

**S.B. 90**  
**PAYMENT IN LIEU OF PROPERTY TAXES ACT**

Senator **Gene Davis** proposes the following amendments:

1. *Page 7, Lines 189 through 201:*

- 189           (1) The Division of Finance shall calculate whether or not there is eligible surplus by  
190 no later than {~~August~~} September 15 of each fiscal year.  
191           (2) There is eligible surplus in a fiscal year if for the immediately preceding fiscal year  
192 there is an unrestricted, undesignated balance in the General Fund {~~after:~~  
193 ~~— (a) the transfers:~~  
194 ~~— (i) to the General Fund Budget Reserve Account as provided in Section 63-38-2.5; and~~  
195 ~~— (ii) as provided in Section 63-38-2.7; and~~  
196 ~~— (b) the earmark to the Industrial Assistance Fund provided for in Subsection~~  
197 ~~63-38f-904(5).}~~     
198           (3) If in a fiscal year there is eligible surplus, the Division of Finance shall notify the  
199 commission by no later than {~~September~~} October 1:  
200           (a) that there is eligible surplus; and  
201           (b) of the amount of eligible surplus.

2. *Page 7, Lines 204 through 207:*

- 204           (1) Subject to an appropriation by the legislature of the eligible surplus and to the other  
205 provisions in this section, if the Division of Finance notifies the  
206 commission that there is eligible surplus, the commission shall pay an eligible municipality the  
207 total of the payments in lieu of property taxes that the eligible municipality applied for under  
Section 59-3a-202 by no later than October 1 of that fiscal year.

3. *Page 8, Lines 214 through 218:*

- 214           (c) determine if there is sufficient eligible surplus appropriated by the Legislature to pay the  
215 amount described in  
Subsection (2)(b).  
216           (3) If there is insufficient eligible surplus appropriated by the Legislature to pay the amount  
217 described in Subsection  
(2)(b), the commission shall:  
218           (a) reduce the amount each eligible municipality is due under Subsection (2)(a) by the