

SB0112S01 compared with SB0112

~~deleted text~~ shows text that was in SB0112 but was deleted in SB0112S01.

inserted text shows text that was not in SB0112 but was inserted into SB0112S01.

DISCLAIMER: This document is provided to assist you in your comparison of the two bills. Sometimes this automated comparison will not be completely accurate. Therefore, you need to read the actual bill. This automatically generated document could experience abnormalities caused by: limitations of the compare program; bad input data; the timing of the compare; and other potential causes.

Senator Wayne L. Niederhauser proposes the following substitute bill:

MULTI-CHANNEL VIDEO OR AUDIO SERVICE TAX

AMENDMENTS

2012 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Wayne L. Niederhauser

House Sponsor: ~~_____~~ Ryan D. Wilcox

LONG TITLE

General Description:

This bill ~~increases~~ modifies a tax credit and repeals obsolete language under the Multi-Channel Video or Audio Service Tax Act.

Highlighted Provisions:

This bill:

- ▶ ~~increases~~ modifies a tax credit under the Multi-Channel Video or Audio Service Tax Act;
- ▶ repeals obsolete language related to a study on the Multi-Channel Video or Audio Service Tax Act; and
- ▶ makes technical and conforming changes.

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Money Appropriated in this Bill:

None

Other Special Clauses:

This bill takes effect on July 1, 2012.

Utah Code Sections Affected:

AMENDS:

59-26-104.5, as enacted by Laws of Utah 2007, Chapter 288

REPEALS:

59-26-110, as enacted by Laws of Utah 2004, Chapter 300

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

Section 1. Section **59-26-104.5** is amended to read:

59-26-104.5. Nonrefundable credit against tax -- Amounts passed through to customers within the state -- Tax may not be reduced by amounts passed through to customers within the state.

(1) [~~Beginning on January 1, 2008, a~~] A multi-channel video or audio service provider may claim a nonrefundable tax credit as provided in this section.

(2) (a) The nonrefundable tax credit described in Subsection (1):

(a)(i) may be claimed against the tax the multi-channel video or audio service provider would otherwise be required to collect under this chapter from its purchasers within the state; and

(b)(ii) except as provided in Subsection (2)(b), is in an amount equal to [~~50%~~] 65% of ~~{}~~ the total amount of county or municipality franchise fees that the multi-channel video or audio service provider pays:

(i)(A) to all of the counties and municipalities within the state that impose a county or municipality franchise fee; and

(ii)(B) for the calendar quarter for which the multi-channel video or audio service provider files a return under this chapter.

(b) For purposes of Subsection (2)(a), the tax credit may not exceed the amount a multi-channel video or audio service provider would have paid:

(i) to all of the counties and municipalities within the state that impose a county or

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municipality franchise fee:

(ii) for the calendar quarter for which the multi-channel video or audio service provider files a return under this chapter; and

(iii) at the franchise fee rates in effect on January 1, 2012, for those counties and municipalities.

(3) The nonrefundable tax credit described in Subsection (1) may not be carried forward or carried back.

(4) (a) Subject to Subsections (4)(b) and (c), a multi-channel video or audio service provider shall pass through to its purchasers within the state an amount equal to the amount of the nonrefundable tax credit the multi-channel video or audio service provider claims for a calendar quarter.

(b) The amount that a multi-channel video or audio service provider passes through to its purchasers within the state under Subsection (4)(a) shall be passed through during the same calendar quarter as the calendar quarter for which the multi-channel video or audio service provider claims the nonrefundable tax credit.

(c) A tax under this chapter on amounts paid or charged for multi-channel video or audio service may not be reduced as a result of the amount a multi-channel video or audio service provider passes through to its customers within this state under this Subsection (4).

Section 2. **Repealer.**

This bill repeals:

Section **59-26-110, Revenue and Taxation Interim Committee study.**

Section 3. **Effective date.**

This bill takes effect on July 1, 2012.

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Legislative Review Note

~~as of 12-13-11 3:05 PM~~

~~Office of Legislative Research and General Counsel}~~