

Representative Paul A. Cutler proposes the following substitute bill:

TECHNOLOGY UPGRADE INCENTIVES AMENDMENTS

2024 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Paul A. Cutler

Senate Sponsor: _____

LONG TITLE

General Description:

This bill provides for tax incentives related to certain technology upgrades.

Highlighted Provisions:

This bill:

- ▶ defines terms;
- ▶ modifies the amount of the nonrefundable corporate and individual income tax credit available for purchases of alternative fuel heavy duty vehicles;
- ▶ establishes a nonrefundable corporate and individual income tax credit for purchases of locomotive idle-reduction devices;
- ▶ provides for a total aggregate limit on the amount of tax credits issued each year for alternative fuel heavy duty vehicles and locomotive idle-reduction devices;
- ▶ provides a sunset date for the income tax credit associated with locomotive idle-reduction devices; and
- ▶ makes technical and conforming changes.

Money Appropriated in this Bill:

None

Other Special Clauses:

This bill provides a special effective date.



26 This bill provides retrospective operation.

27 **Utah Code Sections Affected:**

28 AMENDS:

29 **59-7-618.1**, as enacted by Laws of Utah 2021, Chapter 371

30 **59-10-1033.1**, as enacted by Laws of Utah 2021, Chapter 371

31 **63I-1-259**, as last amended by Laws of Utah 2023, Chapter 52

32 ENACTS:

33 **59-7-618.2**, Utah Code Annotated 1953

34 **59-10-1033.2**, Utah Code Annotated 1953



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

37 Section 1. Section **59-7-618.1** is amended to read:

38 **59-7-618.1. Tax credit related to alternative fuel heavy duty vehicles.**

39 (1) As used in this section:

40 (a) "Board" means the Air Quality Board created under Title 19, Chapter 2, Air
41 Conservation Act.

42 (b) "Director" means the director of the Division of Air Quality appointed under
43 Section **19-2-107**.

44 (c) "Heavy duty vehicle" means a commercial category 7 or 8 vehicle, according to
45 vehicle classifications established by the Federal Highway Administration.

46 (d) "Natural gas" includes compressed natural gas and liquified natural gas.

47 (e) "Qualified heavy duty vehicle" means a heavy duty vehicle that:

48 (i) has never been titled or registered and has been driven less than 7,500 miles; and

49 (ii) is fueled by natural gas, has a 100% electric drivetrain, or has a hydrogen-electric
50 drivetrain.

51 (f) "Qualified purchase" means the purchase of a qualified heavy duty vehicle.

52 (g) "Qualified taxpayer" means a taxpayer that:

53 (i) purchases a qualified heavy duty vehicle; and

54 (ii) receives a tax credit certificate from the director.

55 (h) "Small fleet" means 40 or fewer heavy duty vehicles registered in the state and
56 owned by a single taxpayer.

57 (i) "Tax credit certificate" means a certificate issued by the director certifying that a
58 taxpayer is entitled to a tax credit as provided in this section and stating the amount of the tax
59 credit.

60 (2) [A] For a taxable year beginning on or after January 1, 2024, and before January 1,
61 2031, a qualified taxpayer may claim a nonrefundable tax credit against tax otherwise due
62 under this chapter or Chapter 8, Gross Receipts Tax on Certain Corporations Not Required to
63 Pay Corporate Franchise or Income Tax Act:

64 (a) in an amount equal to[:] \$15,000; and

65 [~~(i) \$15,000, if the qualified purchase occurs during calendar year 2021;~~]

66 [~~(ii) \$13,500, if the qualified purchase occurs during calendar year 2022;~~]

67 [~~(iii) \$12,000, if the qualified purchase occurs during calendar year 2023;~~]

68 [~~(iv) \$10,500, if the qualified purchase occurs during calendar year 2024;~~]

69 [~~(v) \$9,000, if the qualified purchase occurs during calendar year 2025;~~]

70 [~~(vi) \$7,500, if the qualified purchase occurs during calendar year 2026;~~]

71 [~~(vii) \$6,000, if the qualified purchase occurs during calendar year 2027;~~]

72 [~~(viii) \$4,500, if the qualified purchase occurs during calendar year 2028;~~]

73 [~~(ix) \$3,000, if the qualified purchase occurs during calendar year 2029; and]~~

74 [~~(x) \$1,500, if the qualified purchase occurs during calendar year 2030; and]~~

75 (b) if the qualified taxpayer certifies under oath that over 50% of the miles that the
76 heavy duty vehicle that is the subject of the qualified purchase will travel annually will be
77 within the state.

78 (3) (a) Except as provided in Subsection (3)(b), a taxpayer may not submit an
79 application for, and the director may not issue to the taxpayer, a tax credit certificate under this
80 section in any taxable year for a qualified purchase if the director has already issued tax credit
81 certificates to the taxpayer for 10 qualified purchases in the same taxable year.

82 (b) If, by May 1 of any year, more than 30% of the aggregate annual total amount of
83 tax credits under Subsection (5) has not been claimed, a taxpayer may submit an application
84 for, and the director may issue to the taxpayer, one or more tax credit certificates for up to eight
85 additional qualified purchases, even if the director has already issued to that taxpayer tax credit
86 certificates for the maximum number of qualified purchases allowed under Subsection (3)(a).

87 (4) (a) Subject to Subsection (4)(b), the director shall reserve 25% of all tax credits

88 available under this section for qualified taxpayers with a small fleet.

89 (b) Subsection (4)(a) does not prevent a taxpayer from submitting an application for, or
90 the director from issuing, a tax credit certificate if, before October 1, qualified taxpayers with a
91 small fleet have not reserved under Subsection (5)(b) tax credits for the full amount reserved
92 under Subsection (4)(a).

93 (5) (a) The aggregate annual total amount of tax credits represented by tax credit
94 certificates that the director issues under this section and ~~[Section]~~ Sections 59-7-618.2,
95 59-10-1033.1, and 59-10-1033.2 may not exceed \$500,000.

96 (b) The board shall, in accordance with Title 63G, Chapter 3, Utah Administrative
97 Rulemaking Act, make rules to establish a process under which a taxpayer may reserve a
98 potential tax credit under this section for a limited time to allow the taxpayer to make a
99 qualified purchase with the assurance that the aggregate limit under Subsection (5)(a) will not
100 be met before the taxpayer is able to submit an application for a tax credit certificate.

101 (6) (a) (i) A taxpayer wishing to claim a tax credit under this section shall, using forms
102 the board requires by rule:

103 (A) submit to the director an application for a tax credit;

104 (B) provide the director proof of a qualified purchase; and

105 (C) submit to the director the certification under oath required under Subsection (2)(b).

106 (ii) Upon receiving the application, proof, and certification required under Subsection
107 (6)(a)(i), the director shall provide the taxpayer a written statement from the director
108 acknowledging receipt of the proof.

109 (b) If the director determines that a taxpayer qualifies for a tax credit under this section,
110 the director shall:

111 (i) determine the amount of tax credit the taxpayer is allowed under this section; and

112 (ii) provide the taxpayer with a written tax credit certificate:

113 (A) stating that the taxpayer has qualified for a tax credit; and

114 (B) showing the amount of tax credit for which the taxpayer has qualified under this
115 section.

116 (c) A qualified taxpayer shall retain the tax credit certificate.

117 (d) The director shall ~~[at least]~~ annually submit to the commission a list ~~[of all~~
118 ~~qualified taxpayers]~~ that includes:

119 (i) the name, taxpayer identification number, and identifying information of each
120 qualified taxpayer to which the director has issued a tax credit certificate under this section;
121 and

122 (ii) ~~[the amount of each tax credit represented by the tax credit certificates]~~ for each
123 qualified taxpayer listed under Subsection (6)(d)(i), the amount of the tax credit specified in the
124 tax credit certificate.

125 (7) The tax credit under this section is allowed only:

126 (a) against a tax owed under this chapter or Chapter 8, Gross Receipts Tax on Certain
127 Corporations Not Required to Pay Corporate Franchise or Income Tax Act~~[- in the taxable year~~
128 ~~by the qualified taxpayer];~~

129 (b) for the taxable year in which the qualified purchase occurs; and

130 (c) once per vehicle.

131 (8) A qualified taxpayer may not assign a tax credit or a tax credit certificate under this
132 section to another person.

133 (9) If the qualified taxpayer receives a tax credit certificate under this section that
134 allows a tax credit in an amount that exceeds the qualified taxpayer's tax liability under this
135 chapter or Chapter 8, Gross Receipts Tax on Certain Corporations Not Required to Pay
136 Corporate Franchise or Income Tax Act, for a taxable year, the qualified taxpayer may carry
137 forward the amount of the tax credit that exceeds the tax liability for a period that does not
138 exceed the next five taxable years.

139 Section 2. Section **59-7-618.2** is enacted to read:

140 **59-7-618.2. Nonrefundable tax credit for purchase of locomotive idle-reduction**
141 **device.**

142 (1) As used in this section:

143 (a) "Board" means the Air Quality Board created under Title 19, Chapter 2, Air
144 Conservation Act.

145 (b) "Director" means the director of the Division of Air Quality appointed under
146 Section [19-2-107](#).

147 (c) "Locomotive idle-reduction device" means technology or equipment that:

148 (i) is verified by the United States Environmental Protection Agency to reduce
149 locomotive idling; and

- 150 (ii) is not required under 40 C.F.R. Sec. 1033.115.
- 151 (d) "Qualified purchase" means the purchase of a locomotive idle-reduction device.
- 152 (e) "Qualified taxpayer" means a taxpayer that:
- 153 (i) makes one or more qualified purchases;and
- 154 (ii) receives a tax credit certificate from the director under this section.
- 155 (2) For a taxable year beginning on or after January 1, 2024, and before January 1,
- 156 2031, a qualified taxpayer may claim a nonrefundable tax credit for each qualified purchase the
- 157 qualified taxpayer made in the taxable year in an amount equal to the lesser of:
- 158 (a) \$15,000; and
- 159 (b) 50% of the actual costs paid by the qualified taxpayer for the qualified purchase,
- 160 not including any financial assistance, rebates, or credits, other than a tax credit issued under
- 161 this section, that the qualified taxpayer uses to pay for the qualified purchase.
- 162 (3) (a) A taxpayer shall receive a tax credit certificate from the director to claim a tax
- 163 credit under this section.
- 164 (b) The taxpayer shall submit, with the taxpayer's application to the director for a tax
- 165 credit certificate, proof of the taxpayer making one or more qualified purchases.
- 166 (c) The director shall provide notice to a taxpayer acknowledging receipt of the
- 167 taxpayer's application for a tax credit certificate.
- 168 (d) If the director determines that the taxpayer qualifies for a tax credit under this
- 169 section, the director shall:
- 170 (i) determine the amount of the taxpayer's tax credit; and
- 171 (ii) issue to the taxpayer a tax credit certificate stating the amount of the taxpayer's tax
- 172 credit.
- 173 (e) A qualified taxpayer shall retain the tax credit certificate for the same period that a
- 174 person is required to keep books and records under Section [59-1-1406](#).
- 175 (4) (a) The tax credit under this section is allowed only:
- 176 (i) against taxes owed under this chapter or Chapter 8, Gross Receipts Tax on Certain
- 177 Corporations Not Required to Pay Corporate Franchise or Income Tax Act;
- 178 (ii) for the taxable year in which the qualified purchase is made; and
- 179 (iii) once per qualified purchase.
- 180 (b) A qualified taxpayer may not assign a tax credit or a tax credit certificate under this

181 section to another person.

182 (c) If a qualified taxpayer receives a tax credit certificate under this section that allows
183 a tax credit in an amount that exceeds the qualified taxpayer's tax liability under this chapter for
184 a taxable year, the qualified taxpayer may carry forward the amount of the tax credit that
185 exceeds the tax liability for a period that does not exceed the next five taxable years.

186 (5) The aggregate annual total amount of tax credits represented by tax credit
187 certificates that the director issues under this section and Sections [59-7-618.1](#), [59-10-1033.1](#),
188 and [59-10-1033.2](#) may not exceed \$500,000.

189 (6) The director shall annually submit to the commission a list that includes:

190 (a) the name, taxpayer identification number, and identifying information of each
191 qualified taxpayer to which the director has issued a tax credit certificate under this section;
192 and

193 (b) for each qualified taxpayer listed under Subsection (6)(a), the amount of the tax
194 credit specified in the tax credit certificate.

195 (7) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the
196 board shall make rules to:

197 (a) establish a process under which a taxpayer may reserve a potential tax credit under
198 this section for a limited time to allow the taxpayer to make a qualified purchase with the
199 assurance that the aggregate limit under Subsection (5) will not be met before the taxpayer
200 submits an application for a tax credit certificate; and

201 (b) govern the application process for receiving a tax credit certificate under this
202 section.

203 Section 3. Section **59-10-1033.1** is amended to read:

204 **59-10-1033.1. Tax credit related to alternative fuel heavy duty vehicles.**

205 (1) As used in this section:

206 (a) "Board" means the Air Quality Board created under Title 19, Chapter 2, Air
207 Conservation Act.

208 (b) "Director" means the director of the Division of Air Quality appointed under
209 Section [19-2-107](#).

210 (c) "Heavy duty vehicle" means a commercial category 7 or 8 vehicle, according to
211 vehicle classifications established by the Federal Highway Administration.

- 212 (d) "Natural gas" includes compressed natural gas and liquified natural gas.
- 213 (e) "Qualified heavy duty vehicle" means a heavy duty vehicle that:
- 214 (i) has never been titled or registered and has been driven less than 7,500 miles; and
- 215 (ii) is fueled by natural gas, has a 100% electric drivetrain, or has a hydrogen-electric
- 216 drivetrain.
- 217 (f) "Qualified purchase" means the purchase of a qualified heavy duty vehicle.
- 218 (g) "Qualified taxpayer" means a claimant, estate, or trust that:
- 219 (i) purchases a qualified heavy duty vehicle; and
- 220 (ii) receives a tax credit certificate from the director.
- 221 (h) "Small fleet" means 40 or fewer heavy duty vehicles registered in the state and
- 222 owned by a single claimant, estate, or trust.
- 223 (i) "Tax credit certificate" means a certificate issued by the director certifying that a
- 224 claimant, estate, or trust is entitled to a tax credit as provided in this section and stating the
- 225 amount of the tax credit.
- 226 (2) ~~[A]~~ For a taxable year beginning on or after January 1, 2024, and before January 1,
- 227 2031, a qualified taxpayer may claim a nonrefundable tax credit against tax otherwise due
- 228 under this chapter:
- 229 (a) in an amount equal to~~[:]~~ \$15,000; and
- 230 ~~[(i) \$15,000, if the qualified purchase occurs during calendar year 2021;]~~
- 231 ~~[(ii) \$13,500, if the qualified purchase occurs during calendar year 2022;]~~
- 232 ~~[(iii) \$12,000, if the qualified purchase occurs during calendar year 2023;]~~
- 233 ~~[(iv) \$10,500, if the qualified purchase occurs during calendar year 2024;]~~
- 234 ~~[(v) \$9,000, if the qualified purchase occurs during calendar year 2025;]~~
- 235 ~~[(vi) \$7,500, if the qualified purchase occurs during calendar year 2026;]~~
- 236 ~~[(vii) \$6,000, if the qualified purchase occurs during calendar year 2027;]~~
- 237 ~~[(viii) \$4,500, if the qualified purchase occurs during calendar year 2028;]~~
- 238 ~~[(ix) \$3,000, if the qualified purchase occurs during calendar year 2029; and]~~
- 239 ~~[(x) \$1,500, if the qualified purchase occurs during calendar year 2030; and]~~
- 240 (b) if the qualified taxpayer certifies under oath that over 50% of the miles that the
- 241 heavy duty vehicle that is the subject of the qualified purchase will travel annually will be
- 242 within the state.

243 (3) (a) Except as provided in Subsection (3)(b), a claimant, estate, or trust may not
244 submit an application for, and the director may not issue to the claimant, estate, or trust, a tax
245 credit certificate under this section in any taxable year for a qualified purchase if the director
246 has already issued tax credit certificates to the claimant, estate, or trust for 10 qualified
247 purchases in the same taxable year.

248 (b) If, by May 1 of any year, more than 30% of the aggregate annual total amount of
249 tax credits under Subsection (5) has not been claimed, a claimant, estate, or trust may submit
250 an application for, and the director may issue to the claimant, estate, or trust, one or more tax
251 credit certificates for up to eight additional qualified purchases, even if the director has already
252 issued to that claimant, estate, or trust tax credit certificates for the maximum number of
253 qualified purchases allowed under Subsection (3)(a).

254 (4) (a) Subject to Subsection (4)(b), the director shall reserve 25% of all tax credits
255 available under this section for qualified taxpayers with a small fleet.

256 (b) Subsection (4)(a) does not prevent a claimant, estate, or trust from submitting an
257 application for, or the director from issuing, a tax credit certificate if, before October 1,
258 qualified taxpayers with a small fleet have not reserved under Subsection (5)(b) tax credits for
259 the full amount reserved under Subsection (4)(a).

260 (5) (a) The aggregate annual total amount of tax credits represented by tax credit
261 certificates that the director issues under this section and ~~[Section]~~ Sections 59-7-618.1,
262 59-7-618.2, and 59-10-1033.2 may not exceed \$500,000.

263 (b) The board shall, in accordance with Title 63G, Chapter 3, Utah Administrative
264 Rulemaking Act, make rules to establish a process under which a claimant, estate, or trust may
265 reserve a potential tax credit under this section for a limited time to allow the claimant, estate,
266 or trust to make a qualified purchase with the assurance that the aggregate limit under
267 Subsection (5)(a) will not be met before the claimant, estate, or trust is able to submit an
268 application for a tax credit certificate.

269 (6) (a) (i) A claimant, estate, or trust wishing to claim a tax credit under this section
270 shall, using forms the board requires by rule:

271 (A) submit to the director an application for a tax credit;

272 (B) provide the director proof of a qualified purchase; and

273 (C) submit to the director the certification under oath required under Subsection (2)(b).

274 (ii) Upon receiving the application, proof, and certification required under Subsection
275 (6)(a)(i), the director shall provide the claimant, estate, or trust a written statement from the
276 director acknowledging receipt of the proof.

277 (b) If the director determines that a claimant, estate, or trust qualifies for a tax credit
278 under this section, the director shall:

279 (i) determine the amount of tax credit the claimant, estate, or trust is allowed under this
280 section; and

281 (ii) provide the claimant, estate, or trust with a written tax credit certificate:

282 (A) stating that the claimant, estate, or trust has qualified for a tax credit; and

283 (B) showing the amount of tax credit for which the claimant, estate, or trust has
284 qualified under this section.

285 (c) A qualified taxpayer shall retain the tax credit certificate.

286 (d) The director shall [~~at least~~] annually submit to the commission a list [~~of all~~
287 ~~qualified taxpayers~~] that includes:

288 (i) the name, taxpayer identification number, and identifying information of each
289 qualified taxpayer to which the director has issued a tax credit certificate under this section;
290 and

291 (ii) [~~the amount of each tax credit represented by the tax credit certificates~~] for each
292 qualified taxpayer listed under Subsection (6)(d)(i), the amount of the tax credit specified in the
293 tax credit certificate.

294 (7) The tax credit under this section is allowed only:

295 (a) against a tax owed under this chapter [~~in the taxable year by the qualified taxpayer~~];

296 (b) for the taxable year in which the qualified purchase occurs; and

297 (c) once per vehicle.

298 (8) A qualified taxpayer may not assign a tax credit or a tax credit certificate under this
299 section to another person.

300 (9) If the qualified taxpayer receives a tax credit certificate under this section that
301 allows a tax credit in an amount that exceeds the qualified taxpayer's tax liability under this
302 chapter for a taxable year, the qualified taxpayer may carry forward the amount of the tax credit
303 that exceeds the tax liability for a period that does not exceed the next five taxable years.

304 Section 4. Section **59-10-1033.2** is enacted to read:

305 59-10-1033.2. Nonrefundable tax credit for purchase of locomotive idle-reduction
306 device.

307 (1) As used in this section:

308 (a) "Board" means the Air Quality Board created under Title 19, Chapter 2, Air
309 Conservation Act.

310 (b) "Director" means the director of the Division of Air Quality appointed under
311 Section 19-2-107.

312 (c) "Locomotive idle-reduction device" means technology or equipment that:

313 (i) is verified by the United States Environmental Protection Agency to reduce
314 locomotive idling; and

315 (ii) is not required under 40 C.F.R. Sec. 1033.115.

316 (d) "Purchaser" means a claimant, estate, or trust.

317 (e) "Qualified purchase" means the purchase of a locomotive idle-reduction device.

318 (f) "Qualified purchaser" means a purchaser that:

319 (i) makes one or more qualified purchases; and

320 (ii) receives a tax credit certificate from the director under this section.

321 (2) For a taxable year beginning on or after January 1, 2024, and before January 1,
322 2031, a qualified purchaser may claim a nonrefundable tax credit for each qualified purchase
323 the qualified purchaser made in the taxable year in an amount equal to the lesser of:

324 (a) \$15,000; and

325 (b) 50% of the actual costs paid by the qualified purchaser for the qualified purchase,
326 not including any financial assistance, rebates, or credits, other than a tax credit issued under
327 this section, that the qualified purchaser uses to pay for the qualified purchase.

328 (3) (a) A purchaser shall receive a tax credit certificate from the director to claim a tax
329 credit under this section.

330 (b) The purchaser shall submit, with the purchaser's application to the director for a tax
331 credit certificate, proof of the purchaser making one or more qualified purchases.

332 (c) The director shall provide notice to a purchaser acknowledging receipt of the
333 purchaser's application for a tax credit certificate.

334 (d) If the director determines that the purchaser qualifies for a tax credit under this
335 section, the director shall:

336 (i) determine the amount of the purchaser's tax credit; and
337 (ii) issue to the purchaser a tax credit certificate stating the amount of the purchaser's
338 tax credit.

339 (e) A qualified purchaser shall retain the tax credit certificate for the same period that a
340 person is required to keep books and records under Section [59-1-1406](#).

341 (4) (a) The tax credit under this section is allowed only:

342 (i) against taxes owed under this chapter;

343 (ii) for the taxable year in which the qualified purchase is made; and

344 (iii) once per qualified purchase.

345 (b) A qualified purchaser may not assign a tax credit or a tax credit certificate under
346 this section to another person.

347 (c) If a qualified purchaser receives a tax credit certificate under this section that allows
348 a tax credit in an amount that exceeds the qualified taxpayer's tax liability under this chapter for
349 a taxable year, the qualified purchaser may carry forward the amount of the tax credit that
350 exceeds the tax liability for a period that does not exceed the next five taxable years.

351 (5) The aggregate annual total amount of tax credits represented by tax credit
352 certificates that the director issues under this section and Sections [59-7-618.1](#), [59-7-618.2](#), and
353 [59-10-1033.1](#) may not exceed \$500,000.

354 (6) The director shall annually submit to the commission a list that includes:

355 (a) the name, taxpayer identification number, and identifying information of each
356 qualified purchaser to which the director has issued a tax credit certificate under this section;
357 and

358 (b) for each qualified purchaser listed under Subsection (6)(a), the amount of the tax
359 credit specified in the tax credit certificate.

360 (7) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the
361 board shall make rules to:

362 (a) establish a process under which a purchaser may reserve a potential tax credit under
363 this section for a limited time to allow the purchaser to make a qualified purchase with the
364 assurance that the aggregate limit under Subsection (5) will not be met before the purchaser
365 submits an application for a tax credit certificate; and

366 (b) govern the application process for receiving a tax credit certificate under this

367 section.

368 Section 5. Section **63I-1-259** is amended to read:

369 **63I-1-259. Repeal dates: Title 59.**

370 (1) Section 59-1-213.1 is repealed May 9, 2024.

371 (2) Section 59-1-213.2 is repealed May 9, 2024.

372 (3) Subsection 59-1-403(4)(aa), which authorizes the State Tax Commission to inform
373 the Department of Workforce Services whether an individual claimed a federal earned income
374 tax credit, is repealed July 1, 2029.

375 (4) Subsection 59-1-405(1)(g) is repealed May 9, 2024.

376 (5) Subsection 59-1-405(2)(b) is repealed May 9, 2024.

377 (6) Section 59-7-618.1 is repealed July 1, [~~2029~~] 2031.

378 (7) Section 59-7-618.2 is repealed July 1, 2031.

379 [~~(7)~~] (8) Section 59-9-102.5 is repealed December 31, 2030.

380 [~~(8)~~] (9) Section 59-10-1033.1 is repealed July 1, [~~2029~~] 2031.

381 (10) Section 59-10-1033.2 is repealed July 1, 2031.

382 Section 6. **Effective date.**

383 (1) If approved by two-thirds of all the members elected to each house, this bill takes
384 effect upon approval by the governor, or the day following the constitutional time limit of Utah
385 Constitution, Article VII, Section 8, without the governor's signature, or in the case of a veto,
386 the date of veto override.

387 (2) If this bill is not approved by two-thirds of all members elected to each house, this
388 bill takes effect May 1, 2024.

389 Section 7. **Retrospective operation.**

390 The following sections have retrospective operation for a taxable year beginning on or
391 after January 1, 2024:

392 (1) Section 59-7-618.1;

393 (2) Section 59-7-618.2;

394 (3) Section 59-10-1033.1; and

395 (4) Section 59-10-1033.2.