

1 **ASSESSMENT OF PROPERTY AFFECTED BY**
2 **BUSINESS INTERRUPTION**

3 2005 GENERAL SESSION

4 STATE OF UTAH

5 **Sponsor: Gregory H. Hughes**

7 **LONG TITLE**

8 **General Description:**

9 This bill requires that the assessment of property include the affect of certain business
10 interruptions on the fair market value of the property.

11 **Highlighted Provisions:**

12 This bill:

13 ▶ requires a county ~~H~~→ [assessor] board of equalization ←~~H~~ to take into account the
13a affect of road construction,
14 natural disasters, and other interruptions to business when determining the fair
15 market value of property.

16 **Monies Appropriated in this Bill:**

17 None

18 **Other Special Clauses:**

19 None

20 **Utah Code Sections Affected:**

21 ENACTS:

22 **59-2-301.4**, Utah Code Annotated 1953

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

25 Section 1. Section **59-2-301.4** is enacted to read:

26 **59-2-301.4. Assessment of property affected by business interruptions.**

27 (1) In assessing the fair market value of property, a county ~~H~~→ [assessor] board of
27a equalization ←~~H~~ shall include as



28 part of the assessment the affects on the fair market value of the property caused by the
29 following:

30 (a) restrictions, obstructions, or changes in:

31 (i) access to the property; and

32 (ii) traffic flow by the property;

33 (b) ongoing road construction;

34 (c) diversion of traffic; and

35 (d) natural disasters.

36 (2) This section does not prohibit a county ~~H~~→ [assessor] board of equalization ←~~H~~ from
36a including as part of an
37 assessment any other factor affecting the fair market value of property.

Legislative Review Note

as of 11-27-04 2:29 PM

Based on a limited legal review, this legislation has not been determined to have a high probability of being held unconstitutional.

Office of Legislative Research and General Counsel

Fiscal Note
Bill Number HB0045

Assessment of Property Affected by Business Interruption

15-Jan-05

5:18 PM

State Impact

Passage of this bill should have no net fiscal impact. There could be a shift in tax burden among entities if values are lowered for impacted areas.

Individual and Business Impact

Individuals whose businesses are interrupted could receive a property tax break which would be shifted to other taxable properties in a county.

Office of the Legislative Fiscal Analyst