

Effective 1/1/2026

59-12-352 Transient room tax authority for municipalities and certain authorities -- Purposes for which revenues may be used.

- (1)
 - (a) Except as provided in Subsection (5), the governing body of a municipality may impose a tax of not to exceed 1% on charges for the accommodations and services described in Subsection 59-12-103(1)(i).
 - (b) Subject to Section 63H-1-203, the military installation development authority created in Section 63H-1-201 may impose a tax under this section for accommodations and services described in Subsection 59-12-103(1)(i) within a project area described in a project area plan adopted by the authority under Title 63H, Chapter 1, Military Installation Development Authority Act, as though the authority were a municipality.
 - (c) Beginning October 1, 2024, the Utah Fairpark Area Investment and Restoration District, created in Section 11-70-201, may impose a tax under this section for accommodations and services described in Subsection 59-12-103(1)(i) within the district sales tax area, as defined in Section 11-70-101, to the same extent and in the same manner as a municipality may impose a tax under this section.
 - (d) Beginning October 1, 2025, the creating entity of a major sporting event venue zone approved pursuant to Title 63N, Chapter 3, Part 17, Major Sporting Event Venue Zone Act, may impose a tax under this section for accommodations and services described in Subsection 59-12-103(1)(i) within the sales and use tax boundary, as defined in Section 63N-3-1701:
 - (i) to the same extent and in the same manner as a municipality may impose a tax under this section; and
 - (ii) as described in Subsection (7).
- (2) Subject to the limitations of Subsection (1), a governing body of a municipality may, by ordinance, increase or decrease the tax under this part.
- (3) A governing body of a municipality shall regulate the tax under this part by ordinance.
- (4) A municipality may use revenues generated by the tax under this part for general fund purposes.
- (5)
 - (a) A municipality may not impose a tax under this section for accommodations and services described in Subsection 59-12-103(1)(i) within:
 - (i) a project area described in a project area plan adopted by the military installation development authority under Title 63H, Chapter 1, Military Installation Development Authority Act; or
 - (ii) the district sales tax area, as defined in Section 11-70-101.
 - (b) Subsection (5)(a) does not apply to:
 - (i) the military installation development authority's imposition of a tax under this section; or
 - (ii) the imposition of a tax under this section by the Utah Fairpark Area Investment and Restoration District created in Section 11-70-201.
 - (c) A municipality may not impose a tax under this section for accommodations and services described in Subsection 59-12-103(1)(i) within a qualified development zone of a major sporting event venue zone if the creating entity of the major sporting event venue zone imposes a tax as described in Subsection (7).
- (6)
 - (a) As used in this Subsection (6):
 - (i) "Authority" means the Point of the Mountain State Land Authority, created in Section 11-59-201.

- (ii) "Authority board" means the board referred to in Section 11-59-301.
 - (b) The authority may, by a resolution adopted by the authority board, impose a tax of not to exceed 5% on charges for the accommodations and services described in Subsection 59-12-103(1)(i) for transactions that occur on point of the mountain state land, as defined in Section 11-59-102.
 - (c) The authority board, by resolution, shall regulate the tax under this Subsection (6).
 - (d) The authority shall use all revenue from a tax imposed under this Subsection (6) to provide affordable housing, consistent with the manner that a community reinvestment agency uses funds for income targeted housing under Section 17C-1-412.
 - (e) A tax under this Subsection (6) is in addition to any other tax that may be imposed under this part.
- (7)
- (a) As used in this Subsection (7), "creating entity" means the same as that term is defined in Section 11-71-101.
 - (b) A creating entity may, by ordinance, impose a tax not to exceed 5% on charges for the accommodations and services described in Subsection 59-12-103(1)(i) for transactions that occur within the sales and use tax boundary, as defined in Section 63N-3-1701, of a major sporting event venue zone.
 - (c) A creating entity shall use all revenue from a tax imposed under this Subsection (7) as described in Sections 11-71-202 and 11-71-203.
 - (d) A tax under this Subsection (7) is in addition to any other tax that may be imposed under this part.

Amended by Chapter 495, 2025 General Session