

LOW INCOME HOUSING PROPERTY TAX EXEMPTION

2023 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Steve Eliason

Senate Sponsor: Lincoln Fillmore

LONG TITLE

General Description:

This bill amends the definitions related to property tax exemptions in the Property Tax Act.

Highlighted Provisions:

This bill:

► provides the circumstances under which a private owner of property used as permanent supportive housing qualifies as a "nonprofit entity" for purposes of the exclusive use property tax exemption.

Money Appropriated in this Bill:

None

Other Special Clauses:

This bill provides ~~H→~~ **[a special effective date]** retrospective operation ~~←H~~ .

Utah Code Sections Affected:

AMENDS:

59-2-1101, as last amended by Laws of Utah 2022, Chapter 235

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

Section 1. Section **59-2-1101** is amended to read:

59-2-1101. Definitions -- Exemption of certain property -- Proportional payments for certain property -- Exception -- County legislative body authority to adopt rules or

H.B. 231



183 (b) Whether a nonprofit entity is engaged in an activity described in Subsection (6)(a)
184 shall be determined using the standards described in Section 501, Internal Revenue Code.

185 (7) A property may not receive an exemption under Subsection (3)(a)(iv) if:

186 (a) the property is used for a purpose that is not religious, charitable, or educational;

187 and

188 (b) the use for a purpose that is not religious, charitable, or educational is more than de
189 minimis.

190 (8) A county legislative body may adopt rules or ordinances to:

191 (a) effectuate the exemptions, deferrals, abatements, or other relief from taxation
192 provided in this part, Part 18, Tax Deferral and Tax Abatement, or Part 19, Armed Forces
193 Exemptions; and

194 (b) designate one or more persons to perform the functions given the county under this
195 part, Part 18, Tax Deferral and Tax Abatement, or Part 19, Armed Forces Exemptions.

196 (9) If a person is dissatisfied with a tax relief decision made under designated
197 decision-making authority as described in Subsection (8)(b), that person may appeal the
198 decision to the commission under Section 59-2-1006.

199 Section 2. ~~H→ [Effective date:] Retrospective operation.~~ ←H

200 H→ [~~This bill takes effect on January 1, 2024.] This bill has retrospective operation to~~

200a ~~January 1, 2023.~~ ←H