

1 **PROPERTY TAX EXEMPTION FOR PERSONAL**

2 **PROPERTY**

3 2007 GENERAL SESSION

4 STATE OF UTAH

5 **Chief Sponsor: John Dougall**

6 Senate Sponsor: Curtis S. Bramble

8 **LONG TITLE**

9 **General Description:**

10 This bill amends the Property Tax Act relating to exemptions for certain tangible
11 personal property from assessment and taxation.

12 **Highlighted Provisions:**

13 This bill:

- 14 ▶ amends the tangible personal property exemption to exclude personal property
- 15 required to be registered with the state, mobile homes, and manufactured homes
- 16 from the exemption;
- 17 ▶ defines terms; and
- 18 ▶ makes technical changes.

19 **Monies Appropriated in this Bill:**

20 None

21 **Other Special Clauses:**

22 This bill provides an immediate effective date.

23 This bill provides retrospective operation to January 1, 2007.

24 **Utah Code Sections Affected:**

25 AMENDS:

26 **59-2-1115**, as enacted by Chapter 113, Laws of Utah 2006

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

29 Section 1. Section **59-2-1115** is amended to read:

30 **59-2-1115. Exemption of certain tangible personal property.**

31 (1) (a) The taxable tangible personal property of a taxpayer is exempt from taxation if
32 the taxable tangible personal property has a total aggregate fair market value of \$3,500 or less.

33 (b) For purposes of this section, "taxable tangible personal property" does not include:

34 (i) tangible personal property required by law to be registered with the state before it is
35 used:

36 (A) on a public highway;

37 (B) on a public waterway;

38 (C) on public land; or

39 (D) in the air;

40 (ii) a mobile home as defined in Section 41-1a-102; or

41 (iii) a manufactured home as defined in Section 41-1a-102.

42 (2) (a) For calendar years beginning on or after January 1, 2008, the commission shall
43 increase the dollar amount described in Subsection (1) by a percentage equal to the percentage
44 difference between the consumer price index for the preceding calendar year and the consumer
45 price index for calendar year 2006.

46 (b) For purposes of this Subsection (2), the commission shall calculate the consumer
47 price index as provided in Sections 1(f)(4) and 1(f)(5), Internal Revenue Code.

48 (c) If the percentage difference under Subsection (2)(a) is zero or a negative
49 percentage, the consumer price index increase for the year is zero.

50 (3) In accordance with Title 63, Chapter 46a, Utah Administrative Rulemaking Act, the
51 commission may make rules to administer this section and provide for uniform
52 implementation.

53 **Section 2. Effective date.**

54 If approved by two-thirds of all the members elected to each house, this bill takes effect
55 upon approval by the governor, or the day following the constitutional time limit of Utah
56 Constitution Article VII, Section 8, without the governor's signature, or in the case of a veto,
57 the date of veto override.

58 Section 3. **Retrospective operation.**

59 This bill has retrospective operation to January 1, 2007.