

## UTAH STATE SENATE

UTAH STATE CAPITOL COMPLEX • 320 STATE CAPITOL P.O. BOX 145115 • SALT LAKE CITY, UTAH 84114-5115 • (801) 538-1035

February 26, 2009

Mr. President:

The Revenue and Taxation Committee reports a favorable recommendation on **S.B. 235**, REDISTRIBUTION OF SALES AND USE TAX REVENUES AND PROPERTY TAX ADJUSTMENT, by Senator J. Valentine, with the following amendments:

- 1. Page 1, Lines 16 through 17:
  - 16 ► {-adjusts-} <u>allows</u> a county's property tax certified tax rate <u>to be</u> adjusted as a result of sales and use tax
  - 17 redistributions;
- 2. Page 6, Lines 164 through 179:
  - 164 (9) (a) Beginning on January 1, 2009, and ending on December 31, 2009, a county's
  - 165certified tax rate{ shall } maybe increasedat the request of the countylegislative bodyby the amount necessary to offset up to the total amount of
  - 166 <u>sales and use taxes:</u>
  - 167 (i) collected within the boundaries of the county:
  - 168 (A) including the sales and use taxes collected within the cities and towns within the
  - 169 <u>county; and</u>
  - 170 (B) under Chapter 12, Part 2, Local Sales and Use Tax Act; and
  - 171 (ii) that the commission redistributes:
  - 172 (A) from an original recipient political subdivision as defined in Section 59-12-210.1
  - 173 to a secondary recipient political subdivision as defined in Section 59-12-210.1;







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- 174 (B) as a result of the review, recalculations, and corrected distribution of taxes due
- 175 from telecommunications providers initiated by the commission; and
- 176 (C) <u>if the redistribution to the secondary recipient political subdivision occurs</u> on or after July 1, 2008, but on or before June 15, 2009.
- 177 (b) Beginning on January 1, 2010, and ending on December 31, 2010, a county's
- 178
   certified tax rate shall be decreased by the amount necessary to offset {-the-}
   an increase

   {-described}
   made in accordance with
- 179 <u>Subsection (9)(a).</u>
  - 3. Page 11, Lines 315 through 319:
    - 315 (2) Subject to Subsection (3), the commission may make a redistribution to a secondary
    - 316 recipient political subdivision in an amount equal to the eligible portion of qualifying sales and
    - 317 <u>use tax revenues if:</u>
    - 318
       (a) the commission provides written notice to the following { at least

       30-}
       within 15 days { before } after the
    - 319 <u>commission</u> {<u>makes</u>} <u>determines to make</u> the redistribution:

Respectfully,

Wayne L. Niederhauser Committee Chair

Voting: 7-0-0 3 SB0235.SC1.WPD bhowe/BRH RLR/BRH 2/26/09 9:46 am





