

Senator Daniel McCay proposes the following substitute bill:

PROPERTY VALUATION AMENDMENTS

2024 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Norman K Thurston

Senate Sponsor: Daniel McCay

LONG TITLE

General Description:

This bill modifies provisions related to property tax valuation.

Highlighted Provisions:

This bill:

- ▶ modifies the valuation process for property of a telecommunications provider;
- ▶ authorizes the use of Multicounty Appraisal Trust funds for hiring professional appraisers to provide property valuation services within rural counties;
- ▶ establishes qualifications for professional appraisers hired by the Multicounty Appraisal Trust for property valuation services; and
- ▶ makes technical changes.

Money Appropriated in this Bill:

None

Other Special Clauses:

This bill provides retrospective operation.

Utah Code Sections Affected:

AMENDS:

59-2-306, as last amended by Laws of Utah 2022, Chapters 239, 293

59-2-306.5, as enacted by Laws of Utah 2022, Chapter 239



26 [59-2-1005](#), as last amended by Laws of Utah 2022, Chapter 239

27 [59-2-1606](#), as last amended by Laws of Utah 2020, Chapter 447

28

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

30 Section 1. Section [59-2-306](#) is amended to read:

31 **[59-2-306. Statements by taxpayers -- Power of assessors respecting statements --](#)**
32 **[Reporting information to other counties, taxpayer.](#)**

33 (1) (a) Except as provided in Subsection (1)(c), the county assessor may request a
34 signed statement from any person setting forth all the real and personal property assessable by
35 the assessor that the person owns, possesses, manages, or has under the person's control at 12
36 noon on January 1.

37 (b) A request under Subsection (1)(a) shall include a notice of the procedure under
38 Section [59-2-1005](#) for appealing the value of the personal property.

39 (c) A telecommunications service provider shall file a signed statement setting forth
40 the telecommunications service provider's[:]

41 [~~i~~] real property in accordance with this section; and]

42 [~~ii~~] personal property in accordance with Section [59-2-306.5](#).

43 (d) A telecommunications service provider shall claim an exemption for personal
44 property in accordance with Section [59-2-1115](#).

45 (2) (a) Except as provided in Subsection (2)(b) or (c), a person shall file a signed
46 statement described in Subsection (1) on or before May 15 of the year the county assessor
47 requests the statement described in Subsection (1).

48 (b) For a county of the first class, a person shall file the signed statement described in
49 Subsection (1) on or before the later of:

50 (i) 60 days after the day on which the county assessor requests the statement; or

51 (ii) May 15 of the year the county assessor requests the statement described in
52 Subsection (1) if, by resolution, the county legislative body of that county adopts the deadline
53 described in Subsection (2)(a).

54 (c) If a county assessor requests a signed statement described in Subsection (1) on or
55 after March 16, the person shall file the signed statement within 60 days after the day on which
56 the county assessor requests the signed statement.

57 (3) The signed statement shall include the following:

58 (a) all property belonging to, claimed by, or in the possession, control, or management
59 of the person, any firm of which the person is a member, or any corporation of which the
60 person is president, secretary, cashier, or managing agent;

61 (b) the county in which the property is located or in which the property is taxable; and,
62 if taxable in the county in which the signed statement was made, also the city, town, school
63 district, road district, or other taxing district in which the property is located or taxable;

64 (c) all lands in parcels or subdivisions not exceeding 640 acres each, the sections and
65 fractional sections of all tracts of land containing more than 640 acres that have been
66 sectionized by the United States government, and the improvements on those lands; and

67 (d) for a person who owns taxable tangible personal property as defined in Section
68 59-2-1115, the person's NAICS code, as classified under the current North American Industry
69 Classification System of the federal Executive Office of the President, Office of Management
70 and Budget.

71 (4) Every county assessor may subpoena and examine any person in any county in
72 relation to any signed statement but may not require that person to appear in any county other
73 than the county in which the subpoena is served.

74 (5) (a) Except as provided in Subsection (5)(b), if the signed statement discloses
75 property in any other county, the county assessor shall file the signed statement and send a copy
76 to the county assessor of each county in which the property is located.

77 (b) If the signed statement discloses personal property of a telecommunications service
78 provider, the county assessor shall notify the telecommunications service provider of the
79 requirement to file a signed statement in accordance with Section 59-2-306.5.

80 Section 2. Section 59-2-306.5 is amended to read:

81 **59-2-306.5. Valuation of personal property of telecommunications service**
82 **provider -- Reporting information to counties.**

83 (1) As used in this section, "Multicounty Appraisal Trust" means the same as that term
84 is defined in Section 59-2-1601.

85 (2) A telecommunications service provider shall provide to the Multicounty Appraisal
86 Trust a signed statement setting forth all of the personal property that the telecommunications
87 service provider owns, possesses, manages, or has under the telecommunications service

88 provider's control in the state.

89 (3) The signed statement [~~shall~~]:

90 (a) may be requested by the Multicounty Appraisal Trust:

91 (i) each year; and

92 (ii) if requested, on or before January 31;

93 [~~(a)~~] (b) shall itemize each item of personal property that the telecommunications
94 service provider owns, possesses, manages, or has under the telecommunications service
95 provider's control:

96 (i) by county and by tax area; and

97 (ii) for the tax year that began on January 1; and

98 [~~(b)~~] (c) shall be submitted:

99 (i) annually on or before [~~May 15~~] March 31; and

100 (ii) electronically in a form approved by the commission.

101 (4) (a) [~~The~~] Except where an estimate is made in accordance with Subsection

102 59-2-307(3)(b)(i)(C), the Multicounty Appraisal Trust shall value each item of personal

103 property of a telecommunications service provider according to the personal property valuation
104 guides and schedules established by the commission.

105 (b) (i) Between March 31 and May 31 of each year:

106 (A) the Multicounty Appraisal Trust may communicate with a telecommunications
107 service provider to address any inconsistency or error in the filed signed statement; and

108 (B) the telecommunications service provider may file an amended signed statement
109 with the Multicounty Appraisal Trust regarding the items agreed to by the Multicounty
110 Appraisal Trust and the telecommunications service provider.

111 (ii) The communication described in this Subsection (4)(b) is in addition to the audit
112 authority provided by this chapter.

113 (c) On or before May 31 of each year, the Multicounty Appraisal Trust shall:

114 (i) forward to each county information about the total value of personal property of
115 each telecommunications service provider within the county, by tax area, including a listing of
116 personal property that is exempt; and

117 (ii) issue a tax notice to each telecommunications service provider listing the tax due to
118 each county, by tax area.

119 (d) On or before June 30 of each year, a telecommunications service provider shall pay
120 to the county the tax due on the tax notice.

121 ~~[(b)]~~ (e) A telecommunications service provider may appeal the valuation of personal
122 property ~~[in accordance with Section 59-2-1005]~~ to the county on or before the later of:

123 (i) July 30 of the year the Multicounty Appraisal Trust requests a statement described
124 in Subsection (3)(a); or

125 (ii) 60 days after mailing of a tax notice.

126 (5) The Multicounty Appraisal Trust shall forward to each county information about
127 the total value of personal property of each telecommunications service provider within the
128 county.

129 (6) If a signed statement filed in accordance with this section discloses real property,
130 the Multicounty Appraisal Trust shall send a copy of the signed statement to the county in
131 which the property is located.

132 Section 3. Section 59-2-1005 is amended to read:

133 **59-2-1005. Procedures for appeal of personal property valuation -- Time for**
134 **appeal -- Hearing -- Decision -- Appeal to commission.**

135 (1) (a) ~~[A]~~ Except as provided in Section 59-2-306.5, a taxpayer owning personal
136 property assessed by a county assessor under Section 59-2-301 may make an appeal relating to
137 the value of the personal property by filing an application with the county legislative body no
138 later than:

139 (i) the expiration of the time allowed under Section 59-2-306 for filing a signed
140 statement, if the county assessor requests a signed statement under Section 59-2-306 ~~[or the~~
141 ~~expiration of the time allowed under Section 59-2-306.5 if the taxpayer is a~~
142 ~~telecommunications service provider]; or~~

143 (ii) 60 days after the mailing of the tax notice, for each other taxpayer.

144 (b) A county legislative body shall:

145 (i) after giving reasonable notice, hear an appeal filed under Subsection (1)(a); and

146 (ii) render a written decision on the appeal within 60 days after receiving the appeal.

147 (c) If the taxpayer is dissatisfied with a county legislative body decision under
148 Subsection (1)(b), the taxpayer may file an appeal with the commission in accordance with
149 Section 59-2-1006.

150 (2) A taxpayer owning personal property subject to a fee in lieu of tax or a uniform tax
151 under Article XIII, Section 2 of the Utah Constitution that is based on the value of the property
152 may appeal the basis of the value by filing an appeal with the commission within 30 days after
153 the mailing of the tax notice.

154 Section 4. Section **59-2-1606** is amended to read:

155 **59-2-1606. Statewide property tax system funding for counties -- Disbursements**
156 **to the Multicounty Appraisal Trust -- Use of funds.**

157 (1) The funds deposited into the Multicounty Appraisal Trust in accordance with
158 Section **59-2-1602** shall be used to provide funding for a statewide property tax system that
159 will promote:

160 (a) the accurate valuation of property;

161 (b) the establishment and maintenance of uniform assessment levels among counties
162 within the state;

163 (c) efficient administration of the property tax system, including the costs of
164 assessment, collection, and distribution of property taxes; and

165 (d) the uniform filing of a signed statement a county assessor requests under Section
166 **59-2-306**, including implementation of a statewide electronic filing system.

167 (2) The trustee of the Multicounty Appraisal Trust shall:

168 (a) determine which projects to fund; and

169 (b) oversee the administration of a statewide property tax system.

170 (3) (a) Subject to Subsection (3)(b), the trustee of the Multicounty Appraisal Trust
171 may, in order to promote the objectives described in Subsection (1), use funds deposited into
172 the Multicounty Appraisal Trust to hire one or more professional appraisers to provide property
173 valuation services within a county of the third, fourth, fifth, or sixth class.

174 (b) A professional appraiser hired to provide property valuation services under this
175 Subsection (3) shall:

176 (i) hold an appraiser's certificate or license from the Division of Real Estate in
177 accordance with Title 61, Chapter 2g, Real Estate Appraiser Licensing and Certification Act;
178 and

179 (ii) be approved by:

180 (A) the commission; and

181 (B) an association representing two or more counties in the state.

182 Section 5. **Effective date.**

183 This bill takes effect on May 1, 2024.

184 Section 6. **Retrospective operation.**

185 (1) The following sections have retrospective operation to January 1, 2024:

186 (a) Section [59-2-306](#);

187 (b) Section [59-2-306.5](#); and

188 (c) Section [59-2-1005](#).