

UINTAH BASIN REVITALIZATION FUND AMENDMENTS

2001 GENERAL SESSION

STATE OF UTAH

Sponsor: Beverly Ann Evans

This act modifies the Oil and Gas Severance Tax to include in the diversion of severance taxes to the Uintah Basin Revitalization Fund wells located on lands recently conveyed to the Ute Tribe by the federal government. This act has retrospective operation to January 1, 2001.

This act affects sections of Utah Code Annotated 1953 as follows:

AMENDS:

59-5-116, as last amended by Chapter 414, Laws of Utah 1998

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

Section 1. Section **59-5-116** is amended to read:

59-5-116. Disposition of certain taxes collected on Ute Indian land.

(1) Except as provided in Subsection (2), ~~[commencing July 1, 1996,]~~ there shall be deposited into the Uintah Basin Revitalization Fund established in Section 9-10-102:

(a) for taxes imposed under this part beginning on July 1, 1996, 33% of the taxes [imposed and] collected [under Section 59-5-102 from all wells existing on or before June 30, 1995, producing from] on oil [and], gas, or other hydrocarbon substances produced from a well:

(i) for which production began on or before June 30, 1995; and

(ii) attributable to interests:

[(†)] (A) held in trust by the United States for the Tribe and its members; [and] or

[(†) until] (B) for taxes imposed under this part beginning on July 1, 1996, and ending on December 31, 2004, on lands identified in Pub. L. No. 440, 62 Stat. 72 (1948); [and]

(b) for taxes imposed under this part beginning on July 1, 1996, 80% of taxes [imposed and] collected [under Section 59-5-102 from new wells beginning production on or after July 1, 1995, producing from] on oil [and], gas, or other hydrocarbon substances produced from a well:

(i) for which production began on or after July 1, 1995; and

(ii) attributable to interests:

~~[(i)]~~ (A) held in trust by the United States for the Tribe and its members; ~~[and] or~~
~~[(ii) until]~~ (B) for taxes imposed under this part beginning on July 1, 1996, and ending on
December 31, 2004, on lands identified in Pub. L. No. 440, 62 Stat. 72 (1948); and
(c) for taxes imposed under this part beginning on January 1, 2001, and ending on December
31, 2006, 80% of taxes collected on oil, gas, or other hydrocarbon substances produced from a well:
(i) for which production began on or after January 1, 2001; and
(ii) attributable to interests on lands conveyed to the tribe under the Ute-Moab Land
Restoration Act, Pub. L. No. 106-398, Sec. 3303.

(2) (a) The maximum amount deposited in the Uintah Basin Revitalization Fund may not exceed \$2,000,000 in ~~[a given]~~ any state fiscal year.

(b) Any amounts in excess of the maximum described in Subsection (2)(a) shall be deposited into the General Fund.

Section 2. Retrospective operation.

This act has retrospective operation to January 1, 2001.