



# House of Representatives *State of Utah*

UTAH STATE CAPITOL COMPLEX • 350 STATE CAPITOL  
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February 18, 2014

Madam Speaker:

The Economic Development and Workforce Services Committee reports a favorable recommendation on **H.B. 356**, NEW CONVENTION HOTEL DEVELOPMENT INCENTIVE PROVISIONS, by Representative B. Wilson, with the following amendments:

1. *Page 1, Line 1:*

1 NEW CONVENTION {~~HOTEL~~} FACILITY DEVELOPMENT INCENTIVE

2. *Page 1, Lines 11 through 15:*

11 This bill enacts provisions relating to incentives for the development of a new  
12 convention {~~hotel~~} facility .

13 Highlighted Provisions:

14 This bill:

15 ▶ enacts the New Convention {~~Hotel~~} Facility Development Incentive  
Act;

3. *Page 3, Lines 70 through 71:*

70 (3) in the amount of 5% of the state portion, as defined in Section 63M-1-3402 {~~of the~~  
71 tax credit, as defined in Section 63M-1-3402, awarded by the tax credit certificate} .

4. *Page 3, Lines 75 through 81:*

75 {~~(a) "Eligibility period" has the same meaning as defined in Section~~  
63M-1-3402.}

76 {~~(b)~~} (a) "Office" means the Governor's Office of Economic Development.

77 {~~(c)~~} (b) "Pass-through entity" has the same meaning as defined in Section  
59-10-1402.

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- 78            ~~{(f)}~~    (c)    "Pass-through entity taxpayer" has the same meaning as defined in  
                 Section  
79            59-10-1402.  
80            ~~{(e)}~~    (d)    "Tax credit certificate" has the same meaning as defined in Section  
                 63M-1-3402.  
81            ~~{(f)}~~    (e)    "Tax credit recipient" has the same meaning as defined in Section  
                 63M-1-3402.

5. *Page 4, Lines 110 through 116:*

- 110           ~~{(a) "Eligibility period" has the same meaning as defined in Section~~  
                 ~~63M-1-3402.}~~  
111           ~~{(b)}~~    (a)    "Office" means the Governor's Office of Economic Development.  
112           ~~{(c)}~~    (b)    "Pass-through entity" has the same meaning as defined in Section  
                 59-10-1402.  
113           ~~{(d)}~~    (c)    "Pass-through entity taxpayer" has the same meaning as defined in  
                 Section  
114           59-10-1402.  
115           ~~{(e)}~~    (d)    "Tax credit certificate" has the same meaning as defined in Section  
                 63M-1-3402.  
116           ~~{(f)}~~    (e)    "Tax credit recipient" has the same meaning as defined in Section  
                 63M-1-3402.

6. *Page 7, Line 186:*

- 186           This part is known as the "New Convention    ~~{Hotel}~~    Facility    Development  
                 Incentive Act."

7. *Page 7, Line 199:*

- 199           (ii) ends ∴  
                 (A) for purposes of the state portion, 20 years after the date of initial occupancy  
                 of that qualified hotel; or  
                 (B) for purposes of the local portion, 25 years after the date of initial  
                 occupancy of that hotel; or

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8. Page 8, Line 221:

221 (10) "Local portion" means    **;**  
**(a)** the portion of new tax revenue that is not the state portion {  } **;** **and**  
**(b) incremental property tax revenue.**

9. Page 8, Line 226:

226 subcontractors; {~~and~~}

10. Page 8, Line 228:

228 and Use Tax Act, on transactions occurring on hotel property during the eligibility  
period {  } **;** **and**  
**(c) all incremental new revenue generated from a tax under Title 59, Chapter 12,**  
**Sales and Use Tax Act, on transactions by a third-party seller occurring other than**  
**on hotel property during the eligibility period, if:**  
**(i) the transaction is subject to a tax under Title 59, Chapter 12, Sales and Use**  
**Tax Act; and**  
**(ii) the third-party seller voluntarily consents to the disclosure of information to**  
**the office, as provided in Subsection 63M-1-3405(1)(b)(i)(E).**

11. Page 9, Line 260:

260 certificate.  
**(22) "Third-party seller" means a person who is a seller in a transaction:**  
**(a) occurring other than on hotel property;**  
**(b) that is:**  
**(i) the sale, rental, or lease of a room or of convention or exhibit space or other**  
**facilities on hotel property; or**  
**(ii) the sale of tangible personal property or a service on hotel property; and**  
**(c) that is subject to a tax under Title 59, Chapter 12, Sales and Use Tax Act.**

12. Page 12, Lines 346 through 347:

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346     {~~and~~}

(E) a document in which a third-party seller expressly and voluntarily directs and authorizes the commission to disclose to the office the third-party seller's tax returns and other information that would otherwise be subject to confidentiality under Section 59-1-403 or Section 6103, Internal Revenue Code, and that shows the amount of tax under Title 59, Chapter 12, Sales and Use Tax Act, that the third-party seller has collected in a transaction occurring other than on hotel property for the sale, rental, or lease of a room or of convention or exhibit space or other facilities on hotel property or for the sale of tangible personal property or a service on hotel property; and

347            {~~(E)~~}     (F) documentation verifying that the qualified hotel owner has satisfied the

13. Page 15, Lines 455 through 458:

455            {~~(G) The Division of Finance shall:~~  
456     — ~~(a) certify money deposited into the account as set aside for the account; and~~  
457     — ~~(b) report money deposited into the account to the Office of the Legislative~~  
          Fiscal  
458     Analyst.}

14. Page 16, Line 465:

465     meeting space on hotel property , including any associated labor and overhead ; or

Respectfully,

Rebecca P. Edwards  
Committee Chair

Voting: 9-0-2

3 HB0356.HC1.WPD 2/18/14 3:55 pm benchristensen/BNC RHR/RCN

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