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Property Tax Relief Amendments

2026 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Daniel McCay

Sponsor:

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LONG TITLE

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General Description:

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This bill modifies property tax relief provisions.

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Highlighted Provisions:

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This bill:

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- defines terms;

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- expands household income eligibility and increases credit amounts for property tax relief

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in the form of a renter's credit, beginning in 2027;

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- prohibits taxpayers from receiving property tax relief in the form of a homeowner's credit

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unless the taxpayer received the credit within the previous two years, beginning in 2027;

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- removes requirements for annual inflation adjustments for a homeowner's credit;

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- changes the qualifications, scope, duration, and rates of interest applicable to the

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discretionary and nondiscretionary property tax deferral programs, beginning in 2027;

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- prohibits taxpayers from receiving indigent property tax abatement unless the taxpayer

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received an abatement within the previous two years, beginning in 2027;

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- requires county auditors to include information on the property tax valuation notice

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regarding the availability of property tax deferral programs;

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- requires county treasurers to include information on the tax notice regarding the amount

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of outstanding taxes and interest for taxpayers who receive a property tax deferral;

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- prohibits taxpayers from receiving more than one form of property tax relief, with certain

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exceptions, beginning in 2027; and

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- makes technical and conforming changes.

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Money Appropriated in this Bill:

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None

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Other Special Clauses:

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This bill provides a special effective date.

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Utah Code Sections Affected:

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AMENDS:

31 **59-2-919.1 (Effective 01/01/27)**, as last amended by Laws of Utah 2025, Chapter 518
 32 **59-2-1317 (Effective 01/01/27)**, as last amended by Laws of Utah 2025, First Special
 33 Session, Chapter 17
 34 **59-2-1331 (Effective 01/01/27)**, as last amended by Laws of Utah 2025, Chapter 172
 35 **59-2-1343 (Effective 01/01/27)**, as last amended by Laws of Utah 2025, Chapter 172
 36 **59-2a-101 (Effective 01/01/27)**, as renumbered and amended by Laws of Utah 2025,
 37 Chapter 172
 38 **59-2a-102 (Effective 01/01/27)**, as renumbered and amended by Laws of Utah 2025,
 39 Chapter 172
 40 **59-2a-108 (Effective 01/01/27)**, as renumbered and amended by Laws of Utah 2025,
 41 Chapter 172
 42 **59-2a-205 (Effective 01/01/27)**, as renumbered and amended by Laws of Utah 2025,
 43 Chapter 172
 44 **59-2a-303 (Effective 01/01/27)**, as renumbered and amended by Laws of Utah 2025,
 45 Chapter 172
 46 **59-2a-305 (Effective 01/01/27)**, as renumbered and amended by Laws of Utah 2025,
 47 Chapter 172
 48 **59-2a-401 (Effective 01/01/27)**, as renumbered and amended by Laws of Utah 2025,
 49 Chapter 172
 50 **59-2a-402 (Effective 01/01/27)**, as renumbered and amended by Laws of Utah 2025,
 51 Chapter 172
 52 **59-2a-702 (Effective 01/01/27)**, as enacted by Laws of Utah 2025, Chapter 172
 53 **59-2a-902 (Effective 01/01/27)**, as enacted by Laws of Utah 2025, Chapter 172
 54 **63J-1-602.2 (Effective 01/01/27) (Partially Repealed 07/01/29)**, as last amended by Laws
 55 of Utah 2025, First Special Session, Chapter 17

56 **REPEALS AND REENACTS:**

57 **59-2a-701 (Effective 01/01/27)**, as renumbered and amended by Laws of Utah 2025,
 58 Chapter 172
 59 **59-2a-901 (Effective 01/01/27)**, as renumbered and amended by Laws of Utah 2025,
 60 Chapter 172

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

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

64 **59-2-919.1 (Effective 01/01/27). Notice of property valuation and tax changes.**

- 65 (1) In addition to the notice requirements of Section 59-2-919, the county auditor, on or
66 before July 22 of each year, shall notify each owner of real estate who is listed on the
67 assessment roll.
- 68 (2) The notice described in Subsection (1) shall:
- 69 (a) except as provided in Subsection (5), be sent to all owners of real property by mail
70 10 or more days before the day on which:
- 71 (i) the county board of equalization meets; and
72 (ii) the taxing entity holds a public hearing on the proposed increase in the certified
73 tax rate;
- 74 (b) be on a form that is:
- 75 (i) approved by the commission; and
76 (ii) uniform in content in all counties in the state; and
- 77 (c) contain for each property:
- 78 (i) the assessor's determination of the value of the property;
79 (ii) the taxable value of the property;
80 (iii) for property assessed by the county assessor:
- 81 (A) instructions on how the taxpayer may file an application with the county
82 board of equalization to appeal the valuation or equalization of the property
83 under Section 59-2-1004, including instructions for filing an application
84 through electronic means; and
- 85 (B) the deadline for the taxpayer to make an application to appeal the valuation or
86 equalization of the property under Section 59-2-1004;
- 87 (iv) for property assessed by the commission:
- 88 (A) instructions on how the taxpayer may file an application with the commission
89 for a hearing on an objection to the valuation or equalization of the property
90 under Section 59-2-1007;
- 91 (B) the deadline for the taxpayer to apply to the commission for a hearing on an
92 objection to the valuation or equalization of the property under Section
93 59-2-1007; and
- 94 (C) a statement that the taxpayer may not appeal the valuation or equalization of
95 the property to the county board of equalization;
- 96 (v) itemized tax information for all applicable taxing entities, including:
- 97 (A) the dollar amount of the taxpayer's tax liability for the property in the prior
98 year; and

- 99 (B) the dollar amount of the taxpayer's tax liability under the current rate;
- 100 (vi) the following, stated separately:
- 101 (A) the charter school levy described in Section 53F-2-703;
- 102 (B) the multicounty assessing and collecting levy described in Subsection
- 103 59-2-1602(2);
- 104 (C) the county assessing and collecting levy described in Subsection 59-2-1602(4);
- 105 (D) levies for debt service voted on by the public;
- 106 (E) levies imposed for special purposes under Section 10-6-133.4;
- 107 (F) the minimum basic tax rate as defined in Section 53F-2-301; and
- 108 (G) if applicable, the annual payment described in Subsection 63H-1-501(4)(a);
- 109 (vii) the tax impact on the property;
- 110 (viii) the date, time, and place of the required public hearing for each entity;
- 111 (ix) property tax information pertaining to:
- 112 (A) taxpayer relief; and
- 113 (B) the residential exemption described in Section 59-2-103;
- 114 (x) information specifically authorized to be included on the notice under this chapter;
- 115 (xi) the last property review date of the property as described in Subsection
- 116 59-2-303.1(1)(c);
- 117 (xii) instructions on how the taxpayer may obtain additional information regarding
- 118 the valuation of the property, including the characteristics and features of the
- 119 property, from:
- 120 (A) a website maintained by the county; or
- 121 (B) the statewide web portal developed and maintained by the Multicounty
- 122 Appraisal Trust under Subsection 59-2-1606(5)(a) for uniform access to
- 123 property characteristics and features; [~~and~~]
- 124 (xiii) information describing the availability of property tax deferral options for
- 125 qualifying residential property owners under Sections 59-2a-701 and 59-2a-901,
- 126 including a telephone number, or a website address on which a telephone is
- 127 prominently listed, that residential property owners may call to obtain additional
- 128 information about applying for a deferral; and
- 129 [~~(xiii)~~] (xiv) other information approved by the commission.
- 130 (3) If a taxing entity that is subject to the notice and hearing requirements of Subsection
- 131 59-2-919(4) proposes a tax increase, the notice described in Subsection (1) shall state, in
- 132 addition to the information required by Subsection (2):

- 133 (a) the dollar amount of the taxpayer's tax liability if the proposed increase is approved;
- 134 (b) the difference between the dollar amount of the taxpayer's tax liability if the
135 proposed increase is approved and the dollar amount of the taxpayer's tax liability
136 under the current rate, placed in close proximity to the information described in
137 Subsection (2)(c)(viii);
- 138 (c) the percentage increase that the dollar amount of the taxpayer's tax liability under the
139 proposed tax rate represents as compared to the dollar amount of the taxpayer's tax
140 liability under the current tax rate; and
- 141 (d) for each taxing entity proposing a tax increase, the dollar amount of additional ad
142 valorem tax revenue, as defined in Section 59-2-919, that would be generated each
143 year if the proposed tax increase is approved.
- 144 (4) In addition to any other tax relief information required under Subsection (2)(c)(ix)(A), a
145 notice sent to a residential property shall:
- 146 (a) state, "If you are 65 years old or older, disabled, or experiencing extreme hardship,
147 and this property is your primary residence, you may be eligible to defer payment of
148 this property tax."; and
- 149 (b) include a telephone number, or a website address on which a telephone number is
150 prominently listed, that the property owner may call to obtain additional information
151 about applying for a deferral.
- 152 (5)(a) Subject to the other provisions of this Subsection (5), a county auditor may
153 provide, at the county auditor's discretion, the notice required by this section to a
154 taxpayer by electronic means if a taxpayer makes an election, according to
155 procedures determined by the county auditor, to receive the notice by electronic
156 means.
- 157 (b)(i) If a county auditor sends a notice required by this section by electronic means,
158 the county auditor shall attempt to verify whether a taxpayer receives the notice.
- 159 (ii) If the county auditor cannot verify receipt of the notice sent by electronic means
160 14 days or more before the county board of equalization meets and the taxing
161 entity holds a public hearing on a proposed increase in the certified tax rate, the
162 county auditor shall send the notice required by this section by mail as provided in
163 Subsection (2).
- 164 (c) A taxpayer may revoke an election to receive the notice required by this section by
165 electronic means if the taxpayer provides written notice to the county auditor on or
166 before April 30.

- 167 (d) An election or a revocation of an election under this Subsection (5):
 168 (i) does not relieve a taxpayer of the duty to pay a tax due under this chapter on or
 169 before the due date for paying the tax; or
 170 (ii) does not alter the requirement that a taxpayer appealing the valuation or the
 171 equalization of the taxpayer's real property submit the application for appeal
 172 within the time period provided in Subsection 59-2-1004(3).
- 173 (e) A county auditor shall provide the notice required by this section as provided in
 174 Subsection (2), until a taxpayer makes a new election in accordance with this
 175 Subsection (5), if:
 176 (i) the taxpayer revokes an election in accordance with Subsection (5)(c) to receive
 177 the notice required by this section by electronic means; or
 178 (ii) the county auditor finds that the taxpayer's electronic contact information is
 179 invalid.
- 180 (f) A person is considered to be a taxpayer for purposes of this Subsection (5) regardless
 181 of whether the property that is the subject of the notice required by this section is
 182 exempt from taxation.

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

184 **59-2-1317 (Effective 01/01/27). Tax notice -- Contents of notice -- Procedures**
 185 **and requirements for providing notice.**

- 186 (1) As used in this section, "political subdivision lien" means the same as that term is
 187 defined in Section 11-60-102.
- 188 (2) Subject to the other provisions of this section, the county treasurer shall:
 189 (a) collect the taxes and tax notice charges; and
 190 (b) provide a notice to each taxpayer that contains the following:
 191 (i) the kind and value of property assessed to the taxpayer;
 192 (ii) the street address of the property, if available to the county;
 193 (iii) that the property may be subject to a detailed review in the next year under
 194 Section 59-2-303.1;
 195 (iv) the amount of taxes levied;
 196 (v) a separate statement of the taxes levied only on a certain kind or class of property
 197 for a special purpose;
 198 (vi) instructions for payment of the taxes and tax notice charges applicable to the
 199 property, including the taxpayer's payment options and collection procedures;
 200 (vii) any tax notice charges applicable to the property, including:

- 201 (A) if applicable, a political subdivision lien for road damage that a railroad
 202 company causes, as described in Section 10-7-30;
- 203 (B) if applicable, a political subdivision lien for municipal water distribution, as
 204 described in Section 10-8-17, or a political subdivision lien for an increase in
 205 supply from a municipal water distribution, as described in Section 10-8-19;
- 206 (C) if applicable, a political subdivision lien for unpaid abatement fees as
 207 described in Section 10-11-4;
- 208 (D) if applicable, a political subdivision lien for the unpaid portion of an
 209 assessment assessed in accordance with Title 11, Chapter 42, Assessment Area
 210 Act, or Title 11, Chapter 42a, Commercial Property Assessed Clean Energy
 211 Act, including unpaid costs, charges, and interest as of the date the local entity
 212 certifies the unpaid amount to the county treasurer;
- 213 (E) if applicable, for a special district in accordance with Section 17B-1-902, a
 214 political subdivision lien for an unpaid fee, administrative cost, or interest;
- 215 (F) if applicable, a political subdivision lien for an unpaid irrigation district use
 216 charge as described in Section 17B-2a-506;
- 217 (G) if applicable, a political subdivision lien for a contract assessment under a
 218 water contract, as described in Section 17B-2a-1007;
- 219 (H) if applicable, a property tax penalty that a public infrastructure district
 220 imposes, as described in Section 17D-4-304; ~~and~~
- 221 (I) if applicable, an annual payment to the Military Installation Development
 222 Authority or an entity designated by the authority in accordance with Section
 223 63H-1-501; and
- 224 (J) if applicable, the total amount of deferred taxes, deferred tax notice charges,
 225 and accrued interest that is outstanding for an owner of residential property
 226 granted a property tax deferral under Section 59-2a-701 or 59-2a-901;
- 227 (viii) if a county's tax notice includes an assessment area charge, a statement that, due
 228 to potentially ongoing assessment area charges, costs, penalties, and interest,
 229 payment of a tax notice charge may not:
- 230 (A) pay off the full amount the property owner owes to the tax notice entity; or
 231 (B) cause a release of the lien underlying the tax notice charge;
- 232 (ix) if applicable, the annual payment described in Subsection 63H-1-501(4)(a);
- 233 (x) the date the taxes and tax notice charges are due;
- 234 (xi) the street address or website at which the taxes and tax notice charges may be

- 235 paid;
- 236 (xii) the date on which the taxes and tax notice charges are delinquent;
- 237 (xiii) the penalty imposed on delinquent taxes and tax notice charges;
- 238 (xiv) a statement that explains the taxpayer's right to direct allocation of a partial
- 239 payment in accordance with Subsection (9);
- 240 (xv) other information specifically authorized to be included on the notice under this
- 241 chapter;
- 242 (xvi) other property tax information approved by the commission; and
- 243 (xvii) if sent in calendar year 2024, 2025, or 2026:
- 244 (A) notice that the taxpayer may request electronic notice as described in
- 245 Subsection 17-71-302(1)(m); and
- 246 (B) instructions describing how to elect to receive a notice as described in
- 247 Subsection 17-71-302(1)(m).
- 248 (3)(a) Unless expressly allowed under this section or another statutory provision, the
- 249 treasurer may not add an amount to be collected to the property tax notice.
- 250 (b) If the county treasurer adds an amount to be collected to the property tax notice
- 251 under this section or another statutory provision that expressly authorizes the item's
- 252 inclusion on the property tax notice:
- 253 (i) the amount constitutes a tax notice charge; and
- 254 (ii)(A) the tax notice charge has the same priority as property tax; and
- 255 (B) a delinquency of the tax notice charge triggers a tax sale, in accordance with
- 256 Section 59-2-1343.
- 257 (4) For any property for which property taxes or tax notice charges are delinquent, the
- 258 notice described in Subsection (2) shall state, "Prior taxes or tax notice charges are
- 259 delinquent on this parcel."
- 260 (5) Except as provided in Subsection (6), the county treasurer shall:
- 261 (a) mail the notice required by this section, postage prepaid; or
- 262 (b) leave the notice required by this section at the taxpayer's residence or usual place of
- 263 business, if known.
- 264 (6)(a) Subject to the other provisions of this Subsection (6), a county treasurer may, at
- 265 the county treasurer's discretion, provide the notice required by this section by
- 266 electronic mail if a taxpayer makes an election, according to procedures determined
- 267 by the county treasurer, to receive the notice by electronic mail.
- 268 (b) A taxpayer may revoke an election to receive the notice required by this section by

- 269 electronic mail if the taxpayer provides written notice to the treasurer on or before
270 October 1.
- 271 (c) A revocation of an election under this section does not relieve a taxpayer of the duty
272 to pay a tax or tax notice charge due under this chapter on or before the due date for
273 paying the tax or tax notice charge.
- 274 (d) A county treasurer shall provide the notice required by this section using a method
275 described in Subsection (5), until a taxpayer makes a new election in accordance with
276 this Subsection (6), if:
- 277 (i) the taxpayer revokes an election in accordance with Subsection (6)(b) to receive
278 the notice required by this section by electronic mail; or
- 279 (ii) the county treasurer finds that the taxpayer's electronic mail address is invalid.
- 280 (e) A person is considered to be a taxpayer for purposes of this Subsection (6) regardless
281 of whether the property that is the subject of the notice required by this section is
282 exempt from taxation.
- 283 (7)(a) The county treasurer shall provide the notice required by this section to a taxpayer
284 on or before November 1.
- 285 (b) The county treasurer shall keep on file in the county treasurer's office the information
286 set forth in the notice.
- 287 (c) The county treasurer is not required to mail a tax receipt acknowledging payment.
- 288 (8) This section does not apply to property taxed under Section 59-2-1302 or 59-2-1307.
- 289 (9)(a) A taxpayer who pays less than the full amount due on the taxpayer's property tax
290 notice may, on a form provided by the county treasurer, direct how the county
291 treasurer allocates the partial payment between:
- 292 (i) the total amount due for property tax;
- 293 (ii) the amount due for assessments, past due special district fees, and other tax notice
294 charges; and
- 295 (iii) any other amounts due on the property tax notice.
- 296 (b) The county treasurer shall comply with a direction submitted to the county treasurer
297 in accordance with Subsection (9)(a).
- 298 (c) The provisions of this Subsection (9) do not:
- 299 (i) affect the right or ability of a local entity to pursue any available remedy for
300 non-payment of any item listed on a taxpayer's property tax notice; or
- 301 (ii) toll or otherwise change any time period related to a remedy described in
302 Subsection (9)(c)(i).

303 Section 3. Section **59-2-1331** is amended to read:

304 **59-2-1331 (Effective 01/01/27). Property tax due date -- Date tax is delinquent --**

305 **Penalty -- Interest -- Payments -- Refund of prepayment.**

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

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

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

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

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

318 (d) A county treasurer or other public official, public entity, or public employee may not
319 require the payment of a property tax before the due date described in this Subsection
320 (1).

321 (2)(a) Except as provided in Subsections (2)(e), (f), and [~~(g)~~(i)] (g), for each parcel, all
322 delinquent taxes and tax notice charges on each separately assessed parcel are subject
323 to a penalty of 2.5% of the amount of the delinquent taxes and tax notice charges or
324 \$10, whichever is greater.

325 (b) Unless the delinquent taxes and tax notice charges, together with the penalty, are
326 paid on or before January 31, the amount of taxes and tax notice charges and penalty
327 shall bear interest on a per annum basis from the January 1 immediately following
328 the delinquency date.

329 (c) Except as provided in Subsection (2)(d), for purposes of Subsection (2)(b), the
330 interest rate is equal to the sum of:

331 (i) 6%; and

332 (ii) the federal funds rate target:

333 (A) established by the Federal Open Market Committee; and

334 (B) that exists on the January 1 immediately following the date of delinquency.

335 (d) The interest rate described in Subsection (2)(c) may not be:

336 (i) less than 7%; or

- 337 (ii) more than 10%.
- 338 (e) The penalty described in Subsection (2)(a) is 1% of the amount of the delinquent
339 taxes and tax notice charges or \$10, whichever is greater, if all delinquent taxes, all
340 tax notice charges, and the penalty are paid on or before the January 31 immediately
341 following the delinquency date.
- 342 (f) This section does not apply to the costs, charges, and interest rate accruing on any tax
343 notice charge related to an assessment assessed in accordance with:
- 344 (i) Title 11, Chapter 42, Assessment Area Act; or
345 (ii) Title 11, Chapter 42a, Commercial Property Assessed Clean Energy Act.
- 346 (g)(i) The county shall waive any penalty or interest for a property granted a deferral
347 in accordance with Section 59-2a-801 from the day of the delinquency through the
348 end of the deferral period.
- 349 (ii) For a property granted a deferral in accordance with Section 59-2a-701 or
350 59-2a-901 for a calendar year beginning on or after January 1, 2027, from the day
351 of the delinquency through the end of the deferral period:
- 352 (A) the county shall waive the penalty described in Subsection (2)(a); and
353 (B) interest accrues on deferred taxes and tax notice charges in accordance with
354 Subsection 59-2a-701(8) or 59-2a-901(8), as applicable.
- 355 [(ii)] (iii) Penalties and interest accrue in accordance with this Subsection (2) on any
356 tax or tax notice charge that is delinquent after the deferral period ends.
- 357 (3)(a) If the delinquency exceeds one year, the amount of taxes, tax notice charges, and
358 penalties for that year and all succeeding years shall bear interest until settled in full
359 through redemption or tax sale.
- 360 (b) The interest rate to be applied shall be calculated for each year as established under
361 Subsection (2) and shall apply on each individual year's delinquency until paid.
- 362 (4) The county treasurer may accept and credit on account against taxes and tax notice
363 charges becoming due during the current year, at any time before or after the tax rates
364 are adopted, but not subsequent to the date of delinquency, either:
- 365 (a) payments in amounts of not less than \$10; or
366 (b) the full amount of the unpaid tax and tax notice charges.
- 367 (5)(a) At any time before the county treasurer provides the tax notice described in
368 Section 59-2-1317, the county treasurer may refund amounts accepted and credited
369 on account against taxes and tax notice charges becoming due during the current year.
- 370 (b) Upon recommendation by the county treasurer, the county legislative body shall

371 adopt rules or ordinances to implement the provisions of this Subsection (5).

372 Section 4. Section **59-2-1343** is amended to read:

373 **59-2-1343 (Effective 01/01/27). Tax sale listing.**

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

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

381 (i) property tax; or

382 (ii) a tax notice charge.

383 (c) A property tax or a tax notice charge that is deferred in accordance with Section
384 59-2a-801 is delinquent only if full payment of the property tax and any tax notice
385 charges is not made before the end of the five-year deferral period.

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

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

390 (ii) interest accrued on the taxes and tax notice charges described in Subsection

391 (1)(d)(i).

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

393 Section 5. Section **59-2a-101** is amended to read:

394 **59-2a-101 (Effective 01/01/27). Definitions.**

395 As used in this chapter:

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

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

400 (a) performed qualifying active duty military service; and

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

402 (3) "Adjusted property tax amount" means the amount of property taxes, from the current
403 year property tax amount, that an eligible owner is required to pay for a calendar year in
404 which the eligible owner receives a deferral under Part 7, Discretionary Deferral for

405 Eligible Owners, or Part 9, Nondiscretionary Deferral for Eligible Owners.

406 [(3)] (4) "Adjusted taxable value limit" means:

- 407 (a) for the calendar year that begins on January 1, 2023, \$479,504; or
- 408 (b) for each calendar year after the calendar year that begins on January 1, 2023, the
- 409 amount of the adjusted taxable value limit for the previous year plus an amount
- 410 calculated by multiplying the amount of the adjusted taxable value limit for the
- 411 previous year by the actual percent change in the [~~consumer price index~~] Consumer
- 412 Price Index during the previous calendar year.

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

- 414 (a) for a calendar year in which an eligible owner did not receive a deferral under Part 7,
- 415 Discretionary Deferral for Eligible Owners, or Part 9, Nondiscretionary Deferral for
- 416 Eligible Owners, for the preceding calendar year, the amount of property taxes levied
- 417 on the eligible owner's primary residence for the preceding calendar year; and
- 418 (b) for a calendar year in which an eligible owner received a deferral under Part 7,
- 419 Discretionary Deferral for Eligible Owners, or Part 9, Nondiscretionary Deferral for
- 420 Eligible Owners, for the preceding calendar year, the amount of property taxes levied
- 421 on the eligible owner's primary residence for the calendar year immediately
- 422 preceding the calendar year for which the eligible owner first received the deferral.

423 [(4)] (6) "Claim" means:

- 424 (a) a claim for tax abatement described in Subsection [(21)(a)] (24)(a) or a credit under
- 425 Part 2, Renter's Credit, or Part 3, Homeowner's Credit;
- 426 (b) an exemption under Part 5, Veteran Armed Forces Exemption, or Part 6, Active Duty
- 427 Armed Forces Exemption; or
- 428 (c) an application for an abatement under Part 4, Abatement for Indigent Individuals, or
- 429 a deferral under Part 7, Discretionary Deferral for Eligible Owners, Part 8,
- 430 Nondiscretionary Deferral for Property with Qualifying Increase, or Part 9,
- 431 Nondiscretionary Deferral for [~~Elderly Property~~] Eligible Owners.

432 [(5)] (7)(a) "Claimant" means a homeowner or renter who:

- 433 (i) files a claim under Part 2, Renter's Credit, or Part 3, Homeowner's Credit, for a
- 434 residence;
- 435 (ii) is domiciled in this state for the entire calendar year for which a claim for relief is
- 436 filed; and
- 437 (iii) on or before December 31 of the year for which a claim for relief is filed, is:
- 438 (A) 66 years old or older if the individual was born on or before December 31,

- 439 1959; or
- 440 (B) 67 years old or older if the individual was born on or after January 1, 1960.
- 441 (b) Notwithstanding Subsection [~~(5)(a)~~] (7)(a), "claimant" includes a surviving spouse:
- 442 (i) regardless of:
- 443 (A) the age of the surviving spouse; or
- 444 (B) the age of the deceased spouse at the time of death;
- 445 (ii) if the surviving spouse meets:
- 446 (A) the requirements described in Subsections [~~(5)(a)(i)~~] (7)(a)(i) and [~~(5)(a)(ii)~~]
- 447 (7)(a)(ii); and
- 448 (B) the income requirements described in Part 2, Renter's Credit, if the surviving
- 449 spouse is filing a claim for a renter's credit, or Part 3, Homeowner's Credit, if
- 450 the surviving spouse is filing a claim for a homeowner's credit;
- 451 (iii) if the surviving spouse is part of the same household of the deceased spouse at
- 452 the time of death of the deceased spouse; and
- 453 (iv) if the surviving spouse is unmarried at the time the surviving spouse files the
- 454 claim.
- 455 (c) If two or more individuals of a household are able to meet the qualifications for a
- 456 claimant, the individuals may determine among them as to who the claimant shall be,
- 457 but if the individuals are unable to agree, the matter shall be referred to the county
- 458 legislative body for a determination of the claimant of an owned residence and to the
- 459 commission for a determination of the claimant of a rented residence.
- 460 [~~(6)~~] (8) "Consumer [~~price index~~] Price Index" means:
- 461 (a) for Part 2, Renter's Credit, and Part 3, Homeowner's Credit, the Consumer Price
- 462 Index - All Urban Consumers, Housing United States Cities Average, published by
- 463 the Bureau of Labor Statistics of the United States Department of Labor; and
- 464 (b) for the other parts of this chapter, the same as that term is described in Section
- 465 1(f)(4), Internal Revenue Code, and defined in Section 1(f)(5), Internal Revenue
- 466 Code.
- 467 (9) "Current year property tax amount" means the amount of property taxes levied on an
- 468 eligible owner's primary residence for the current calendar year.
- 469 [~~(7)~~] (10) "Deceased veteran with a disability" means a deceased individual who was a
- 470 veteran with a disability at the time the individual died.
- 471 [~~(8)~~] (11) "Deferral" means a postponement of a tax due date or a tax notice charge granted
- 472 in accordance with Section 59-2a-701, 59-2a-801, or 59-2a-901.

473 [~~(9) "Eligible owner" means an owner of an attached or a detached single-family residence:]~~
474 [~~(a)(i) who is 75 years old or older on or before December 31 of the year in which~~
475 ~~the individual applies for a deferral under Part 9, Nondiscretionary Deferral for~~
476 ~~Elderly Property Owners;]~~
477 [~~(ii) whose household income does not exceed 200% of the maximum household~~
478 ~~income certified to a homeowner's credit described in Section 59-2a-305; and]~~
479 [~~(iii) whose household liquid resources do not exceed 20 times the amount of~~
480 ~~property taxes levied on the owner's residence for the preceding calendar year; or]~~
481 [~~(b) that is a trust described in Section 59-2a-109 if the grantor of the trust is an~~
482 ~~individual described in Subsection (9)(a).]~~

483 (12) "Eligible owner" means:

484 (a) for a deferral under Part 7, Discretionary Deferral for Eligible Owners, an owner of
485 an attached or detached single-family residence:
486 (i)(A) who uses the residence as the owner's primary residence as of January 1 of
487 the calendar year for which the owner applies for the deferral;
488 (B) who owns the residence for at least one year as of January 1 of the calendar
489 year for which the owner applies for the deferral;
490 (C) whose household income does not exceed \$50,000; and
491 (D) whose household liquid resources do not exceed 20 times the amount of
492 property taxes levied on the residence for the preceding calendar year; or
493 (ii) that is a trust described in Section 59-2a-109 if the grantor of the trust is an
494 individual described in Subsection (12)(a)(i); and

495 (b) for a deferral under Part 9, Nondiscretionary Deferral for Eligible Owners, an owner
496 of an attached or detached single-family residence:
497 (i)(A) who uses the residence as the owner's primary residence as of January 1 of
498 the calendar year for which the owner applies for the deferral;
499 (B) who owns the residence for at least one year as of January 1 of the calendar
500 year for which the owner applies for the deferral;
501 (C) who is 65 years old or older on or before December 31 of the calendar year for
502 which the owner applies for the deferral;
503 (D) whose household income does not exceed \$60,000; and
504 (E) whose household liquid resources do not exceed 20 times the amount of
505 property taxes levied on the residence for the preceding calendar year; or
506 (ii) that is a trust described in Section 59-2a-109 if the grantor of the trust is an

507 individual described in Subsection (12)(b)(i).

508 ~~[(10)]~~ (13) "Eligible property" means property owned by a veteran claimant that is:

- 509 (a) the veteran claimant's primary residence, including a residence that the veteran
510 claimant does not reside in because the veteran claimant is admitted as an inpatient at
511 a health care facility as defined in Section 26B-4-501; or
512 (b) tangible personal property that:
513 (i) is held exclusively for personal use; and
514 (ii) is not used in a trade or business.

515 ~~[(11)]~~ (14)(a) "Gross rent" means rent actually paid in cash or the cash equivalent solely
516 for the right of occupancy, at arm's length, of a residence, exclusive of charges for
517 any utilities, services, furniture, furnishings, or personal appliances furnished by the
518 landlord as a part of the rental agreement.

519 (b) If a claimant occupies two or more residences in the year, "gross rent" means the
520 total rent paid for the residences during the one-year period for which the renter files
521 a claim under this part.

522 ~~[(12)]~~ (15)(a) "Homeowner" means:

- 523 (i) an individual whose name is listed on the deed of a residence; or
524 (ii) if a residence is owned in a qualifying trust, an individual who is a grantor,
525 trustor, or settlor or holds another similar role in the trust.

526 (b) "Homeowner" does not include:

- 527 (i) if a residence is owned by any type of entity other than a qualifying trust, an
528 individual who holds an ownership interest in that entity; or
529 (ii) an individual who is listed on a deed of a residence along with an entity other
530 than a qualifying trust.

531 ~~[(13)]~~ (16) "Homeowner's credit" means a credit against a claimant's property tax liability.

532 ~~[(14)]~~ (17) "Household" means the association of individuals who live in the same dwelling,
533 sharing the dwelling's furnishings, facilities, accommodations, and expenses.

534 ~~[(15)]~~ (18)(a) "Household income" means all income received by all members of a
535 claimant's household in:

- 536 (i) for a claimant who owns a residence, the calendar year preceding the calendar
537 year in which property taxes are due; or
538 (ii) for a claimant who rents a residence, the year for which a claim is filed.

539 (b) "Household income" does not include income received by a member of a claimant's
540 household who is:

- 541 (i) under 18 years old; or
- 542 (ii) a parent or a grandparent, through blood, marriage, or adoption, of the claimant or
- 543 the claimant's spouse.
- 544 ~~[(16)]~~ (19) "Household liquid resources" means the following resources that are not
- 545 included in an individual's household income and held by one or more members of the
- 546 individual's household:
- 547 (a) cash on hand;
- 548 (b) money in a checking or savings account;
- 549 (c) savings certificates; and
- 550 (d) stocks or bonds.
- 551 ~~[(17)]~~ (20) "Income" means the sum of:
- 552 (a) federal adjusted gross income as defined in Section 62, Internal Revenue Code; and
- 553 (b) nontaxable income.
- 554 ~~[(18)]~~ (21) "Indigent individual" means a poor individual as described in Utah Constitution,
- 555 Article XIII, Section 3, Subsection (4), who:
- 556 (a)(i) is 65 years old or older; or
- 557 (ii) is less than 65 years old and:
- 558 (A) the county finds that extreme hardship would prevail on the individual if the
- 559 county does not defer or abate the individual's taxes; or
- 560 (B) the individual has a disability;
- 561 (b) has a total household income of less than the maximum household income certified
- 562 to a homeowner's credit described in Section 59-2a-305;
- 563 (c) resides for at least 10 months of the year in the residence that would be subject to the
- 564 requested abatement; and
- 565 (d) cannot pay the tax assessed on the individual's residence when the tax becomes due.
- 566 ~~[(19)]~~ (22) "Military entity" means:
- 567 (a) the United States Department of Veterans Affairs;
- 568 (b) an active component of the United States Armed Forces; or
- 569 (c) a reserve component of the United States Armed Forces.
- 570 ~~[(20)]~~ (23)(a) "Nontaxable income" means amounts excluded from adjusted gross income
- 571 under the Internal Revenue Code, including:
- 572 (i) capital gains;
- 573 (ii) loss carry forwards claimed during the taxable year in which a claimant files for
- 574 relief under this chapter;

- 575 (iii) depreciation claimed pursuant to the Internal Revenue Code by a claimant on the
576 residence for which the claimant files for relief under this chapter;
- 577 (iv) support money received;
- 578 (v) nontaxable strike benefits;
- 579 (vi) the gross amount of a pension or annuity, including benefits under the Railroad
580 Retirement Act of 1974, 45 U.S.C. Sec. 231 et seq., and veterans disability
581 pensions;
- 582 (vii) except for payments described in Subsection [(20)(b)(vi)] (23)(b)(vi), payments
583 received under the Social Security Act;
- 584 (viii) state unemployment insurance amounts;
- 585 (ix) nontaxable interest received from any source;
- 586 (x) workers' compensation;
- 587 (xi) the gross amount of "loss of time" insurance; and
- 588 (xii) voluntary contributions to a tax-deferred retirement plan.
- 589 (b) "Nontaxable income" does not include:
- 590 (i) public assistance;
- 591 (ii) aid, assistance, or contributions from a tax-exempt nongovernmental source;
- 592 (iii) surplus foods;
- 593 (iv) relief in kind supplied by a public or private agency;
- 594 (v) relief provided under this chapter;
- 595 (vi) [~~Social Security Disability Income~~] social security disability income payments
596 received under the Social Security Act;
- 597 (vii) federal tax refunds;
- 598 (viii) federal child tax credits received under 26 U.S.C. Sec. 24;
- 599 (ix) federal earned income tax credits received under 26 U.S.C. Sec. 32;
- 600 (x) payments received under a reverse mortgage;
- 601 (xi) payments or reimbursements to senior program volunteers under 42 U.S.C. Sec.
602 5058; or
- 603 (xii) gifts or bequests.
- 604 [(21)] (24)(a) "Property taxes accrued" means property taxes, exclusive of special
605 assessments, delinquent interest, and charges for service, levied on 35% of the fair
606 market value, as reflected on the assessment roll, of a claimant's residence in this
607 state.
- 608 (b) For a mobile home, "property taxes accrued" includes taxes imposed on both the land

- 609 upon which the home is situated and on the structure of the home itself, whether
610 classified as real property or personal property taxes.
- 611 (c) The relief described in Subsection [~~(21)~~(a)] (24)(a) constitutes:
- 612 (i) a tax abatement for the poor in accordance with Utah Constitution, Article XIII,
613 Section 3; and [
614 ~~Section 3; and~~]
- 615 (ii) the residential exemption provided for in Section 59-2-103.
- 616 (d) For purposes of this Subsection [~~(21)~~] (24), property taxes accrued are levied on the
617 lien date.
- 618 (e) When a household owns and occupies two or more different residences in this state
619 in the same calendar year, and neither residence is acquired or sold during the
620 calendar year for which relief is claimed under this part, property taxes accrued shall
621 relate only to the residence occupied on the lien date by the household as the
622 household's principal place of residence.
- 623 (f)(i) If a residence is an integral part of a large unit such as a farm or a multipurpose
624 or multidwelling building, property taxes accrued shall be calculated on the
625 percentage that the value of the residence is of the total value of the unit.
- 626 (ii) For purposes of this Subsection [~~(21)~~(f)] (24)(f), "unit" refers to the parcel of
627 property covered by a single tax statement of which the residence is a part.
- 628 [~~(22)~~] (25) "Property taxes due" means:
- 629 (a) for a claimant:
- 630 (i) the taxes due for which the county or the commission grants a tax abatement for
631 the poor described in Subsection [~~(21)~~] (24) or a credit; and
- 632 (ii) for the calendar year for which the tax abatement for the poor or credit is granted;
- 633 (b) for an indigent individual:
- 634 (i) the taxes due for which a county granted an abatement under Section 59-2a-401;
635 and
- 636 (ii) for the calendar year for which the county grants the abatement;
- 637 (c) for an active duty claimant:
- 638 (i) the taxes due for which the county or the commission grants an exemption; and
639 (ii) for the calendar year for which the exemption is granted; or
- 640 (d) for a veteran claimant:
- 641 (i)(A) the taxes due for which the county or the commission grants an exemption;
642 and

- 643 (B) for the calendar year for which the exemption is granted; and
- 644 (ii) a uniform fee on tangible personal property described in Section 59-2-405 that is:
- 645 (A) owned by the veteran claimant; and
- 646 (B) assessed for the calendar year for which the county grants an exemption.
- 647 [~~(23)~~] (26) "Property taxes paid" means an amount equal to the sum of:
- 648 (a) the amount of property taxes, and for a veteran claimant, uniform fee, paid for the
- 649 taxable year for which the individual applied for relief described in this chapter; and
- 650 (b) the amount of the relief the county grants under this chapter.
- 651 [~~(24)~~] (27) "Public assistance" means:
- 652 (a) medical assistance provided under Title 26B, Chapter 3, Health Care -
- 653 Administration and Assistance;
- 654 (b) SNAP benefits as defined in Section 35A-1-102;
- 655 (c) services or benefits provided under Title 35A, Chapter 3, Employment Support Act;
- 656 and
- 657 (d) foster care maintenance payments provided from the General Fund or under Title
- 658 IV-E of the Social Security Act.
- 659 [~~(25)~~] (28) "Qualifying active duty military service" means at least 200 days, regardless of
- 660 whether consecutive, in any continuous 365-day period of active duty military service
- 661 outside the state in an active component of the United States Armed Forces or a reserve
- 662 component of the United States Armed Forces, if the days of active duty military service:
- 663 (a) were completed in the year before an individual applies for an exemption described
- 664 in Section 59-2a-601; and
- 665 (b) have not previously been counted as qualifying active duty military service for
- 666 purposes of qualifying for an exemption described in Section 59-2a-601 or applying
- 667 for the exemption as described in Section 59-2a-602.
- 668 [~~(26)~~] (29) "Qualifying disabled veteran claimant" means a veteran claimant who has a
- 669 100% service-connected disability rating by the Veterans Benefits Administration that is
- 670 permanent and total.
- 671 [~~(27)~~] (30) "Qualifying increase" means a valuation that is equal to or more than 150%
- 672 higher than the previous year's valuation for property that:
- 673 (a) is county assessed; and
- 674 (b) on or after January 1 of the previous year and before January 1 of the current year
- 675 has not had:
- 676 (i) a physical improvement if the fair market value of the physical improvement

- 677 increases enough to result in the valuation increase solely as a result of the
678 physical improvement;
- 679 (ii) a zoning change if the fair market value of the real property increases enough to
680 result in the valuation increase solely as a result of the zoning change; or
- 681 (iii) a change in the legal description of the real property, if the fair market value of
682 the real property increases enough to result in the valuation increase solely as a
683 result of the change in the legal description of the real property.

684 ~~[(28)]~~ (31) "Qualifying trust" means a trust holding title to real or tangible personal property
685 for which an individual:

- 686 (a) makes a claim under this ~~[part]~~ chapter;
- 687 (b) proves to the satisfaction of the county that title to the portion of the trust will revert
688 in the individual upon the exercise of a power:
- 689 (i) by:
- 690 (A) the individual as grantor, trustor, settlor, or in another similar role of the trust;
- 691 (B) a nonadverse party; or
- 692 (C) both the individual and a nonadverse party; and
- 693 (ii) regardless of whether the power is a power:
- 694 (A) to revoke;
- 695 (B) to terminate;
- 696 (C) to alter;
- 697 (D) to amend; or
- 698 (E) to appoint; and
- 699 (c) is obligated to pay the taxes on that portion of the trust property beginning January 1
700 of the year the individual makes the claim.

701 ~~[(29)]~~ (32) "Relative" means a spouse, child, parent, grandparent, grandchild, brother, sister,
702 parent-in-law, brother-in-law, sister-in-law, nephew, niece, aunt, uncle, first cousin, or a
703 spouse of any of these individuals.

704 ~~[(30)]~~ (33) "Rental assistance payment" means any payment that:

- 705 (a) is made by a:
- 706 (i) governmental entity;
- 707 (ii) charitable organization; or
- 708 (iii) religious organization; and
- 709 (b) is specifically designated for the payment of rent of a claimant:
- 710 (i) for the calendar year for which the claimant seeks a renter's credit under this part;

- 711 and
- 712 (ii) regardless of whether the payment is made to the claimant or the landlord.
- 713 ~~[(31)]~~ (34) "Reserve component of the United States Armed Forces" means the same as that
- 714 term is defined in Section 59-10-1027.
- 715 ~~[(32)]~~ (35)(a)(i) "Residence" means a dwelling in this state, whether owned or rented,
- 716 and so much of the land surrounding the dwelling, not exceeding one acre, as is
- 717 reasonably necessary for use of the dwelling as a home.
- 718 (ii) "Residence" includes a dwelling that is:
- 719 (A) a part of a multidwelling or multipurpose building and a part of the land upon
- 720 which the multidwelling or multipurpose building is built; and
- 721 (B) a mobile home, manufactured home, or houseboat.
- 722 (b) "Residence" does not include personal property such as furniture, furnishings, or
- 723 appliances.
- 724 (c) For purposes of this Subsection ~~[(32)]~~ (35), "owned" includes a vendee in possession
- 725 under a land contract or one or more joint tenants or tenants in common.
- 726 ~~[(33)]~~ (36) "Statement of disability" means a document:
- 727 (a) issued by a military entity; and
- 728 (b) that lists the percentage of disability for the veteran with a disability or deceased
- 729 veteran with a disability.
- 730 ~~[(34)]~~ (37) "Tax notice charge" means the same as that term is defined in Section
- 731 59-2-1301.5.
- 732 ~~[(35)]~~ (38) "Veteran claimant" means one of the following individuals who applies for an
- 733 exemption described in Section 59-2a-501:
- 734 (a) a veteran with a disability;
- 735 (b) the unmarried surviving spouse of:
- 736 (i) a deceased veteran with a disability; or
- 737 (ii) a veteran who was killed in action or died in the line of duty; or
- 738 (c) a minor orphan of:
- 739 (i) a deceased veteran with a disability; or
- 740 (ii) a veteran who was killed in action or died in the line of duty.
- 741 ~~[(36)]~~ (39) "Veteran who was killed in action or died in the line of duty" means an
- 742 individual who was killed in action or died in the line of duty in an active component of
- 743 the United States Armed Forces or a reserve component of the United States Armed
- 744 Forces, regardless of whether that individual had a disability at the time that individual

745 was killed in action or died in the line of duty.

746 [(37)] (40) "Veteran with a disability" means an individual with a disability who, during
747 military training or a military conflict, acquired a disability in the line of duty in an
748 active component of the United States Armed Forces or a reserve component of the
749 United States Armed Forces, as determined by a military entity.

750 Section 6. Section **59-2a-102** is amended to read:

751 **59-2a-102 (Effective 01/01/27). Right to file claim -- Death of claimant.**

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

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

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

758 (i) a legal guardian; or

759 (ii) an attorney-in-fact.

760 (2)(a) If an individual dies after having filed a timely claim, the county or the
761 commission shall disburse the amount of the claim to another member of the
762 household as determined by the commission by rule.

763 (b) If the individual described in Subsection (2)(a) was the only member of the
764 household, the county or the commission may pay the claim to the executor or
765 administrator, except that if neither an executor or administrator is appointed and
766 qualified within two years of the filing of the claim, the amount of the claim escheats
767 to the state.

768 (3) If the individual is the grantor, trustor, or settlor of or holds another similar role in a
769 qualifying trust and the individual meets the requirements of one or more parts of this
770 chapter, the individual may claim the portion of the credit and be treated as the owner of
771 that portion of the property held in trust.

772 (4) The relief described in Subsection [59-2a-101(21)(a)] 59-2a-101(24)(a) is in addition to
773 any other exemption or reduction for which a homeowner may be eligible, including the
774 homeowner's credit provided for in Section 59-2a-305.

775 Section 7. Section **59-2a-108** is amended to read:

776 **59-2a-108 (Effective 01/01/27). Extension of time for filing application --**
777 **Rulemaking authority -- County authority to make refunds.**

778 (1)(a) The commission or a county may extend the time for filing an application until

779 December 31 of the year the application is required to be filed if, subject to any rules
 780 made by the commission under Subsection (1)(b), the commission or county finds
 781 that good cause exists to extend the deadline.

782 (b) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the
 783 commission may make rules to establish the circumstances under which the
 784 commission or a county may, for good cause, extend the deadline for filing an
 785 application under Subsection (1)(a).

786 (2) A county granting an abatement described in Subsection [~~59-2a-101(21)~~] 59-2a-101(24)
 787 or to an indigent individual, a homeowner's credit, or an exemption described in Part 5,
 788 Veteran Armed Forces Exemption, or Part 6, Active Duty Armed Forces Exemption,
 789 shall refund to the recipient of the abatement, homeowner's credit, or exemption an
 790 amount equal to the amount by which the property taxes paid exceed the property taxes
 791 due, if that amount is \$1 or more.

792 Section 8. Section **59-2a-205** is amended to read:

793 **59-2a-205 (Effective 01/01/27). Amount of renter's credit -- Cost-of-living**
 794 **adjustment -- Prohibition on credit for rental assistance payment -- Calculation of credit**
 795 **when rent includes utilities -- Limitation -- General Fund as source of credit -- Maximum**
 796 **credit.**

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

If household income is	Percentage of gross rent allowed as a credit
\$0 -- [\$13,884] <u>\$14,490</u>	9.5%
[\$13,885 -- \$18,515] <u>\$14,491 -- \$19,324</u>	8.5%
[\$18,516 -- \$23,141] <u>\$19,325 -- \$24,152</u>	7.0%
[\$23,142 -- \$27,770] <u>\$24,153 -- \$28,983</u>	5.5%
[\$27,771 -- \$32,401] <u>\$28,984 -- \$33,816</u>	4.0%
[\$32,402 -- \$36,754] <u>\$33,817 -- \$38,360</u>	3.0%
[\$36,755 -- \$40,840] <u>\$38,361 -- \$42,623</u>	2.5%

809 (b) For [a] the calendar year beginning on [~~or after~~] January 1, [~~2025~~] 2026, the
 810 commission shall increase or decrease the household income eligibility amounts
 811 under Subsection (1)(a) by a percentage equal to the percentage difference between

812 the ~~[consumer price index]~~ Consumer Price Index for the preceding calendar year and
 813 the ~~[consumer price index]~~ Consumer Price Index for calendar year ~~[2023]~~ 2024.

814 (c) For a calendar year beginning on or after January 1, 2025, and before January 1,
 815 2027, a credit under this section may not exceed the maximum amount allowed as a
 816 homeowner's credit for each income bracket under Section 59-2a-305.

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

<u>If household income is</u>	<u>Percentage of gross rent allowed as a credit</u>	<u>Maximum credit amount</u>
\$0 -- \$14,500	9.5%	\$2,000
\$14,501 -- \$18,750	8.5%	\$1,750
\$18,751 -- \$23,000	7.0%	\$1,500
\$23,001 -- \$27,250	5.5%	\$1,250
\$27,251 -- \$31,500	4.0%	\$1,000
\$31,501 -- \$35,750	3.0%	\$750
\$35,751 -- \$40,000	2.5%	\$500
\$40,001 -- \$46,000	2.0%	\$250

829 (b) For a calendar year beginning on or after January 1, 2028:
 830 (i) the commission shall increase or decrease the household income eligibility
 831 amounts and the maximum credit amounts under Subsection (2)(a) by a
 832 percentage equal to the percentage difference between the Consumer Price Index
 833 for the preceding calendar year and the Consumer Price Index for calendar year
 834 2026; and
 835 (ii) after the commission has adjusted the maximum credit amounts in accordance
 836 with Subsection (2)(b)(i), the commission shall increase each maximum credit
 837 amount under Subsection (2)(a) by \$49.

838 ~~[(2)]~~ (3)(a) A claimant may claim a renter's credit under this part only for gross rent that
 839 does not constitute a rental assistance payment.

840 (b) For purposes of determining whether a claimant receives a rental assistance payment
 841 and in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act,
 842 the commission may make rules defining the terms:

- 843 (i) "governmental entity";
 844 (ii) "charitable organization"; or
 845 (iii) "religious organization."

846 ~~[(3)]~~ (4) For purposes of calculating gross rent when a claimant's rent includes electricity or
 847 natural gas and the utility amount is not itemized in the statement provided in
 848 accordance with Section 59-2a-204, the commission shall deduct from rent:

- 849 (a) 7% of rent if the rent includes electricity or natural gas but not both; or
 850 (b) 13% of rent if the rent includes both electricity and natural gas.

851 ~~[(4)]~~ (5) An individual may not receive the renter's credit under this section if the individual
 852 is:

- 853 (a) claimed as a personal exemption on another individual's federal income tax return
 854 during any portion of a calendar year for which the individual seeks to claim the
 855 renter's credit under this section; or
 856 (b) a dependent with respect to whom another individual claims a tax credit under
 857 Section 24(h)(4), Internal Revenue Code, during any portion of a calendar year for
 858 which the individual seeks to claim the renter's credit under this section.

859 ~~[(5)]~~ (6) A payment for a renter's credit allowed by this section, and authorized by Section
 860 59-2a-202, shall be paid from the General Fund.

861 ~~[(6) A credit under this section may not exceed the maximum amount allowed as a
 862 homeowner's credit for each income bracket under Section 59-2a-305.]~~

863 Section 9. Section **59-2a-303** is amended to read:

864 **59-2a-303 (Effective 01/01/27). Application for homeowner's credit -- Time for**
 865 **filing -- Obtaining payment from General Fund.**

866 (1)(a) A claimant shall file annually an application for the credit with the county in
 867 which the residence for which the claimant is seeking a homeowner's credit is located
 868 before September 1.

869 (b) The application under this section shall:

- 870 (i) be on forms provided by the county that meet the requirements of Subsection
 871 59-2a-103(3); and
 872 (ii) include a household income statement signed by the claimant stating that:
 873 (A) the income statement is correct; and
 874 (B) the claimant qualifies for the credit.

875 (c)(i) Subject to Subsection (1)(c)(ii), a county shall apply the credit in accordance
 876 with this section and Section 59-2a-304 for the year in which the claimant applies

- 877 for a homeowner's credit if the claimant meets the criteria for obtaining a
 878 homeowner's credit as provided in this part.
- 879 (ii) A homeowner's credit under this part may not exceed the claimant's property tax
 880 liability for the residence for the year in which the claimant applies for a
 881 homeowner's credit under this part.
- 882 (d) A claimant may qualify for a homeowner's credit under this part regardless of
 883 whether the claimant owes delinquent property taxes.
- 884 (2)(a)(i) The county shall compile a list of claimants and the homeowner's credits
 885 granted to the claimants for purposes of obtaining payment from the General Fund
 886 for the amount of credits granted.
- 887 (ii) A county may not obtain payment from the General Fund for the amount
 888 described in Subsection [~~59-2a-101(21)~~] 59-2a-101(24).
- 889 (b) Upon certification by the commission the payment for the credits under this
 890 Subsection (2) shall be made to the county on or before January 1 if the list of
 891 claimants and the credits granted are received by the commission on or before
 892 November 30 of the year in which the credits under this part are granted.
- 893 (c) If the commission does not receive the list under this Subsection (2) on or before
 894 November 30, payment shall be made within 30 days of receipt of the list of
 895 claimants and credits from the county.

896 Section 10. Section **59-2a-305** is amended to read:

897 **59-2a-305 (Effective 01/01/27). Amount of homeowner's credit -- Limitations --**
 898 **General Fund as source of credit.**

899 (1)(a) Subject to [~~Subsection~~] Subsections (2) and (3), for a calendar year beginning on or after
 900 January 1, [~~2024~~] 2025, a claimant may claim a homeowner's credit that does not exceed the
 901 following amounts:

If household income is		Homeowner's credit
\$0 -- [\$13,884] \$14,490		[\$1,259] \$1,312
[\$13,885 -- \$18,515] \$14,491 -- \$19,324		[\$1,105] \$1,151
[\$18,516 -- \$23,141] \$19,325 -- \$24,152		[\$954] \$993
[\$23,142 -- \$27,770] \$24,153 -- \$28,983		[\$726] \$756
[\$27,771 -- \$32,401] \$28,984 -- \$33,816		[\$577] \$600
[\$32,402 -- \$36,754] \$33,817 -- \$38,360		[\$351] \$364

910	[\$36,755 -- \$40,840] <u>\$38,361 -- \$42,623</u>		[\$197] <u>\$204</u>
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- 911 (b) For [a] the calendar year beginning on~~[or after]~~ January 1, [~~2025;~~] 2026:
- 912 (i) the commission shall increase or decrease the household income eligibility and
- 913 credit amounts~~[and the credits]~~ under Subsection (1)(a) by a percentage equal to
- 914 the percentage difference between the [~~consumer price index~~] Consumer Price
- 915 Index for the preceding calendar year and the [~~consumer price index~~] Consumer
- 916 Price Index for calendar year [~~2023;~~] 2024; and
- 917 (ii) after the commission has adjusted the credit amounts in accordance with
- 918 Subsection (1)(b)(i), the commission shall increase each credit amount under
- 919 Subsection (1)(a) by \$49.
- 920 (c) The household income eligibility and credit amounts under Subsection (1)(a) that
- 921 apply for the calendar year beginning on January 1, 2026, as adjusted in accordance
- 922 with Subsection (1)(b), shall apply for each calendar year beginning on or after
- 923 January 1, 2027.
- 924 (2)(a) An individual may not receive the homeowner's credit under this section or the
- 925 abatement described in Subsection [~~59-2a-101(21)]~~ 59-2a-101(24) on 20% of the fair
- 926 market value of the residence if:
- 927 (i) the individual is claimed as a personal exemption on another individual's federal
- 928 income tax return during any portion of a calendar year for which the individual
- 929 seeks to claim the homeowner's credit under this section;
- 930 (ii) the individual is a dependent with respect to whom another individual claims a
- 931 tax credit under Section 24(h)(4), Internal Revenue Code, during any portion of a
- 932 calendar year for which the individual seeks to claim the homeowner's credit
- 933 under this section; or
- 934 (iii) the individual did not own the residence for the entire calendar year for which
- 935 the individual claims the homeowner's credit.
- 936 (b) For a calendar year in which a residence is sold, the amount received as a
- 937 homeowner's credit under this section or as an abatement described in Subsection [~~59-2a-101(21)]~~
- 938 59-2a-101(24) on 20% of the fair market value of the residence shall
- 939 be repaid to the county on or before the day on which the sale of the residence closes.
- 940 (3) For a calendar year beginning on or after January 1, 2027, an individual may not receive
- 941 a homeowner's credit under this section if:
- 942 (a) the individual did not receive the homeowner's credit for the same residence at least
- 943 once within the preceding two calendar years; or

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

946 (i) a deferral under:

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

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

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

950 ~~[(3)]~~ (4) A payment for a homeowner's credit allowed by this section, and authorized by
 951 Section 59-2a-302, shall be paid from the General Fund.

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

955 Section 11. Section **59-2a-401** is amended to read:

956 **59-2a-401 (Effective 01/01/27). Tax abatement for indigent individuals --**

957 **Maximum amount.**

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

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

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

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

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

967 (b) a deferral under:

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

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

970 ~~[(2)]~~ (4) in an amount not more than the lesser of:

971 (a) the ~~[amount provided as a homeowner's]~~ maximum amount available as a renter's
 972 credit for the lowest household income bracket as described in Section [59-2a-305]
 973 59-2a-205; or

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

975 Section 12. Section **59-2a-402** is amended to read:

976 **59-2a-402 (Effective 01/01/27). Application -- Rulemaking.**

977 (1)(a) Except as provided in Section 59-2a-108 or Subsection (2), an applicant for

- 978 abatement for the current tax year shall annually file an application on or before
 979 September 1 with the county in which the applicant's property is located.
- 980 (b) An indigent individual may for the same property apply and potentially qualify only
 981 for an abatement under this part, or both an abatement under this part and a deferral
 982 under [Part 7, Discretionary Deferral,]Part 8, Nondiscretionary Deferral for Property
 983 with Qualifying Increase[, or Part 9, Nondiscretionary Abatement for Elderly
 984 Property Owners, abatement, or both].
- 985 (2) A county shall extend the September 1 application deadline by one additional year if the
 986 county determines that:
- 987 (a) the applicant or a member of the applicant's immediate family had an illness or injury
 988 that prevented the applicant from filing the application on or before the September 1
 989 application deadline;
- 990 (b) a member of the applicant's immediate family died during the calendar year of the
 991 September 1 application deadline;
- 992 (c) the failure of the applicant to file the application on or before the September 1
 993 application deadline was beyond the reasonable control of the applicant; or
- 994 (d) denial of an application would be unjust or unreasonable.
- 995 (3) An applicant shall include in an application a signed statement that describes the
 996 eligibility of the applicant for abatement.
- 997 (4) Both spouses shall sign an application if the application seeks an abatement on a
 998 residence:
- 999 (a) in which both spouses reside; and
 1000 (b) that the spouses own as joint tenants.
- 1001 (5) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the
 1002 commission may make rules to implement this section.

1003 Section 13. Section **59-2a-701** is repealed and reenacted to read:

1004 **Part 7. Discretionary Deferral for Eligible Owners**

1005 **59-2a-701 (Effective 01/01/27). Discretionary deferral for eligible owners.**

- 1006 (1) For a calendar year beginning on or after January 1, 2027, an eligible owner may apply
 1007 to the county for a discretionary deferral under this section for postponement of a
 1008 portion of the property taxes due on the eligible owner's primary residence.
- 1009 (2) A county may grant an application for a deferral under this section if:
- 1010 (a) the applicant meets the definition of an eligible owner;
- 1011 (b) with respect to the primary residence for which the applicant applies for the deferral:

- 1012 (i) the applicant discloses all outstanding mortgages on the residence;
1013 (ii) the applicant is not receiving any of the following forms of property tax relief for
1014 the same residence:
1015 (A) the homeowner's credit under Part 3, Homeowner's Credit;
1016 (B) an abatement under Part 4, Abatement for Indigent Individuals; or
1017 (C) a deferral under Part 9, Nondiscretionary Deferral for Eligible Owners; and
1018 (iii) there are no delinquent property taxes, delinquent tax notice charges, or
1019 outstanding penalties, interest, or administrative costs related to a delinquent
1020 property tax or a delinquent tax notice charge due on the residence, other than:
1021 (A) taxes and tax notice charges previously deferred under this section; and
1022 (B) interest accrued on the taxes and tax notice charges described in Subsection
1023 (2)(b)(iii)(A); and
1024 (c) the applicant complies with the other applicable provisions of this part.
1025 (3) Of the total amount of taxes and tax notice charges levied on an eligible owner's
1026 primary residence for a calendar year in which the eligible owner receives a deferral
1027 under this section:
1028 (a) the adjusted property tax amount is 50% of the lesser of:
1029 (i) the base year property tax amount; and
1030 (ii) the current year property tax amount; and
1031 (b) the amount deferred is the amount of property taxes exceeding the adjusted property
1032 tax amount.
1033 (4)(a) Except as provided in Subsection (4)(b), the deferral period under this section is
1034 one year.
1035 (b) The county may extend the deferral period for one or more subsequent one-year
1036 periods if, for each subsequent calendar year in which the eligible owner seeks to
1037 extend the deferral period:
1038 (i) the eligible owner applies for an extension of the deferral; and
1039 (ii) the application meets the requirements of Subsection (2).
1040 (c) For purposes of Subsections 59-2-1331(2)(g)(ii) and 59-2-1343(1)(d), the deferral
1041 period ends on the last day of:
1042 (i) the initial one-year deferral period, if the county does not extend the deferral
1043 period under Subsection (4)(b); or
1044 (ii) the final one-year deferral period subsequently granted, if the county extends the
1045 deferral period under Subsection (4)(b).

- 1046 (5)(a) Taxes and tax notice charges deferred under this section accumulate with interest
1047 and applicable recording fees as a lien against the residential property.
- 1048 (b) A lien described in this Subsection (5):
- 1049 (i) has the same legal status as a lien described in Section 59-2-1325; and
1050 (ii) is subordinate to any mortgage on the property.
- 1051 (c) To release the lien described in this Subsection (5), except as provided in
1052 Subsections (5)(d) through (f), an eligible owner shall pay the total amount subject to
1053 the lien:
- 1054 (i) upon the eligible owner selling or otherwise disposing of the residential property;
1055 or
1056 (ii) when the residential property is no longer the eligible owner's primary residence.
- 1057 (d)(i) An eligible owner that receives a deferral under this section does not have to
1058 pay the deferred taxes, deferred tax notice charges, or applicable recording fees
1059 when the residential property transfers to the eligible owner's surviving spouse as
1060 a result of the eligible owner's death.
- 1061 (ii) After the residential property transfers to the eligible owner's surviving spouse,
1062 the deferred taxes, deferred tax notice charges, and applicable recording fees are
1063 due:
- 1064 (A) upon the surviving spouse selling or otherwise disposing of the residential
1065 property; or
1066 (B) when the residential property is no longer the surviving spouse's primary
1067 residence.
- 1068 (e)(i) An eligible owner that receives a deferral under this section does not have to
1069 pay the deferred taxes, deferred tax notice charges, or applicable recording fees
1070 when the residential property transfers between the eligible owner and a trust
1071 described in Section 59-2a-109 if:
- 1072 (A) the eligible owner is the grantor of the trust; and
1073 (B) the residential property remains the eligible owner's primary residence.
- 1074 (ii) After the residential property transfers between the eligible owner and a trust
1075 described in Subsection (5)(e)(i), the deferred taxes, deferred tax notice charges,
1076 and applicable recording fees are due when the residential property is no longer
1077 the eligible owner's primary residence.
- 1078 (f)(i) An eligible owner that receives a deferral under this section does not have to
1079 pay the deferred taxes, deferred tax notice charges, or applicable recording fees

- 1080 when the residential property transfers between the eligible owner and a special
1081 needs trust as described in 42 U.S.C. Sec. 1396p(d)(4) if the beneficiary of the
1082 trust meets the definition of an eligible owner.
- 1083 (ii) After the residential property transfers to a special needs trust described in
1084 Subsection (5)(f)(i), the deferred taxes, deferred tax notice charges, and applicable
1085 recording fees are due:
- 1086 (A) upon the sale or disposal of the residential property; or
1087 (B) when the residential property is no longer the primary residence of the
1088 beneficiary of the trust described in Subsection (5)(f)(i).
- 1089 (g) When the deferral period ends:
- 1090 (i) the lien becomes due and subject to the collection procedures described in Section
1091 59-2-1331; and
- 1092 (ii) the date of levy is the date that the deferral period ends.
- 1093 (6)(a) If a county grants an eligible owner more than one deferral under this section for
1094 the same residential property, including an extension of the deferral period under
1095 Subsection (4)(b), the county is not required to submit for recording more than one
1096 lien.
- 1097 (b) Each subsequent deferral relates back to the date of the initial lien filing.
- 1098 (7)(a) For each residential property for which the county grants a deferral under this
1099 section, the county treasurer shall maintain a record that is an itemized account of the
1100 total amount of deferred property taxes and deferred tax notice charges subject to the
1101 lien.
- 1102 (b) The record described in this Subsection (7) is the official record of the amount of the
1103 lien.
- 1104 (8) Notwithstanding Subsection 59-2-1331(2)(c), taxes and tax notice charges deferred
1105 under this section bear interest at a rate of 2%.
- 1106 (9) A county may not require approval from lien holders for residential property that is
1107 subject to a mortgage or trust deed to receive a deferral under this section.
- 1108 (10) A county that grants a deferral to an eligible owner under this section shall:
- 1109 (a) provide notice of the adjusted property tax amount to the holder of each mortgage or
1110 trust deed outstanding on the residential property; and
- 1111 (b) refund to the eligible owner any amount of property taxes paid by the eligible owner
1112 during the deferral period in excess of the adjusted property tax amount.
- 1113 Section 14. Section **59-2a-702** is amended to read:

- 1114 **59-2a-702 (Effective 01/01/27). Application -- Rulemaking authority.**
- 1115 (1)(a) Except as provided in Section 59-2a-108 or Subsection (2), an applicant for
- 1116 deferral for the current tax year shall annually file an application on or before
- 1117 September 1 with the county in which the applicant's property is located.
- 1118 (b) An indigent individual may for the same property apply and potentially qualify only
- 1119 for a deferral under this part, or both a deferral under this part and Part 8,
- 1120 Nondiscretionary Deferral for Property with Qualifying Increase~~[, or Part 9,~~
- 1121 Nondiscretionary Deferral for Elderly Property Owners, an abatement, or both].
- 1122 (2) A county shall extend the September 1 application deadline by one additional year if:
- 1123 (a) the applicant had been approved for a deferral under this part in the prior year; or
- 1124 (b) the county determines that:
- 1125 (i) the applicant or a member of the applicant's immediate family had an illness or
- 1126 injury that prevented the applicant from filing the application on or before the
- 1127 September 1 application deadline;
- 1128 (ii) a member of the applicant's immediate family died during the calendar year of the
- 1129 September 1 application deadline;
- 1130 (iii) the failure of the applicant to file the application on or before the September 1
- 1131 application deadline was beyond the reasonable control of the applicant; or
- 1132 (iv) denial of an application would be unjust or unreasonable.
- 1133 (3) An applicant shall include in an application a signed statement that describes the
- 1134 eligibility of the applicant for deferral.
- 1135 (4) Both spouses shall sign an application if the application seeks a deferral or abatement on
- 1136 a residence:
- 1137 (a) in which both spouses reside; and
- 1138 (b) that the spouses own as joint tenants.
- 1139 (5) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the
- 1140 commission may make rules to implement this section.

1141 Section 15. Section **59-2a-901** is repealed and reenacted to read:

1142 **Part 9. Nondiscretionary Deferral for Eligible Owners**

1143 **59-2a-901 (Effective 01/01/27). Nondiscretionary deferral for eligible owners.**

- 1144 (1) For a calendar year beginning on or after January 1, 2027, an eligible owner may apply
- 1145 to the county for a nondiscretionary deferral under this section for postponement of a
- 1146 portion of the property taxes due on the eligible owner's primary residence.
- 1147 (2) A county shall grant an application for a deferral under this section if:

- 1148 (a) the applicant meets the definition of an eligible owner;
1149 (b) with respect to the primary residence for which the applicant applies for the deferral:
1150 (i) the eligible owner discloses all outstanding mortgages on the residence, none of
1151 which is a reverse mortgage;
1152 (ii) the eligible owner is not receiving an abatement under Part 4, Abatement for
1153 Indigent Individuals, or a deferral under Part 7, Discretionary Deferral for Eligible
1154 Owners, for the same residence;
1155 (iii) the assessed value of the residence, as listed on the valuation notice sent in
1156 accordance with Section 59-2-919.1, is greater than the amount of any outstanding
1157 mortgage on the residence by 5% or more; and
1158 (iv) there are no delinquent property taxes, delinquent tax notice charges, or
1159 outstanding penalties, interest, or administrative costs related to a delinquent
1160 property tax or a delinquent tax notice charge due on the residence, other than:
1161 (A) taxes and tax notice charges previously deferred under this section; and
1162 (B) accrued interest on the taxes and tax notice charges described in Subsection
1163 (2)(b)(iv)(A); and
1164 (c) the applicant complies with the other applicable provisions of this part.
1165 (3) Of the total amount of taxes and tax notice charges levied on an eligible owner's
1166 primary residence for a calendar year in which the eligible owner receives a deferral
1167 under this section:
1168 (a) the adjusted property tax amount is 75% of the lesser of:
1169 (i) the base year property tax amount; and
1170 (ii) the current year property tax amount; and
1171 (b) the amount deferred is the amount of property taxes exceeding the adjusted property
1172 tax amount.
1173 (4)(a) Except as provided in Subsection (4)(b), the deferral period under this section is
1174 one year.
1175 (b) The county shall extend the deferral period for one or more subsequent one-year
1176 periods if, for each subsequent calendar year in which the eligible owner seeks to
1177 extend the deferral period:
1178 (i) the eligible owner applies for an extension of the deferral; and
1179 (ii) the application meets the requirements of Subsection (2).
1180 (c) For purposes of Subsections 59-2-1331(2)(g)(ii) and 59-2-1343(1)(d), the deferral
1181 period ends on the last day of:

- 1182 (i) the initial one-year deferral period, if the county does not extend the deferral
1183 period under Subsection (4)(b); or
- 1184 (ii) the final one-year deferral period subsequently granted, if the county extends the
1185 deferral period under Subsection (4)(b).
- 1186 (5)(a) Taxes and tax notice charges deferred under this section accumulate with interest
1187 and applicable recording fees as a lien against the residential property.
- 1188 (b) A lien described in this Subsection (5) has the same legal status as a lien described in
1189 Section 59-2-1325.
- 1190 (c) To release the lien described in this Subsection (5), except as provided in
1191 Subsections (5)(d) through (f), an eligible owner shall pay the total amount subject to
1192 the lien:
- 1193 (i) upon the eligible owner selling or otherwise disposing of the residential property;
1194 or
- 1195 (ii) when the residential property is no longer the eligible owner's primary residence.
- 1196 (d)(i) An eligible owner that receives a deferral under this section does not have to
1197 pay the deferred taxes, deferred tax notice charges, or applicable recording fees
1198 when the residential property transfers to the eligible owner's surviving spouse as
1199 a result of the eligible owner's death.
- 1200 (ii) After the residential property transfers to the eligible owner's surviving spouse,
1201 the deferred taxes, deferred tax notice charges, and applicable recording fees are
1202 due:
- 1203 (A) upon the surviving spouse selling or otherwise disposing of the residential
1204 property; or
- 1205 (B) when the residential property is no longer the surviving spouse's primary
1206 residence.
- 1207 (e)(i) An eligible owner that receives a deferral under this section does not have to
1208 pay the deferred taxes, deferred tax notice charges, or applicable recording fees
1209 when the residential property transfers between the eligible owner and a trust
1210 described in Section 59-2a-109 if:
- 1211 (A) the eligible owner is the grantor of the trust; and
- 1212 (B) the residential property remains the eligible owner's primary residence.
- 1213 (ii) After the residential property transfers between the eligible owner and a trust
1214 described in Subsection (5)(e)(i), the deferred taxes, deferred tax notice charges,
1215 and applicable recording fees are due when the residential property is no longer

- 1216 the eligible owner's primary residence.
- 1217 (f)(i) An eligible owner that receives a deferral under this section does not have to
1218 pay the deferred taxes, deferred tax notice charges, or applicable recording fees
1219 when the residential property transfers between the eligible owner and a special
1220 needs trust as described in 42 U.S.C. Sec. 1396p(d)(4) if the beneficiary of the
1221 trust meets the definition of an eligible owner.
- 1222 (ii) After the residential property transfers to a special needs trust described in
1223 Subsection (5)(f)(i), the deferred taxes, deferred tax notice charges, and applicable
1224 recording fees are due:
- 1225 (A) upon the sale or disposal of the residential property; or
1226 (B) when the residential property is no longer the primary residence of the
1227 beneficiary of the trust described in Subsection (5)(f)(i).
- 1228 (g) When the deferral period ends:
- 1229 (i) the lien becomes due and subject to the collection procedures described in Section
1230 59-2-1331; and
- 1231 (ii) the date of levy is the date that the deferral period ends.
- 1232 (6)(a) If a county grants an eligible owner more than one deferral under this section for
1233 the same residential property, including an extension of the deferral period under
1234 Subsection (4)(b), the county is not required to submit for recording more than one
1235 lien.
- 1236 (b) Each subsequent deferral relates back to the date of the initial lien filing.
- 1237 (7)(a) For each residential property for which the county grants a deferral under this
1238 section, the county treasurer shall maintain a record that is an itemized account of the
1239 total amount of deferred property taxes and deferred tax notice charges subject to the
1240 lien.
- 1241 (b) The record described in this Subsection (7) is the official record of the amount of the
1242 lien.
- 1243 (8) Notwithstanding Subsection 59-2-1331(2)(c), taxes and tax notice charges deferred
1244 under this section bear interest at a rate of 3%.
- 1245 (9) A county may not require approval from lien holders for residential property that is
1246 subject to a mortgage or trust deed to receive a deferral under this section.
- 1247 (10) A county that grants a deferral to an eligible owner under this section shall:
- 1248 (a) provide notice of the adjusted property tax amount to the holder of each mortgage or
1249 trust deed outstanding on the residential property; and

1250 (b) refund to the eligible owner any amount of property taxes paid by the eligible owner
 1251 during the deferral period in excess of the adjusted property tax amount.

1252 Section 16. Section **59-2a-902** is amended to read:

1253 **59-2a-902 (Effective 01/01/27). Application -- Rulemaking authority.**

1254 (1)(a) Except as provided in Section 59-2a-108 or Subsection (2), an applicant for
 1255 deferral for the current tax year shall annually file an application on or before
 1256 September 1 with the county in which the applicant's property is located.

1257 (b) An indigent individual may for the same property apply and potentially qualify only
 1258 for a deferral under [Part 7, Discretionary Deferral, or] this part, or both a deferral
 1259 under this part and Part 8, Nondiscretionary Deferral for Property with Qualifying
 1260 Increase[, an abatement, or both].

1261 (2) A county shall extend the September 1 application deadline by one additional year if:

1262 (a) the applicant had been approved for a deferral under this part in the prior year; or

1263 (b) the county determines that:

1264 (i) the applicant or a member of the applicant's immediate family had an illness or
 1265 injury that prevented the applicant from filing the application on or before the
 1266 September 1 application deadline;

1267 (ii) a member of the applicant's immediate family died during the calendar year of the
 1268 September 1 application deadline;

1269 (iii) the failure of the applicant to file the application on or before the September 1
 1270 application deadline was beyond the reasonable control of the applicant; or

1271 (iv) denial of an application would be unjust or unreasonable.

1272 (3)~~(a)~~ An applicant shall include in an application a signed statement that describes the
 1273 eligibility of the applicant for deferral.

1274 ~~[(b) The requirements described in Subsection (3)(a) include:]~~

1275 ~~[(i) proof that the applicant resides at the single-family residence for which the~~
 1276 ~~applicant seeks the deferral;]~~

1277 ~~[(ii) proof of age; and]~~

1278 ~~[(iii) proof of household income.]~~

1279 (4) Both spouses shall sign an application if the application seeks a deferral on a residence:

1280 (a) in which both spouses reside; and

1281 (b) that the spouses own as joint tenants.

1282 (5) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the
 1283 commission may make rules to implement this section.

1284 Section 17. Section **63J-1-602.2** is amended to read:
1285 **63J-1-602.2 (Effective 01/01/27) (Partially Repealed 07/01/29). List of nonlapsing**
1286 **appropriations to programs.**

1287 Appropriations made to the following programs are nonlapsing:

- 1288 (1) The Legislature and the Legislature's committees.
- 1289 (2) The State Board of Education, including all appropriations to agencies, line items, and
1290 programs under the jurisdiction of the State Board of Education, in accordance with
1291 Section 53F-9-103.
- 1292 (3) The Rangeland Improvement Act created in Section 4-20-101.
- 1293 (4) The Percent-for-Art Program created in Section 9-6-404.
- 1294 (5) The LeRay McAllister Working Farm and Ranch Fund Program created in Title 4,
1295 Chapter 46, Part 3, LeRay McAllister Working Farm and Ranch Fund.
- 1296 (6) The Utah Lake Authority created in Section 11-65-201.
- 1297 (7) Dedicated credits accrued to the Utah Marriage Commission as provided under
1298 Subsection 17-66-303(2)(d)(ii).
- 1299 (8) The Wildlife Land and Water Acquisition Program created in Section 23A-6-205.
- 1300 (9) Sanctions collected as dedicated credits from Medicaid providers under Subsection
1301 26B-3-108(7).
- 1302 (10) The primary care grant program created in Section 26B-4-310.
- 1303 (11) The Opiate Overdose Outreach Pilot Program created in Section 26B-4-512.
- 1304 (12) The Utah Health Care Workforce Financial Assistance Program created in Section
1305 26B-4-702.
- 1306 (13) The Rural Physician Loan Repayment Program created in Section 26B-4-703.
- 1307 (14) The Utah Medical Education Council for the:
 - 1308 (a) administration of the Utah Medical Education Program created in Section 26B-4-707;
 - 1309 (b) provision of medical residency grants described in Section 26B-4-711; and
 - 1310 (c) provision of the forensic psychiatric fellowship grant described in Section 26B-4-712.
- 1311 (15) The Division of Services for People with Disabilities, as provided in Section 26B-6-402.
- 1312 (16) The Communication Habits to reduce Adolescent Threats (CHAT) Pilot Program
1313 created in Section 26B-7-122.
- 1314 (17) Funds that the Department of Alcoholic Beverage Services retains in accordance with
1315 Subsection 32B-2-301(8)(a) or (b).
- 1316 (18) The General Assistance program administered by the Department of Workforce
1317 Services, as provided in Section 35A-3-401.

- 1318 (19) The Utah National Guard, created in Title 39A, National Guard and Militia Act.
- 1319 (20) The Search and Rescue Financial Assistance Program, as provided in Section
1320 53-2a-1102.
- 1321 (21) The Emergency Medical Services Grant Program, as provided in Section 53-2d-207.
- 1322 (22) The Motorcycle Rider Education Program, as provided in Section 53-3-905.
- 1323 (23) The Utah Board of Higher Education for teacher preparation programs, as provided in
1324 Section 53H-5-402.
- 1325 (24) Innovation grants under Section 53G-10-608, except as provided in Subsection
1326 53G-10-608(3).
- 1327 (25) The Division of Fleet Operations for the purpose of upgrading underground storage
1328 tanks under Section 63A-9-401.
- 1329 (26) The Division of Technology Services for technology innovation as provided under
1330 Section 63A-16-903.
- 1331 (27) The State Capitol Preservation Board created by Section 63O-2-201.
- 1332 (28) The Office of Administrative Rules for publishing, as provided in Section 63G-3-402.
- 1333 (29) The Colorado River Authority of Utah, created in Title 63M, Chapter 14, Colorado
1334 River Authority of Utah Act.
- 1335 (30) The Governor's Office of Economic Opportunity to fund the Enterprise Zone Act, as
1336 provided in Title 63N, Chapter 2, Part 2, Enterprise Zone Act.
- 1337 (31) The Governor's Office of Economic Opportunity's Rural Employment Expansion
1338 Program, as described in Title 63N, Chapter 4, Part 4, Rural Employment Expansion
1339 Program.
- 1340 (32) County correctional facility contracting program for state inmates as described in
1341 Section 64-13e-103.
- 1342 (33) County correctional facility reimbursement program for state probationary inmates and
1343 state parole inmates as described in Section 64-13e-104.
- 1344 (34) Programs for the Jordan River Recreation Area as described in Section 65A-2-8.
- 1345 (35) The Division of Human Resource Management user training program, as provided in
1346 Section 63A-17-106.
- 1347 (36) A public safety answering point's emergency telecommunications service fund, as
1348 provided in Section 69-2-301.
- 1349 (37) The Traffic Noise Abatement Program created in Section 72-6-112.
- 1350 (38) The money appropriated from the Navajo Water Rights Negotiation Account to the
1351 Division of Water Rights, created in Section 73-2-1.1, for purposes of participating in a

- 1352 settlement of federal reserved water right claims.
- 1353 (39) The Judicial Council for compensation for special prosecutors, as provided in Section
1354 77-10a-19.
- 1355 (40) A state rehabilitative employment program, as provided in Section 78A-6-210.
- 1356 (41) The Utah Geological Survey, as provided in Section 79-3-401.
- 1357 (42) The Bonneville Shoreline Trail Program created under Section 79-5-503.
- 1358 (43) Adoption document access as provided in Sections 81-13-103, 81-13-504, and
1359 81-13-505.
- 1360 (44) Indigent defense as provided in Title 78B, Chapter 22, Part 4, Utah Indigent Defense
1361 Commission.
- 1362 (45) The program established by the Division of Facilities Construction and Management
1363 under Section 63A-5b-703 under which state agencies receive an appropriation and pay
1364 lease payments for the use and occupancy of buildings owned by the Division of
1365 Facilities Construction and Management.
- 1366 [~~(46) The State Tax Commission for reimbursing counties for deferrals in accordance with~~
1367 ~~Section 59-2-1802.5.]~~
- 1368 [(47)] (46) The Veterinarian Education Loan Repayment Program created in Section 4-2-902.
1369 Section 18. **Effective Date.**
- 1370 This bill takes effect on January 1, 2027.