

1                                   **AMENDMENTS TO THE PROPERTY TAX**  
2                                   **VALUATION AGENCY FUND ASSESSING AND**  
3                                   **COLLECTING LEVY**

4                                   2005 GENERAL SESSION

5                                   STATE OF UTAH

6                                   **Sponsor: Howard A. Stephenson**

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7  
8 **LONG TITLE**

9 **General Description:**

10           This bill amends provisions of the Property Tax Act relating to the Property Tax  
11 Valuation Agency Fund and the multicounty assessing and collecting levy from which  
12 the fund is derived.

13 **Highlighted Provisions:**

14           This bill:

- 15           ▶ reduces the maximum rate of the multicounty assessing and collecting levy that  
16 funds the Property Tax Valuation Agency Fund from .0003 to .0002;
- 17           ▶ provides that a county may not receive funds from the Property Tax Valuation  
18 Agency Fund unless the county levies an additional property tax of at least .0003  
19 per dollar of the taxable value of taxable property reported by the county;
- 20           ▶ provides that the levy of an additional property tax referred to previously is:
- 21               • for the 2005 calendar year, exempt from the notice and hearing requirements of  
22 Sections 59-2-918 and 59-2-919; and
- 23               • beginning on January 1, 2006, subject to the notice and hearing requirements of  
24 Sections 59-2-918 and 59-2-919;
- 25           ▶ places limitations on the amounts that may be:
- 26               • collected from counties for the Property Tax Valuation Agency Fund; and  
27               • distributed to counties from the Property Tax Valuation Agency Fund;



28           ▶ provides that a county tax levied to fund legislative or state mandated actions, or  
29 judicial or administrative orders, may be included on the tax notice with the county  
30 assessing and collecting levy as part of the countywide aggregate tax rate; and

31           ▶ makes technical changes.

32 **Monies Appropriated in this Bill:**

33           None

34 **Other Special Clauses:**

35           None

36 **Utah Code Sections Affected:**

37 AMENDS:

38           **59-2-906.1**, as last amended by Chapter 320, Laws of Utah 2003

39           **59-2-906.2**, as enacted by Chapter 243, Laws of Utah 1993

40           **59-2-906.3**, as last amended by Chapter 291, Laws of Utah 2002

41           **59-2-906.4**, as enacted by Chapter 243, Laws of Utah 1993

42           **59-2-918**, as last amended by Chapter 127, Laws of Utah 1999

43           **59-2-919**, as last amended by Chapter 127, Laws of Utah 1999



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

46           Section 1. Section **59-2-906.1** is amended to read:

47           **59-2-906.1. Property Tax Valuation Agency Fund -- Creation -- Statewide levy --**

48 **Additional county levy permitted.**

49           (1) (a) There is created the Property Tax Valuation Agency Fund, to be funded by a  
50 multicounty assessing and collecting levy not to exceed [~~0.003~~] .0002 as provided in  
51 Subsection (2).

52           (b) The multicounty assessing and collecting levy under Subsection (1)(a) shall be  
53 imposed annually by each county in the state.

54           (c) The purpose of the multicounty assessing and collecting levy created under  
55 Subsection (1)(a) and the disbursement formulas established in Section 59-2-906.2 is to  
56 promote the:

57           (i) accurate valuation of property[~~the~~];

58           (ii) establishment and maintenance of uniform assessment levels within and among

59 counties~~[-];~~ and ~~[the]~~

60 (iii) efficient administration of the property tax system, including the costs of  
61 assessment, collection, and distribution of property taxes.

62 (d) Income derived from the investment of money in the fund created in this  
63 Subsection (1) shall be deposited in and become part of the fund.

64 (2) (a) ~~[Except as authorized in]~~ Subject to Subsection (2)(b), ~~[beginning in fiscal year~~  
65 ~~1996-97]~~ in order to fund the Property Tax Valuation Agency Fund, the Legislature shall  
66 authorize the amount of the multicounty assessing and collecting levy~~[-, except that the].~~

67 (b) The multicounty assessing and collecting levy may not exceed the certified revenue  
68 levy as defined in Section 59-2-102~~[-], unless:~~

69 ~~[(b) If]~~ (i) the Legislature authorizes a multicounty assessing and collecting levy that  
70 exceeds the certified revenue levy~~[-, it is subject to]; and~~

71 (ii) the state complies with the notice requirements of Section 59-2-926.

72 ~~[(c) For the calendar year beginning on January 1, 1998, and ending December 31,~~  
73 ~~1998, the certified revenue levy shall be increased by the amount necessary to offset the~~  
74 ~~decrease in revenues from uniform fees on tangible personal property under Section 59-2-405~~  
75 ~~as a result of the decrease in uniform fees on tangible personal property under Section 59-2-405~~  
76 ~~enacted by the Legislature during the 1997 Annual General Session.]~~

77 ~~[(d) For the calendar year beginning on January 1, 1999, and ending on December 31,~~  
78 ~~1999, the certified revenue levy shall be adjusted by the amount necessary to offset the~~  
79 ~~adjustment in revenues from uniform fees on tangible personal property under Section~~  
80 ~~59-2-405.1 as a result of the adjustment in uniform fees on tangible personal property under~~  
81 ~~Section 59-2-405.1 enacted by the Legislature during the 1998 Annual General Session.]~~

82 (3) (a) The multicounty assessing and collecting levy authorized by the Legislature  
83 under Subsection (2) shall be separately stated on the tax notice as a multicounty assessing and  
84 collecting levy.

85 (b) The multicounty assessing and collecting levy authorized by the Legislature under  
86 Subsection (2) is:

87 (i) exempt from the redevelopment provisions of Sections 17B-4-1003 and  
88 17B-4-1004;

89 (ii) in addition to and exempt from the maximum levies allowable under Section

90 59-2-908; and

91 (iii) exempt from the notice requirements of Sections 59-2-918 and 59-2-919.

92 (c) (i) Each county shall transmit quarterly to the state treasurer the portion of the  
93 ~~[:0003]~~ .0002 multicounty assessing and collecting levy which is above the amount to which  
94 that county is entitled to under Section 59-2-906.2.

95 ~~[(†)]~~ (ii) The revenue transmitted under Subsection (3)(c)(i) shall be transmitted no  
96 later than the tenth day of the month following the end of the quarter in which the revenue is  
97 collected.

98 ~~[(†)]~~ (iii) If revenue transmitted under Subsection (3)(c)(i) is transmitted after the tenth  
99 day of the month following the end of the quarter in which the revenue is collected, the county  
100 shall pay an interest penalty at the rate of 10% each year until the revenue is transmitted.

101 (d) The state treasurer shall deposit in the Property Tax Valuation Agency Fund the:

102 (i) revenue from the multicounty assessing and collecting levy~~[-, any]~~;

103 (ii) interest accrued from that levy~~[-]~~; and ~~[any]~~

104 (iii) penalties received under Subsection (3)(c)(iii) ~~[in the Property Tax Valuation~~  
105 ~~Agency Fund]~~.

106 (4) (a) ~~[Each county may levy]~~ A county may not receive funds from the Property Tax  
107 Valuation Agency Fund unless the county levies an additional property tax ~~[up to .0002]~~ of at  
108 least .0003 per dollar of taxable value of taxable property as reported by each county. ~~[This]~~

109 (b) The levy described in Subsection (4)(a) shall be stated on the tax notice as a county  
110 assessing and collecting levy.

111 ~~[(†)]~~ (c) The purpose of the levy established in this Subsection (4) is to promote the:

112 (i) accurate valuation of property~~[-, the]~~;

113 (ii) establishment and maintenance of uniform assessment levels within and among  
114 counties~~[-]~~; and ~~[the]~~

115 (iii) efficient administration of the property tax system, including the costs of  
116 assessment, collection, and distribution of property taxes.

117 ~~[(b) Any]~~ (d) A levy established in Subsection (4)(a) is:

118 (i) exempt from the redevelopment provisions of Sections 17B-4-1003 and  
119 17B-4-1004;

120 (ii) in addition to and exempt from the maximum levies allowable under Section

121 59-2-908; [and]

122 (iii) [~~is subject to~~] for the calendar year beginning on January 1, 2005, and ending on  
123 December 31, 2005, exempt from the notice and hearing requirements of Sections 59-2-918  
124 and 59-2-919[-]; and

125 (iv) beginning on January 1, 2006, subject to the notice and hearing requirements of  
126 Sections 59-2-918 and 59-2-919.

127 Section 2. Section **59-2-906.2** is amended to read:

128 **59-2-906.2. Disbursement of monies in the Property Tax Valuation Agency Fund**

129 **-- Use of funds.**

130 (1) Beginning January 1, 1994, the state auditor shall authorize disbursement of money  
131 from the Property Tax Valuation Agency Fund to each county as follows:

132 (a) subject to Subsection (6), each county of the first class shall receive a disbursement  
133 of 94.5% of the funds transmitted to the Property Tax Valuation Agency Fund by such  
134 counties; and

135 (b) subject to Subsection (7), money derived from funds transmitted by counties of the  
136 second through sixth class and any remaining monies not distributed under Subsection (1)(a)  
137 shall be disbursed pro rata to counties of the second through sixth class based upon the number  
138 of adjusted parcel units in each county as determined in Subsection (2).

139 (2) (a) The number of adjusted parcel units in a county shall be determined by  
140 multiplying the sum of the following by the county parcel factor:

- 141 (i) the number of residential parcels multiplied by 2;  
142 (ii) the number of commercial parcels multiplied by 4; and  
143 (iii) the number of all other parcels multiplied by 1.

144 (b) For purposes of this subsection, the county parcel factor is:

- 145 (i) 0.9 for counties of the second class;  
146 (ii) 1.0 for counties of the third class;  
147 (iii) 1.05 for counties of the fourth class;  
148 (iv) 1.15 for counties of the fifth class; and  
149 (v) 1.3 for counties of the sixth class.

150 (3) Money in the Property Tax Valuation Agency Fund on the 10th day of the month  
151 following the end of the quarter in which the revenue is collected shall, upon authorization by

152 the state auditor, be transmitted by the state treasurer according to the disbursement formula  
153 determined under Subsection (2) no later than five working days after the 10th day of the  
154 month following the end of the quarter in which the revenue is collected.

155 (4) If money in the Property Tax Valuation Agency Fund on the 10th day of the month  
156 following the end of the quarter in which the revenue is collected is not transmitted to a county  
157 within five working days of the 10th day of that month, except as provided for in Subsection  
158 (3), income from the investment of that money shall be:

159 (a) deposited in and become part of the Property Tax Valuation Agency Fund; and

160 (b) disbursed to the county in the next quarter.

161 (5) A county shall use money disbursed from the Property Tax Valuation Agency Fund  
162 for:

163 (a) establishing and maintaining accurate property valuations and uniform assessment  
164 levels as required by Section 59-2-103; and

165 (b) improving the efficiency of the property tax system.

166 (6) (a) For purposes of this Subsection (6), "retained funds" means the difference  
167 between:

168 (i) the funds transmitted by a county of the first class to the Property Tax Valuation  
169 Agency Fund under Subsection (1)(a); and

170 (ii) the disbursement described in Subsection (1)(a).

171 (b) Notwithstanding Subsection (1)(a), if the retained funds are:

172 (i) less than \$250,000, the disbursement described in Subsection (1)(a) shall be reduced  
173 by the difference between:

174 (A) \$250,000; and

175 (B) the retained funds; and

176 (ii) more than \$500,000, the disbursement described in Subsection (1)(a) shall be  
177 increased by the difference between:

178 (A) the retained funds; and

179 (B) \$500,000.

180 (7) Notwithstanding Subsection (1)(b):

181 (a) if the amount transmitted under Subsection (1)(b) by a county of the second class is:

182 (i) less than \$100,000, the amount disbursed under Subsection (1)(b) to a county of the

183 second class shall be reduced by the difference between:

184 (A) \$100,000; and

185 (B) the amount transmitted under Subsection (1)(b) by a county of the second class;

186 and

187 (ii) more than \$250,000, the amount disbursed under Subsection (1)(b) to a county of  
 188 the second class shall be increased by the difference between:

189 (A) the amount transmitted under Subsection (1)(b) by a county of the second class;

190 and

191 (B) \$250,000;

192 (b) if the amount transmitted under Subsection (1)(b) by a county of the third class is  
 193 more than \$250,000, the amount disbursed under Subsection (1)(b) to a county of the third  
 194 class shall be increased by the difference between:

195 (i) the amount transmitted under Subsection (1)(b) by a county of the third class; and

196 (ii) \$250,000;

197 (c) if the amount transmitted under Subsection (1)(b) by a county of the fourth class is  
 198 more than \$100,000, the amount disbursed under Subsection (1)(b) to a county of the fourth  
 199 class shall be increased by the difference between:

200 (i) the amount transmitted under Subsection (1)(b) by a county of the fourth class; and

201 (ii) \$100,000; and

202 (d) the amount disbursed under Subsection (1)(b) to a county of the fifth or sixth class  
 203 shall not be less than the amount transmitted under Subsection (1)(b) by a county of the fifth or  
 204 sixth class.

205 Section 3. Section **59-2-906.3** is amended to read:

206 **59-2-906.3. Additional levies by counties.**

207 (1) ~~(a) [Beginning January 1, 1994, a]~~ A county may levy an additional tax to fund  
 208 state mandated actions to meet legislative mandates or judicial or administrative orders which  
 209 relate to promoting the accurate valuation of property, the establishment and maintenance of  
 210 uniform assessment levels within and among counties, and the administration of the property  
 211 tax system.

212 (b) An additional rate levied under this Subsection (1)(a):

213 ~~[(a)]~~ (i) shall be stated on the tax notice[-and];

214 (ii) may be included on the tax notice with the county assessing and collecting levy  
 215 authorized under Subsection 59-2-906.1(4) as part of the countywide aggregate tax rate;

216 ~~(b)~~ (iii) may not be included in determining the maximum allowable levy for the  
 217 county or other taxing entities; and

218 ~~(c)~~ (iv) is subject to the notice requirements of Sections 59-2-918 and 59-2-919.

219 (2) (a) ~~[Beginning January 1, 1994, a]~~ A county may levy an additional tax for  
 220 reappraisal programs that:

221 (i) are formally adopted by the county legislative body; and ~~[which]~~

222 (ii) conform to tax commission rules.

223 (b) An additional rate levied under ~~[this]~~ Subsection (2)(a):

224 ~~(a)~~ (i) shall be stated on the tax notice~~[-and]~~;

225 (ii) may be included on the tax notice with the county assessing and collecting levy  
 226 authorized under Subsection 59-2-906.1(4) as part of the countywide aggregate tax rate;

227 ~~(b)~~ (iii) may not be included in determining the maximum allowable levy for the  
 228 county or other taxing entities; and

229 ~~(c)~~ (iv) is subject to the notice requirements of Sections 59-2-918 and 59-2-919.

230 Section 4. Section **59-2-906.4** is amended to read:

231 **59-2-906.4. Accounting records for levies.**

232 Each county shall separately budget and account for the use of any monies received or  
 233 expended under a levy imposed under Section 59-2-906.1, 59-2-906.2, or 59-2-906.3.

234 Section 5. Section **59-2-918** is amended to read:

235 **59-2-918. Advertisement of proposed tax increase -- Notice -- Contents.**

236 (1) (a) Except as provided in Subsection (1)(b), a taxing entity may not budget an  
 237 increased amount of ad valorem tax revenue exclusive of revenue from new growth as defined  
 238 in Subsection 59-2-924(2) unless it advertises its intention to do so at the same time that it  
 239 advertises its intention to fix its budget for the forthcoming fiscal year.

240 (b) Notwithstanding Subsection (1)(a), a taxing entity is not required to meet the  
 241 advertisement requirements of this section if the taxing entity:

242 (i) collected less than \$15,000 in ad valorem tax revenues for the previous fiscal  
 243 year~~[-]; or~~

244 (ii) is expressly exempted by law from complying with the requirements of this section.



245 (2) (a) For taxing entities operating under a July 1 through June 30 fiscal year, the  
246 advertisement required by this section may be combined with the advertisement required by  
247 Section 59-2-919.

248 (b) For taxing entities operating under a January 1 through December 31 fiscal year,  
249 the advertisement required by this section shall meet the size, type, placement, and frequency  
250 requirements established under Section 59-2-919.

251 (3) The form of the advertisement required by this section shall meet the size, type,  
252 placement, and frequency requirements established under Section 59-2-919 and shall be  
253 substantially as follows:

254 "NOTICE OF PROPOSED TAX INCREASE

255 The (name of the taxing entity) is proposing to increase its property tax revenue. As a  
256 result of the proposed increase, the tax on a (insert the average value of a residence in the  
257 taxing entity rounded to the nearest thousand dollars) residence will be \$\_\_\_\_\_, and the  
258 tax on a business having the same value as the average value of a residence in the taxing entity  
259 will be\_\_\_\_\_. Without the proposed increase, the tax on a (insert the average value of a  
260 residence in the taxing entity rounded to the nearest thousand dollars) residence would be  
261 \$\_\_\_\_\_, and the tax on a business having the same value as the average value of a  
262 residence in the taxing entity would be\_\_\_\_\_.

263 This would be an increase of \_\_\_\_\_%, which is \$\_\_\_\_\_ per year (\$\_\_\_\_\_ per  
264 month) on a (insert the average value of a residence in the taxing entity rounded to the nearest  
265 thousand dollars) residence or \$\_\_\_\_\_ per year on a business having the same value as the  
266 average value of a residence in the taxing entity. With new growth, this property tax increase,  
267 and other factors, (name of taxing entity) will increase its property tax revenue from \$\_\_\_\_\_  
268 collected last year to \$\_\_\_\_\_ collected this year which is a revenue increase of \_\_\_\_\_%.

269 All concerned citizens are invited to a public hearing on the tax increase to be held on  
270 (date and time) at (meeting place)."

271 (4) If a final decision regarding the budgeting of an increased amount of ad valorem tax  
272 revenue is not made at the public hearing described in Subsection (3), the taxing entity shall  
273 announce at the public hearing the scheduled time and place for consideration and adoption of  
274 the proposed budget increase.

275 (5) (a) Each taxing entity operating under the January 1 through December 31 fiscal

276 year shall by March 1 notify the county of the date, time, and place of the public hearing at  
277 which the budget for the following fiscal year will be considered.

278 (b) The county shall include the information described in Subsection (5)(a) with the tax  
279 notice.

280 (6) A taxing entity shall hold a public hearing under this section beginning at or after 6  
281 p.m.

282 Section 6. Section **59-2-919** is amended to read:

283 **59-2-919. Resolution proposing tax increases -- Notice -- Contents of notice of**  
284 **proposed tax increase -- Personal mailed notice in addition to advertisement -- Contents**  
285 **of personal mailed notice -- Hearing -- Dates.**

286 A tax rate in excess of the certified tax rate may not be levied until a resolution has  
287 been approved by the taxing entity in accordance with the following procedure:

288 (1) (a) (i) The taxing entity shall advertise its intent to exceed the certified tax rate in a  
289 newspaper or combination of newspapers of general circulation in the taxing entity.

290 (ii) Notwithstanding Subsection (1)(a)(i), a taxing entity is not required to meet the  
291 advertisement requirements of this section if the taxing entity:

292 (A) collected less than \$15,000 in ad valorem tax revenues for the previous fiscal  
293 year[-]; or

294 (B) is expressly exempted by law from complying with the requirements of this  
295 section.

296 (b) The advertisement described in this section shall:

297 (i) be no less than 1/4 page in size [~~and the type used shall be~~];

298 (ii) use type no smaller than 18 point[-]; and

299 (iii) be surrounded by a 1/4-inch border.

300 (c) The advertisement described in this section may not be placed in that portion of the  
301 newspaper where legal notices and classified advertisements appear.

302 (d) It is [~~legislative~~] the intent of the Legislature that[-];

303 (i) whenever possible, the advertisement described in this section appear in a  
304 newspaper that is published at least one day per week[-]; and

305 [~~It is further the intent of the Legislature that~~]

306 (ii) the newspaper or combination of newspapers selected;

307 (A) be of general interest and readership in the taxing entity[-]; and

308 (B) not be of limited subject matter.

309 [(f)] (e) The advertisement described in this section shall:

310 (i) be run once each week for the two weeks preceding the adoption of the final

311 budget[-]; and

312 [~~(g)~~] ~~The advertisement shall~~

313 (ii) state that the taxing entity will meet on a certain day, time, and place fixed in the  
314 advertisement, which shall be not less than seven days after the day the first advertisement is  
315 published, for the purpose of hearing comments regarding any proposed increase and to explain  
316 the reasons for the proposed increase.

317 [~~(h)~~] (f) The meeting on the proposed increase may coincide with the hearing on the  
318 proposed budget of the taxing entity.

319 (2) The form and content of the notice shall be substantially as follows:

320 "NOTICE OF PROPOSED TAX INCREASE

321 The (name of the taxing entity) is proposing to increase its property tax revenue. As a  
322 result of the proposed increase, the tax on a (insert the average value of a residence in the  
323 taxing entity rounded to the nearest thousand dollars) residence will be \$\_\_\_\_\_, and the  
324 tax on a business having the same value as the average value of a residence in the taxing entity  
325 will be \$\_\_\_\_\_. Without the proposed increase the tax on a (insert the average value of a  
326 residence in the taxing entity rounded to the nearest thousand dollars) residence would be  
327 \$\_\_\_\_\_, and the tax on a business having the same value as the average value of a  
328 residence in the taxing entity would be \$\_\_\_\_\_..

329 The (insert year) proposed tax rate is \_\_\_\_\_. Without the proposed increase, the  
330 rate would be \_\_\_\_\_. This would be an increase of \_\_\_\_\_%, which is \$\_\_\_\_\_ per year  
331 (\$\_\_\_\_\_ per month) on a (insert the average value of a residence in the taxing entity rounded  
332 to the nearest thousand dollars) residence or \$\_\_\_\_\_ per year on a business having the same  
333 value as the average value of a residence in the taxing entity. With new growth, this property  
334 tax increase, and other factors, (name of taxing entity) will increase its property tax revenue  
335 from \$\_\_\_\_\_ collected last year to \$\_\_\_\_\_ collected this year which is a revenue increase of  
336 \_\_\_\_\_%.

337 All concerned citizens are invited to a public hearing on the tax increase to be held on

338 (date and time) at (meeting place)."  
339 (3) The commission;  
340 (a) shall adopt rules governing the joint use of one advertisement under this section or  
341 Section 59-2-918 by two or more taxing entities; and  
342 (b) may, upon petition by any taxing entity, authorize either:  
343 (a) (i) the use of weekly newspapers in counties having both daily and weekly  
344 newspapers where the weekly newspaper would provide equal or greater notice to the taxpayer;  
345 or  
346 (b) (ii) the use of a commission-approved direct notice to each taxpayer if the;  
347 (A) cost of the advertisement would cause undue hardship; and [the]  
348 (B) direct notice is different and separate from that provided for in Subsection (4).  
349 (4) (a) In addition to providing the notice required by Subsections (1) and (2), the  
350 county auditor, on or before July 22 of each year, shall notify, by mail, each owner of real  
351 estate as defined in Section 59-2-102 who is listed on the assessment roll.  
352 (b) The notice described in Subsection (4)(a) shall:  
353 (a) (i) be sent to all owners of real property by mail not less than ten days before the  
354 day on which:  
355 (i) (A) the county board of equalization meets; and  
356 (ii) (B) the taxing entity holds a public hearing on the proposed increase in the  
357 certified tax rate;  
358 ~~(b) the notice shall~~  
359 (ii) be printed on a form that is:  
360 (i) (A) approved by the commission; and  
361 (ii) (B) uniform in content in all counties in the state; and  
362 (c) (iii) contain for each property:  
363 (i) (A) the value of the property;  
364 (ii) (B) the date the county board of equalization will meet to hear complaints on the  
365 valuation;  
366 (iii) (C) itemized tax information for all taxing entities, including a separate  
367 statement for the minimum school levy under Section 53A-17a-135 stating:  
368 (A) (I) the dollar amount the taxpayer would have paid based on last year's rate; and

369           ~~[(B)]~~ (II) the amount of the taxpayer's liability under the current rate;

370           ~~[(iv)]~~ (D) the tax impact on the property;

371           ~~[(v)]~~ (E) the time and place of the required public hearing for each entity;

372           ~~[(vi)]~~ (F) property tax information pertaining to:

373           (I) taxpayer relief~~[-]~~;

374           (II) options for payment of taxes~~[-]~~; and

375           (III) collection procedures;

376           ~~[(vii) other]~~ (G) information specifically authorized to be included on the notice under

377 Title 59, Chapter 2, Property Tax Act; and

378           ~~[(viii)]~~ (H) other property tax information approved by the commission.

379           (5) (a) The taxing entity, after holding a hearing as provided in this section, may adopt

380 a resolution levying a tax rate in excess of the certified tax rate.

381           (b) If a resolution adopting a tax rate is not adopted on the day of the public hearing,

382 the scheduled time and place for consideration and adoption of the resolution shall be

383 announced at the public hearing.

384           (c) If a resolution adopting a tax rate is to be considered at a day and time that is more

385 than two weeks after the public hearing described in Subsection (4)~~[(c)(v)]~~(b)(iii)(E), a taxing

386 entity, other than a taxing entity described in Subsection (1)(a)(ii), shall advertise the date of

387 the proposed adoption of the resolution in the same manner as provided under Subsections (1)

388 and (2).

389           (6) (a) All hearings described in this section shall be open to the public.

390           (b) The governing body of a taxing entity conducting a hearing shall permit all

391 interested parties desiring to be heard an opportunity to present oral testimony within

392 reasonable time limits.

393           (7) (a) Each taxing entity shall notify the county legislative body by March 1 of each

394 year of the date, time, and place ~~[of its]~~ a public hearing is held by the taxing entity pursuant to

395 this section.

396           (b) A taxing entity may not schedule ~~[its]~~ a hearing described in this section at the

397 same time as another overlapping taxing entity in the same county, but all taxing entities in

398 which the power to set tax levies is vested in the same governing board or authority may

399 consolidate the required hearings into one hearing.

400 (c) The county legislative body shall resolve any conflicts in hearing dates and times  
401 after consultation with each affected taxing entity.

402 (8) A taxing entity shall hold a public hearing under this section beginning at or after 6  
403 p.m.

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**Legislative Review Note**

**as of 1-21-05 8:24 AM**

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

**Office of Legislative Research and General Counsel**

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**Fiscal Note**  
**Bill Number SB0161**

Amendments to the Property Tax Valuation Agency Fund Assessing and  
Collecting Levy

04-Feb-05  
10:58 AM

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**State Impact**

No net fiscal impact. There could be a potential shift in revenues between entities.

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**Individual and Business Impact**

No net fiscal impact.

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**Office of the Legislative Fiscal Analyst**