features; and
- 803 (xiii) other information [~~approved by~~]the commission approves.
- 804 (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):
- 807 (a) the dollar amount of the taxpayer's tax liability if the proposed increase is approved;
- 808 (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);
- 812 (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
- 815 (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.
- 818 (4) In addition to any other tax relief information required under Subsection (2)(c)(ix)(A), a notice sent
to a residential property shall:
- 820 (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
- 823 (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.

SB0206S02 compared with SB0206S03

- 826 (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.
- 831 (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.
- 833 (ii) If the county auditor cannot verify receipt of the notice sent by electronic means 14 days or more before the county board of equalization meets and the taxing entity holds a public hearing on a proposed increase in the certified tax rate, the county auditor shall send the notice required by this section by mail as provided in Subsection (2).
- 838 (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.
- 841 (d) An election or a revocation of an election under this Subsection (5):
- 842 (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
- 844 (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).
- 847 (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:
- 850 (i) the taxpayer revokes an election in accordance with Subsection (5)(c) to receive the notice required by this section by electronic means; or
- 852 (ii) the county auditor finds that the taxpayer's electronic contact information is invalid.
- 854 (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.
- 854 Section 18. Section **59-2-919.1** is amended to read:
- 855 **59-2-919.1. Notice of property valuation and tax changes.**
- 859 (1) [~~In addition to the notice requirements of Section 59-2-919, the county auditor, on or before July 22 of each year,~~] On or before July 22 of each year, in addition to the notice requirements of Section

SB0206S02 compared with SB0206S03

59-2-919, the county auditor shall notify each owner of real estate who is listed on the assessment roll.

- 863 (2) The notice described in Subsection (1) shall:
- 864 (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:
- 866 (i) the county board of equalization meets; and
- 867 (ii) the taxing entity holds a public hearing on the proposed increase in the certified tax rate;
- 869 (b) be on a form that~~is~~:
- 870 (i) ~~approved by~~ the commission approves; and
- 871 (ii) is uniform in content in all counties in the state; and
- 872 (c) contain for each property:
- 873 (i) the assessor's determination of the value of the property;
- 874 (ii) the taxable value of the property;
- 875 (iii) for property assessed by the county assessor:
- 876 (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
- 880 (B) the deadline for the taxpayer to make an application to appeal the valuation or equalization of the
property under Section 59-2-1004;
- 882 (iv) for property assessed by the commission:
- 883 (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;
- 886 (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
- 889 (C) a statement that the taxpayer may not appeal the valuation or equalization of the property to the
county board of equalization;
- 891 (v) itemized tax information for all applicable taxing entities, including:
- 892 (A) the dollar amount of the taxpayer's tax liability for the property in the prior year; and
- 894 (B) the dollar amount of the taxpayer's tax liability under the current rate;
- 895 (vi) the following, stated separately:
- 896 (A) the charter school levy described in Section 53F-2-703;

SB0206S02 compared with SB0206S03

- 897 (B) the multicounty assessing and collecting levy described in Subsection [~~59-2-1602(2)~~] 59-2-1602;
- 899 (C) the county assessing and collecting levy described in Subsection [~~59-2-1602(4)~~] 59-2-1602;
- 901 (D) levies for debt service voted on by the public;
- 902 (E) levies imposed for special purposes under Section 10-6-133.4;
- 903 (F) the minimum basic tax rate as defined in Section 53F-2-301; and
- 904 (G) if applicable, the annual payment described in Subsection 63H-1-501(4)(a);
- 905 (vii) the tax impact on the property;
- 906 (viii) the date, time, and place of the required public hearing for each entity;
- 907 (ix) property tax information pertaining to:
- 908 (A) taxpayer relief; and
- 909 (B) the residential exemption described in Section 59-2-103;
- 910 (x) information specifically authorized to be included on the notice under this chapter;
- 911 (xi) the last property review date of the property as described in Subsection [~~59-2-303.1(1)~~
(~~e~~)] 59-2-303.1;
- 913 (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:
- 916 (A) a website maintained by the county; or
- 917 (B) the statewide web portal developed and maintained [~~by the Multicounty Appraisal Trust under~~
~~Subsection 59-2-1606(5)(a)] in accordance with Section 59-2-1606 for uniform access to property
characteristics and features; and~~
- 920 (xiii) other information approved by the commission.
- 921 (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):
- 924 (a) the dollar amount of the taxpayer's tax liability if the proposed increase is approved;
- 925 (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);
- 929 (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

SB0206S02 compared with SB0206S03

- 932 (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.
- 935 (4) In addition to any other tax relief information required under Subsection (2)(c)(ix)(A), a notice sent
to a residential property shall:
- 937 (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
- 940 (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.
- 943 (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.
- 948 (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.
- 950 (ii) If the county auditor cannot verify receipt of the notice sent by electronic means 14 days or more
before the county board of equalization meets and the taxing entity holds a public hearing on a
proposed increase in the certified tax rate, the county auditor shall send the notice required by this
section by mail as provided in Subsection (2).
- 955 (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.
- 958 (d) An election or a revocation of an election under this Subsection (5):
- 959 (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
- 961 (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).

964

SB0206S02 compared with SB0206S03

(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:

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

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

(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.

Section 19. Section **59-2-924.2** is amended to read:

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

(1) ~~[For purposes of this section, "certified]~~ As used in this section:

(a) "Annexing county" means a county for which the unincorporated area is included within a public safety district by annexation.

(b) "Annexing municipality" means a municipality that is included within a public safety district by annexation.

(c) "Certified tax rate" means a certified tax rate calculated in accordance with Section 59-2-924.

(d) "Fire district" means a service area under Title 17B, Chapter 2a, Part 9, Service Area Act:

(i) created to provide fire protection, paramedic, and emergency services; and

(ii) in the creation of which an election was not required under Subsection 17B-1-214(3)(d).

(e) "Participating county" means a county that has the unincorporated area included within a public safety district.

(f) "Participating municipality" means a municipality that is included within a public safety district.

(g) "Police district" means a service area under Title 17B, Chapter 2a, Part 9, Service Area Act, within a county of the first class:

(i) created to provide law enforcement service; and

(ii) in the creation of which an election was not required under Subsection 17B-1-214(3)(d).

(h) "Public safety district" means a fire district or a police district.

(i) "Public safety service" means:

(i) in the case of a public safety district that is a fire district, fire protection, paramedic, and emergency services; and

(ii) in the case of a public safety district that is a police district, law enforcement service.

SB0206S02 compared with SB0206S03

(2) [~~Beginning January 1, 1997, if~~] If a taxing entity receives increased [revenues] 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 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] the taxing entity's certified tax rate to offset the increased [revenues] revenue.

1010 (3)

(a) [~~Beginning July 1, 1997, if~~] 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:

1013 (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

1015 (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).

1019 (b) The commission shall determine estimates of sales and use tax distributions for purposes of Subsection (3)(a).

1021 (4) [~~Beginning January 1, 1998, if~~] 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.

1026 (5)

(a) This Subsection (5) applies to each county that:

1027 (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

1030 (ii) levies a property tax on behalf of the special service district under Section 17D-1-105.

1032 (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] revenue by the same amount of [revenues] revenue that will be generated by the property tax imposed on behalf of the special service district.

1036 (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.

1038 (6) The equalized public safety tax rate is determined by:

SB0206S02 compared with SB0206S03

- 1039 (a) calculating, for each participating county and each participating municipality, the property tax
1040 revenue necessary:
- 1041 (i) in the case of a fire district, to cover all the costs associated with providing fire protection,
1042 paramedic, and emergency services:
- 1043 (A) for a participating county, in the unincorporated area of the county; and
- 1044 (B) for a participating municipality, in the municipality; or
- 1045 (ii) in the case of a police district, to cover all the costs associated with providing law enforcement
1046 service that the police district board designates to be funded by a property tax:
- 1047 (A) for a participating county, in the unincorporated area of the county; or
- 1048 (B) for a participating municipality, in the municipality; and
- 1049 (b) adding all the amounts calculated under Subsection (6)(a) for all participating counties and all
1050 participating municipalities and then dividing that sum by the aggregate taxable value of the
1051 property, as adjusted in accordance with Section 59-2-913:
- 1052 (i) for participating counties, in the unincorporated area of all participating counties; and
- 1053 (ii) for participating municipalities, in all participating municipalities.
- 1054 [~~(6)~~] (7)
- 1055 [(a) As used in this Subsection (6):]
- 1056 [(i) "Annexing county" means a county whose unincorporated area is included within a public
- 1057 safety district by annexation.]
- 1058 [(ii) "Annexing municipality" means a municipality whose area is included within a public safety
- 1059 district by annexation.]
- 1060 [(iii) "Equalized public safety protection tax rate" means the tax rate that results from:]
- 1061 [(A) calculating, for each participating county and each participating municipality, the property tax
- 1062 revenue necessary:]
- 1063 [(I) in the case of a fire district, to cover all of the costs associated with providing fire protection,
- 1064 paramedic, and emergency services:]
- 1065 [(Aa) for a participating county, in the unincorporated area of the county; and]
- 1066 [(Bb) for a participating municipality, in the municipality; or]
- 1067 [(II) in the case of a police district, to cover all the costs:]
- 1068 [(Aa) associated with providing law enforcement service:]
- 1069 [(Ii) for a participating county, in the unincorporated area of the county; and]

SB0206S02 compared with SB0206S03

- 1074 [~~(Hii) for a participating municipality, in the municipality; and]~~
- 1075 [~~(Bb) that the police district board designates as the costs to be funded by a property tax; and]~~
- 1077 [~~(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:]~~
- 1081 [~~(I) for participating counties, in the unincorporated area of all participating counties; and]~~
- 1083 [~~(H) for participating municipalities, in all the participating municipalities:]~~
- 1084 [~~(iv) "Fire district" means a service area under Title 17B, Chapter 2a, Part 9, Service Area Act:]~~
- 1086 [~~(A) created to provide fire protection, paramedic, and emergency services; and]~~
- 1087 [~~(B) in the creation of which an election was not required under Subsection 17B-1-214(3)(d).]~~
- 1089 [~~(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.]~~
- 1092 [~~(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.]~~
- 1094 [~~(vii) "Police district" means a service area under Title 17B, Chapter 2a, Part 9, Service Area Act,
within a county of the first class:]~~
- 1096 [~~(A) created to provide law enforcement service; and]~~
- 1097 [~~(B) in the creation of which an election was not required under Subsection 17B-1-214(3)(d).]~~
- 1099 [~~(viii) "Public safety district" means a fire district or a police district.]~~
- 1100 [~~(ix) "Public safety service" means:]~~
- 1101 [~~(A) in the case of a public safety district that is a fire district, fire protection, paramedic, and
emergency services; and]~~
- 1103 [~~(B) in the case of a public safety district that is a police district, law enforcement service.]~~
- 1105 [~~(b) (a) 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 calculated in accordance with Subsection (6).~~
- 1109 [~~(e) (b) 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:~~
- 1113 (i) for public safety service; and
- 1114 (ii) in:

SB0206S02 compared with SB0206S03

- 1115 (A) for a taxing entity operating under a January 1 through December 31 fiscal year, the prior calendar
year; or
- 1117 (B) for a taxing entity operating under a July 1 through June 30 fiscal year, the prior fiscal year.
- 1119 ~~[(d)]~~ (c) Each tax levied under this section by a public safety district shall be considered to be levied by:
- 1121 (i) each participating county and each annexing county for purposes of the county's tax limitation under
Section 59-2-908; and
- 1123 (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.
- 1126 ~~[(e)]~~ (d) 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:
- 1130 (i) the public safety district operates on a January 1 through December 31 fiscal year;
- 1131 (ii) the public safety district approves an annexation of an entity operating on a July 1 through June 30
fiscal year; and
- 1133 (iii) the annexation described in Subsection ~~[(6)(e)(ii)]~~ (7)(d)(ii) takes effect on July 1.
- 1134 ~~[(7)]~~ (8)
- (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:
- 1140 (i) in that year there is a decrease in the certified tax rate under Subsection (2) or (3)(a);
- 1142 (ii) the amount of the decrease is more than 20% of the county's certified tax rate of the previous
year; and
- 1144 (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.
- 1146 (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:
- 1150 (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); and

SB0206S02 compared with SB0206S03

- 1152 (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.
- 1155 (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 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]~~ the amount would have been without a decrease in the certified tax rate under Subsection (2) or (3)(a).
- 1162 ~~[(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:]~~
- 1164 ~~[(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]~~
- 1167 ~~[(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.]~~
- 1171 ~~[(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).]~~
- 1174 ~~[(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.]~~
- 1176 Section 20. Section **59-2-1601** is amended to read:
- 1177 **59-2-1601. Definitions.**
- As used in this part:
- 1182 ~~[(1) "County additional property tax" means the property tax levy described in Subsection 59-2-1602(4).]~~
- 1184 ~~[(2)]~~

SB0206S02 compared with SB0206S03

- 1185 (1) "Database" means the same as that term is defined in Section 59-1-1901.
- 1186 (2) "Fund" means the Property Tax Valuation Fund created in Section ~~{59-2-1602{}}~~ 59-2-1606.
- 1188 ~~[(3) "Multicounty Appraisal Trust" means the Multicounty Appraisal Trust created by an agreement:]~~
- 1190 ~~[(a) entered into by all of the counties in the state; and]~~
- 1191 ~~[(b) authorized by Title 11, Chapter 13, Interlocal Cooperation Act.]~~
- 1192 ~~[(4)]~~ (3) "Multicounty assessing and collecting levy" means a property tax ~~[levied]~~ the counties levy in accordance with Subsection ~~[59-2-1602(2)]~~ ~~{59-2-1602(1)}~~ 59-2-1602(3).
- 1194 (4) "Program manager" means an association that represents at least two-thirds of the counties in the state.
- 1196 (5)
- (a) "Property valuation service" means ~~[any]~~ a service or technology that promotes uniform assessment levels for the valuation of personal property and real property in accordance with Part 3, County Assessment.
- 1199 (b) "Property valuation service" includes statewide aerial imagery, change detection, sketch validation, exception analysis, commercial valuation modeling, residential valuation modeling, automated valuation modeling, and equity analysis.
- 1202 (6) "Statewide property tax system" means a computer assisted system for mass appraisal, equalization, collection, distribution, and administration related to property tax ~~[-, created by the Multicounty Appraisal Trust in accordance with Section 59-2-1606].~~
- 1205 (7) "STATS" means the Statewide Tax Administration and Technology Solutions program, created in Section 59-1-1902.
- 1203 Section 21. Section **59-2-1602** is amended to read:
- 1204 **59-2-1602. Property Tax Valuation Fund -- Statewide levy -- Additional county levy.**
- 1210 (1)
- (a) There is created a custodial fund in the Division of Finance known as the "Property Tax Valuation Fund."
- 1212 (b) The fund consists of:
- 1213 (i) deposits made and penalties received under Subsection (3);~~[-and]~~
- 1214 (ii) interest on money deposited into the fund~~[-]~~ ;
- 1211 (iii) appropriations from the Legislature;
- 1215

SB0206S02 compared with SB0206S03

- (iii){(iv)} the statewide property tax system and statewide web portals, including intellectual property rights; and
- 1217 (iv){(v)} the database.
- 1218 (c)
- (i) Subject to Subsection (1)(c)(ii), the Division of Finance shall allocate money in the fund for the calendar year to the program manager:
- 1220 (A) after the Division of Finance determines that the budget submitted in accordance with Section 59-2-1605 contains proposed expenses for a use described in Subsection ~~{(3)}~~ 59-2-1606(4); and
- 1222 (B) for revenue the Division of Finance receives after the Division of Finance makes the determination in accordance with Subsection ~~{(1)(e)(i)}~~ (1)(c)(i)(A), within 30 days after receipt of the money.
- 1225 (ii) The Division of Finance may retain an amount equal to the cost of making the determination described in Subsection ~~{(1)(e)(i)}~~ (1)(c)(i)(A) before making an allocation.
- 1227 (d) Subject to the requirements of this section, the program manager shall have:
- 1228 (i) sole authority to:
- 1229 (A) determine expenditure of revenue the Division of Finance allocates to the program manager, including provision of property valuation services within counties; and
- 1232 (B) oversee the maintenance and enhancement of a statewide property tax system, including statewide web portals, that meets the requirements of this section; and
- 1234 (ii) control over the property described in Subsections (1)(b)(iv), (1)(b)(v), and (2) for the purpose and uses described in this section.
- 1236 (e) The program manager may spend money the Division of Finance allocates to the program manager only for STATS.
- 1238 [~~(e) Deposits, penalties, and interest described in Subsection (1)(b) shall be disbursed and used as provided in Section 59-2-1603.~~]
- 1240 (2) The following assets are transferred to the program manager to use for STATS:
- 1241 (a) tangible personal property purchased, in whole or in part, with revenue from the multicounty assessing and collecting levy, including property acquired before May 6, 2026; and
- 1244 (b) unexpended revenue that is:
- 1245

SB0206S02 compared with SB0206S03

- (i) obtained from the multicounty assessing and collecting levy or for the performance of the duties described in this section, including revenue acquired before May 6, 2026; and
- 1248 (ii) within the control of the program manager.
- 1249 (3)
- (a) Each county shall annually impose a multicounty assessing and collecting levy as provided in this Subsection ~~[(2)]~~ (3).
- 1251 (b) The tax rate of the multicounty assessing and collecting levy is the certified revenue levy rounded up to the sixth decimal place.
- 1253 (c) The state treasurer shall allocate all revenue collected from the multicounty assessing and collecting levy to the Multicounty Appraisal Trust.
- 1255 ~~[(3)]~~ (4)
- (a)
- {(i) ~~Each county shall impose annually a multicounty assessing and collecting levy.~~}
- 1257 {(ii) ~~{The tax rate of the multicounty assessing and collecting levy is the certified revenue levy rounded up to the sixth decimal place.}~~}
- 1259 ~~{(b)}~~ The county shall state separately the multicounty assessing and collecting levy ~~[imposed under Subsection (2) shall be separately stated]~~ on the tax notice as a multicounty assessing and collecting levy.
- 1262 ~~{(b)}~~ ~~{(e)}~~ The multicounty assessing and collecting levy is:
- 1263 (i) exempt from Sections 17C-1-403 through 17C-1-406;
- 1264 (ii) in addition to and exempt from the maximum levies allowable under Section 59-2-908; and
- 1266 (iii) exempt from the notice and public hearing requirements of Section 59-2-919.
- 1267 ~~{(c)}~~ ~~{(d)}~~
- (i) Each county shall transmit quarterly to the state treasurer the revenue ~~[collected]~~ the county collects from the multicounty assessing and collecting levy.
- 1269 (ii) The ~~[revenue transmitted under Subsection (3)(c)(i) shall be transmitted]~~ county shall transmit the revenue described in Subsection ~~{(1)(d)(i)}~~ (4)(c)(i) no later than the tenth day of the month following the end of the quarter in which the county collects the revenue~~[is collected]~~.
- 1273 ~~[(iii) If revenue transmitted under Subsection (3)(c)(i) is transmitted after the tenth day of the month following the end of the quarter in which the revenue is collected, the county shall pay an interest penalty at the rate of 10% each year until the revenue is transmitted.]~~

SB0206S02 compared with SB0206S03

- 1277 (iii) If a county transmits revenue described in Subsection ~~{(1)(d)(i)}~~ (4)(c)(i) after the tenth day of the
month following the end of the quarter in which the county collects the revenue, the county shall
pay an interest penalty at the rate of 10% each year until the county transmits the revenue.
- 1281 (iv) The state treasurer shall deposit the revenue and penalties described in this Subsection (4) into the
fund.
- 1283 [~~(d) The state treasurer shall allocate the penalties received under this Subsection (3) in the same~~
~~manner as revenue is allocated under Subsection (2)(e).]~~
- 1285 [~~(4)~~] (5)
- (a) A county may levy a county additional property tax in accordance with this Subsection [~~(4)~~] (5).
- 1287 (b) The county additional property tax:
- 1288 (i) shall be separately stated on the tax notice as a county assessing and collecting levy;
- 1290 (ii) may not be incorporated into the rate of any other levy;
- 1291 (iii) is exempt from Sections 17C-1-403 through 17C-1-406; and
- 1292 (iv) is in addition to and exempt from the maximum levies allowable under Section 59-2-908.
- 1294 (c) [~~Revenue-~~] A county shall use revenue collected from the county additional property tax [~~shall be~~
~~used~~] to:
- 1296 (i) promote the accurate valuation and uniform assessment levels of property as required by Section
59-2-103;
- 1298 (ii) promote the efficient administration of the property tax system, including the costs of assessment,
collection, and distribution of property taxes;
- 1300 (iii) fund state mandated actions to meet legislative mandates or judicial or administrative orders that
relate to promoting:
- 1302 (A) the accurate valuation of property; and
- 1303 (B) the establishment and maintenance of uniform assessment levels within and among counties; and
- 1305 (iv) establish reappraisal programs that:
- 1306 (A) are adopted by a resolution or ordinance of the county legislative body; and
- 1307 (B) conform to rules the commission makes in accordance with Title 63G, Chapter 3, Utah
Administrative Rulemaking Act.
- 1303 Section 22. Section **59-2-1605** is amended to read:
- 1304 **59-2-1605. Accounting records for levies -- Records -- Report to Legislature, commission --
Budget to Division of Finance.**

SB0206S02 compared with SB0206S03

- 1312 (1) Each county shall separately budget and account for the use of any money [~~received or expended~~
1315 ~~from a levy imposed under~~] the county receives or spends from a levy the county imposes in
1317 accordance with Section 59-2-1602.
- 1320 (2) The program manager shall separately budget and account for the use of any revenue received from
1321 the fund.
- 1322 (3) On or before October 1 of each year, the program manager shall submit an electronic report to the
1323 Revenue and Taxation Interim Committee and the commission that contains:
- 1324 (a) a financial report that includes:
- 1325 (i) the amount of revenue allocated to the program manager for the current calendar year; and
1326 (ii) a summary of the uses of the revenue during the current calendar year; and
- 1327 (b) a status report on:
- 1328 (i) the development, enhancement, and implementation of the statewide property tax system and the
1329 statewide web portals described in Section 59-2-1606; and
- 1330 (ii) achievement of the performance metrics described in Section 59-2-1606.
- 1331 (4) On or before December 31 of each year, the program manager shall submit a detailed budget for the
1332 upcoming calendar year to the Division of Finance.
- 1333 (5) For the calendar year that begins on January 1, 2026, the program manager shall submit a detailed
1334 budget for the current year to the Division of Finance on May 6, 2026.
- 1335 Section 23. Section **59-2-1606** is amended to read:
- 1336 **59-2-1606. Statewide property tax system funding for counties -- Disbursements to the**
1337 **program manager -- Use of funds.**
- 1338 (1) The [~~funds deposited into the Multicounty Appraisal Trust in accordance with Section 59-2-1602~~
1339 ~~shall be used to provide funding for~~] purpose for creating the fund is to provide the counties with:
- 1340 (a) a statewide property tax system that will promote:
- 1341 (i) the accurate valuation of property;
- 1342 (ii) the establishment and maintenance of uniform assessment levels among counties within the state;
- 1343 (iii) efficient administration of the property tax system, including the costs of assessment, collection,
1344 and distribution of property taxes; and
- 1345 (iv) the uniform filing of a signed statement a county assessor requests under Section 59-2-306,
1346 including implementation of a statewide electronic filing system; and
- 1347 (b) property valuation services[~~within the counties~~].

SB0206S02 compared with SB0206S03

- 1341 (2)
- 1342 (a) The statewide property tax system shall comply with rules the commission establishes in accordance
with Title 63G, Chapter 3, Utah Administrative Rulemaking Act.
- 1344 (b) The fund manager, in conjunction with the commission, shall establish annual performance metrics
for the development of the statewide property tax system.
- 1346 (3)
- 1347 (a) Except as described in Subsection (3)(b), each county shall adopt the statewide property tax system.
- 1348 (b) A county may adopt only part of the statewide property tax system or none of the system if the
county demonstrates to the commission that:
- 1349 (i) the county uses a property tax system that includes a computer assisted mass appraisal system and
complies with rules the commission establishes in accordance with Subsection (2)(a); and
- 1350 (ii) the county's overall system is able to exchange data with and make use of data received from the
statewide property tax system.
- 1351 ~~[(2)~~
- 1352 ~~(a) An association representing at least two-thirds of the counties in the state shall appoint a trustee.]~~
- 1353 ~~[(b) The trustee of the Multicounty Appraisal Trust shall:]~~
- 1354 ~~[(i) determine which projects to fund, including property valuation services within counties; and]~~
- 1355 ~~[(ii) oversee the administration of a statewide property tax system that meets the requirements of~~
~~Subsection (1)(a).]~~
- 1356 ~~[(3)~~
- 1357 ~~(a) Subject to Subsection (3)(b), the trustee of the Multicounty Appraisal Trust may, in order to promote~~
~~the objectives described in Subsection (1), use funds deposited into the Multicounty Appraisal Trust~~
~~to hire one or more professional appraisers to provide property valuation services within a county of~~
~~the third, fourth, fifth, or sixth class.]~~
- 1358 ~~[(b) A professional appraiser hired to provide property valuation services under this Subsection (3)~~
~~shall:]~~
- 1359 ~~[(i) hold an appraiser's certificate or license from the Division of Real Estate in accordance with Title~~
~~61, Chapter 2g, Real Estate Appraiser Licensing and Certification Act; and]~~
- 1360 ~~[(ii) be approved by:]~~
- 1361 ~~[(A) the commission; and]~~
- 1362 ~~[(B) an association representing two or more counties in the state.]~~

SB0206S02 compared with SB0206S03

- 1367 [(4)
1369 (a) Except as provided in Subsection (4)(b), each county shall adopt the statewide property tax system
1370 on or before January 1, 2026.]
1372 [(b) A county is exempt from the requirement in Subsection (4)(a) if:]
1375 [(i) the county utilizes a computer-assisted property tax system for mass appraisal other than the
1377 statewide property tax system;]
1379 [(ii) the county demonstrates to the trustee of the Multicounty Appraisal Trust and to the commission
1382 that the property tax system described in Subsection (4)(b)(i) is interoperable with the statewide
1384 property tax system; and]
1387 [(iii) the trustee of the Multicounty Appraisal Trust and the commission approve the county's exemption
1390 from the requirement in Subsection (4)(a).]
1392 [(e) The commission and an association that represents at least two-thirds of the counties in the state
1395 shall assist any county adopting the statewide property tax system.]
1397 [(5) (2){(4)} [In order to { } To promote the objectives described in Subsection (1), the { } trustee of the
Multicounty Appraisal Trust shall use funds deposited into the Multicounty Appraisal Trust
to] To promote the purposes described in Subsection (1), the program manager shall:
(a) maintain and enhance the statewide property tax system in accordance with Subsection {(3)} (2);
(b) subject to Subsection [(6)] {(3)} (5), develop and maintain a statewide web portal for uniform
access to property characteristics and features relevant to the valuation of real property;
(b) (c) subject to Subsection [(7)] {(4)} (6), develop and maintain a statewide web portal for the
uniform electronic filing of an application to appeal the valuation or equalization of real property
with a county board of equalization under Section 59-2-1004; and
(e) (d) assist counties with tracking and reporting appeals information to the commission as required
by Section 59-2-1018.
[(6)] (3){(5)}
(a) The statewide web portal for uniform access to property characteristics and features developed
under Subsection [(5)(a)] {(2)(b)} (4)(b) shall specify, at a minimum, specify the following
property characteristics and features:
(i) property owner's name;
(ii) (i) parcel or serial number;
(iii) (ii) situs address;

SB0206S02 compared with SB0206S03

- 1398 [(iv) mailing address;]
- 1399 [(v) (iii) tax area;
- 1400 [(vi) (iv) the neighborhood;
- 1401 [(vii) (v) property type;
- 1402 [(viii) (vi) land type;
- 1403 [(ix) (vii) quality or condition;
- 1404 [(x) (viii) year of construction;
- 1405 [(xi) (ix) gross living area;
- 1406 [(xii) (x) acreage;
- 1407 [(xiii) (xi) market value; and
- 1408 [(xiv) (xii) taxable value.
- 1409 (b) In developing the statewide web portal for uniform access to property characteristics and features under Subsection [(5)(a)] ~~{(3)(a)}~~ (4)(b), the ~~[Multicounty Appraisal Trust]~~ program manager may link the statewide web portal to a web portal ~~[maintained by]~~ a county maintains for accessing property characteristics and features within the county if the ~~[Multicounty Appraisal Trust]~~ program manager determines that the county web portal meets the requirements of Subsection [(6)(a)] ~~{(3)(a)}~~ (5)(a).
- 1415 [(7) (4)] (6) In developing the statewide web portal for the uniform electronic filing of appeal applications under Subsection [(5)(b)] ~~{(2)(e)}~~ (4)(c), the ~~[Multicounty Appraisal Trust]~~ program manager may link the statewide web portal to a web portal ~~[maintained by]~~ a county maintains for the uniform electronic filing of appeal applications if the ~~[Multicounty Appraisal Trust]~~ program manager determines that the county web portal provides equivalent functions as the statewide web portal.
- 1429 Section 24. Section **59-2-2001** is amended to read:
- 1430 **59-2-2001. Definitions.**
- As used in this part:
- 1424 (1)
- ~~{(a)}~~ "Program manager" means the same as that term is defined in Section 59-2-1601.
- 1425 ~~{(2)}~~
- ~~{(a)}~~ "Heavy equipment" means tangible personal property that:
- 1426 (i) is owned by a qualified rental business for purposes of renting;

SB0206S02 compared with SB0206S03

- 1427 (ii) is utilized or designed for construction, earthmoving, or industrial operations; and
1428 (iii) is portable and transferable to the location in which the heavy equipment is used.
- 1429 (b) "Heavy equipment" includes:
- 1430 (i) lift equipment;
- 1431 (ii) material handling equipment;
- 1432 (iii) cranes;
- 1433 (iv) pumps;
- 1434 (v) generators;
- 1435 (vi) compressors;
- 1436 (vii) portable power equipment;
- 1437 (viii) heating, ventilation, and air conditioning equipment;
- 1438 (ix) portable worksite offices and containers;
- 1439 (x) tank trailers; and
- 1440 (xi) self-propelled equipment.
- 1448 (2) "Program manager" means the same as that term is defined in Section 59-2-1601.
- 1441 [~~(2) "Multicounty Appraisal Trust" means the same as that term is defined in Section 59-2-1601.]~~
- 1443 (3) "Qualified rental business" means a business entity located in this state:
- 1444 (a) that is classified within one of the following NAICS codes of the 2022 North American Industry Classification System of the federal Executive Office of the President, Office of Management and Budget:
- 1447 (i) NAICS Code 532310, General Rental Centers; or
- 1448 (ii) NAICS Code 532412, Construction, Mining, and Forestry Machinery and Equipment Rental and Leasing; and
- 1450 (b) for which 51% or more of the business entity's total annual revenue is derived from the rental of heavy equipment.
- 1452 (4) "Recovery fee" means the fee authorized in Subsection 59-2-2002(1).
- 1453 (5) "Rental" means the same as the terms "lease" or "rental" are defined in Section 59-12-102.
- 1455 (6)
- (a) "Rental charge" means the amount charged to a renter by a qualified rental business for the rental of heavy equipment.
- 1457

SB0206S02 compared with SB0206S03

(b) "Rental charge" does not include any additional charges separate from the actual cost of the rental transaction, including costs required for delivery, insurance, or a waiver of liability.

1460 (7) "Renter" means the person to which a qualified rental business rents heavy equipment.

1469 Section 25. Section **59-2-2002** is amended to read:

1470 **59-2-2002. Recovery fee for rental of heavy equipment -- Commission study and report.**

1464 (1) A qualified rental business may charge to a renter a fee in an amount equal to 1.5% of the rental charge for each item of heavy equipment rented in this state.

1466 (2) A recovery fee under Subsection (1):

1467 (a) shall be separately stated on the invoice or receipt for the rental transaction; and

1468 (b) is not subject to a sales and use tax under Chapter 12, Sales and Use Tax Act.

1469 (3) A qualified rental business may not charge a recovery fee to a renter that is a governmental entity as defined in Section 59-2-511.

1471 (4) Any amount of recovery fees collected by a qualified rental business during a calendar year shall be used as reimbursement for property taxes paid by the qualified rental business on heavy equipment in the same calendar year.

1474 (5)

(a) The commission shall:

1475 (i) in coordination with county assessors and the [~~Multicounty Appraisal Trust~~] program manager, conduct a study to determine the need for adjustment to the rate authorized under Subsection (1) for purposes of property tax reimbursement; and

1478 (ii) on or before September 30, 2027, provide to the Revenue and Taxation Interim Committee an electronic report of the results of the study required under Subsection (5)(a)(i), including any recommendations, based on information received by the commission, for legislative changes to the rate authorized under Subsection (1).

1483 (b) [~~A~~] Upon request by the commission, a county assessor or the [~~Multicounty Appraisal Trust~~] program manager shall [~~upon request by the commission,~~] provide to the commission any information necessary to complete the study required under Subsection (5)(a)(i).

1495 Section 26. Section **26** is enacted to read:

1498 **59-35-101. Definitions.**

35. Tax Increment Financing Reporting

1. General Provisions

SB0206S02 compared with SB0206S03

As used in this chapter:

- 1491 (1) "Agency" means a community reinvestment agency, as defined in Section 17C-1-102.
- 1492 (2) "Authorization meeting" means a public meeting:
- 1493 (a) conducted by the governing body of a ~~{local}~~ TIF entity;
- 1494 (b) for which the ~~{local}~~ TIF entity provides class A notice under Section 63G-30-102:
- 1495 (i) for a minimum of 10 calendar days before the public meeting; and
- 1496 (ii) with a link to the ~~{local}~~ TIF entity's website where an explanation of each item listed in Subsection 59-2-201(3) may be found; and
- 1498 (c) in which the governing body of the ~~{local}~~ TIF entity addresses each item listed in Subsection 59-2-201(3).
- 1500 (3) "Approximated discount rate" means the assumed rate of return used to discount future cash flows back to the cash's present value.
- 1502 (4) "But-for analysis" means information or data that demonstrates:
- 1503 (a) the benefits of a potential project to the public;
- 1504 (b) the existing impediments to the potential project;
- 1505 (c) that the potential project would be unable to overcome existing impediments and proceed without the use of tax increment; and
- 1507 (d) that the impact of using tax increment to the public is less than the benefits of the potential project to the public.
- 1509 (5) "Collecting entity" means:
- 1510 (a) for sales and use tax increment, the commission; or
- 1511 (b) for property tax increment, the county auditor, county assessor, and county treasurer of each county in which the ~~{local}~~ TIF entity intends to use tax increment.
- 1513 (6) "Collection time period" means the maximum amount of time a ~~{local}~~ TIF entity may collect tax increment after beginning the process to trigger~~{, collect, and use}~~ tax increment.
- 1515 (7) "Database" means a collection of electronic data to track the information that:
- 1516 (a) each ~~{local}~~ TIF entity is required to submit in accordance with this chapter; and
- 1517 (b) the program manager collects in accordance with Section 59-35-301.
- 1518 (8) "Disclosure" means a written acknowledgment, made in a form and in a manner the program manager establishes, that a ~~{local}~~ TIF entity ~~{seeking}~~ intending to begin the process to trigger~~{, collect, and use}~~ tax increment submits.

SB0206S02 compared with SB0206S03

- 1521 (9) "Established base year" means the year designated in a project area plan, a project area budget, or an interlocal agreement for the purpose of calculating tax increment.
- 1523 (10) "Governing body" means:
- 1524 (a) for an agency, the community reinvestment agency board;
- 1525 (b) for a municipality, the municipal legislative body;
- 1526 (c) for a county, the county legislative body;
- 1527 (d) for a regional economic development authority, the regional economic development authority's board;
- 1529 (e) for a public infrastructure district, the public infrastructure district's board of trustees; and
- 1531 (f) for a special district, the special district's board of trustees.
- 1532 ~~{(11) }~~
- ~~{(a) {"Local entity" means a political subdivision of the state that:} }~~
- 1533 ~~{(i) {for purposes of Part 2, Pre-increment Disclosure and Reporting, seeks to use tax increment; and} }~~
- 1535 ~~{(ii) {for purposes of Part 3, Tax Increment Receipt Reporting, receives or is authorized to receive tax increment for an approved project area.} }~~
- 1537 (b){(11)} "Local entity" {includes an agency.} means:
- 1542 (a) an agency;
- 1543 (b) a municipality;
- 1544 (c) a county;
- 1545 (d) a public infrastructure district; or
- 1546 (e) a special district.
- 1538 (12) "Maximum tax increment {cap} " means the total amount of revenue a local entity seeks to generate through the use of tax increment.
- 1540 (13) "Post-designation parcel" means:
- 1541 (a) except as provided in Subsection (13)(b), the same as that term is defined in Section 11-58-601; or
- 1543 (b) for a project area created by the Military Installation Development Authority, a parcel within the project area.
- 1545 (14) "Program manager" means the same as that term is defined in Section 59-2-1601.
- 1546 (15) "Project area" means an area created and designated to receive tax increment according to the terms of an adopted project area plan, project area budget, or interlocal agreement.

SB0206S02 compared with SB0206S03

- 1548 (16) "Project area budget" means a multi-year projection of annual or cumulative revenue and expenses
and other fiscal matters pertaining to a project area that includes:
- 1550 (a) the start and end date for tax increment collection;
- 1551 (b) the number of years remaining that that the {local} TIF entity collects tax increment from the
project area;
- 1553 (c) the amount of tax increment the {local} TIF entity is authorized to receive from the project area,
cumulatively and from each taxing entity, including:
- 1555 (i) the total dollar amount;
- 1556 (ii) the percentage of the total amount of tax increment generated within the project area; and
- 1558 (iii) the remaining amount of tax increment the {local} TIF entity is authorized to receive from the
project area, cumulatively and from each taxing entity; and
- 1560 (d) the amount of tax increment the {local} TIF entity:
- 1561 (i) is authorized to use to pay for the {local} TIF entity's administrative costs; and
- 1562 (ii) uses to pay for the {local} TIF entity's administrative costs.
- 1563 (17) "Project area plan" means a written plan that, after the plan's effective date, guides and controls the
development within a project area.
- 1565 (18)
- (a) "Property tax increment" means the amount of revenue a project area generates from property tax
that exceeds the amount of revenue from the property tax that was generated in the project area:
- 1568 (i) in the year before the project area is created; or
- 1569 (ii) for a post-designation parcel, the 12 months before the trigger date.
- 1570 (b) "Property tax increment" includes:
- 1571 (i) enhanced property tax revenue;
- 1572 (ii) property tax allocation;
- 1573 (iii) property tax augmentation;
- 1574 (iv) property tax differential;
- 1575 (v) property tax increment; and
- 1576 (vi) tax increment revenue.
- 1577 (19) "Regional economic development authority" means:
- 1578 (a) the Utah Inland Port Authority created in Section 11-58-201;
- 1579 (b) the Point of the Mountain State Land Authority created in Section 11-59-201;

SB0206S02 compared with SB0206S03

- 1580 (c) the Utah Fairpark Area Investment and Restoration District created in Section 11-70-201; or
1582 (d) the Military Installation Development Authority created in Section 63H-1-201.
- 1583 (20) "Sales and use tax increment" means the amount of revenue a project area generates from sales
and use tax that exceeds the amount of revenue from the sales and use tax that was generated in the
project area for the established base year.
- 1586 (21) "STATS" means the Statewide Tax Administration and Technology Solutions program, created in
Section 59-1-1902.
- 1588 (22) "Tax increment" means property tax increment and sales and use tax increment.
- 1589 (23) "Taxing entity" means a government entity that:
1590 (a) imposes a tax on property located within a project area; or
1591 (b) imposes a sales and use tax under Title 59, Chapter 12, Sales and Use Tax Act, within a project area.
- 1602 (24) "TIF entity" means a political subdivision of the state that:
1603 (a) for purposes of Part 2, Pre-increment Disclosure and Reporting, seeks to trigger tax increment; and
1605 (b) for purposes of Part 3, Tax Increment Receipt Reporting, receives or is authorized to receive tax
increment for an approved project area.
- 1593 (24){(25)} "Trigger date" means:
1594 (a) except as provided in Subsections {(24)(b)} (25)(b) and (c), the same as that term is defined in
Section 11-58-601;
1596 (b) for a project area created by the Military Installation Development Authority, the day on which the
authority receives the first property tax allocation from the parcel; or
1598 (c) for a project area created by the Utah Fairpark Area Investment and Restoration District, the same as
the term "transition date" is defined in Section 11-70-101.
- 1614 Section 27. Section **27** is enacted to read:
1616 **59-35-201. Advance disclosure for use of tax increment.**
2. Pre-increment Disclosure and Reporting
1603 (1) Beginning July 1, 2026, a {local} TIF entity {seeking} intending to use tax increment shall, before
beginning the process to trigger{-, collect, or use} tax increment:
1605 (a) conduct an authorization meeting; and
1606 (b) submit the disclosure described in Subsection (3).
1607

SB0206S02 compared with SB0206S03

(2) An authorization meeting may be part of another public meeting of the ~~{local}~~ TIF entity's governing body if the disclosure and agenda for the public meeting clearly describe the authorization meeting portion of the public meeting.

1610 (3) Before triggering ~~{,collecting, or using}~~ tax increment, a ~~{local}~~ TIF entity shall submit a disclosure to the program manager that includes:

1612 (a) a copy of the notice for and the minutes from the ~~{local}~~ TIF entity's authorization meeting;

1613 (b) the public good to be addressed through the use of tax increment, including a description of each project the ~~{local}~~ TIF entity intends to pursue with the use of tax increment;

1616 (c) the type of tax increment sought for use;

1617 (d) the maximum tax increment ~~{cap the local}~~ a local entity that is a TIF entity seeks to collect and use;

1618 (i) in total; and

1619 (ii) separately for property tax increment and sales and use tax increment, if the local entity seeks to use more than one type of tax increment;

1621 (e) a cost analysis reflecting the administrative costs imposed on the commission and the county to administer the collection, calculation, and distribution of the proposed tax increment;

1624 (f) a but-for analysis of each project the ~~{local}~~ TIF entity intends to pursue with the use of tax increment; and

1626 (g) an explanation of how the benefit to residents or taxpayers near the project area is proportionate to the benefit to any party benefiting from the ~~{local}~~ TIF entity's use of tax increment, as described in Section 59-35-202.

1629 (4) A ~~{local}~~ TIF entity shall comply with the requirements of this part every time the ~~{local}~~ TIF entity seeks to begin the process to trigger ~~{, collect, or use}~~ tax increment.

1645 Section 28. Section **28** is enacted to read:

1646 **59-35-202. Analyzing proportionate benefit.**

In analyzing the proportionate benefit to residents or taxpayers near the project area, a ~~{local}~~ TIF entity shall prepare an estimate, in present value by using an approximated discount rate of

~~{of}~~ the following:

1636

SB0206S02 compared with SB0206S03

(1) the amount of revenue that will be allocated to any party in the form of tax increment, or bond financing secured by tax increment, each year over the collection time period or 40 years, whichever is greater; and

1639 (2) the amount of revenue expected to be received by each taxing entity each year over 40 years.

1655 Section 29. Section 29 is enacted to read:

1656 **59-35-203. {Review} Notifications -- Rediscovery -- Use of excess tax increment -- Termination of {disclosure} tax increment.**

1643 (1) A {local} TIF entity that submits the required information under Section 59-35-201 may {begin the process to} trigger {, collect, or use} tax increment according to:

1645 (a) the statutory requirements governing the {local} TIF entity; and

1646 (b) this section.

1647 (2)

(a) Except as provided in Subsection (2)(b), a {local} TIF entity described in Subsection (1) shall notify:

1648 (i) {shall notify,} within 30 calendar days, all taxing entities that will be affected by a planned tax increment area:

1650 (A) for which the {local} TIF entity has submitted the information required under Section 59-35-201; and

1652 (B) that the {local} TIF entity intends {to begin the process} to trigger {, collect, or use} tax increment;

1654 (ii) {shall notify} the collecting {agencies} entities no later than December 31 the year before the {local} TIF entity intends to begin receiving property tax increment; and

1656 (iii) {shall notify} the commission no later than 180 days before the beginning of the fiscal quarter during which the {local} TIF entity intends to begin receiving sales and use tax increment.

1659 (b) If the {local} TIF entity is required to comply with a different notification time period than the time periods described in Subsection (2)(a), the {public} TIF entity shall comply with the notification period that provides the greater amount of time for notification.

1662 (3)

(a) If a {local} TIF entity does not complete the process to trigger {, collect, and use} tax increment within five years after the day on which the {local} TIF entity submits the information required by Section 59-35-201, the {local} TIF entity shall:

SB0206S02 compared with SB0206S03

- 1665 (i) hold a new authorization meeting, with updated information if applicable; and
- 1666 (ii) submit the information required by Section 59-35-201.
- 1681 (b)
- 1667 (i) If a TIF entity's disclosure includes all the information required by this Subsection (3), the TIF entity may trigger tax increment.
- 1671 (b){(ii)} {A local entity described} If the program manager notifies the TIF entity of a deficiency in {Subsection (3)(a) may proceed with} the {process to trigger, collect, and use tax increment if} disclosure, the {public} TIF entity {does not receive a timely request for} shall provide the requested additional disclosure information {from the program manager to fulfill the requirements of Subsection 59-35-201(3)} .
- 1673 (c){(iii)} A {local} TIF entity that receives a request from the program manager under Subsection {(3)(a)(ii):} (3)(b)(ii) shall respond to the request.
- 1674 {(i) {shall respond to the request; and} }
- 1677 {(ii) {may not trigger, collect, and use tax increment until the program manager reviews the local entity's response and makes the determination described in Subsection (3)(d).} }
- 1680 {(d) {The program manager shall evaluate any additional information received in accordance with Subsection (3)(c) and determine whether the local entity's disclosure includes all the information described in Section 59-35-201.} }
- 1685 (4)
- 1687 (a) A local entity that receives more tax increment than projected is required to use the additional or excess revenue to defease any bond the local entity issued or accelerate repayment of any debts the local entity incurred if the bond or debt does not have any penalty or prohibition on defeasance of the bond or acceleration of the debt repayment.
- 1690 (b) A {local} TIF entity may not use tax increment for any purpose other than the purpose described in the disclosure.
- 1691 (c)
- 1691 (i) A local entity is responsible for monitoring the local entity's receipt of tax increment and notifying taxing entities and {distributing} collecting entities when the local entity is approaching, has met, or has exceeded the maximum tax increment {cap} .
- 1691 (ii) A local entity that receives more than the maximum tax increment {cap} :
- 1691 (A) shall immediately inform the county auditor, the county assessor, and the commission;

SB0206S02 compared with SB0206S03

- 1693 (B) shall be responsible for ensuring the excess tax increment is returned to the appropriate taxing
1695 entities; and
- 1697 (C) may request assistance from the county and the commission in fulfilling the duty described in
1699 Subsection (4)(c)(ii)(B).
- 1702 (5) At the end of a collection time period, or upon receipt of the maximum tax increment {cap-} stated
1708 in a disclosure, the {local-} TIF entity may not receive tax increment.
- 1709 {~~(6)~~ }
{(a) ~~{If the program manager determines that a local entity's disclosure includes all the information~~
~~described in Section 59-35-201, a local entity may proceed with the progress to trigger, collect, and~~
~~use tax increment only as described in the disclosure.}~~ }
- 1702 (b){~~(6)~~ } ~~{The local-} A TIF entity shall comply with the requirements of this part for any additional or~~
1708 ~~subsequent {use-} triggering of tax increment.~~
- 1708 Section 30. Section **30** is enacted to read:
1709 **59-35-204. Transparency.**
The program manager shall coordinate with the collecting entities to recommend
processes for the responsible and transparent receipt of property tax increment, sales and use
tax increment, and tax increment, including by implementing processes to ensure a local entity
stops receiving tax increment once the local entity receives the maximum tax increment {cap-}
stated
{stated-} in the local entity's disclosure under Section 59-35-201.
- 1715 Section 31. Section **31** is enacted to read:
1717 **59-35-301. {Local-} TIF entity reporting requirements.**
3. Tax Increment Receipt Reporting
- 1714 (1) On or before January 1, 2027, a {local-} TIF entity shall submit to the program manager for each
project area:
- 1716 (a) the project area plan;
1717 (b) the project area budget;
1718 (c) applicable interlocal agreements; and
1719 (d) a map of each project area.
1720

SB0206S02 compared with SB0206S03

- (2) A TIF entity shall submit the information described in Subsection (1) for a new project area created after January 1, 2027, ~~{ shall submit the information described in Subsection (1) }~~ before January 1 of the year after the year in which the project area is created.
- 1722 (3) On January 1, 2028, and on each January 1 thereafter, a ~~{local}~~ TIF entity shall submit to the program manager a summary of the progress of each project area.
- 1724 (4) The program manager shall establish the manner in which a ~~{local}~~ TIF entity shall submit the information described in Subsections (1) through (3).
- 1726 (5) Annually, the program manager shall collect, with input from the county ~~{ assessors and local }~~ and the TIF entities:
- 1728 (a) an assessment of the change in the project area's value, including:
- 1729 (i) the taxable value from the established base year;
- 1730 (ii) the estimated current assessed value; and
- 1731 (iii) the percentage change between the base taxable value and the estimated current assessed value;
- 1733 (b)
- (i) if the ~~{local}~~ TIF entity has received tax increment from a project area, the amount of tax increment by calendar year, including:
- 1735 (A) a comparison of the actual tax increment received for each year to the forecasted tax increment for each year when the ~~{local}~~ TIF entity created the project area;
- 1738 (B) the ~~{local}~~ TIF entity's historical receipts and expenditures of tax increment for each project area budget;
- 1740 (C) a list of each taxing entity that imposes a tax within the project area;
- 1741 (D) a description of the benefits that each taxing entity receives from the project area; and
- 1743 (E) the percentage of additional value that each taxing entity provides to the project area; or
- 1745 (ii) if the ~~{local}~~ TIF entity has not yet received tax increment from an approved project area:
- 1747 (A) the year in which the ~~{local}~~ TIF entity expects to begin receiving tax increment for the project area;
- 1749 (B) a list of each taxing entity that imposes a tax within the project area;
- 1750 (C) a description of the benefits that each taxing entity is expected to receive from the project area; and
- 1752 (D) the percentage of additional value that each taxing entity provides to the project area;
- 1754 (c) the total amount of tax increment a ~~{local}~~ TIF entity may receive from the project area cumulatively and from each taxing entity;

SB0206S02 compared with SB0206S03

- 1756 (d) the total amount of tax increment {paid-} the TIF entity pays to {each-} a taxing entity, if
1757 applicable;
- 1757 (e) a {local-} TIF entity's outstanding principal on bonds or loans for project area costs;
- 1758 (f) a description of current and anticipated project area development, including:
- 1759 (i) any significant infrastructure development, site development, participation agreements, or vertical
construction within the project area; and
- 1761 (ii) other details of {local-} TIF entity action and development within the project area, including:
- 1763 (A) the total acreage developed after the {local-} TIF entity established the project area;
- 1764 (B) the total undeveloped acreage the {local-} TIF entity expects to develop before the project area is
dissolved;
- 1766 (C) the percentage of residential development, if applicable; and
- 1767 (D) the total number of housing units authorized, if applicable;
- 1768 (g) a summary of the portions of the project area plan and the budget that include:
- 1769 (i) the number of years remaining that the {local-} TIF entity may {collect-} receive tax increment from
the project area;
- 1771 (ii) the estimated amount of tax increment that the {local-} TIF entity is authorized to receive from the
project area for the current calendar year; and
- 1773 (iii) the estimated amount of tax increment to be paid to the {local-} TIF entity for the next calendar
year; and
- 1775 (h) a description of how the receipt of tax increment during the previous year furthered the goals,
policies, and purposes of the project area.
- 1777 (6) The provisions of this section apply regardless of when the project area is created.
- 1778 (7) Any information a {local-} TIF entity submits in accordance with this section is for informational
purposes only.
- 1784 Section 32. Section 32 is enacted to read:
- 1785 **59-35-302. Program manager report to Legislature, county auditor, county treasurer --**
Auditing.
- 1783 (1) At or before the October interim meeting of the Political Subdivisions Interim Committee, the
program manager shall present:
- 1785 (a) annually, a written report of the information in the database that includes:
- 1786

SB0206S02 compared with SB0206S03

- (i) a list of ~~{local}~~ TIF entities ~~{and agencies}~~ that failed to comply with the ~~{reporting}~~ requirements of ~~{Section}~~ Sections 59-35-201, 59-35-203, and 59-35-301 during the preceding reporting period;
- 1788 (ii) a statewide summary of:
- 1789 (A) the number of project areas receiving tax increment; and
- 1790 (B) the total acres included in project areas receiving tax increment;
- 1791 (iii) for each county, a summary of:
- 1792 (A) the number of project areas receiving tax increment;
- 1793 (B) the total acres included in project areas;
- 1794 (C) the total acres included in project areas compared to the total taxable acres in the county;
- 1796 (D) the percentage of property tax for all taxing entities within the county that is allocated as tax increment;
- 1798 (E) the total amount of tax increment projected in all project area budgets;
- 1799 (F) the estimated tax increment from project area budgets that has not yet been received;
- 1801 (G) a description of any project area that is approved but has not received tax increment; and
- 1803 (H) project areas dissolved during the previous year;
- 1804 (iv) information about the benefits that project areas provide to each county and the state, which shall include information relating to two or more of the following:
- 1806 (A) the average percentage change in assessed value for each county within project areas during the reporting period;
- 1808 (B) the percentage change in assessed value within a county, excluding project areas, during the reporting period;
- 1810 (C) a comparison of the growth rate between project areas and areas of the county that are not within a project area;
- 1812 (D) public infrastructure paid for with tax increment;
- 1813 (E) publicly accessible parks, trails, plazas, or other public amenities paid for with tax increment;
- 1815 (F) affordable housing units tax increment creates, preserves, or supports; and
- 1816 (G) new jobs created with tax increment; and
- 1817 (v) any recommendation for legislation; and
- 1818 (b) every three years, beginning in 2030, a copy of the results of the independent audit described in Subsection (3).
- 1820 (2)

SB0206S02 compared with SB0206S03

- (a) If the program manager does not receive, on or before April 1 of the year the information is due, the information that a {local} TIF entity is required to provide under Section 59-35-301, the program manager shall:
- 1823 (i) refer the noncompliant {local} TIF entity to the state auditor for review; and
- 1824 (ii) post a notice on the STATS website identifying the noncompliant {local} TIF entity and describing the {local} TIF entity's noncompliance.
- 1826 (b) If, for two consecutive years, the program manager does not receive information a {local} TIF entity is required to provide under Section 59-35-301:
- 1828 (i) the program manager shall notify, no later than April 1 of the second consecutive year, the county auditor and the county treasurer of the county in which the noncompliant {local} TIF entity is located of the {local} TIF entity's noncompliance; and
- 1831 (ii) upon receiving the notice described in Subsection (2)(b)(i), the county treasurer shall withhold from the {local} TIF entity 20% of the amount of tax increment the {local} TIF entity is entitled to receive.
- 1834 (c)
- (i) Subject to Subsection (2)(c)(ii), the county treasurer may not withhold funds as described in Subsection (2)(b)(ii) if the disbursement of tax increment is necessary to meet debt service obligations.
- 1837 (ii) The {local} TIF entity shall submit to the county treasurer evidence of the debt service obligation and the need for tax increment to serve the debt.
- 1839 (d) If, after having funds withheld under Subsection (2)(b)(ii), a {local} TIF entity complies with Section 59-35-301:
- 1841 (i) the program manager shall notify the county auditor and the county treasurer that the {local} TIF entity complied with Section 59-35-301; and
- 1843 (ii) the county treasurer shall disburse the withheld funds to the {local} TIF entity.
- 1844 (3) Every three years, beginning in 2030, the program manager shall obtain an independent audit of the database and the information reported to the Political Subdivisions Interim Committee in accordance with Subsection (1).
- 1847 (4)
- (a) The database, reporting, and auditing requirements of this part are a supplement to the state auditor's authority to audit {local} TIF entities.

SB0206S02 compared with SB0206S03

- 1849 (b) The program manager is not subject to audit by the state auditor for any reason beyond the audit of
1850 the program manager's receipt of government funds to administer STATS.
- 1856 Section 33. Section **63H-1-501** is amended to read:
- 1857 **63H-1-501. Authority receipt and use of property tax allocation -- Contractual annual**
1858 **payment -- Distribution of property tax allocation.**
- 1855 (1)
- (a) The authority may:
- 1856 (i) subject to Subsection (1)(b):
- 1857 (A) receive up to 75% of the property tax allocation for up to 25 years, as provided in this part; and
- 1859 (B) after the time period described in Subsection (1)(a)(i)(A) expires, receive up to 75% of the property
1860 tax allocation for up to 15 years, if the board determines the additional years will produce significant
1861 benefit; and
- 1862 (ii) use the property tax allocation before, during, and after the period described in Subsection (1)(a)
1863 (i).
- 1864 (b) With respect to a parcel located within a project area, the 25-year period described in Subsection (1)
1865 (a)(i)(A) begins on the day on which the authority receives the first property tax allocation from that
1866 parcel.
- 1867 (2)
- (a) For purposes of Subsection (1)(b), the authority may designate an improved portion of a parcel in a
1868 project area as a separate parcel.
- 1869 (b) An authority designation of an improved portion of a parcel as a separate parcel under Subsection
1870 (2)(a) is for purposes of Subsection (1)(b) only and does not constitute a subdivision for any other
1871 purpose.
- 1872 (c) A county recorder shall assign a separate tax identification number to the improved portion of a
1873 parcel designated by the authority as a separate parcel under Subsection (2)(a).
- 1875 (3) Improvements on a parcel within a project area become subject to property tax on January 1
1876 immediately following the day on which the authority or an entity designated by the authority issues
1877 a certificate of occupancy with respect to those improvements.
- 1878 (4)

SB0206S02 compared with SB0206S03

- (a) If the authority or an entity designated by the authority has not issued a certificate of occupancy for a private parcel within a project area, the private parcel owner shall make an annual payment to the authority:
- 1881 (i) that is equal to 1.2% of the taxable value of the parcel above the base taxable value of the parcel;
and
- 1883 (ii) until the parcel becomes subject to the property tax described in Subsection (3).
- 1884 (b) The authority may use the revenue from payments described in Subsection (4)(a) for any purpose described in Subsection 63H-1-502(1).
- 1886 (c) The authority may submit for recording to the office of the recorder of the county in which a private parcel described in Subsection (4)(a) is located:
- 1888 (i) a copy of an agreement between the authority and the private parcel owner that memorializes the payment obligation under Subsection (4)(a); or
- 1890 (ii) a notice that describes the payment obligation under Subsection (4)(a).
- 1891 (d) An owner of a private parcel described in Subsection (4)(a) may not be required to make a payment that exceeds or is in addition to the payment described in Subsection (4)(a)(i) until the private parcel becomes subject to the property tax described in Subsection (3).
- 1895 (e) Upon the transfer of title of a private parcel described in Subsection (4)(a), the amount of the annual payment required under Subsection (4)(a) shall be:
- 1897 (i) treated the same as a property tax; and
- 1898 (ii) prorated between the previous owner and the owner who acquires title from the previous owner.
- 1900 (f) A person who fails to pay or is delinquent in paying an annual payment described in Subsection (4) (a) is subject to the same penalties and interest as the failure or delinquent payment of a property tax in accordance with Title 59, Chapter 2, Property Tax Act.
- 1904 (g) A county treasurer shall:
- 1905 (i) include the annual payment described in Subsection (4)(a) on a county property tax notice in accordance with Section 59-2-1317; and
- 1907 (ii) collect the annual payment as part of the property tax collection.
- 1908 (h) A county auditor shall include the annual payment described in Subsection (4)(a) on the notice of property valuation in accordance with Subsection 59-2-919.1(1).
- 1910

SB0206S02 compared with SB0206S03

- (5) Each county that collects property tax on property within a project area shall pay and distribute to the authority the property tax allocation and dedicated tax collections that the authority is entitled to collect under this title, in the manner and at the time provided in Section 59-2-1365.
- 1914 (6)
- (a) The board shall determine by resolution when the entire project area or an individual parcel within a project area is subject to property tax allocation.
- 1916 (b) The board shall amend the project area budget to reflect whether a parcel within a project area is subject to property tax allocation.
- 1918 (7) The following property owned by the authority is not subject to any property tax under Title 59, Chapter 2, Property Tax Act, or any privilege tax under Title 59, Chapter 4, Privilege Tax, regardless of whether the authority enters into a long-term operating agreement with a privately owned entity under which the privately owned entity agrees to operate the property:
- 1923 (a) a hotel;
- 1924 (b) a hotel condominium unit in a condominium project, as defined in Section 57-8-3; and
- 1926 (c) a commercial condominium unit in a condominium project, as defined in Section 57-8-3.
- 1928 (8) If the authority **intends to receive or** receives tax increment, **as defined in Section 59-35-101**, the authority shall comply with the reporting requirements described in Title 59, Chapter 35, Tax Increment Financing Reporting.
- 1935 Section 34. Section **63I-1-259** is amended to read:
- 1936 **63I-1-259. ~~{(Effective 05/06/26)}~~ ~~{(Applies beginning 01/01/26)}~~ {(Effective 05/06/26)} Repeal dates: Title 59.**
- 1933 (1) Subsection 59-1-403(4)(aa), regarding a requirement for the State Tax Commission to inform the Department of Workforce Services whether an individual claimed a federal earned income tax credit, is repealed July 1, 2029.
- 1936 [~~(2) Section 59-2-1603, Allocation of money in the Property Tax Valuation Fund -- Use of funds, is repealed July 1, 2030.~~]
- 1938 [~~(3)~~ (2) Section 59-5-304, Tax credit for mining exploration, is repealed July 1, 2037.
- 1939 [~~(4)~~ (3) Section 59-7-618.1, Tax credit related to alternative fuel heavy duty vehicles, is repealed July 1, 2029.
- 1941 [~~(5)~~ (4) Section 59-9-102.5, Offset for occupational health and safety related donations, is repealed December 31, 2030.

SB0206S02 compared with SB0206S03

- 1943 [~~(6)~~] (5) Section 59-10-1033.1, Tax credit related to alternative fuel heavy duty vehicles, is repealed July 1, 2029.
- 1945 [~~(7)~~] (6) Subsection 59-28-103(5), regarding a tax rate on certain transactions that take place within a county of the first class, is repealed July 1, 2047.
- 1951 Section 35. Section **63N-3-602** is amended to read:
- 1952 **63N-3-602. Definitions.**
- As used in this part:
- 1950 (1) "Affordable housing" means housing occupied or reserved for occupancy by households with a gross household income:
- 1952 (a) equal to or less than 80% of the county median gross income for households of the same size, in certain circumstances as provided in this part; or
- 1954 (b) equal to or less than 60% of the county median gross income for households of the same size, in certain circumstances as provided in this part.
- 1956 (2) "Agency" means the same as that term is defined in Section 17C-1-102.
- 1957 (3) "Base taxable value" means a property's taxable value as shown upon the assessment roll last equalized during the base year.
- 1959 (4) "Base year" means, for each property tax increment collection period triggered within a proposed housing and transit reinvestment zone or convention center reinvestment zone project area, the calendar year prior to the calendar year the property tax increment begins to be collected for the parcels that are in a project that is triggered for that collection period.
- 1964 (5) "Bus rapid transit" means a high-quality bus-based transit system that delivers fast and efficient service that may include dedicated lanes, busways, traffic signal priority, off-board fare collection, elevated platforms, and enhanced stations.
- 1967 (6) "Bus rapid transit station" means an existing station, stop, or terminal, or a proposed station, stop, or terminal that is specifically identified as needed in phase one of a metropolitan planning organization's adopted long-range transportation plan and in phase one of the relevant public transit district's adopted long-range transit plan:
- 1971 (a) along an existing bus rapid transit line; or
- 1972 (b) along an extension to an existing bus rapid transit line or new bus rapid transit line.
- 1973 (7) "Capital city" means the same as that term is defined in Section 17D-4-102.
- 1974 (8)

SB0206S02 compared with SB0206S03

- (a) "Commuter rail" means a regional passenger rail transit facility operated by a large public transit district.
- 1976 (b) "Commuter rail" does not include a light-rail passenger rail facility of a large public transit district.
- 1978 (9) "Commuter rail station" means an existing station, stop, or terminal, or a proposed station, stop, or terminal, which has been specifically identified as needed in phase one of a metropolitan planning organization's adopted long-range transportation plan and in phase one of the relevant public transit district's adopted long-range transit plan:
- 1982 (a) along an existing commuter rail line;
- 1983 (b) along an extension to an existing commuter rail line or new commuter rail line;
- 1984 (c) along a fixed guideway extension from an existing commuter rail line; or
- 1985 (d) at the landing point of a pedestrian bridge or vehicle bridge extending from an existing commuter rail station.
- 1987 (10) "Convention center" means a convention center owned by a county of the first class within a city of the first class.
- 1989 (11) "Convention center revitalization project" means a project within a city of the first class within a county of the first class for the revitalization, activation, and modernization of a convention center and the surrounding area, including projects meeting the objectives described in Section 63N-3-603.1.
- 1993 (12) "Convention center reinvestment zone" means a convention center reinvestment zone created under this part.
- 1995 (13)
- (a) "Developable area" means the portion of land within a housing and transit reinvestment zone available for development and construction of business and residential uses.
- 1998 (b) "Developable area" does not include portions of land within a housing and transit reinvestment zone that are allocated to:
- 2000 (i) parks;
- 2001 (ii) recreation facilities;
- 2002 (iii) open space;
- 2003 (iv) trails;
- 2004 (v) publicly-owned roadway facilities; or
- 2005 (vi) other public facilities.

SB0206S02 compared with SB0206S03

- 2006 (14) "Dwelling unit" means one or more rooms arranged for the use of one or more individuals living together, as a single housekeeping unit normally having cooking, living, sanitary, and sleeping facilities.
- 2009 (15) "Eligible municipality" means a city that:
- 2010 (a)
- 2011 (i) is the county seat of a county of the first class; or
- 2012 (ii) a city of the first class located in a county of the first class; and
- 2013 (b) has a convention center within the boundary of the city.
- 2013 (16) "Enhanced development" means the construction of mixed uses including housing, commercial uses, and related facilities.
- 2015 (17) "Enhanced development costs" means extra costs associated with structured parking costs, vertical construction costs, horizontal construction costs, life safety costs, structural costs, conveyor or elevator costs, and other costs incurred due to the increased height of buildings or enhanced development.
- 2019 (18) "First home investment zone" means the same as that term is defined in Section 63N-3-1601.
- 2021 (19) "Fixed guideway" means the same as that term is defined in Section 59-12-102.
- 2022 (20) "Horizontal construction costs" means the additional costs associated with earthwork, over excavation, utility work, transportation infrastructure, and landscaping to achieve enhanced development in the housing and transit reinvestment zone.
- 2025 (21) "Housing and transit reinvestment zone" means a housing and transit reinvestment zone created pursuant to this part.
- 2027 (22) "Housing and transit reinvestment zone committee" means a housing and transit reinvestment zone committee created pursuant to Section 63N-3-605.
- 2029 (23) "Large public transit district" means the same as that term is defined in Section 17B-2a-802.
- 2031 (24) "Light rail" means a passenger rail public transit system with right-of-way and fixed rails:
- 2033 (a) dedicated to exclusive use by light-rail public transit vehicles;
- 2034 (b) that may cross streets at grade; and
- 2035 (c) that may share parts of surface streets.
- 2036 (25) "Light rail station" means an existing station, stop, or terminal or a proposed station, stop, or terminal, which has been specifically identified as needed in phase one of a metropolitan planning

SB0206S02 compared with SB0206S03

organization's adopted long-range transportation plan and in phase one of the relevant public transit district's adopted long-range plan:

- 2040 (a) along an existing light rail line; or
- 2041 (b) along an extension to an existing light rail line or new light rail line.
- 2042 (26) "Metropolitan planning organization" means the same as that term is defined in Section
72-1-208.5.
- 2044 (27) "Mixed use development" means development with a mix of:
- 2045 (a) multi-family residential use; and
- 2046 (b) at least one additional land use, which shall be a significant part of the overall development.
- 2048 (28) "Municipality" means the same as that term is defined in Section 10-1-104.
- 2049 (29) "Participant" means the same as that term is defined in Section 17C-1-102.
- 2050 (30) "Participation agreement" means the same as that term is defined in Section 17C-1-102, except that
the agency may not provide and the person may not receive a direct subsidy.
- 2052 (31) "Project" means a housing and transit reinvestment zone or convention center reinvestment zone
created under this part.
- 2054 (32)
- (a) "Property tax increment" means the difference between:
- 2055 (i) the amount of property tax revenue generated each tax year by a taxing entity from the area
within a housing and transit reinvestment zone or convention center reinvestment zone
designated in the applicable reinvestment zone proposal as the area from which tax increment is
to be collected, using the current assessed value and each taxing entity's current certified tax rate
as defined in Section 59-2-924; and
- 2061 (ii) the amount of property tax revenue that would be generated from that same area using the base
taxable value and each taxing entity's current certified tax rate as defined in Section 59-2-924.
- 2064 (b) "Property tax increment" does not include property tax revenue from:
- 2065 (i) a multicounty assessing and collecting levy described in [~~Subsection 59-2-1602(2)~~] Section
59-2-1602;
- 2067 (ii) a county additional property tax described in [~~Subsection 59-2-1602(4)~~] Section 59-2-1602; or
- 2069 (iii) a public library fund levy described in Subsection 9-7-501(2).
- 2070 (33) "Public transit county" means a county that has created a small public transit district.
- 2071

SB0206S02 compared with SB0206S03

(34) "Public transit hub" means a public transit depot or station where four or more routes serving separate parts of the county-created transit district stop to transfer riders between routes.

2074 (35) "Sales and use tax base year" means:

2075 (a) for a housing and transit reinvestment zone, a sales and use tax year determined by the first year pertaining to the tax imposed in Section 59-12-103 after the sales and use tax boundary for a housing and transit reinvestment zone is established; or

2078 (b) for a convention center reinvestment zone, a sales and use tax year determined by the year specified in the approved proposal for a convention center reinvestment zone, pertaining to the taxes:

2081 (i) imposed under Section 59-12-103;

2082 (ii) imposed by a city of the first class in a county of the first class under Title 59, Chapter 12, Part 2, Local Sales and Use Tax Act;

2084 (iii) imposed by a city of the first class in a county of the first class under Section 59-12-402.1;

2086 (iv) imposed by a county of the first class under Section 59-12-1102; and

2087 (v) imposed by a county of the first class under Title 59, Chapter 12, Part 22, Local Option Sales and Use Taxes for Transportation Act.

2089 (36) "Sales and use tax boundary" means:

2090 (a) for a housing and transit reinvestment zone, a boundary created as described in Section 63N-3-604, based on state sales and use tax collection boundaries that correspond as closely as reasonably practicable to the housing and transit reinvestment zone boundary; or

2094 (b) for a convention center reinvestment zone, a boundary created as described in Section 63N-3-604.1, based on state sales and use tax collection boundaries that correspond as closely as reasonably practicable to the convention center reinvestment zone boundary.

2098 (37) "Sales and use tax increment" means:

2099 (a) for a housing and transit reinvestment zone, the difference between:

2100 (i) the amount of state sales and use tax revenue generated each year following the sales and use tax base year by the sales and use tax from the area within a housing and transit reinvestment zone designated in the housing and transit reinvestment zone proposal as the area from which sales and use tax increment is to be collected; and

2105 (ii) the amount of state sales and use tax revenue that was generated from that same area during the sales and use tax base year; or

2107 (b) for a convention center reinvestment zone, the difference between:

SB0206S02 compared with SB0206S03

- 2108 (i) the amount of sales and use tax revenue generated each year following the sales and use tax base
year by the sales and use tax from the area within a convention center reinvestment zone designated
in the convention center reinvestment zone proposal as the area from which sales and use tax
increment is to be collected; and
- 2112 (ii) the amount of sales and use tax revenue that was generated from that same area during the sales and
use tax base year.
- 2114 (38) "Sales and use tax revenue" means:
- 2115 (a) for a housing and transit reinvestment zone, revenue that is generated from the tax imposed under
Section 59-12-103; or
- 2117 (b) for a convention center reinvestment zone, revenue that is generated from:
- 2118 (i) the sales and use taxes imposed under Section 59-12-103; and
- 2119 (ii) the sales and use taxes:
- 2120 (A) imposed by a city of the first class in a county of the first class under Title 59, Chapter 12, Part 2,
Local Sales and Use Tax Act;
- 2122 (B) imposed by a city of the first class in a county of the first class under Section 59-12-402.1;
- 2124 (C) imposed by a county of the first class under Section 59-12-1102; and
- 2125 (D) imposed by a county of the first class under Title 59, Chapter 12, Part 22, Local Option Sales and
Use Taxes for Transportation Act.
- 2127 (39) "Small public transit district" means the same as that term is defined in Section 17B-2a-802.
- 2129 (40) "Tax Commission" means the State Tax Commission created in Section 59-1-201.
- 2130 (41) "Taxing entity" means the same as that term is defined in Section 17C-1-102.
- 2131 (42) "Vertical construction costs" means the additional costs associated with construction above
four stories and structured parking to achieve enhanced development in the housing and transit
reinvestment zone.
- 2138 Section 36. Section **63N-3-603.1** is amended to read:
- 2139 **63N-3-603.1. Applicability, requirements, and limitations on a convention center
reinvestment zone.**
- 2137 (1) A convention center reinvestment zone proposal created under this part shall demonstrate how the
proposal addresses the following objectives:
- 2139 (a) redevelopment of a convention center and the surrounding area's infrastructure and assets;
- 2141

SB0206S02 compared with SB0206S03

- (b) activation of unrealized economic opportunities related to the convention center and surrounding infrastructure and assets;
- 2143 (c) modernization of infrastructure and design of the convention center and surrounding area and related public spaces;
- 2145 (d) encouragement of transformative development and investment, including parking improvements;
- 2147 (e) promotion of economic development and employment opportunities;
- 2148 (f) improvement of the aesthetic, functionality, and walkability of the convention center and surrounding area;
- 2150 (g) enhancement of tourism opportunities; and
- 2151 (h) creation of outdoor event space to accommodate events or festivals open to the public.
- 2153 (2) A convention center reinvestment zone in a capital city proposal created under this part shall also demonstrate how the proposal addresses the following objectives:
- 2155 (a) redevelopment of a convention center and surrounding infrastructure and assets that directly serve the convention center, including parking facilities;
- 2157 (b) modernization of infrastructure and design of the convention center; and
- 2158 (c) improvement of the aesthetic, functionality, and walkability of the convention center.
- 2159 (3) The Governor's Office of Economic Opportunity shall propose a convention center reinvestment zone to accomplish the objectives described in Subsections (1) and (2).
- 2161 (4)
- (a)
 - (i) A convention center reinvestment zone proposal may propose the capture of 100% of the property tax increment and 100% of the sales and use tax increment described in Subsection 63N-3-602(38)(b)(ii) for a period of 30 years.
 - 2164 (ii) For a convention center reinvestment zone in a capital city, in addition to the proposed capture of property tax increment and sales and use tax increment described in Subsection (4)(a)(i), the convention center reinvestment zone may propose the capture of 50% of the sales and use tax increment described in Subsection 63N-3-602(38)(b)(i).
- 2169 (b) The convention center reinvestment zone proposal shall include the respective start date and base year date from which to calculate:
 - 2171 (i) the 30-year period of property tax increment; and
 - 2172 (ii) the 30-year period of the sales and use tax increment.

SB0206S02 compared with SB0206S03

- 2173 (c) The convention center reinvestment zone proposal may not stagger the collection periods for the parcels within the convention center reinvestment zone boundary and the parcels within the convention center reinvestment zone boundary shall have the same 30-year collection period.
- 2177 (d) The convention center reinvestment zone proposal start date for the 30-year period described in this Subsection (4), shall be no sooner than January 1 of the year of the identified tax collection year.
- 2180 (e)
- (i) For a convention center reinvestment zone in a capital city, revenue from the property tax increment and sales and use tax increment shall be distributed directly to a convention center public infrastructure district in a capital city created as required in Subsection 63N-3-607(8)(b); and
- 2184 (ii) For a convention center reinvestment zone in a city other than a capital city, revenue from the property tax increment and sales and use tax increment may be distributed directly to the municipality or public infrastructure district as described in the convention center reinvestment zone proposal.
- 2188 (5) The Governor's Office of Economic Opportunity may only propose a convention center reinvestment zone:
- 2190 (a) within the boundary of the eligible municipality;
- 2191 (b) consisting of a total area:
- 2192 (i) not to exceed 50 acres; or
- 2193 (ii) if greater than 50 acres, approved by the relevant eligible municipality;
- 2194 (c) consisting only of contiguous parcels; and
- 2195 (d) for a convention center reinvestment zone in a capital city, in an area that includes any portion of an existing convention center and any city block that is bordered by an existing convention center.
- 2198 (6)
- (a) For a convention center reinvestment zone in a capital city, the Governor's Office of Economic Opportunity shall propose a convention center reinvestment zone on or before April 15, 2025.
- 2201 (b) For a convention center reinvestment zone that is not in a capital city, the Governor's Office of Economic Opportunity shall propose a convention center reinvestment zone within 60 days after receiving a petition from the relevant city.
- 2204 (7) A convention center reinvestment zone does not count toward the maximum of eight housing and transit reinvestment zones in a given county as provided in Subsection 63N-3-603(7)(a).
- 2207

SB0206S02 compared with SB0206S03

(8) A municipality or public infrastructure district that intends to receive or receives tax increment, as defined in Section 59-35-101, shall comply with the requirements described in Title 59, Chapter 35, Tax Increment Financing Reporting.

2214 Section 37. Section **63N-3-607** is amended to read:

2215 **63N-3-607. Payment, use, and administration of revenue from a housing and transit
reinvestment zone.**

2213 (1) In accordance with this part:

2214 (a) a municipality or public transit county may receive and use property tax increment and housing and
transit reinvestment zone funds;

2216 (b)

(i) a public infrastructure district shall use the funds from a convention center reinvestment zone in a
capital city within or for the benefit of a convention center reinvestment zone in a capital city; and

2219 (ii) funds from a convention center reinvestment zone in a capital city may be used outside of the
capital city convention center reinvestment zone if the use meets the objectives described in Section
63N-3-603.1 and is determined by the board of the public infrastructure district to be a direct benefit
to the convention center reinvestment zone in a capital city; and

2224 (c) a municipality or a public infrastructure district may receive and use property tax increment and
convention center reinvestment zone funds for a convention center reinvestment zone that is not
within a capital city.

2227 (2)

(a) Except as provided in Subsection (3), a county that collects property tax on property located within a
housing and transit reinvestment zone shall, in accordance with Section 59-2-1365, distribute to the
municipality or public transit county any property tax increment the municipality or public transit
county is authorized to receive up to the maximum approved by the housing and transit reinvestment
zone committee.

2233 (b) Property tax increment distributed to a municipality or public transit county in accordance with
Subsection (2)(a) is not revenue of the taxing entity or municipality or public transit county.

2236 (c)

(i) Property tax increment paid to the municipality or public transit county are housing and transit
reinvestment zone funds and shall be administered by an agency created by the municipality or
public transit county within which the housing and transit reinvestment zone is located.

SB0206S02 compared with SB0206S03

- 2240 (ii) Before an agency may receive housing and transit reinvestment zone funds from the municipality or public transit county, the municipality or public transit county and the agency shall enter into an interlocal agreement with terms that:
- 2243 (A) are consistent with the approval of the housing and transit reinvestment zone committee; and
- 2245 (B) meet the requirements of Section 63N-3-603 or, for a convention center reinvestment zone, the requirements of Section 63N-3-603.1.
- 2247 (3)
- (a) A county that collects property tax on property located within a convention center reinvestment zone shall, in accordance with Section 59-2-1365, distribute to the relevant public infrastructure district created by the eligible municipality any property tax increment the public infrastructure district is authorized to receive up to the amounts approved by the housing and transit reinvestment zone committee.
- 2252 (b) Property tax increment distributed to a public infrastructure district in accordance with Subsection (3)(a) is not revenue of the taxing entity or municipality.
- 2254 (c) Property tax increment paid to the public infrastructure district are convention center reinvestment zone funds and shall be administered by the public infrastructure district within which the convention center reinvestment zone is located.
- 2257 (4)
- (a)
- (i) A municipality or public transit county and agency shall use housing and transit reinvestment zone funds within, or for the direct benefit of, the housing and transit reinvestment zone.
- 2260 (ii) A public infrastructure district shall use convention center reinvestment zone funds within, or for the benefit of, the convention center reinvestment zone.
- 2262 (b) If any housing and transit reinvestment zone funds will be used outside of the housing and transit reinvestment zone, there [~~must~~] shall be a finding in the approved proposal for a housing and transit reinvestment zone that the use of the housing and transit reinvestment zone funds outside of the housing and transit reinvestment zone will directly benefit the housing and transit reinvestment zone.
- 2267 (5)

SB0206S02 compared with SB0206S03

- (a) A municipality or public transit county shall use housing and transit reinvestment zone funds to achieve the purposes described in Subsections 63N-3-603(1) and (2), by paying all or part of the costs of any of the following:
- 2270 (i) income targeted housing costs;
 - 2271 (ii) structured parking within the housing and transit reinvestment zone;
 - 2272 (iii) enhanced development costs;
 - 2273 (iv) horizontal construction costs;
 - 2274 (v) vertical construction costs;
 - 2275 (vi) property acquisition costs within the housing and transit reinvestment zone;
 - 2276 (vii) the costs of the municipality or public transit county to create and administer the housing and transit reinvestment zone, which may not exceed 2% of the total housing and transit reinvestment zone funds, plus the costs to complete the gap analysis described in Subsection 63N-3-604(2); or
 - 2280 (viii) subject to Subsection (5)(b), costs for the construction or expansion of child care facilities within the boundary of the housing and transit reinvestment zone.
- 2282 (b) A municipality or public transit county may not use more than 1% of the total housing and transit reinvestment zone funds to pay costs described in Subsection (5)(a)(viii).
- 2285 (c) A public infrastructure district shall use convention center reinvestment zone funds to achieve the purposes described in Section 63N-3-603.1.
- 2287 (6) Housing and transit reinvestment zone funds may be paid to a participant, if the agency and participant enter into a participation agreement that requires the participant to utilize the housing and transit reinvestment zone funds as allowed in this section.
- 2290 (7)
- (a) Housing and transit reinvestment zone funds may be used to pay all of the costs of bonds issued by the municipality or public transit county in accordance with Title 17C, Chapter 1, Part 5, Agency Bonds, including the cost to issue and repay the bonds including interest.
 - 2294 (b) Convention center reinvestment zone funds may be used to pay all of the costs of debt incurred by the public infrastructure district, including the cost to issue and repay the debt including interest.
 - 2297 (8)
 - (a) A municipality or public transit county may create one or more public infrastructure districts within the housing and transit reinvestment zone under Title 17D, Chapter 4, Public Infrastructure

SB0206S02 compared with SB0206S03

District Act, and pledge and utilize the housing and transit reinvestment zone funds to guarantee the payment of public infrastructure bonds issued by a public infrastructure district.

2302 (b) An eligible municipality that is a capital city shall create one or more public infrastructure districts within the convention center reinvestment zone under Title 17D, Chapter 4, Public Infrastructure District Act, and the convention center reinvestment zone funds may be used to pay all or any portion of debt incurred by the public infrastructure district, including the cost to issue and repay the debt including interest.

2308 (9) A municipality, public transit county, or public infrastructure district that **intends to receive or receives** { **property** } tax increment, **as defined in Section 59-35-101**, shall comply with the requirements described in Title 59, Chapter 35, Tax Increment Financing Reporting.

2315 Section 38. Section **63N-3-609** is amended to read:

2316 **63N-3-609. Property tax increment protections.**

2313 (1) Upon petition by a participating taxing entity or on the initiative of the housing and transit reinvestment zone committee creating a housing and transit reinvestment zone or convention center reinvestment zone, a housing and transit reinvestment zone or convention center reinvestment zone may suspend or terminate the collection of property tax increment in a housing and transit reinvestment zone or convention center reinvestment zone if the housing and transit reinvestment zone committee determines, by clear and convincing evidence, presented in a public meeting of the housing and transit reinvestment zone committee, that:

2321 (a) a substantial portion of the property tax increment collected in the housing and transit reinvestment zone or convention center reinvestment zone has not or will not be used for the purposes provided in Section 63N-3-607; and

2324 (b)

(i) the housing and transit reinvestment zone or convention center reinvestment zone and related public infrastructure district has no indebtedness secured by funds provided for in this chapter; or

2327 (ii) the housing and transit reinvestment zone or convention center reinvestment zone and related public infrastructure district has no binding financial obligations secured by this chapter.

2330 (2) A housing and transit reinvestment zone or convention center reinvestment zone may not collect property tax increment in excess of the property tax increment projections or limitations set forth in the housing and transit reinvestment zone or convention center reinvestment zone proposal and disclosed in accordance with Title 59, Chapter 35, Part 2, Pre-increment Disclosure and Reporting.

SB0206S02 compared with SB0206S03

- 2335 (3) The agency administering the property tax increment collected in a housing and transit reinvestment zone under Subsection 63N-3-607(2)(c) or the public infrastructure district administering the property tax increment collected in a convention center reinvestment zone under Subsection 63N-3-607(3)(c), shall have standing in a court with proper jurisdiction to enforce provisions of the housing and transit reinvestment zone or convention center reinvestment zone proposal, participation agreements, and other agreements for the use of the property tax increment collected.
- 2342 (4) The agency administering property tax increment from a housing and transit reinvestment zone under Subsection 63N-3-607(2)(c) or the public infrastructure district administering the property tax increment collected in a convention center reinvestment zone under Subsection 63N-3-607(3)(c) which is collecting property tax increment shall follow the [reporting] requirements described in [~~Section 17C-1-603~~] Title 59, Chapter 35, Tax Increment Financing Reporting, and the audit requirements described in Sections 17C-1-604 and 17C-1-605.
- 2349 (5) For each housing and transit reinvestment zone or convention center reinvestment zone collecting tax increment within a county, the county auditor shall follow the reporting requirement found in Section 17C-1-606.
- 2356 Section 39. Section **63N-3-1601** is amended to read:
- 2357 **63N-3-1601. Definitions.**
- 2354 (1) "Affordable housing" means:
- 2355 (a) for homes that are not owner occupied, housing occupied or reserved for occupancy by households with a gross household income equal to or less than 80% of the county median gross income for households of the same size; or
- 2358 (b)
- (i) for homes that are owner occupied, housing that is priced at 80% of the county median home price; or
- 2360 (ii) for homes that are owner occupied, housing that is priced at 80% of the zip code median home price if:
- 2362 (A) the proposal described in Section 63N-3-1603 demonstrates that a deviation from the county median home price will achieve the objectives described in Subsection 63N-3-1602(1); and
- 2365 (B) the zip code median home price is based upon county property tax assessment data.
- 2367 (2) "Agency" means the same as that term is defined in Section 17C-1-102.
- 2368 (3) "Base taxable value" means the same as that term is defined in Section 63N-3-602.

SB0206S02 compared with SB0206S03

- 2369 (4) "Base year" means, for each tax increment collection period triggered within a proposed first home investment zone area, the calendar year prior to the calendar year the tax increment begins to be collected for those parcels triggered for that collection period.
- 2372 (5)
- (a) "Developable area" means the portion of land within a first home investment zone available for development and construction of business and residential uses.
- 2374 (b) "Developable area" does not include portions of land within a first home investment zone that are allocated to:
- 2376 (i) parks;
- 2377 (ii) recreation facilities;
- 2378 (iii) open spaces;
- 2379 (iv) trails;
- 2380 (v) parking;
- 2381 (vi) roadway facilities; or
- 2382 (vii) other public facilities.
- 2383 (6) "Dwelling unit" means the same as that term is defined in Section 63N-3-602.
- 2384 (7) "Extraterritorial home" means a dwelling unit that is included as part of the first home investment zone proposal that:
- 2386 (a) is located within the municipality proposing the first home investment zone but outside the boundary of the first home investment zone;
- 2388 (b) is part of a development with a density of at least six units per acre;
- 2389 (c) is not located within an existing housing and transit reinvestment zone or an area that could be included in a housing and transit reinvestment zone;
- 2391 (d) has not been issued a building permit by the municipality as of the date of the approval of the first home investment zone; and
- 2393 (e) is required to be owner occupied for no less than 25 years.
- 2394 (8) "First home investment zone" means a first home investment zone created in accordance with this part.
- 2396 (9) "Home" means a dwelling unit.
- 2397 (10) "Housing and transit reinvestment zone" means the same as that term is defined in Section 63N-3-602.

SB0206S02 compared with SB0206S03

- 2399 (11) "Housing and transit reinvestment zone committee" means the housing and transit reinvestment
zone committee described in Section 63N-3-605.
- 2401 (12) "Metropolitan planning organization" means the same as that term is defined in Section
72-1-208.5.
- 2403 (13) "Mixed use development" means the same as that term is defined in Section
[63N-3-603] 63N-3-602.
- 2405 (14) "Moderate income housing plan" means the same as that term is defined in Section 11-41-102.
- 2407 (15) "Municipality" means the same as that term is defined in Section 10-1-104.
- 2408 (16) "Owner occupied" means private real property that is:
- 2409 (a) used for a single-family residential purpose; and
- 2410 (b) required to be occupied by the owner of the real property for no less than 25 years.
- 2411 (17) "Project area" means the same as that term is defined in Section 17C-1-102.
- 2412 (18)
- (a) "Project improvements" means site improvements and facilities that are:
- 2413 (i) planned and designed to provide service for development resulting from a development activity;
- 2415 (ii) necessary for the use and convenience of the occupants or users of development resulting from
a development activity; and
- 2417 (iii) not identified or reimbursed as a system improvement.
- 2418 (b) "Project improvements" does not mean system improvements.
- 2419 (19) "State Tax Commission" means the State Tax Commission created in Section 59-1-201.
- 2420 (20)
- (a) "System improvements" means existing and future public facilities that are designed to provide
services to service areas within the community at large.
- 2422 (b) "System improvements" does not mean project improvements.
- 2423 (21)
- (a) "Tax increment" means the difference between:
- 2424 (i) the amount of property tax revenue generated each tax year by a taxing entity from the area
within a first home investment zone designated in the first home investment zone proposal as
the area from which tax increment is to be collected, using the current assessed value and each
taxing entity's current certified tax rate as defined in Section 59-2-924; and
- 2429

SB0206S02 compared with SB0206S03

- (ii) the amount of property tax revenue that would be generated from that same area using the base taxable value and each taxing entity's current certified tax rate as defined in Section 59-2-924.
- 2432 (b) "Tax increment" does not include property tax revenue from~~[:]~~ a multicounty assessing and
collecting levy or a county additional property tax described in Section 59-2-1602.
- 2435 ~~[(i) a multicounty assessing and collecting levy described in Subsection 59-2-1602(2); or]~~
- 2437 ~~[(ii) a county additional property tax described in Subsection 59-2-1602(4).]~~
- 2438 (22) "Taxing entity" means the same as that term is defined in Section 17C-1-102.
- 2439 (23) "Unencumbered annual community reinvestment agency revenue" means tax increment revenue received by the agency for purposes identified in Title 17C, Limited Purpose Local Government Entities - Community Reinvestment Agency Act, that:
- 2442 (a) have not been designated or restricted for future qualified uses as approved by the agency board related to a specific project area; and
- 2444 (b) do not have a date certain by which the tax increment ~~[revenues]~~ revenue will be used.
- 2449 Section 40. Section **63N-3-1606** is amended to read:
- 2450 **63N-3-1606. Payment, use, and administration of tax increment from a first home investment zone.**
- 2448 (1) A municipality may receive and use tax increment and first home investment zone funds in accordance with this part.
- 2450 (2)
- (a) A county that collects property tax on property located within a first home investment zone shall, in accordance with Section 59-2-1365, distribute to the municipality any tax increment the municipality is authorized to receive up to the maximum approved by the housing and transit reinvestment zone committee.
- 2454 (b)
- (i) Except as provided in Subsection (2)(b)(ii), tax increment paid to the municipality are first home investment zone funds and shall be administered by the municipality within which the first home investment zone is located.
- 2457 (ii) A municipality may contract with an agency, county, or a housing authority to administer tax increment and the first home investment zone, ensure compliance with first home investment zone requirements, and administer deed restrictions.

2460

SB0206S02 compared with SB0206S03

- (iii) Before an agency may receive first home investment zone funds from the municipality, the municipality and the agency shall enter into an interlocal agreement with terms that:
- 2463 (A) are consistent with the approval of the housing and transit reinvestment zone committee; and
2465 (B) meet the requirements of Section 63N-3-1502.
2466 (3)
- (a) A municipality and the agency shall use first home investment zone funds for the benefit of the first home investment zone and related extraterritorial housing.
- 2468 (b) If any first home investment zone funds will be used outside of the first home investment zone there [~~must~~] shall be a finding in the approved proposal for a first home investment zone that the use of the first home investment zone funds outside of the first home investment zone will directly benefit the first home investment zone or related extraterritorial homes.
- 2473 (4) In accordance with Subsection 63N-3-1502(4)(e), a municipality shall use the first home investment zone funds to achieve the purposes described in Subsections 63N-3-1502(1) and (2), by paying all or part of the costs associated with the first home investment zone and extraterritorial homes, including:
- 2477 (a) project improvements;
2478 (b) system improvements; and
2479 (c) the costs of the municipality to create and administer the first home investment zone, which may not exceed 2% of the total first home investment zone funds, plus the costs to complete the gap analysis described in Subsection 63N-3-1603(2).
- 2482 (5) First home investment zone funds may be paid to a participant, if the agency and participant enter into a participation agreement which requires the participant to utilize the first home investment zone funds as allowed in this section.
- 2485 (6) First home investment zone funds may be used to pay all of the costs of bonds issued by the municipality in accordance with Title 17C, Chapter 1, Part 5, Agency Bonds, including the cost to issue and repay the bonds including interest.
- 2488 (7) A municipality may create one or more public infrastructure districts within the city under Title 17D, Chapter 4, Public Infrastructure District Act, and pledge and utilize the first home investment zone funds to guarantee the payment of public infrastructure bonds issued by a public infrastructure district.
- 2492

SB0206S02 compared with SB0206S03

(8) A municipality, agency, or public infrastructure district that intends to receive or receives tax increment, as defined in Section 59-35-101, shall comply with the requirements described in Title 59, Chapter 35, Tax Increment Financing Reporting.

2499 Section 41. Section **63N-3-1608** is amended to read:

2500 **63N-3-1608. Tax increment protections.**

- 2497 (1) Upon petition by a participating taxing entity or on the initiative of the housing and transit reinvestment zone committee creating a first home investment zone, a first home investment zone may suspend or terminate the collection of tax increment in a first home investment zone if the housing and transit reinvestment zone committee determines, by clear and convincing evidence, presented in a public meeting of the housing and transit reinvestment zone committee, that:
- 2503 (a) a substantial portion of the tax increment collected in the first home investment zone has not or will not be used for the purposes provided in Section 63N-3-1606; and
- 2505 (b)
- 2506 (i) the first home investment zone has no indebtedness; or
- 2507 (ii) the first home investment zone has no binding financial obligations.
- (2) A first home investment zone may not collect tax increment in excess of the tax increment projections or limitations set forth in the first home investment zone proposal and disclosed in accordance with Title 59, Chapter 35, Part 2, Pre-increment Disclosure and Reporting.
- 2511 (3) The agency administering the tax increment collected in a first home investment zone under Subsection 63N-3-1606(2), shall have standing in a court with proper jurisdiction to enforce provisions of the first home investment zone proposal, participation agreements, and other agreements for the use of the tax increment collected.
- 2515 (4) The agency administering tax increment from a first home investment zone under Subsection 63N-3-1606(2) shall follow the [~~reporting~~]requirements described in [~~Section 17C-1-603~~] Title 59, Chapter 35, Tax Increment Financing Reporting, and the audit requirements described in Sections 17C-1-604 and 17C-1-605.
- 2519 (5) For each first home investment zone collecting tax increment within a county, the county auditor shall follow the reporting requirement found in Section 17C-1-606.

2525 Section 42. Section **63N-3-1701** is amended to read:

2526 **63N-3-1701. Definitions.**

As used in this part:

SB0206S02 compared with SB0206S03

- 2524 (1) "Base taxable value" means the taxable value of land within a qualified development zone as shown upon the assessment roll last equalized during the property tax base year.
- 2526 (2) "Committee" means a major sporting event venue zone committee described in Section 63N-3-1706.
- 2528 (3) "Creating entity" means a municipality or a county.
- 2529 (4) "Impacted primary area" means the land outside a major sporting event venue zone but within one mile of the boundary of the major sporting event venue zone.
- 2531 (5)
- (a) "Major sporting event venue" means a venue that has been or is proposed to be used for the Olympic Games, as confirmed by the Salt Lake City-Utah Committee for the Games, a site, arena, or facility along with supporting or adjacent structures [~~so long as~~] if the expected expenditures to construct, demolish, reconstruct, modify, upgrade, or expand the site, arena, or facility exceeds \$100,000,000.
- 2536 (b) "Major sporting event venue" includes structures where an international competition or professional athletic event is not taking place directly but where media, athletes, spectators, organizers, and officials associated with the international competition or professional athletic event are hosted in direct connection with the international competition or professional athletic event taking place at a location described in Subsection (5)(a).
- 2542 (6) "Major sporting event venue zone" means the land, as described in a proposal to create a major sporting event venue zone or a proposal to amend a major sporting event venue zone, or as approved by a committee for a major sporting event venue zone, upon which there are one or more major sporting event venues.
- 2546 (7) "Major sporting event venue zone revenue" means all the revenue captured by a creating entity for an area described in a major sporting event venue zone and if applicable the secondary project area, including:
- 2549 (a) property tax increment;
- 2550 (b) if applicable, local sales and use tax increment;
- 2551 (c) if applicable, accommodations tax;
- 2552 (d) if applicable, transient room tax; and
- 2553 (e) if applicable, resort communities sales and use tax and additional resort communities sales and use tax.
- 2555 (8) "Property tax base year" means, for each property tax increment collection period triggered within a qualified development zone or a proposed qualified development zone, the calendar year before the

SB0206S02 compared with SB0206S03

calendar year in which the property tax increment begins to be collected for the parcels triggered for that collection period.

2559 (9)

(a) "Property tax increment" means the difference between:

2560

(i) the amount of property tax revenue generated each tax year by a taxing entity within a qualified development zone, or proposed qualified development zone, from which property tax increment is to be collected, using the current assessed value and each taxing entity's current certified tax rate as defined in Section 59-2-924; and

2565

(ii) the amount of property tax revenue that would be generated from the area described in Subsection (9)(a)(i) using the base taxable value and each taxing entity's current certified tax rate as defined in Section 59-2-924.

2568

(b) "Property tax increment" does not include property tax revenue from~~[:]~~ a multicounty assessing and collecting levy or a county additional property tax described in Section 59-2-1602.

2571

~~[(i) a multicounty assessing and collecting levy described in Subsection 59-2-1602(2); or]~~

2573

~~[(ii) a county additional property tax described in Subsection 59-2-1602(4).]~~

2574

(10) "Proposal" means a document, physical or electronic, developed by a creating entity:

2575

(a) outlining the need for a major sporting event venue zone;

2576

(b) describing the impacted primary area of a proposed major sporting event venue zone;

2577

(c) describing the proposed secondary project area of a proposed major sporting event venue zone, if any; and

2579

(d) submitted to a major sporting event venue zone committee.

2580

(11) "Qualified development zone" means the property within a major sporting event venue zone, and, if applicable, the secondary project area, as approved by the committee as described in this part.

2583

(12) "Sales and use tax base year" means a sales and use tax year determined by the first year pertaining to the tax imposed in Section 59-12-103 after the sales and use tax boundary for a major sporting event venue zone is established.

2586

(13)

(a) "Sales and use tax boundary" means a boundary established as described in Sections 63N-3-1707 and 63N-3-1710, based on sales and use tax collection that corresponds as closely as reasonably practicable to the boundary of the major sporting event venue zone.

2590

(b) "Sales and use tax boundary" does not include land described in a secondary project area.

SB0206S02 compared with SB0206S03

- 2592 (14) "Sales and use tax increment" means the difference between:
- 2593 (a) the amount of local sales and use tax revenue generated each year following the sales and use tax
base year by the local sales and use tax from the area within a sales and use tax boundary from
which local sales and use tax increment is to be collected; and
- 2596 (b) the amount of local sales and use tax revenue that was generated from within the sales and use tax
boundary during the sales and use tax base year.
- 2598 (15)
- (a) "Secondary project area" means land, as described in a proposal to create a major sporting event
venue zone or a proposal to amend a major sporting event venue zone, or as approved by a
committee for a major sporting event venue zone:
- 2601 (i) located in the same jurisdiction as the creating entity for the major sporting event venue zone;
- 2603 (ii) located no more than two miles from the boundary of the major sporting event venue zone;
- 2605 (iii) connected to a major sporting event venue zone by a transportation system; and
- 2606 (iv) not exceeding 50 acres.
- 2607 (b) "Secondary project area" may include:
- 2608 (i) land that is not contiguous to the major sporting event venue zone, if the land designated in the
secondary project area is the only or primary point of transit by which an individual may begin to
access the major sporting event venue zone; and
- 2611 (ii) the land on which a connecting transportation system sits if the transportation system requires
infrastructure that is permanently affixed to the land.
- 2613 (16) "Transportation system" means:
- 2614 (a) a street, alley, road, highway, pathway, or thoroughfares of any kind, including connected structures;
- 2616 (b) an airport or aerial transit infrastructure;
- 2617 (c) a public transit facility; or
- 2618 (d) any other modes or form of conveyance used by the public.
- 2623 Section 43. Section **63N-3-1708** is amended to read:
- 2624 **63N-3-1708. Major sporting event venue zone boundaries -- Reporting requirements.**
- 2622 (1) After a major sporting event venue zone is approved by the committee, as described in Section
63N-3-1706, the committee shall provide notice to the State Tax Commission, no later than 90 days
after the day on which the committee approves the proposal:

2625

SB0206S02 compared with SB0206S03

- (a) of the creation of the major sporting event venue zone, including the information described in Subsection (2);
- 2627 (b) if the committee approves the creating entity to receive local sales and use tax increment, the information described in Subsection (3); and
- 2629 (c) any information to the State Tax Commission required by the State Tax Commission.
- 2630 (2) The notice described in Subsection (1)(a) shall include:
- 2631 (a) a statement that the major sporting event venue zone will be established under this part;
- 2633 (b) the approval date and effective date of the major sporting event venue zone;
- 2634 (c) the boundary of the qualified development zone;
- 2635 (d) the sales and use tax base year, if applicable; and
- 2636 (e) the sales and use tax boundary, if applicable.
- 2637 (3) After the effective date of a major sporting event venue zone, as described in Section 63N-3-1707, the creating entity shall provide a written report, no later than August 1, on the creating entity's activities to implement the objectives of the major sporting event venue zone to the executive director.
- 2641 (4) If the creating entity **intends to receive or** receives ~~{property-}~~ tax increment ~~{or sales and use tax increment}~~, **as defined in Section 59-35-101**, the creating entity shall comply with the requirements described in Title 59, Chapter 35, Tax Increment Financing Reporting.
- 2644 [~~(4)~~] (5)
- (a) The executive director shall annually provide a written report, no later than October 1, summarizing all reports received by the executive director under Subsection (3), to the:
- 2647 (i) Revenue and Taxation Interim Committee;
- 2648 (ii) Political Subdivisions Interim Committee; and
- 2649 (iii) Economic Development and Workforce Services Interim Committee.
- 2650 (b) The executive director shall include with the written report described in Subsection (4)(a) any recommendations to the Legislature for statutory changes to this chapter or Title 11, Chapter 71, Major Sporting Event Venue Zones.

2657 **Section 44. Repealer.**

This Bill Repeals:

2658 This bill repeals:

2659 Section **59-2-1603, Allocation of money in the Property Tax Valuation Fund -- Use of**

SB0206S02 compared with SB0206S03

2660 **funds.**

2661 Section 45. **Effective date.**

Effective Date.

2658 (1) Except as provided in Subsection (2), this bill takes effect May 6, 2026.

2659 (2) The actions affecting Section 59-2-919.1 (Effective 07/01/26) take effect on July 1, 2026.

2665 Section 46. **Retrospective Operation.**

Retrospective operation.

The actions affecting the following sections have retrospective operation to January 1, 2026:

2664 (1) Section 59-2-306.5;

2665 (2) Section 59-2-307;

2666 (3) Section 59-2-308;

2667 (4) Section 59-2-704;

2668 (5) Section 59-2-919.1 (Superseded 07/01/26);

2669 (6) Section 59-2-924.2;

2670 (7) Section 59-2-1601;

2671 (8) Section 59-2-1602;

2672 (9) Section 59-2-1603;

2673 (10) Section 59-2-1605;

2674 (11) Section 59-2-1606;

2675 (12) Section 59-2-2001;and

2676 (13) Section 59-2-2002{;-and};

2677 {(14) {Section 63I-2-259.}}

2-22-26 5:35 PM