

**EXTENSION OF RECYCLING MARKET DEVELOPMENT
ZONE ACT AND RELATED TAX CREDITS**

2011 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: John L. Valentine

House Sponsor: Wayne A. Harper

LONG TITLE

General Description:

This bill extends the repeal date for the Recycling Market Development Zone Act from July 1, 2020, to January 1, 2021, and extends certain related tax credit and carry forward provisions to repeal on January 1, 2012.

Highlighted Provisions:

This bill:

- ▶ extends the repeal date for the Recycling Market Development Zone Act from July 1, 2020, to January 1, 2021;
- ▶ extends certain recycling market development zone tax credit and carry forward provisions to repeal on January 1, 2012; and
- ▶ makes technical and conforming changes.

Money Appropriated in this Bill:

None

Other Special Clauses:

This bill provides an immediate effective date.

This bill has retrospective operation to July 1, 2010.

Utah Code Sections Affected:

AMENDS:

63I-1-263, as last amended by Laws of Utah 2010, Chapters 319 and 358

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

30 Section 1. Section **63I-1-263** is amended to read:

31 **63I-1-263. Repeal dates, Titles 63 to 63M.**

32 (1) Section 63A-4-204, authorizing the Risk Management Fund to provide coverage to
33 any public school district which chooses to participate, is repealed July 1, 2016.

34 (2) Section 63A-5-603, State Facility Energy Efficiency Fund, is repealed July 1, 2016.

35 (3) Section 63C-8-106, [~~Rural~~] rural residency training program, is repealed July 1,
36 2015.

37 (4) Subsection 63G-6-502(5)(b)(ii) authorizing certain transportation agencies to award
38 a contract for a design-build transportation project in certain circumstances, is repealed July 1,
39 2015.

40 (5) The Resource Development Coordinating Committee, created in Section
41 63J-4-501, is repealed July 1, 2015.

42 (6) Title 63M, Chapter 1, Part 4, Enterprise Zone Act, is repealed July 1, 2018.

43 (7) (a) Title 63M, Chapter 1, Part 11, Recycling Market Development Zone Act, is
44 repealed [~~July 1, 2020~~] January 1, 2021.

45 (b) Subject to Subsection (7)(c), Sections 59-7-610 and 59-10-1007 regarding tax
46 credits for certain persons in recycling market development zones, are repealed for taxable
47 years beginning on or after January 1, [~~2011~~] 2012.

48 (c) [~~Notwithstanding Subsection (7)(b), a~~] A person may not claim a tax credit under
49 Section 59-7-610 or 59-10-1007:

50 (i) for the purchase price of machinery or equipment described in Section 59-7-610 or
51 59-10-1007, if the machinery or equipment is purchased on or after [~~July 1, 2010~~] January 1,
52 2012; or

53 (ii) for an expenditure described in Subsection 59-7-610(1)(b) or 59-10-1007(1)(b), if
54 the expenditure is made on or after [~~July 1, 2010~~] January 1, 2012.

55 (d) Notwithstanding Subsections (7)(b) and (c), a person may carry forward a tax credit
56 in accordance with Section 59-7-610 or 59-10-1007 if:

57 (i) the person is entitled to a tax credit under Section 59-7-610 or 59-10-1007; and

58 (ii) (A) for the purchase price of machinery or equipment described in Section
59 59-7-610 or 59-10-1007, the machinery or equipment is purchased on or before [~~June 30, 2010~~]
60 December 31, 2011; or

61 (B) for an expenditure described in Subsection 59-7-610(1)(b) or 59-10-1007(1)(b), the
62 expenditure is made on or before [~~June 30, 2010~~] December 31, 2011.

63 (8) Title 63M, Chapter 7, Part 4, Sentencing Commission, is repealed January 1, 2012.

64 (9) The Crime Victim Reparations Board, created in Section 63M-7-504, is repealed
65 July 1, 2017.

66 (10) Title 63M, Chapter 8, Utah Commission for Women and Families Act, is repealed
67 July 1, 2011.

68 (11) Title 63M, Chapter 9, Families, Agencies, and Communities Together for
69 Children and Youth At Risk Act, is repealed July 1, 2016.

70 (12) Title 63M, Chapter 11, Utah Commission on Aging, is repealed July 1, 2012.

71 Section 2. **Effective date -- Retrospective operation.**

72 This bill:

73 (1) if approved by two-thirds of all the members elected to each house, takes effect
74 upon approval by the governor, or the day following the constitutional time limit of Utah
75 Constitution Article VII, Section 8, without the governor's signature, or in the case of a veto,
76 the date of veto override; and

77 (2) has retrospective operation to July 1, 2010.