

Senator Luz Escamilla proposes the following substitute bill:

POVERTY MITIGATION SERVICES

2020 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Luz Escamilla

House Sponsor: Stephen G. Handy

LONG TITLE

General Description:

This bill provides for county poverty mitigation services.

Highlighted Provisions:

This bill:

- ▶ defines terms;
- ▶ provides that a county may levy a property tax for the purpose of providing poverty mitigation services;
- ▶ addresses the requirements of the property tax; and
- ▶ imposes certain reporting requirements.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

17-36-31.5, as enacted by Laws of Utah 2019, Chapter 301

ENACTS:

17-54-101, Utah Code Annotated 1953



26 [17-54-102](#), Utah Code Annotated 1953

27 [17-54-201](#), Utah Code Annotated 1953



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

30 Section 1. Section **17-36-31.5** is amended to read:

31 **17-36-31.5. Property taxes levied for specified services -- Special revenue fund --**
32 **Limitations on use -- Collection, accounting, and expenditures -- Specified purposes.**

33 (1) A county may account separately for the revenues derived from a property tax, that
34 is lawfully levied for a specific purpose, in accordance with this section.

35 (2) To levy a property tax under this section, the legislative body of the county that
36 levies the property tax shall indicate through ordinance:

37 (a) that the county levies the tax under this section; and

38 (b) the specific service for which the county levies the tax.

39 (3) A property tax levied under this section is subject to the maximum rate a county
40 may levy for property taxes under Section [59-2-908](#).

41 (4) (a) A county that collects a property tax under this section shall:

42 (i) create a special revenue fund to hold the revenues collected under this section; and

43 (ii) deposit revenues collected from that tax into the special revenue fund described in
44 Subsection (4)(a)(i).

45 (b) A county may only expend revenues from a special revenue fund described in
46 Subsection (4)(a) for a purpose that is solely related to the provision of the service described in
47 Subsection (2)(b) for which the county created the special revenue fund.

48 (5) Except as provided in Subsections (2) and (4), a county that levies a property tax
49 under this section shall:

50 (a) levy and collect the tax in accordance with Title 59, Chapter 2, Property Tax Act;

51 (b) account for revenues derived from the tax in accordance with this chapter; and

52 (c) levy and collect and account for revenues derived from the tax in the same general
53 manner as for the county's other property taxes.

54 (6) (a) A county may levy a property tax under this section for the purpose of providing
55 poverty mitigation services as defined in Section [17-54-102](#), subject to Section [17-54-201](#).

56 (b) Subsection (6)(a) does not prohibit a county from levying a property tax for a

57 different purpose in accordance with this section.

58 Section 2. Section 17-54-101 is enacted to read:

59 **CHAPTER 54. PROPERTY TAXES LEVIED FOR SPECIFIC PURPOSE**

60 **Part 1. General Provisions**

61 **17-54-101. Title.**

62 This chapter is known as "Property Taxes Levied for Specific Purpose."

63 Section 3. Section 17-54-102 is enacted to read:

64 **17-54-102. Definitions.**

65 As used in this chapter:

66 (1) "Poverty mitigation services" means any service that:

67 (a) facilitates a positive result or outcome for improving the quality of life for
68 individuals or communities in a county that are experiencing homelessness or intergenerational
69 poverty by:

- 70 (i) promoting economic opportunity and innovation;
- 71 (ii) facilitating collaboration between public and private entities; or
- 72 (iii) providing any other preventative service;
- 73 (b) is evidence-based; and
- 74 (c) is in the best interests of the county.

75 (2) "Poverty mitigation service provider" means an entity that creates or implements a
76 poverty mitigation service, including:

- 77 (a) a governmental entity as defined in Section 11-13a-102; or
- 78 (b) a private entity.

79 Section 4. Section 17-54-201 is enacted to read:

80 **Part 2. Property Taxes Levied for Specific Purpose**

81 **17-54-201. Property tax for poverty mitigation services.**

82 (1) In addition to the powers described in Chapter 50, Part 3, County Powers, a county
83 legislative body that levies a property tax under Section 17-36-31.5 for the purpose of
84 providing poverty mitigation services may contract with one or more poverty mitigation service
85 providers to create or implement poverty mitigation services on behalf of the county.

86 (2) (a) A county legislative body that levies a property tax under Section 17-36-31.5 for
87 the specific purpose of providing poverty mitigation services shall file an annual report that for

88 the preceding 12-month period:

89 (i) describes each poverty mitigation service provided by the county; and

90 (ii) includes an account of revenue and expenditures from the property tax.

91 (b) The county legislative body shall file the annual report required under this section

92 with the Executive Appropriations Committee on or before December 31.