

SALES AND USE TAX - DINNER THEATERS

2006 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: David Ure

Senate Sponsor: _____

LONG TITLE**General Description:**

This bill amends the Tourism, Recreation, Cultural, and Convention Facilities Tax part relating to certain definitions.

Highlighted Provisions:

This bill:

- ▶ amends the definition of "restaurant"; and
- ▶ makes technical changes.

Monies Appropriated in this Bill:

None

Other Special Clauses:

This bill takes effect on July 1, 2006.

Utah Code Sections Affected:

AMENDS:

59-12-602, as last amended by Chapter 248, Laws of Utah 1995

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

Section 1. Section **59-12-602** is amended to read:

59-12-602. Definitions.

As used in this part:

- (1) "Convention facility" means any publicly owned or operated convention center,



sports arena, or other facility at which conventions, conferences, and other gatherings are held and whose primary business or function is to host such conventions, conferences, and other gatherings.

(2) "Cultural facility" means any publicly owned or operated museum, theater, art center, music hall, or other cultural or arts facility.

(3) "Recreation facility" or "tourist facility" means any publicly owned or operated park, campground, marina, dock, golf course, water park, historic park, monument, planetarium, zoo, bicycle trails, and other recreation or tourism-related facility.

(4) (a) "Restaurant" includes any coffee shop, cafeteria, luncheonette, soda fountain, or fast-food service where food is prepared for immediate consumption.

(b) "Restaurant" does not include:

(i) any retail establishment whose primary business or function is the sale of fuel or food items for off-premise, but not immediate, consumption; ~~and~~

(ii) a theater that sells food items~~[, but not]; or~~

(iii) a dinner theater.

Section 2. **Effective date.**

This bill takes effect on July 1, 2006.

Legislative Review Note

as of 2-2-06 10:59 AM

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 HB0438

Sales and Use Tax - Dinner Theaters*07-Feb-06**12:16 PM*

State Impact

Passage of this bill could decrease local revenues by approximately \$50,000.

Individual and Business Impact

Individuals would receive a small tax break for purchases at dinner theatres.

Office of the Legislative Fiscal Analyst