

**PROPERTY TAX MODIFICATIONS**

2014 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Wayne A. Harper**

House Sponsor: \_\_\_\_\_

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**LONG TITLE**

**General Description:**

This bill amends the Property Tax Act.

**Highlighted Provisions:**

This bill:

- ▶ amends the tax rate for the multicounty assessing and collecting levy;
- ▶ amends the allocation of revenue collected from the multicounty assessing and collecting levy;
- ▶ provides that a county shall increase its county additional property tax rate by an amount sufficient to offset the decrease to the multicounty assessing and collecting levy;
- ▶ provides for the allocation of money in the Property Tax Valuation Agency Fund;
- ▶ consolidates additional county property tax administration levies;
- ▶ amends funding of the Multicounty Appraisal Trust; and
- ▶ makes technical and conforming changes.

**Money Appropriated in this Bill:**

None

**Other Special Clauses:**

This bill has retrospective operation to January 1, 2014.

This bill provides revisor instructions.

**Utah Code Sections Affected:**



28 AMENDS:

29 **59-2-911**, as last amended by Laws of Utah 2009, Chapter 204

30 **59-2-924**, as last amended by Laws of Utah 2012, Chapter 245

31 **59-2-924.2**, as last amended by Laws of Utah 2010, Chapter 279

32 **59-2-1601**, as last amended by Laws of Utah 2010, Chapter 131

33 **59-2-1602**, as last amended by Laws of Utah 2010, Chapter 131

34 **59-2-1603**, as last amended by Laws of Utah 2012, Chapter 240

35 **59-2-1605**, as renumbered and amended by Laws of Utah 2008, Chapter 330

36 **59-2-1606**, as last amended by Laws of Utah 2010, Chapter 131

37 **63H-1-102**, as last amended by Laws of Utah 2013, Chapter 362

38 REPEALS:

39 **59-2-1604**, as last amended by Laws of Utah 2009, Chapter 204

40 **Utah Code Sections Affected by Revisor Instructions:**

41 **59-2-924.2**, as last amended by Laws of Utah 2010, Chapter 279



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

44 Section 1. Section **59-2-911** is amended to read:

45 **59-2-911. Exceptions to maximum levy limitation.**

46 (1) The maximum levies set forth in Section **59-2-908** do not apply to and do not  
47 include:

48 (a) levies made to pay outstanding judgment debts;

49 (b) levies made in any special improvement districts;

50 (c) levies made for extended services in any county service area;

51 (d) levies made for county library services;

52 (e) levies made to be used for storm water, flood, and water quality control;

53 (f) levies made to share disaster recovery expenses for public facilities and structures as  
54 a condition of state assistance when a Presidential Declaration has been issued under the  
55 Disaster Relief Act of 1974, 42 U.S.C. Sec. 5121;

56 (g) levies made to pay interest and provide for a sinking fund in connection with any  
57 bonded or voter authorized indebtedness, including the bonded or voter authorized  
58 indebtedness of county service areas, special service districts, and special improvement

59 districts;

60 (h) levies made to fund local health departments;

61 (i) levies made to fund public transit districts;

62 (j) levies made to establish, maintain, and replenish special improvement guaranty

63 funds;

64 (k) levies made in any special service district;

65 (l) levies made to fund municipal-type services to unincorporated areas of counties  
66 under Title 17, Chapter 34, Municipal-Type Services to Unincorporated Areas;

67 (m) levies made to fund the purchase of paramedic or ambulance facilities and  
68 equipment and to defray administration, personnel, and other costs of providing emergency  
69 medical and paramedic services, but this exception only applies to those counties in which a  
70 resolution setting forth the intention to make those levies has been duly adopted by the county  
71 legislative body and approved by a majority of the voters of the county voting at a special or  
72 general election;

73 ~~[(n) levies made to pay for the costs of state legislative mandates or judicial or~~  
74 ~~administrative orders under Section 59-2-1604;]~~

75 ~~[(o)] (n)~~ the multicounty and county assessing and collecting levies ~~[made to promote~~  
76 ~~accurate property valuations, uniform assessment levels, and the efficient administration of the~~  
77 ~~property tax system]~~ under Section 59-2-1602; and

78 ~~[(p)] (o)~~ all other exceptions to the maximum levy limitation pursuant to statute.

79 (2) (a) Upon the retirement of bonds issued for the development of a convention  
80 complex described in Section 17-12-4, and notwithstanding Section 59-2-908, any county of  
81 the first class may continue to impose a property tax levy equivalent to the average property tax  
82 levy previously imposed to pay debt service on those retired bonds.

83 (b) Notwithstanding that the imposition of the levy described in Subsection (2)(a) may  
84 not result in an increased amount of ad valorem tax revenue, the levy is subject to the notice  
85 requirements of Section 59-2-919.

86 (c) The revenues from this continued levy shall be used only for the funding of  
87 convention facilities as defined in Section 59-12-602.

88 Section 2. Section 59-2-924 is amended to read:

89 **59-2-924. Report of valuation of property to county auditor and commission --**

90 **Transmittal by auditor to governing bodies -- Certified tax rate -- Calculation of certified**  
91 **tax rate -- Rulemaking authority -- Adoption of tentative budget.**

92 (1) Before June 1 of each year, the county assessor of each county shall deliver to the  
93 county auditor and the commission the following statements:

94 (a) a statement containing the aggregate valuation of all taxable real property assessed  
95 by a county assessor in accordance with Part 3, County Assessment, for each taxing entity; and

96 (b) a statement containing the taxable value of all personal property assessed by a  
97 county assessor in accordance with Part 3, County Assessment, from the prior year end values.

98 (2) The county auditor shall, on or before June 8, transmit to the governing body of  
99 each taxing entity:

100 (a) the statements described in Subsections (1)(a) and (b);

101 (b) an estimate of the revenue from personal property;

102 (c) the certified tax rate; and

103 (d) all forms necessary to submit a tax levy request.

104 (3) (a) The "certified tax rate" means a tax rate that will provide the same ad valorem  
105 property tax revenues for a taxing entity as were budgeted by that taxing entity for the prior  
106 year.

107 (b) For purposes of this Subsection (3):

108 (i) "Ad valorem property tax revenues" do not include:

109 (A) interest;

110 (B) penalties; and

111 (C) revenue received by a taxing entity from personal property that is:

112 (I) assessed by a county assessor in accordance with Part 3, County Assessment; and

113 (II) semiconductor manufacturing equipment.

114 (ii) "Aggregate taxable value of all property taxed" means:

115 (A) the aggregate taxable value of all real property assessed by a county assessor in  
116 accordance with Part 3, County Assessment, for the current year;

117 (B) the aggregate taxable year end value of all personal property assessed by a county  
118 assessor in accordance with Part 3, County Assessment, for the prior year; and

119 (C) the aggregate taxable value of all real and personal property assessed by the  
120 commission in accordance with Part 2, Assessment of Property, for the current year.

121 (c) (i) Except as otherwise provided in this section, the certified tax rate shall be  
122 calculated by dividing the ad valorem property tax revenues budgeted for the prior year by the  
123 taxing entity by the amount calculated under Subsection (3)(c)(ii).

124 (ii) For purposes of Subsection (3)(c)(i), the legislative body of a taxing entity shall  
125 calculate an amount as follows:

126 (A) calculate for the taxing entity the difference between:

127 (I) the aggregate taxable value of all property taxed; and

128 (II) any redevelopment adjustments for the current calendar year;

129 (B) after making the calculation required by Subsection (3)(c)(ii)(A), calculate an  
130 amount determined by increasing or decreasing the amount calculated under Subsection  
131 (3)(c)(ii)(A) by the average of the percentage net change in the value of taxable property for the  
132 equalization period for the three calendar years immediately preceding the current calendar  
133 year;

134 (C) after making the calculation required by Subsection (3)(c)(ii)(B), calculate the  
135 product of:

136 (I) the amount calculated under Subsection (3)(c)(ii)(B); and

137 (II) the percentage of property taxes collected for the five calendar years immediately  
138 preceding the current calendar year; and

139 (D) after making the calculation required by Subsection (3)(c)(ii)(C), calculate an  
140 amount determined by subtracting from the amount calculated under Subsection (3)(c)(ii)(C)  
141 any new growth as defined in this section:

142 (I) within the taxing entity; and

143 (II) for the following calendar year:

144 (Aa) for new growth from real property assessed by a county assessor in accordance  
145 with Part 3, County Assessment and all property assessed by the commission in accordance  
146 with Section [59-2-201](#), the current calendar year; and

147 (Bb) for new growth from personal property assessed by a county assessor in  
148 accordance with Part 3, County Assessment, the prior calendar year.

149 (iii) For purposes of Subsection (3)(c)(ii)(A), the aggregate taxable value of all  
150 property taxed:

151 (A) except as provided in Subsection (3)(c)(iii)(B) or (3)(c)(ii)(C), is as defined in

152 Subsection (3)(b)(ii);

153 (B) does not include the total taxable value of personal property contained on the tax  
154 rolls of the taxing entity that is:

155 (I) assessed by a county assessor in accordance with Part 3, County Assessment; and

156 (II) semiconductor manufacturing equipment; and

157 (C) for personal property assessed by a county assessor in accordance with Part 3,  
158 County Assessment, the taxable value of personal property is the year end value of the personal  
159 property contained on the prior year's tax rolls of the entity.

160 (iv) For purposes of Subsection (3)(c)(ii)(B), for calendar years beginning on or after  
161 January 1, 2007, the value of taxable property does not include the value of personal property  
162 that is:

163 (A) within the taxing entity assessed by a county assessor in accordance with Part 3,  
164 County Assessment; and

165 (B) semiconductor manufacturing equipment.

166 (v) For purposes of Subsection (3)(c)(ii)(C)(II), for calendar years beginning on or after  
167 January 1, 2007, the percentage of property taxes collected does not include property taxes  
168 collected from personal property that is:

169 (A) within the taxing entity assessed by a county assessor in accordance with Part 3,  
170 County Assessment; and

171 (B) semiconductor manufacturing equipment.

172 (vi) For purposes of Subsection (3)(c)(ii)(B), for calendar years beginning on or after  
173 January 1, 2009, the value of taxable property does not include the value of personal property  
174 that is within the taxing entity assessed by a county assessor in accordance with Part 3, County  
175 Assessment.

176 (vii) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act,  
177 the commission may prescribe rules for calculating redevelopment adjustments for a calendar  
178 year.

179 (viii) (A) Except as provided in Subsections (3)(c)(ix) and (x), for purposes of  
180 Subsection (3)(c)(i), a taxing entity's ad valorem property tax revenues budgeted for the prior  
181 year shall be decreased by an amount of revenue equal to the five-year average of the most  
182 recent prior five years of redemptions adjusted by the five-year average redemption calculated

183 for the prior year as reported on the county treasurer's final annual settlement required under  
184 Subsection 59-2-1365(2).

185 (B) A decrease under Subsection (3)(c)(viii)(A) does not apply to the multicounty  
186 assessing and collecting levy authorized in Subsection 59-2-1602(2)(a), the certified revenue  
187 levy, or the minimum basic tax rate established in Section 53A-17a-135.

188 (ix) As used in Subsection (3)(c)(x):

189 (A) "One-fourth of qualifying redemptions excess amount" means a qualifying  
190 redemptions excess amount divided by four.

191 (B) "Qualifying redemptions" means that, for a calendar year, a taxing entity's total  
192 amount of redemptions is greater than three times the five-year average of the most recent prior  
193 five years of redemptions calculated for the prior year under Subsection (3)(c)(viii)(A).

194 (C) "Qualifying redemptions base amount" means an amount equal to three times the  
195 five-year average of the most recent prior five years of redemptions for a taxing entity, as  
196 reported on the county treasurer's final annual settlement required under Subsection  
197 59-2-1365(2).

198 (D) "Qualifying redemptions excess amount" means the amount by which a taxing  
199 entity's qualifying redemptions for a calendar year exceed the qualifying redemptions base  
200 amount for that calendar year.

201 (x) (A) If, for a calendar year, a taxing entity has qualifying redemptions, the  
202 redemption amount for purposes of calculating the five-year redemption average required by  
203 Subsection (3)(c)(viii)(A) is as provided in Subsections (3)(c)(x)(B) and (C).

204 (B) For the initial calendar year a taxing entity has qualifying redemptions, the taxing  
205 entity's redemption amount for that calendar year is the qualifying redemptions base amount.

206 (C) For each of the four calendar years after the calendar year described in Subsection  
207 (3)(c)(x)(B), one-fourth of the qualifying redemptions excess amount shall be added to the  
208 redemption amount.

209 (d) (i) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act,  
210 the commission shall make rules determining the calculation of ad valorem property tax  
211 revenues budgeted by a taxing entity.

212 (ii) For purposes of Subsection (3)(d)(i), ad valorem property tax revenues budgeted by  
213 a taxing entity shall be calculated in the same manner as budgeted property tax revenues are

214 calculated for purposes of Section 59-2-913.

215 (e) The certified tax rates for the taxing entities described in this Subsection (3)(e) shall  
216 be calculated as follows:

217 (i) except as provided in Subsection (3)(e)(ii), for new taxing entities the certified tax  
218 rate is zero;

219 (ii) for each municipality incorporated on or after July 1, 1996, the certified tax rate is:

220 (A) in a county of the first, second, or third class, the levy imposed for municipal-type  
221 services under Sections 17-34-1 and 17-36-9; and

222 (B) in a county of the fourth, fifth, or sixth class, the levy imposed for general county  
223 purposes and such other levies imposed solely for the municipal-type services identified in  
224 Section 17-34-1 and Subsection 17-36-3(22); and

225 (iii) for debt service voted on by the public, the certified tax rate shall be the actual  
226 levy imposed by that section, except that the certified tax rates for the following levies shall be  
227 calculated in accordance with Section 59-2-913 and this section:

228 (A) school levies provided for under Sections 53A-16-113, 53A-17a-133, and  
229 53A-17a-164; and

230 (B) levies to pay for the costs of state legislative mandates or judicial or administrative  
231 orders under Section [~~59-2-1604~~] 59-2-1602.

232 (f) (i) A judgment levy imposed under Section 59-2-1328 or 59-2-1330 shall be  
233 established at that rate which is sufficient to generate only the revenue required to satisfy one  
234 or more eligible judgments, as defined in Section 59-2-102.

235 (ii) The ad valorem property tax revenue generated by the judgment levy shall not be  
236 considered in establishing the taxing entity's aggregate certified tax rate.

237 (g) The ad valorem property tax revenue generated by the capital local levy described  
238 in Section 53A-16-113 within a taxing entity in a county of the first class:

239 (i) may not be considered in establishing the school district's aggregate certified tax  
240 rate; and

241 (ii) shall be included by the commission in establishing a certified tax rate for that  
242 capital outlay levy determined in accordance with the calculation described in Subsection  
243 59-2-913(3).

244 (4) (a) For the purpose of calculating the certified tax rate, the county auditor shall use:



245 (i) the taxable value of real property assessed by a county assessor contained on the  
246 assessment roll;

247 (ii) the taxable value of real and personal property assessed by the commission; and

248 (iii) the taxable year end value of personal property assessed by a county assessor  
249 contained on the prior year's assessment roll.

250 (b) For purposes of Subsection (4)(a)(i), the taxable value of real property on the  
251 assessment roll does not include new growth as defined in Subsection (4)(c).

252 (c) "New growth" means:

253 (i) the difference between the increase in taxable value of the following property of the  
254 taxing entity from the previous calendar year to the current year:

255 (A) real property assessed by a county assessor in accordance with Part 3, County  
256 Assessment; and

257 (B) property assessed by the commission under Section 59-2-201; plus

258 (ii) the difference between the increase in taxable year end value of personal property  
259 of the taxing entity from the year prior to the previous calendar year to the previous calendar  
260 year; minus

261 (iii) the amount of an increase in taxable value described in Subsection (4)(e).

262 (d) For purposes of Subsection (4)(c)(ii), the taxable value of personal property of the  
263 taxing entity does not include the taxable value of personal property that is:

264 (i) contained on the tax rolls of the taxing entity if that property is assessed by a county  
265 assessor in accordance with Part 3, County Assessment; and

266 (ii) semiconductor manufacturing equipment.

267 (e) Subsection (4)(c)(iii) applies to the following increases in taxable value:

268 (i) the amount of increase to locally assessed real property taxable values resulting  
269 from factoring, reappraisal, or any other adjustments; or

270 (ii) the amount of an increase in the taxable value of property assessed by the  
271 commission under Section 59-2-201 resulting from a change in the method of apportioning the  
272 taxable value prescribed by:

273 (A) the Legislature;

274 (B) a court;

275 (C) the commission in an administrative rule; or

- 276 (D) the commission in an administrative order.
- 277 (f) For purposes of Subsection (4)(a)(ii), the taxable year end value of personal
- 278 property on the prior year's assessment roll does not include:
  - 279 (i) new growth as defined in Subsection (4)(c); or
  - 280 (ii) the total taxable year end value of personal property contained on the prior year's
  - 281 tax rolls of the taxing entity that is:
    - 282 (A) assessed by a county assessor in accordance with Part 3, County Assessment; and
    - 283 (B) semiconductor manufacturing equipment.
- 284 (5) (a) On or before June 22, each taxing entity shall annually adopt a tentative budget.
- 285 (b) If the taxing entity intends to exceed the certified tax rate, it shall notify the county
- 286 auditor of:
  - 287 (i) its intent to exceed the certified tax rate; and
  - 288 (ii) the amount by which it proposes to exceed the certified tax rate.
  - 289 (c) The county auditor shall notify property owners of any intent to levy a tax rate that
  - 290 exceeds the certified tax rate in accordance with Sections 59-2-919 and 59-2-919.1.

291 Section 3. Section 59-2-924.2 is amended to read:

292 **59-2-924.2. Adjustments to the calculation of a taxing entity's certified tax rate.**

- 293 (1) For purposes of this section, "certified tax rate" means a certified tax rate calculated
- 294 in accordance with Section 59-2-924.
- 295 (2) Beginning January 1, 1997, if a taxing entity receives increased revenues from
- 296 uniform fees on tangible personal property under Section 59-2-404, 59-2-405, 59-2-405.1,
- 297 59-2-405.2, or 59-2-405.3 as a result of any county imposing a sales and use tax under Chapter
- 298 12, Part 11, County Option Sales and Use Tax, the taxing entity shall decrease its certified tax
- 299 rate to offset the increased revenues.
- 300 (3) (a) Beginning July 1, 1997, if a county has imposed a sales and use tax under
- 301 Chapter 12, Part 11, County Option Sales and Use Tax, the county's certified tax rate shall be:
  - 302 (i) decreased on a one-time basis by the amount of the estimated sales and use tax
  - 303 revenue to be distributed to the county under Subsection 59-12-1102(3); and
  - 304 (ii) increased by the amount necessary to offset the county's reduction in revenue from
  - 305 uniform fees on tangible personal property under Section 59-2-404, 59-2-405, 59-2-405.1,
  - 306 59-2-405.2, or 59-2-405.3 as a result of the decrease in the certified tax rate under Subsection

307 (3)(a)(i).

308 (b) The commission shall determine estimates of sales and use tax distributions for  
309 purposes of Subsection (3)(a).

310 (4) Beginning January 1, 1998, if a municipality has imposed an additional resort  
311 communities sales and use tax under Section 59-12-402, the municipality's certified tax rate  
312 shall be decreased on a one-time basis by the amount necessary to offset the first 12 months of  
313 estimated revenue from the additional resort communities sales and use tax imposed under  
314 Section 59-12-402.

315 (5) (a) This Subsection (5) applies to each county that:

316 (i) establishes a countywide special service district under Title 17D, Chapter 1, Special  
317 Service District Act, to provide jail service, as provided in Subsection 17D-1-201(10); and

318 (ii) levies a property tax on behalf of the special service district under Section  
319 17D-1-105.

320 (b) (i) The certified tax rate of each county to which this Subsection (5) applies shall be  
321 decreased by the amount necessary to reduce county revenues by the same amount of revenues  
322 that will be generated by the property tax imposed on behalf of the special service district.

323 (ii) Each decrease under Subsection (5)(b)(i) shall occur contemporaneously with the  
324 levy on behalf of the special service district under Section 17D-1-105.

325 (6) (a) As used in this Subsection (6):

326 (i) "Annexing county" means a county whose unincorporated area is included within a  
327 public safety district by annexation.

328 (ii) "Annexing municipality" means a municipality whose area is included within a  
329 public safety district by annexation.

330 (iii) "Equalized public safety protection tax rate" means the tax rate that results from:

331 (A) calculating, for each participating county and each participating municipality, the  
332 property tax revenue necessary:

333 (I) in the case of a fire district, to cover all of the costs associated with providing fire  
334 protection, paramedic, and emergency services:

335 (Aa) for a participating county, in the unincorporated area of the county; and

336 (Bb) for a participating municipality, in the municipality; or

337 (II) in the case of a police district, to cover all the costs:

338 (Aa) associated with providing law enforcement service:  
339 (Ii) for a participating county, in the unincorporated area of the county; and  
340 (Iiii) for a participating municipality, in the municipality; and  
341 (Bb) that the police district board designates as the costs to be funded by a property  
342 tax; and  
343 (B) adding all the amounts calculated under Subsection (6)(a)(iii)(A) for all  
344 participating counties and all participating municipalities and then dividing that sum by the  
345 aggregate taxable value of the property, as adjusted in accordance with Section 59-2-913:  
346 (I) for participating counties, in the unincorporated area of all participating counties;  
347 and  
348 (II) for participating municipalities, in all the participating municipalities.  
349 (iv) "Fire district" means a service area under Title 17B, Chapter 2a, Part 9, Service  
350 Area Act:  
351 (A) created to provide fire protection, paramedic, and emergency services; and  
352 (B) in the creation of which an election was not required under Subsection  
353 17B-1-214(3)(c).  
354 (v) "Participating county" means a county whose unincorporated area is included  
355 within a public safety district at the time of the creation of the public safety district.  
356 (vi) "Participating municipality" means a municipality whose area is included within a  
357 public safety district at the time of the creation of the public safety district.  
358 (vii) "Police district" means a service area under Title 17B, Chapter 2a, Part 9, Service  
359 Area Act, within a county of the first class:  
360 (A) created to provide law enforcement service; and  
361 (B) in the creation of which an election was not required under Subsection  
362 17B-1-214(3)(c).  
363 (viii) "Public safety district" means a fire district or a police district.  
364 (ix) "Public safety service" means:  
365 (A) in the case of a public safety district that is a fire district, fire protection,  
366 paramedic, and emergency services; and  
367 (B) in the case of a public safety district that is a police district, law enforcement  
368 service.

369 (b) In the first year following creation of a public safety district, the certified tax rate of  
370 each participating county and each participating municipality shall be decreased by the amount  
371 of the equalized public safety tax rate.

372 (c) In the first budget year following annexation to a public safety district, the certified  
373 tax rate of each annexing county and each annexing municipality shall be decreased by an  
374 amount equal to the amount of revenue budgeted by the annexing county or annexing  
375 municipality:

376 (i) for public safety service; and

377 (ii) in:

378 (A) for a taxing entity operating under a January 1 through December 31 fiscal year,  
379 the prior calendar year; or

380 (B) for a taxing entity operating under a July 1 through June 30 fiscal year, the prior  
381 fiscal year.

382 (d) Each tax levied under this section by a public safety district shall be considered to  
383 be levied by:

384 (i) each participating county and each annexing county for purposes of the county's tax  
385 limitation under Section 59-2-908; and

386 (ii) each participating municipality and each annexing municipality for purposes of the  
387 municipality's tax limitation under Section 10-5-112, for a town, or Section 10-6-133, for a  
388 city.

389 (e) The calculation of a public safety district's certified tax rate for the year of  
390 annexation shall be adjusted to include an amount of revenue equal to one half of the amount  
391 of revenue budgeted by the annexing entity for public safety service in the annexing entity's  
392 prior fiscal year if:

393 (i) the public safety district operates on a January 1 through December 31 fiscal year;

394 (ii) the public safety district approves an annexation of an entity operating on a July 1  
395 through June 30 fiscal year; and

396 (iii) the annexation described in Subsection (6)(e)(ii) takes effect on July 1.

397 (7) For the calendar year beginning on January 1, 2007, the calculation of a taxing  
398 entity's certified tax rate, calculated in accordance with Section 59-2-924, shall be adjusted by  
399 the amount necessary to offset any change in the certified tax rate that may result from

400 excluding the following from the certified tax rate under Subsection 59-2-924(3) enacted by the  
401 Legislature during the 2007 General Session:

402 (a) personal property tax revenue:

403 (i) received by a taxing entity;

404 (ii) assessed by a county assessor in accordance with Part 3, County Assessment; and

405 (iii) for personal property that is semiconductor manufacturing equipment; or

406 (b) the taxable value of personal property:

407 (i) contained on the tax rolls of a taxing entity;

408 (ii) assessed by a county assessor in accordance with Part 3, County Assessment; and

409 (iii) that is semiconductor manufacturing equipment.

410 (8) (a) The taxable value for the base year under Subsection 17C-1-102(6) shall be  
411 reduced for any year to the extent necessary to provide a community development and renewal  
412 agency established under Title 17C, Limited Purpose Local Government Entities - Community  
413 Development and Renewal Agencies Act, with approximately the same amount of money the  
414 agency would have received without a reduction in the county's certified tax rate, calculated in  
415 accordance with Section 59-2-924, if:

416 (i) in that year there is a decrease in the certified tax rate under Subsection (2) or (3)(a);

417 (ii) the amount of the decrease is more than 20% of the county's certified tax rate of the  
418 previous year; and

419 (iii) the decrease results in a reduction of the amount to be paid to the agency under  
420 Section 17C-1-403 or 17C-1-404.

421 (b) The base taxable value under Subsection 17C-1-102(6) shall be increased in any  
422 year to the extent necessary to provide a community development and renewal agency with  
423 approximately the same amount of money as the agency would have received without an  
424 increase in the certified tax rate that year if:

425 (i) in that year the base taxable value under Subsection 17C-1-102(6) is reduced due to  
426 a decrease in the certified tax rate under Subsection (2) or (3)(a); and

427 (ii) the certified tax rate of a city, school district, local district, or special service  
428 district increases independent of the adjustment to the taxable value of the base year.

429 (c) Notwithstanding a decrease in the certified tax rate under Subsection (2) or (3)(a),  
430 the amount of money allocated and, when collected, paid each year to a community

431 development and renewal agency established under Title 17C, Limited Purpose Local  
 432 Government Entities - Community Development and Renewal Agencies Act, for the payment  
 433 of bonds or other contract indebtedness, but not for administrative costs, may not be less than  
 434 that amount would have been without a decrease in the certified tax rate under Subsection (2)  
 435 or (3)(a).

436 (9) For the calendar year beginning on January 1, 2014, the calculation of a taxing  
 437 entity's certified tax rate shall be adjusted by the amount necessary to offset:

438 (a) any change in the certified tax rate that may result from amendments to Part 16,  
 439 Multicounty Assessing and Collecting Levy, in this bill; and

440 (b) the difference in the amount of revenue a taxing entity receives from or contributes  
 441 to the Property Tax Valuation Agency Fund, created in Section 59-2-1602, that may result from  
 442 amendments to Part 16, Multicounty Assessing and Collecting Levy, in this bill.

443 Section 4. Section **59-2-1601** is amended to read:

444 **59-2-1601. Definitions.**

445 As used in this part:

446 [~~(1) "Contributing county" means a county that:~~]

447 [~~(a) retains less revenue from the imposition of the multicounty assessing and~~  
 448 ~~collecting levy within the county pursuant to Section 59-2-1603 than it collects; and]~~

449 [~~(b) transmits a portion of the revenue collected from the imposition of the multicounty~~  
 450 ~~assessing and collecting levy to the Property Tax Valuation Agency Fund pursuant to Section~~  
 451 ~~59-2-1603;]~~

452 [~~(2) "Contributing county surplus revenue" means an amount equal to the difference~~  
 453 ~~between the following:]~~

454 [~~(a) the revenue collected by a county from imposing the multicounty assessing and~~  
 455 ~~collecting levy during a calendar year; and]~~

456 [~~(b) the county's multicounty assessing and collecting allocation as calculated in~~  
 457 ~~accordance with Subsection 59-2-1603(3);]~~

458 [~~(3)~~] (1) "County additional property tax" means the property tax levy described in  
 459 Subsection 59-2-1602(4).

460 [~~(4)~~] (2) "Fund" means the Property Tax Valuation Agency Fund created in Section  
 461 59-2-1602.

462 [~~(5) "Maximum county contribution" means an amount equal to the following:~~]

463 [~~(a) for a county of the first class, \$300,000;~~]

464 [~~(b) for a county of the second class, \$100,000;~~]

465 [~~(c) for a county of the third class, \$100,000;~~]

466 [~~(d) for a county of the fourth class, \$50,000; and]~~

467 [~~(e) for a county of the fifth or sixth class, \$0.]~~

468 [~~(6) "Minimum county contribution" means an amount equal to the following:~~]

469 [~~(a) for a county of the first class, \$300,000; and]~~

470 [~~(b) for a county of the second or third class, \$0.]~~

471 [~~(7) "Multicounty assessing and collecting allocation" means the revenue to which a~~  
472 ~~county is entitled from the statewide imposition of the multicounty assessing and collecting~~  
473 ~~levy, as determined in accordance with the calculation described in Subsection 59-2-1603(3).]~~

474 (3) "Multicounty Appraisal Trust" means the Multicounty Appraisal Trust created by  
475 an agreement:

476 (a) entered into by all of the counties in the state; and

477 (b) authorized by Title 11, Chapter 13, Interlocal Cooperation Act.

478 [~~(8) (4) "Multicounty assessing and collecting levy" means a property tax [rate not to~~  
479 ~~exceed .0002 per dollar of taxable value] levied in accordance with [Section] Subsection~~  
480 ~~59-2-1602(2).~~

481 [~~(9) (a) "Parcel" means an identifiable contiguous unit of real property that is treated as~~  
482 ~~separate for valuation or zoning purposes and includes any improvements on that unit of real~~  
483 ~~property.]~~

484 [~~(b) "Parcel" or "other parcel" does not include an item of personal property.]~~

485 [~~(10) "Receiving county" means a county that:]~~

486 [~~(a) receives a disbursement from the Property Tax Valuation Agency Fund in~~  
487 ~~accordance with Section 59-2-1603; and]~~

488 [~~(b) levies a county additional property tax of at least .0003 per dollar of taxable value~~  
489 ~~in accordance with Subsection 59-2-1602(4).]~~

490 Section 5. Section **59-2-1602** is amended to read:

491 **59-2-1602. Property Tax Valuation Agency Fund -- Creation -- Statewide levy --**  
492 **Additional county levy.**



493 (1) (a) There is created ~~[the]~~ an expendable special revenue fund known as the  
 494 "Property Tax Valuation Agency Fund[;]." ~~[to be funded by the revenue collected from the~~  
 495 ~~multicounty assessing and collecting levy as provided in Subsection (3)(c) and Section~~  
 496 ~~59-2-1603;]~~

497 ~~[(b) The purpose of the multicounty assessing and collecting levy required under~~  
 498 ~~Subsection (2) and the disbursement formulas established in Section 59-2-1603 is to promote~~  
 499 ~~the:]~~

500 ~~[(i) accurate valuation of property;]~~

501 ~~[(ii) establishment and maintenance of uniform assessment levels within and among~~  
 502 ~~counties; and]~~

503 ~~[(iii) efficient administration of the property tax system, including the costs of~~  
 504 ~~assessment, collection, and distribution of property taxes.]~~

505 ~~[(c) Income derived from the investment of money in the fund created in this~~  
 506 ~~Subsection (1) shall be deposited in and become part of the fund.]~~

507 (b) The fund consists of:

508 (i) deposits made and penalties received under Subsection (3); and

509 (ii) interest on money deposited into the fund.

510 (c) Deposits, penalties, and interest described in Subsection (1)(b) shall be disbursed  
 511 and used as provided in Section 59-2-1603.

512 (2) (a) ~~[Annually, each]~~ Each county shall annually impose a multicounty assessing and  
 513 collecting levy ~~[not to exceed .0002 per dollar of taxable value as authorized by the Legislature~~  
 514 ~~as provided in Subsection (2)(b)]~~ as provided in this Subsection (2).

515 (b) ~~[Subject to Subsections (2)(c), (2)(d), and (5), in order to fund the Property Tax~~  
 516 ~~Valuation Agency Fund, the Legislature shall authorize the amount of the]~~ The tax rate of the  
 517 multicounty assessing and collecting levy[;] is:

518 (i) for the calendar year beginning on January 1, 2014, .000013; and

519 (ii) for a calendar year beginning on or after January 1, 2015, the certified revenue levy.

520 (c) ~~[Except as provided in Subsection (2)(d)(i), the]~~ The multicounty assessing and  
 521 collecting levy may not exceed the certified revenue levy as defined in Section 59-2-102,  
 522 unless:

523 (i) the Legislature authorizes a multicounty assessing and collecting levy that exceeds

524 the certified revenue levy; and

525 (ii) the state complies with the notice requirements of Section [59-2-926](#).

526 ~~[(d)(i) For a calendar year beginning on or after January 1, 2010, the multicounty~~  
527 ~~assessing and collecting levy for a county of the first class is adjusted to be the same rate as for~~  
528 ~~a county of the second, third, fourth, fifth, or sixth class.]~~

529 ~~[(ii) The notice requirements of Section [59-2-926](#) do not apply to the rate adjustment~~  
530 ~~under Subsection (2)(d)(i).]~~

531 (d) Revenue collected from the multicounty assessing and collecting levy shall be  
532 allocated as follows:

533 (i) 85% of the revenue collected shall be deposited into the Multicounty Appraisal  
534 Trust; and

535 (ii) 15% of the revenue collected shall be deposited into the Property Tax Valuation  
536 Agency Fund.

537 (3) (a) The multicounty assessing and collecting levy ~~[authorized by the Legislature]~~  
538 imposed under Subsection (2) shall be separately stated on the tax notice as a multicounty  
539 assessing and collecting levy.

540 (b) The multicounty assessing and collecting levy ~~[authorized by the Legislature under~~  
541 ~~Subsection (2)]~~ is:

542 (i) exempt from ~~[the provisions of]~~ Sections [17C-1-403](#) ~~[and [17C-1-404](#)]~~ through  
543 [17C-1-406](#);

544 (ii) in addition to and exempt from the maximum levies allowable under Section  
545 [59-2-908](#); and

546 (iii) exempt from the notice and public hearing requirements of Section [59-2-919](#).

547 (c) (i) Each ~~[contributing]~~ county shall transmit quarterly to the state treasurer the  
548 ~~[portion of the]~~ revenue collected from the multicounty assessing and collecting levy ~~[which is~~  
549 ~~above the amount to which that county is entitled to under Section [59-2-1603](#)].~~

550 (ii) The revenue transmitted under Subsection (3)(c)(i) shall be transmitted no later  
551 than the tenth day of the month following the end of the quarter in which the revenue is  
552 collected.

553 (iii) If revenue transmitted under Subsection (3)(c)(i) is transmitted after the tenth day  
554 of the month following the end of the quarter in which the revenue is collected, the county shall

555 pay an interest penalty at the rate of 10% each year until the revenue is transmitted.

556 ~~[(iv) Each contributing county that transmits to the state treasurer a portion of the~~  
 557 ~~multicounty assessing and collecting levy in accordance with Subsection (3)(c)(i) shall levy~~  
 558 ~~sufficient property taxes to fund its county assessing and collecting budgets.]~~

559 (d) The state treasurer shall ~~[deposit in the fund the:]~~ allocate the penalties received  
 560 under this Subsection (3) in the same manner as revenue is allocated under Subsection (2)(d).

561 ~~[(i) revenue transmitted to the fund by contributing counties;]~~

562 ~~[(ii) interest accrued from that levy; and]~~

563 ~~[(iii) penalties received under Subsection (3)(c)(iii).]~~

564 (4) (a) A county may levy a county additional property tax in accordance with this  
 565 Subsection (4).

566 ~~[(b) A receiving county may not receive funds from the Property Tax Valuation~~  
 567 ~~Agency Fund unless the receiving county levies a county additional property tax of at least~~  
 568 ~~.0003 per dollar of taxable value of taxable property as reported by each county.]~~

569 ~~[(c)]~~ (b) The county additional property tax ~~[described in Subsection (4)(a) shall be~~  
 570 ~~levied by the county and];~~

571 (i) shall be separately stated on the tax notice as a county assessing and collecting  
 572 levy[-];

573 ~~[(d) The purpose of the county additional property tax established in this Subsection~~  
 574 ~~(4) is to promote the:]~~

575 ~~[(i) accurate valuation of property;]~~

576 ~~[(ii) establishment and maintenance of uniform assessment levels within and among~~  
 577 ~~counties; and]~~

578 ~~[(iii) efficient administration of the property tax system, including the costs of~~  
 579 ~~assessment, collection, and distribution of property taxes.]~~

580 ~~[(c) A county additional property tax levy established in Subsection (4)(a) is:]~~

581 ~~[(i) exempt from the provisions of Sections 17C-1-403 and 17C-1-404;]~~

582 ~~[(ii) in addition to and exempt from the maximum levies allowable under Section~~  
 583 ~~59-2-908; and]~~

584 ~~[(iii) beginning on January 1, 2009;]~~

585 ~~[(A) for a county that was designated as a receiving county by the state auditor during~~

586 the prior calendar year, subject to the notice and public hearing provisions of Section [59-2-919](#)  
587 only if the county additional property tax levied by that county levy is raised to a rate in excess  
588 of .0003; and]

589 [~~(B) except as provided in Subsection (4)(f), for a county that was designated as a~~  
590 ~~contributing county by the state auditor during the prior calendar year, subject to the notice and~~  
591 ~~public hearing provisions of Section [59-2-919](#).]~~

592 [~~(f) A county additional property tax levy in a county that was not a receiving county~~  
593 ~~during the prior year shall be subject to the notice and public hearing provisions described in~~  
594 ~~Subsection (4)(e)(iii)(A) if the county would have been designated as a receiving county during~~  
595 ~~the prior calendar year if the county had levied a county additional property tax of at least .0003~~  
596 ~~per dollar of taxable value.]~~

597 [~~(5) Subject to Subsection (6), for calendar years beginning on or after January 1, 2007,~~  
598 ~~the amount of the multicounty assessing and collecting levy described in this section shall be~~  
599 ~~reduced by an amount equal to the difference between:]~~

600 [~~(a) the amount of revenue budgeted:]~~

601 [~~(i) by each receiving county for that calendar year; and]~~

602 [~~(ii) for the county additional property tax levy described in Subsection (4)(a); and]~~

603 [~~(b) the amount of revenue budgeted:]~~

604 [~~(i) by each receiving county for the calendar year immediately preceding the calendar~~  
605 ~~year described in Subsection (5)(a)(i); and]~~

606 [~~(ii) for the county additional property tax levy described in Subsection (4)(a).]~~

607 [~~(6) The amounts described in the calculations required by Subsection (5) are exclusive~~  
608 ~~of new growth.]~~

609 (ii) may not be incorporated into the rate of any other levy;

610 (iii) is exempt from Sections [17C-1-403](#) through [17C-1-406](#); and

611 (iv) is in addition to and exempt from the maximum levies allowable under Section  
612 [59-2-908](#).

613 (c) Revenue collected from the county additional property tax shall be used to:

614 (i) promote the accurate valuation and uniform assessment levels of property as  
615 required by Section [59-2-103](#);

616 (ii) promote the efficient administration of the property tax system, including the costs

617 of assessment, collection, and distribution of property taxes;

618 (iii) fund state mandated actions to meet legislative mandates or judicial or

619 administrative orders that relate to promoting:

620 (A) the accurate valuation of property; and

621 (B) the establishment and maintenance of uniform assessment levels within and among  
622 counties; and

623 (iv) establish reappraisal programs that:

624 (A) are adopted by a resolution or ordinance of the county legislative body; and

625 (B) conform to rules the commission makes in accordance with Title 63G, Chapter 3,  
626 Utah Administrative Rulemaking Act.

627 Section 6. Section **59-2-1603** is amended to read:

628 **59-2-1603. Allocation of money in the Property Tax Valuation Agency Fund --**

629 **Use of funds.**

630 ~~[(1) The state auditor shall authorize disbursement of money from the Property Tax~~  
631 ~~Valuation Agency Fund to each receiving county in accordance with this section.]~~

632 ~~[(2) Except as provided in Section **59-2-1606** and Subsection **59-2-303.1(4)**, money~~  
633 ~~derived from funds transmitted by contributing counties shall be disbursed pro rata to receiving~~  
634 ~~counties of the second through sixth class based upon the number of adjusted parcel units in~~  
635 ~~each county as determined in Subsection (3).]~~

636 ~~[(3) (a) The state auditor shall determine the amount of each county's multicounty~~  
637 ~~assessing and collecting allocation in accordance with this Subsection (3).]~~

638 ~~[(b) A county's multicounty assessing and collecting allocation shall be the product of:]~~

639 ~~[(i) the county's adjusted parcel ratio; and]~~

640 ~~[(ii) a base unit value of \$10.]~~

641 ~~[(c) For purposes of this section, a county's adjusted parcel ratio shall be determined by~~  
642 ~~multiplying the sum of the following by the county parcel factor:]~~

643 ~~[(i) the number of residential parcels multiplied by 2;]~~

644 ~~[(ii) the number of commercial parcels multiplied by 4; and]~~

645 ~~[(iii) the number of all other parcels multiplied by 1.]~~

646 ~~[(d) For purposes of this Subsection (3), the county class factor is:]~~

647 ~~[(i) 0.8 for a county of the first class;]~~

648 ~~[(ii) 0.9 for a county of the second class;]~~

649 ~~[(iii) 1.0 for a county of the third class;]~~

650 ~~[(iv) 1.05 for a county of the fourth class;]~~

651 ~~[(v) 1.15 for a county of the fifth class; and]~~

652 ~~[(vi) 1.3 for a county of the sixth class.]~~

653 ~~[(e) The commission shall provide the state auditor a list of each county's parcel counts~~  
654 ~~described in Subsection (3)(c).]~~

655 ~~[(4) (a) A first class county shall transmit \$300,000 to the fund.]~~

656 ~~[(b) A second, third, or fourth class contributing county shall transmit to the fund an~~  
657 ~~amount equal to the following:]~~

658 ~~[(i) if the contributing county's surplus revenue is equal to or less than the contributing~~  
659 ~~county's minimum county contribution, the minimum county contribution;]~~

660 ~~[(ii) if the contributing county's surplus revenue is more than the county's minimum~~  
661 ~~county contribution and less than the county's maximum county contribution, the contributing~~  
662 ~~county's surplus revenue; or]~~

663 ~~[(iii) if the contributing county's surplus revenue is equal to or greater than the county's~~  
664 ~~maximum county contribution, the contributing county's maximum county contribution.]~~

665 ~~[(5) Money in the Property Tax Valuation Agency Fund on the 10th day of the month~~  
666 ~~following the end of the quarter in which the revenue is collected shall, upon authorization by~~  
667 ~~the state auditor, be transmitted by the state treasurer according to the disbursement formula~~  
668 ~~determined under Subsection (3) no later than five working days after the 10th day of the~~  
669 ~~month following the end of the quarter in which the revenue is collected.]~~

670 ~~[(6) If money in the Property Tax Valuation Agency Fund on the 10th day of the month~~  
671 ~~following the end of the quarter in which the revenue is collected is not transmitted to a~~  
672 ~~receiving county within five working days of the 10th day of that month, except as provided for~~  
673 ~~in Subsection (5), income from the investment of that money shall be:]~~

674 ~~[(a) deposited in and become part of the Property Tax Valuation Agency Fund; and]~~

675 ~~[(b) disbursed to the receiving county in the next quarter.]~~

676 (1) The state auditor shall annually conduct a study of each county of the fourth, fifth,  
677 or sixth class to determine:

678 (a) the costs of assessing and collecting property taxes;

679 (b) the ability to generate revenue from an assessing and collecting levy; and  
 680 (c) the tax burden of levying a property tax sufficient to cover the costs of assessing  
 681 and collecting property taxes.

682 (2) Subject to Subsection (3), and in accordance with Title 63G, Chapter 3, Utah  
 683 Administrative Rulemaking Act, the auditor shall make rules providing for the allocation of  
 684 money in the Property Tax Valuation Agency Fund.

685 (3) The rules described in Subsection (2) shall give priority in the allocation of money  
 686 in the Property Tax Valuation Agency Fund to the counties of the fourth, fifth, or sixth class  
 687 that the state auditor determines:

688 (a) in accordance with the study required by Subsection (1), to have the highest tax  
 689 burden; or

690 (b) to have the greatest need to improve:

691 (i) the accurate valuation and uniform assessment levels of property as required by  
 692 Section 59-2-103; or

693 (ii) the efficiency of the property tax system.

694 ~~[(7)]~~ (4) A county shall use money disbursed from the Property Tax Valuation Agency  
 695 Fund ~~[for]~~ to:

696 ~~[(a) establishing and maintaining accurate property]~~

697 (a) offset the costs of assessing and collecting property taxes;

698 (b) improve the accurate ~~[valuations]~~ valuation and uniform assessment levels of  
 699 property as required by Section 59-2-103; ~~[and]~~ or

700 ~~[(b) improving]~~ (c) improve the efficiency of the property tax system.

701 ~~[(8) The state auditor shall reallocate any:]~~

702 ~~[(a) deficit from the allocation under Subsection (3) amongst all receiving counties~~  
 703 ~~based on their adjusted parcel counts; or]~~

704 ~~[(b) surplus from the allocation under Subsection (3) amongst all contributing counties~~  
 705 ~~based on the county's percentage of the total contribution under this section.]~~

706 ~~[(9) A receiving county may not receive more than \$200,000 total from an allocation~~  
 707 ~~under Subsection (3).]~~

708 ~~[(10)]~~ (5) If money remains in the fund after all allocations have been distributed to  
 709 receiving counties in a calendar year, the state auditor shall retain the money in the fund for

710 distribution the following calendar year.

711 Section 7. Section **59-2-1605** is amended to read:

712 **59-2-1605. Accounting records for levies.**

713 Each county shall separately budget and account for the use of any money received or  
714 expended ~~[under]~~ from a levy imposed under Section ~~59-2-1602~~ ~~[, 59-2-1603, or 59-2-1604]~~.

715 Section 8. Section **59-2-1606** is amended to read:

716 **59-2-1606. CAMA system funding for counties -- Disbursements to the**  
717 **Multicounty Appraisal Trust -- Use of funds.**

718 (1) As used in this section~~[(a)]~~, "CAMA" means computer assisted mass appraisal.

719 ~~[(b) "CAMA fee rate" means:]~~

720 ~~[(i) \$1.50 for the calendar year that begins on January 1, 2009; and]~~

721 ~~[(ii) for a calendar year beginning on or after January 1, 2010, the \$1.50 described in~~  
722 ~~Subsection (1)(b)(i) may be increased each year up to 2% at the discretion of the Multicounty~~  
723 ~~Appraisal Trust.]~~

724 ~~[(c) (i) "County parcel count" means the total number of residential parcels;~~  
725 ~~commercial parcels, and other parcels within a county.]~~

726 ~~[(ii) "County parcel count" does not include a county's parcel factor as described in~~  
727 ~~Subsection ~~59-2-1603~~(3)(c).]~~

728 ~~[(d) "Factored parcel count" means the product of:]~~

729 ~~[(i) a county's parcel count; and]~~

730 ~~[(ii) the county's class factor described in Subsection ~~59-2-1603~~(3)(d).]~~

731 ~~[(e) "Multicounty Appraisal Trust" means the Multicounty Appraisal Trust created by~~  
732 ~~interlocal agreement by all 29 counties in the state.]~~

733 ~~[(2) For a calendar year beginning on or after January 1, 2009, before determining the~~  
734 ~~amount of each county's multicounty assessing and collecting allocation in accordance with~~  
735 ~~Subsection ~~59-2-1603~~(3), the state auditor shall disburse to the Multicounty Appraisal Trust an~~  
736 ~~amount of revenue equal to the product of:]~~

737 ~~[(a) the sum of the factored parcel counts for all second through sixth class counties;~~  
738 ~~and]~~

739 ~~[(b) the CAMA fee rate.]~~

740 ~~[(3)]~~ (2) (a) The funds ~~[described in Subsection (2)]~~ deposited into the Multicounty



741 Appraisal Trust in accordance with Section 59-2-1602 shall be used to provide funding for a  
742 statewide CAMA system that will promote:

- 743 (i) the accurate valuation of property;
- 744 (ii) the establishment and maintenance of uniform assessment levels among counties  
745 within the state; and
- 746 (iii) efficient administration of the property tax system, including the costs of  
747 assessment, collection, and distribution of property taxes.

748 (b) The Multicounty Appraisal Trust shall determine which projects shall be funded  
749 and oversee the administration of a statewide CAMA system.

750 Section 9. Section **63H-1-102** is amended to read:

751 **63H-1-102. Definitions.**

752 As used in this chapter:

753 (1) "Authority" means the Military Installation Development Authority, created under  
754 Section 63H-1-201.

755 (2) "Base taxable value" means:

756 (a) for military land or other land that was exempt from a property tax at the time that a  
757 project area was created that included the military land or other land, a taxable value of zero; or

758 (b) for private property that is included in a project area, the taxable value of the  
759 property within any portion of the project area, as designated by board resolution, from which  
760 tax increment will be collected, as shown upon the assessment roll last equalized before the  
761 year in which the authority issues a building permit for a building within that portion of the  
762 project area.

763 (3) "Board" means the governing body of the authority created under Section  
764 63H-1-301.

765 (4) (a) "Dedicated tax collections" means the property tax that remains after the  
766 authority is paid the tax increment it is entitled to receive under Subsection 63H-1-501(1), for a  
767 property tax levied by:

768 (i) a county, including a district the county has established under Subsection 17-34-3(2)  
769 to levy a property tax under Title 17, Chapter 34, Municipal-Type Services to Unincorporated  
770 Areas; or

771 (ii) an included municipality.

772 (b) "Dedicated tax collections" does not include a [~~property tax levied by a county to~~  
773 ~~assess and collect property taxes under Subsections 59-2-1602(1) and (4)] county additional  
774 property tax or multicounty assessing and collecting levy imposed in accordance with Section  
775 59-2-1602.~~

776 (5) "Development project" means a project to develop land within a project area.

777 (6) "Elected member" means a member of the authority board who:

778 (a) is a mayor or member of a legislative body appointed under Subsection  
779 63H-1-302(2)(b); or

780 (b) (i) is appointed to the authority board under Subsection 63H-1-302(2)(a) or (3); and  
781 (ii) concurrently serves in an elected state, county, or municipal office.

782 (7) "Included municipality" means a municipality, some or all of which is included  
783 within a project area.

784 (8) "Military Installation Development Authority energy tax" or "MIDA energy tax"  
785 means the tax levied under Section 63H-1-204.

786 (9) "Military land" means land or a facility, including leased land or a leased facility,  
787 that is part of or affiliated with a base, camp, post, station, yard, center, or installation under the  
788 jurisdiction of the U.S. Department of Defense or the Utah National Guard.

789 (10) "Municipal energy tax" means a municipal energy sales and use tax under Title  
790 10, Chapter 1, Part 3, Municipal Energy Sales and Use Tax Act.

791 (11) "Municipal services revenue" means revenue that the authority:

792 (a) collects from the authority's:

793 (i) levy of a municipal energy tax;

794 (ii) levy of a MIDA energy tax;

795 (iii) levy of a telecommunications tax;

796 (iv) imposition of a transient room tax; and

797 (v) imposition of a resort communities tax;

798 (b) receives under Subsection 59-12-205(2)(b)(ii); and

799 (c) receives as dedicated tax collections.

800 (12) "Municipal tax" means a municipal energy tax, MIDA energy tax,  
801 telecommunications tax, transient room tax, or resort communities tax.

802 (13) "Project area" means the land, including military land, whether consisting of a

803 single contiguous area or multiple noncontiguous areas, described in a project area plan or draft  
804 project area plan, where the development project set forth in the project area plan or draft  
805 project area plan takes place or is proposed to take place.

806 (14) "Project area budget" means a multiyear projection of annual or cumulative  
807 revenues and expenses and other fiscal matters pertaining to a project area that includes:

808 (a) the base taxable value of property in the project area;

809 (b) the projected tax increment expected to be generated within the project area;

810 (c) the amount of the tax increment expected to be shared with other taxing entities;

811 (d) the amount of the tax increment expected to be used to implement the project area  
812 plan, including the estimated amount of the tax increment to be used for land acquisition,  
813 public improvements, infrastructure improvements, and loans, grants, or other incentives to  
814 private and public entities;

815 (e) the tax increment expected to be used to cover the cost of administering the project  
816 area plan;

817 (f) if the tax increment is to be collected at different times or from different portions of  
818 the project area, or both:

819 (i) (A) the tax identification numbers of the parcels from which the tax increment will  
820 be collected; or

821 (B) a legal description of the portion of the project area from which the tax increment  
822 will be collected; and

823 (ii) an estimate of when other portions of the project area will become subject to  
824 collection of the tax increment; and

825 (g) for property that the authority owns or leases and expects to sell or sublease, the  
826 expected total cost of the property to the authority and the expected selling price or lease  
827 payments.

828 (15) "Project area plan" means a written plan that, after its effective date, guides and  
829 controls the development within a project area.

830 (16) "Property tax" includes a privilege tax and each levy on an ad valorem basis on  
831 tangible or intangible personal or real property.

832 (17) "Public entity" means:

833 (a) the state, including each department or agency of the state; or

834 (b) a political subdivision of the state, including a county, city, town, school district,  
835 local district, special service district, or interlocal cooperation entity.

836 (18) "Publicly owned infrastructure and improvements" means water, sewer, storm  
837 drainage, electrical, telecommunications, and other similar systems and lines, streets, roads,  
838 curb, gutter, sidewalk, walkways, parking facilities, public transportation facilities, and other  
839 buildings, facilities, infrastructure, and improvements that:

840 (a) benefit the public; and

841 (b) are:

842 (i) publicly owned or owned by a utility; or

843 (ii) publicly maintained or operated by the authority or another public entity.

844 (19) "Remaining municipal services revenue" means municipal services revenue that  
845 the authority has not spent during its fiscal year for municipal services as provided in  
846 Subsection 63H-1-503(1).

847 (20) "Resort communities tax" means a sales and use tax imposed under Section  
848 59-12-401.

849 (21) "Taxable value" means the value of property as shown on the last equalized  
850 assessment roll as certified by the county assessor.

851 (22) "Tax increment" means the difference between:

852 (a) the amount of property tax revenues generated each tax year by all taxing entities  
853 from the area within a project area designated in the project area plan as the area from which  
854 the tax increment is to be collected, using the current assessed value of the property; and

855 (b) the amount of property tax revenues that would be generated from that same area  
856 using the base taxable value of the property.

857 (23) "Taxing entity" means a public entity that levies a tax on property within a project  
858 area.

859 (24) "Telecommunications tax" means a telecommunications license tax under Title  
860 10, Chapter 1, Part 4, Municipal Telecommunications License Tax Act.

861 (25) "Transient room tax" means a tax under Section 59-12-352.

862 Section 10. **Repealer.**

863 This bill repeals:

864 Section 59-2-1604, **Additional levies by counties.**

865 Section 11. **Retrospective operation.**

866 This bill has retrospective operation to January 1, 2014.

867 Section 12. **Revisor instructions.**

868 The Legislature intends that the Office of Legislative Research and General Counsel, in  
869 preparing the Utah Code database for publication, shall replace the references in Subsection  
870 59-2-924.2(9) from "this bill" to the bill's designated chapter and section number in the Laws  
871 of Utah.

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**Legislative Review Note**  
as of 2-6-14 6:02 AM

**Office of Legislative Research and General Counsel**