

1 **DELINQUENT PROPERTY TAX COLLECTION AMENDMENTS**

2 2022 GENERAL SESSION

3 STATE OF UTAH

4 **Chief Sponsor: Wayne A. Harper**

5 House Sponsor: Steve Eliason

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7 **LONG TITLE**

8 **General Description:**

9 This bill modifies the Accounts Receivable Collection part.

10 **Highlighted Provisions:**

11 This bill:

12 ▶ provides ~~that~~ **when** the state, a governmental entity, or a local agency acting  
12a on behalf of a  
13 political subdivision may ~~not~~ collect a delinquent property tax from the debtor's  
14 overpayment or refund of income tax.

15 **Money Appropriated in this Bill:**

16 None

17 **Other Special Clauses:**

18 None

19 **Utah Code Sections Affected:**

20 AMENDS:

21 **63A-3-302**, as last amended by Laws of Utah 2021, Chapter 49

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

24 Section 1. Section **63A-3-302** is amended to read:

25 **63A-3-302. Unpaid accounts receivable -- Political subdivision agreement with**  
26 **local agency.**

27 (1) (a) Except as provided in ~~Subsection~~ Subsections (1)(b) and (c), if any account



28 receivable at any point has been unpaid for 90 days or more, any agency or other authority of  
29 the state, or any political subdivision responsible for collection of the account may proceed  
30 under this part to collect the delinquent amount.

31 (b) A governmental entity within the state that is a health care provider may not  
32 proceed under this part when the account receivable is for a medical material or service and the  
33 debtor:

34 (i) has made a payment arrangement with the health care provider; and

35 (ii) is current on payments under the payment arrangement.

36 (c) The state, a governmental entity within the state, or a local agency acting on behalf  
37 of a political subdivision within the state may ~~Ŝ→ [not proceed under this part when the account~~  
38 ~~receivable is for a property tax imposed under Title 59, Chapter 2, Property Tax Act]~~ proceed under  
38a this part on an account receivable that is for a property tax imposed under Title 59, Chapter 2,  
38b Property Tax Act, only if the account receivable is three or more years delinquent ←Ŝ .

39 (2) (a) A political subdivision may enter into an agreement with a local agency under  
40 which the local agency, for a reasonable fee that the political subdivision and local agency  
41 agree upon, prepares and submits the political subdivision's accounts receivable for collection  
42 as provided in this part.

43 (b) Notwithstanding an agreement under Subsection (2)(a), a participating political  
44 subdivision shall:

45 (i) establish an agreement with the division for submitting delinquent accounts  
46 receivable under this part; and

47 (ii) with respect to the accounts receivable that the participating political subdivision  
48 submits through a local agency for collection under this part:

49 (A) receive and respond to an administrative hearing requested under Section  
50 63A-3-305; and

51 (B) administer an adjudicative proceeding required under Section 63A-3-306.