

1 **UINTAH BASIN REVITALIZATION FUND**

2 **AMENDMENTS**

3 2001 GENERAL SESSION

4 STATE OF UTAH

5 **Sponsor: Beverly Ann Evans**

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

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

10 AMENDS:

11 **59-5-116**, as last amended by Chapter 414, Laws of Utah 1998

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

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

14 **59-5-116. Disposition of certain taxes collected on Ute Indian land.**

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

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

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

21 (ii) attributable to interests:

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

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

25 (b) for taxes imposed under this part beginning on July 1, 1996, 80% of taxes [imposed
26 and] collected [under Section 59-5-102 from new wells beginning production on or after July 1,
27 1995, producing from] on oil [and], gas, or other hydrocarbon substances produced from a well:

28 (i) for which production began on or after July 1, 1995; and
 29 (ii) attributable to interests:
 30 [(†) (A) held in trust by the United States for the Tribe and its members; [and] or
 31 [(ii) until] (B) for taxes imposed under this part beginning on July 1, 1996, and ending on
 32 December 31, 2004, on lands identified in Pub. L. No. 440, 62 Stat. 72 (1948); and
 33 (c) for taxes imposed under this part beginning on January 1, 2001, and ending on
 34 December 31, 2006, 80% of taxes collected on oil, gas, or other hydrocarbon substances produced
 35 from a well:

36 (i) for which production began on or after January 1, 2001; and
 37 (ii) attributable to interests on lands conveyed to the tribe under the Ute-Moab Land
 38 Restoration Act, Pub. L. No. 106-398, Sec. 3303.

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

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

43 Section 2. **Retrospective operation.**

44 This act has retrospective operation to January 1, 2001.

Legislative Review Note
as of 1-15-01 4:25 PM

A limited legal review of this legislation raises no obvious constitutional or statutory concerns.

Office of Legislative Research and General Counsel