

Senator Jerry W Stevenson proposes the following substitute bill:

**MILITARY INSTALLATION DEVELOPMENT AUTHORITY**

**MODIFICATIONS**

2024 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Jerry W Stevenson**

House Sponsor: Val L. Peterson

---

---

**LONG TITLE**

**General Description:**

This bill amends provisions concerning the Military Installation Development Authority.

**Highlighted Provisions:**

This bill:

- ▶ modifies definitions;
- ▶ allows the Military Installation Development Authority (authority) to impose an additional resort communities sales tax, with certain conditions;
- ▶ provides that the authority and its subsidiaries are not required to physically post meeting notices;
- ▶ adds a new circumstance under which the authority board may impose a MIDA accommodations tax;
- ▶ amends provisions relating to the sale of highway land from the Department of Transportation to the authority;
- ▶ requires that a county auditor include information about annual payment to the authority with a property valuation notice;
- ▶ amends the authority's allowable uses for property tax allocation and other funds;



- 26           ▶ provides that, in certain circumstances, the authority may enter into an agreement to
- 27 pay a school district a certain portion of the authority's property tax allocation from
- 28 a project area; and
- 29           ▶ makes technical and conforming changes.

30 **Money Appropriated in this Bill:**

31           None

32 **Other Special Clauses:**

33           This bill provides a special effective date.

34 **Utah Code Sections Affected:**

35 AMENDS:

- 36           **59-2-919.1**, as last amended by Laws of Utah 2023, Chapters 7, 471
- 37           **59-2-1317**,
- 38           **59-12-402**, as last amended by Laws of Utah 2023, Chapter 435
- 39           **63H-1-102**, as last amended by Laws of Utah 2023, Chapter 16
- 40           **63H-1-202**, as last amended by Laws of Utah 2023, Chapters 16, 100 and 435
- 41           **63H-1-203**, as last amended by Laws of Utah 2013, Chapter 362
- 42           **63H-1-205**, as last amended by Laws of Utah 2021, Chapter 414
- 43           **63H-1-207**, as enacted by Laws of Utah 2020, Chapter 282
- 44           **63H-1-501**, as last amended by Laws of Utah 2022, Chapter 463
- 45           **63H-1-502**, as last amended by Laws of Utah 2022, Chapters 82, 463
- 46           **63H-1-701**, as last amended by Laws of Utah 2023, Chapter 435



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

49           Section 1. Section **59-2-919.1** is amended to read:

50           **59-2-919.1. Notice of property valuation and tax changes.**

51           (1) In addition to the notice requirements of Section **59-2-919**, the county auditor, on or  
52 before July 22 of each year, shall notify each owner of real estate who is listed on the  
53 assessment roll.

54           (2) The notice described in Subsection (1) shall:

55           (a) except as provided in Subsection (4), be sent to all owners of real property by mail  
56 10 or more days before the day on which:

- 57 (i) the county board of equalization meets; and
- 58 (ii) the taxing entity holds a public hearing on the proposed increase in the certified tax
- 59 rate;
- 60 (b) be on a form that is:
  - 61 (i) approved by the commission; and
  - 62 (ii) uniform in content in all counties in the state; and
  - 63 (c) contain for each property:
    - 64 (i) the assessor's determination of the value of the property;
    - 65 (ii) the taxable value of the property;
    - 66 (iii) (A) the deadline for the taxpayer to make an application to appeal the valuation or
    - 67 equalization of the property under Section [59-2-1004](#); or
    - 68 (B) for property assessed by the commission, the deadline for the taxpayer to apply to
    - 69 the commission for a hearing on an objection to the valuation or equalization of the property
    - 70 under Section [59-2-1007](#);
    - 71 (iv) for a property assessed by the commission, a statement that the taxpayer may not
    - 72 appeal the valuation or equalization of the property to the county board of equalization;
    - 73 (v) itemized tax information for all applicable taxing entities, including:
      - 74 (A) the dollar amount of the taxpayer's tax liability for the property in the prior year;
      - 75 and
      - 76 (B) the dollar amount of the taxpayer's tax liability under the current rate;
      - 77 (vi) the following, stated separately:
        - 78 (A) the charter school levy described in Section [53F-2-703](#);
        - 79 (B) the multicounty assessing and collecting levy described in Subsection
        - 80 [59-2-1602\(2\)](#);
        - 81 (C) the county assessing and collecting levy described in Subsection [59-2-1602\(4\)](#);
        - 82 [~~and~~]
        - 83 (D) for a fiscal year that begins on or after July 1, 2023, the combined basic rate as
        - 84 defined in Section [53F-2-301](#); and
        - 85 (E) if applicable, the annual payment described in Subsection [63H-1-501\(4\)\(a\)](#);
        - 86 (vii) the tax impact on the property;
        - 87 (viii) the time and place of the required public hearing for each entity;

- 88 (ix) property tax information pertaining to:
- 89 (A) taxpayer relief;
- 90 (B) options for payment of taxes;
- 91 (C) collection procedures; and
- 92 (D) the residential exemption described in Section 59-2-103;
- 93 (x) information specifically authorized to be included on the notice under this chapter;
- 94 (xi) the last property review date of the property as described in Subsection
- 95 59-2-303.1(1)(c); and
- 96 (xii) other property tax information approved by the commission.
- 97 (3) If a taxing entity that is subject to the notice and hearing requirements of
- 98 Subsection 59-2-919(4) proposes a tax increase, the notice described in Subsection (1) shall
- 99 state, in addition to the information required by Subsection (2):
- 100 (a) the dollar amount of the taxpayer's tax liability if the proposed increase is approved;
- 101 (b) the difference between the dollar amount of the taxpayer's tax liability if the
- 102 proposed increase is approved and the dollar amount of the taxpayer's tax liability under the
- 103 current rate, placed in close proximity to the information described in Subsection (2)(c)(viii);
- 104 and
- 105 (c) the percentage increase that the dollar amount of the taxpayer's tax liability under
- 106 the proposed tax rate represents as compared to the dollar amount of the taxpayer's tax liability
- 107 under the current tax rate.
- 108 (4) (a) Subject to the other provisions of this Subsection (4), a county auditor may, at
- 109 the county auditor's discretion, provide the notice required by this section to a taxpayer by
- 110 electronic means if a taxpayer makes an election, according to procedures determined by the
- 111 county auditor, to receive the notice by electronic means.
- 112 (b) (i) If a notice required by this section is sent by electronic means, a county auditor
- 113 shall attempt to verify whether a taxpayer receives the notice.
- 114 (ii) If receipt of the notice sent by electronic means cannot be verified 14 days or more
- 115 before the county board of equalization meets and the taxing entity holds a public hearing on a
- 116 proposed increase in the certified tax rate, the notice required by this section shall also be sent
- 117 by mail as provided in Subsection (2).
- 118 (c) A taxpayer may revoke an election to receive the notice required by this section by

119 electronic means if the taxpayer provides written notice to the county auditor on or before April  
120 30.

121 (d) An election or a revocation of an election under this Subsection (4):

122 (i) does not relieve a taxpayer of the duty to pay a tax due under this chapter on or  
123 before the due date for paying the tax; or

124 (ii) does not alter the requirement that a taxpayer appealing the valuation or the  
125 equalization of the taxpayer's real property submit the application for appeal within the time  
126 period provided in Subsection 59-2-1004(3).

127 (e) A county auditor shall provide the notice required by this section as provided in  
128 Subsection (2), until a taxpayer makes a new election in accordance with this Subsection (4), if:

129 (i) the taxpayer revokes an election in accordance with Subsection (4)(c) to receive the  
130 notice required by this section by electronic means; or

131 (ii) the county auditor finds that the taxpayer's electronic contact information is invalid.

132 (f) A person is considered to be a taxpayer for purposes of this Subsection (4)  
133 regardless of whether the property that is the subject of the notice required by this section is  
134 exempt from taxation.

135 Section 2. Section 59-2-1317 is amended to read:

136 **59-2-1317. Tax notice -- Contents of notice -- Procedures and requirements for**  
137 **providing notice.**

138 (1) As used in this section, "political subdivision lien" means the same as that term is  
139 defined in Section 11-60-102.

140 (2) Subject to the other provisions of this section, the county treasurer shall:

141 (a) collect the taxes and tax notice charges; and

142 (b) provide a notice to each taxpayer that contains the following:

143 (i) the kind and value of property assessed to the taxpayer;

144 (ii) the street address of the property, if available to the county;

145 (iii) that the property may be subject to a detailed review in the next year under Section  
146 59-2-303.1;

147 (iv) the amount of taxes levied;

148 (v) a separate statement of the taxes levied only on a certain kind or class of property  
149 for a special purpose;

- 150 (vi) property tax information pertaining to taxpayer relief, options for payment of  
151 taxes, and collection procedures;
- 152 (vii) any tax notice charges applicable to the property, including:
- 153 (A) if applicable, a political subdivision lien for road damage that a railroad company  
154 causes, as described in Section [10-7-30](#);
- 155 (B) if applicable, a political subdivision lien for municipal water distribution, as  
156 described in Section [10-8-17](#), or a political subdivision lien for an increase in supply from a  
157 municipal water distribution, as described in Section [10-8-19](#);
- 158 (C) if applicable, a political subdivision lien for unpaid abatement fees as described in  
159 Section [10-11-4](#);
- 160 (D) if applicable, a political subdivision lien for the unpaid portion of an assessment  
161 assessed in accordance with Title 11, Chapter 42, Assessment Area Act, or Title 11, Chapter  
162 42a, Commercial Property Assessed Clean Energy Act, including unpaid costs, charges, and  
163 interest as of the date the local entity certifies the unpaid amount to the county treasurer;
- 164 (E) if applicable, for a special district in accordance with Section [17B-1-902](#), a political  
165 subdivision lien for an unpaid fee, administrative cost, or interest;
- 166 (F) if applicable, a political subdivision lien for an unpaid irrigation district use charge  
167 as described in Section [17B-2a-506](#);
- 168 (G) if applicable, a political subdivision lien for a contract assessment under a water  
169 contract, as described in Section [17B-2a-1007](#);
- 170 (H) if applicable, a property tax penalty that a public infrastructure district imposes, as  
171 described in Section [17D-4-304](#); and
- 172 (I) if applicable, an annual payment to the Military Installation Development Authority  
173 or an entity designated by the authority in accordance with Section [63H-1-501](#);
- 174 (viii) if a county's tax notice includes an assessment area charge, a statement that, due  
175 to potentially ongoing assessment area charges, costs, penalties, and interest, payment of a tax  
176 notice charge may not:
- 177 (A) pay off the full amount the property owner owes to the tax notice entity; or  
178 (B) cause a release of the lien underlying the tax notice charge;
- 179 (ix) if applicable, the annual payment described in Subsection [63H-1-501\(4\)\(a\)](#);
- 180 (x) the date the taxes and tax notice charges are due;

- 181           ~~[(x)]~~ (xi) the street address at which the taxes and tax notice charges may be paid;
- 182           ~~[(xi)]~~ (xii) the date on which the taxes and tax notice charges are delinquent;
- 183           ~~[(xii)]~~ (xiii) the penalty imposed on delinquent taxes and tax notice charges;
- 184           ~~[(xiii)]~~ (xiv) a statement that explains the taxpayer's right to direct allocation of a
- 185 partial payment in accordance with Subsection (9);
- 186           ~~[(xiv)]~~ (xv) other information specifically authorized to be included on the notice under
- 187 this chapter; and
- 188           ~~[(xv)]~~ (xvi) other property tax information approved by the commission.
- 189           (3) (a) Unless expressly allowed under this section or another statutory provision, the
- 190 treasurer may not add an amount to be collected to the property tax notice.
- 191           (b) If the county treasurer adds an amount to be collected to the property tax notice
- 192 under this section or another statutory provision that expressly authorizes the item's inclusion
- 193 on the property tax notice:
- 194           (i) the amount constitutes a tax notice charge; and
- 195           (ii) (A) the tax notice charge has the same priority as property tax; and
- 196           (B) a delinquency of the tax notice charge triggers a tax sale, in accordance with
- 197 Section [59-2-1343](#).
- 198           (4) For any property for which property taxes or tax notice charges are delinquent, the
- 199 notice described in Subsection (2) shall state, "Prior taxes or tax notice charges are delinquent
- 200 on this parcel."
- 201           (5) Except as provided in Subsection (6), the county treasurer shall:
- 202           (a) mail the notice required by this section, postage prepaid; or
- 203           (b) leave the notice required by this section at the taxpayer's residence or usual place of
- 204 business, if known.
- 205           (6) (a) Subject to the other provisions of this Subsection (6), a county treasurer may, at
- 206 the county treasurer's discretion, provide the notice required by this section by electronic mail if
- 207 a taxpayer makes an election, according to procedures determined by the county treasurer, to
- 208 receive the notice by electronic mail.
- 209           (b) A taxpayer may revoke an election to receive the notice required by this section by
- 210 electronic mail if the taxpayer provides written notice to the treasurer on or before October 1.
- 211           (c) A revocation of an election under this section does not relieve a taxpayer of the

212 duty to pay a tax or tax notice charge due under this chapter on or before the due date for  
213 paying the tax or tax notice charge.

214 (d) A county treasurer shall provide the notice required by this section using a method  
215 described in Subsection (5), until a taxpayer makes a new election in accordance with this  
216 Subsection (6), if:

217 (i) the taxpayer revokes an election in accordance with Subsection (6)(b) to receive the  
218 notice required by this section by electronic mail; or

219 (ii) the county treasurer finds that the taxpayer's electronic mail address is invalid.

220 (e) A person is considered to be a taxpayer for purposes of this Subsection (6)  
221 regardless of whether the property that is the subject of the notice required by this section is  
222 exempt from taxation.

223 (7) (a) The county treasurer shall provide the notice required by this section to a  
224 taxpayer on or before November 1.

225 (b) The county treasurer shall keep on file in the county treasurer's office the  
226 information set forth in the notice.

227 (c) The county treasurer is not required to mail a tax receipt acknowledging payment.

228 (8) This section does not apply to property taxed under Section 59-2-1302 or  
229 59-2-1307.

230 (9) (a) A taxpayer who pays less than the full amount due on the taxpayer's property tax  
231 notice may, on a form provided by the county treasurer, direct how the county treasurer  
232 allocates the partial payment between:

233 (i) the total amount due for property tax;

234 (ii) the amount due for assessments, past due special district fees, and other tax notice  
235 charges; and

236 (iii) any other amounts due on the property tax notice.

237 (b) The county treasurer shall comply with a direction submitted to the county treasurer  
238 in accordance with Subsection (9)(a).

239 (c) The provisions of this Subsection (9) do not:

240 (i) affect the right or ability of a local entity to pursue any available remedy for  
241 non-payment of any item listed on a taxpayer's property tax notice; or

242 (ii) toll or otherwise change any time period related to a remedy described in



243 Subsection (9)(c)(i).

244 Section 3. Section 59-12-402 is amended to read:

245 **59-12-402. Additional resort communities sales and use tax -- Base -- Rate --**  
246 **Collection fees -- Resolution and voter approval requirements -- Election requirements --**  
247 **Notice requirements -- Ordinance requirements -- Military installation development**  
248 **authority imposition of tax.**

249 (1) (a) Subject to Subsections (2) through (6), the governing body of a municipality in  
250 which the transient room capacity as defined in Section 59-12-405 is greater than or equal to  
251 66% of the municipality's permanent census population may, in addition to the sales tax  
252 authorized under Section 59-12-401, impose an additional resort communities sales tax in an  
253 amount that is less than or equal to .5% on the transactions described in Subsection  
254 59-12-103(1) located within the municipality.

255 (b) Notwithstanding Subsection (1)(a), the governing body of a municipality may not  
256 impose a tax under this section on:

257 (i) the sale of:

258 (A) a motor vehicle;

259 (B) an aircraft;

260 (C) a watercraft;

261 (D) a modular home;

262 (E) a manufactured home; or

263 (F) a mobile home;

264 (ii) the sales and uses described in Section 59-12-104 to the extent the sales and uses  
265 are exempt from taxation under Section 59-12-104; and

266 (iii) except as provided in Subsection (1)(d), amounts paid or charged for food and  
267 food ingredients.

268 (c) For purposes of this Subsection (1), the location of a transaction shall be  
269 determined in accordance with Sections 59-12-211 through 59-12-215.

270 (d) A municipality imposing a tax under this section shall impose the tax on the  
271 purchase price or sales price for amounts paid or charged for food and food ingredients if the  
272 food and food ingredients are sold as part of a bundled transaction attributable to food and food  
273 ingredients and tangible personal property other than food and food ingredients.

274 (2) (a) An amount equal to the total of any costs incurred by the state in connection  
275 with the implementation of Subsection (1) which exceed, in any year, the revenues received by  
276 the state from its collection fees received in connection with the implementation of Subsection  
277 (1) shall be paid over to the state General Fund by the cities and towns which impose the tax  
278 provided for in Subsection (1).

279 (b) Amounts paid under Subsection (2)(a) shall be allocated proportionally among  
280 those cities and towns according to the amount of revenue the respective cities and towns  
281 generate in that year through imposition of that tax.

282 (3) To impose an additional resort communities sales tax under this section, the  
283 governing body of the municipality shall:

284 (a) pass a resolution approving the tax; and

285 (b) except as provided in Subsection (6), obtain voter approval for the tax as provided  
286 in Subsection (4).

287 (4) To obtain voter approval for an additional resort communities sales tax under  
288 Subsection (3)(b), a municipality shall:

289 (a) hold the additional resort communities sales tax election during:

290 (i) a regular general election; or

291 (ii) a municipal general election; and

292 (b) post notice of the election for the municipality, as a class A notice under Section  
293 [63G-30-102](#), for at least 15 days before the day on which the election is held.

294 (5) An ordinance approving an additional resort communities sales tax under this  
295 section shall provide an effective date for the tax as provided in Section [59-12-403](#).

296 (6) (a) Except as provided in Subsection (6)(b), a municipality is not subject to the  
297 voter approval requirements of Subsection (3)(b) if, on or before January 1, 1996, the  
298 municipality imposed a license fee or tax on businesses based on gross receipts pursuant to  
299 Section [10-1-203](#).

300 (b) The exception from the voter approval requirements in Subsection (6)(a) does not  
301 apply to a municipality that, on or before January 1, 1996, imposed a license fee or tax on only  
302 one class of businesses based on gross receipts pursuant to Section [10-1-203](#).

303 (7) ~~[A]~~ Subject to Subsection [63H-1-203\(1\)](#), a military installation development  
304 authority authorized to impose a resort communities tax under Section [59-12-401](#) may ~~[not]~~

305 impose an additional resort communities sales tax under this section.

306 Section 4. Section **63H-1-102** is amended to read:

307 **63H-1-102. Definitions.**

308 As used in this chapter:

309 (1) "Authority" means the Military Installation Development Authority, created under  
310 Section **63H-1-201**.

311 (2) "Base taxable value" means:

312 (a) for military land or other land that was exempt from a property tax at the time that a  
313 project area was created that included the military land or other land, a taxable value of zero; or

314 (b) for private property that is included in a project area, the taxable value of the  
315 property within any portion of the project area, as designated by board resolution, from which  
316 the property tax allocation will be collected, as shown upon the assessment roll last equalized:

317 (i) before the year in which the authority creates the project area; or

318 (ii) before the year in which the project area plan is amended, for property added to a  
319 project area by an amendment to a project area plan.

320 (3) "Board" means the governing body of the authority created under Section  
321 **63H-1-301**.

322 (4) (a) "Dedicated tax collections" means the property tax that remains after the  
323 authority is paid the property tax allocation the authority is entitled to receive under Subsection  
324 **63H-1-501**(1), for a property tax levied by:

325 (i) a county, including a district the county has established under Subsection **17-34-3**(2)  
326 to levy a property tax under Title 17, Chapter 34, Municipal-Type Services to Unincorporated  
327 Areas; or

328 (ii) an included municipality.

329 (b) "Dedicated tax collections" does not include a county additional property tax or  
330 multicounty assessing and collecting levy imposed in accordance with Section **59-2-1602**.

331 (5) "Develop" means to engage in development.

332 (6) (a) "Development" means an activity occurring:

333 (i) on land within a project area that is owned or operated by the military, the authority,  
334 another public entity, or a private entity; or

335 (ii) on military land associated with a project area.

336 (b) "Development" includes the demolition, construction, reconstruction, modification,  
337 expansion, maintenance, operation, or improvement of a building, facility, utility, landscape,  
338 parking lot, park, trail, or recreational amenity.

339 (7) "Development project" means a project to develop land within a project area.

340 (8) "Elected member" means a member of the authority board who:

341 (a) is a mayor or member of a legislative body appointed under Subsection

342 [63H-1-302\(2\)\(b\)](#); or

343 (b) (i) is appointed to the authority board under Subsection [63H-1-302\(2\)\(a\)](#) or (3); and

344 (ii) concurrently serves in an elected state, county, or municipal office.

345 (9) "Included municipality" means a municipality, some or all of which is included  
346 within a project area.

347 (10) (a) "Military" means a branch of the armed forces of the United States, including  
348 the Utah National Guard.

349 (b) "Military" includes, in relation to property, property that is occupied by the military  
350 and is owned by the government of the United States, the authority, or the state.

351 (11) "Military Installation Development Authority accommodations tax" or "MIDA  
352 accommodations tax" means the tax imposed under Section [63H-1-205](#).

353 (12) "Military Installation Development Authority energy tax" or "MIDA energy tax"  
354 means the tax levied under Section [63H-1-204](#).

355 (13) (a) "Military land" means land or a facility, including leased land or a leased  
356 facility, that is part of or affiliated with a base, camp, post, station, yard, center, or installation  
357 under the jurisdiction of the United States Department of Defense, the United States  
358 Department of Veterans Affairs, or the Utah National Guard.

359 (b) "Military land" includes land that is:

360 (i) owned or leased by the authority; and

361 (ii) held or used for the benefit of the military.

362 (14) "Municipal energy tax" means a municipal energy sales and use tax under Title  
363 10, Chapter 1, Part 3, Municipal Energy Sales and Use Tax Act.

364 (15) "Municipal services revenue" means revenue that the authority:

365 (a) collects from the authority's:

366 (i) levy of a municipal energy tax;

- 367 (ii) levy of a MIDA energy tax;
- 368 (iii) levy of a telecommunications tax;
- 369 (iv) imposition of a transient room tax; and
- 370 (v) imposition of a resort communities tax;
- 371 (b) receives under Subsection 59-12-205(2)(a)(ii)(B); and
- 372 (c) receives as dedicated tax collections.

373 (16) "Municipal tax" means a municipal energy tax, MIDA energy tax, MIDA  
374 accommodations tax, telecommunications tax, transient room tax, or resort communities tax.

375 (17) "Project area" means the land, including military land, whether consisting of a  
376 single contiguous area or multiple noncontiguous areas, described in a project area plan or draft  
377 project area plan, where the development project set forth in the project area plan or draft  
378 project area plan takes place or is proposed to take place.

379 (18) "Project area budget" means a multiyear projection of annual or cumulative  
380 revenues and expenses and other fiscal matters pertaining to a project area that includes:

- 381 (a) the base taxable value of property in the project area;
- 382 (b) the projected property tax allocation expected to be generated within the project  
383 area;
- 384 (c) the amount of the property tax allocation expected to be shared with other taxing  
385 entities;
- 386 (d) the amount of the property tax allocation expected to be used to implement the  
387 project area plan, including the estimated amount of the property tax allocation to be used for  
388 land acquisition, public improvements, infrastructure improvements, and loans, grants, or other  
389 incentives to private and public entities;
- 390 (e) the property tax allocation expected to be used to cover the cost of administering  
391 the project area plan;
- 392 (f) if the property tax allocation is to be collected at different times or from different  
393 portions of the project area, or both:
  - 394 (i) (A) the tax identification numbers of the parcels from which the property tax  
395 allocation will be collected; or
  - 396 (B) a legal description of the portion of the project area from which the property tax  
397 allocation will be collected; and

398 (ii) an estimate of when other portions of the project area will become subject to  
399 collection of the property tax allocation; and

400 (g) for property that the authority owns or leases and expects to sell or sublease, the  
401 expected total cost of the property to the authority and the expected selling price or lease  
402 payments.

403 (19) "Project area plan" means a written plan that, after the plan's effective date, guides  
404 and controls the development within a project area.

405 (20) (a) "Property tax" includes a privilege tax imposed under Title 59, Chapter 4,  
406 Privilege Tax, except as described in Subsection (20)(b), and each levy on an ad valorem basis  
407 on tangible or intangible personal or real property.

408 (b) "Property tax" does not include a privilege tax on the taxable value:

409 (i) attributable to a portion of a facility leased to the military for a calendar year when:

410 (A) a lessee of military land has constructed a facility on the military land that is part of  
411 a project area;

412 (B) the lessee leases space in the facility to the military for the entire calendar year; and

413 (C) the lease rate paid by the military for the space is \$1 or less for the entire calendar  
414 year, not including any common charges that are reimbursements for actual expenses; or

415 (ii) of the following property owned by the authority, regardless of whether the  
416 authority enters into a long-term operating agreement with a privately owned entity under  
417 which the privately owned entity agrees to operate the property:

418 (A) a hotel;

419 (B) a hotel condominium unit in a condominium project, as defined in Section 57-8-3;

420 and

421 (C) a commercial condominium unit in a condominium project, as defined in Section  
422 57-8-3.

423 (21) "Property tax allocation" means the difference between:

424 (a) the amount of property tax revenues generated each tax year by all taxing entities  
425 from the area within a project area designated in the project area plan as the area from which  
426 the property tax allocation is to be collected, using the current assessed value of the property;  
427 and

428 (b) the amount of property tax revenues that would be generated from that same area

429 using the base taxable value of the property.

430 (22) "Public entity" means:

431 (a) the state, including each department or agency of the state; or

432 (b) a political subdivision of the state, including the authority or a county, city, town,  
433 school district, special district, special service district, or interlocal cooperation entity.

434 (23) (a) "Public infrastructure and improvements" means infrastructure,  
435 improvements, facilities, or buildings that:

436 (i) benefit the public, the authority, the military, or military-related entities; and

437 (ii) (A) are publicly owned by the military, the authority, a public infrastructure district  
438 under Title 17D, Chapter 4, Public Infrastructure District Act, or another public entity;

439 (B) are owned by a utility; or

440 (C) are publicly maintained or operated by the military, the authority, or another public  
441 entity.

442 (b) "Public infrastructure and improvements" also means infrastructure, improvements,  
443 facilities, or buildings that:

444 (i) are privately owned; and

445 (ii) provide a substantial benefit, as determined by the board, to the development and  
446 operation of a project area.

447 (c) "Public infrastructure and improvements" includes:

448 (i) facilities, lines, or systems that harness geothermal energy or provide water, chilled  
449 water, steam, sewer, storm drainage, natural gas, electricity, or telecommunications;

450 (ii) streets, roads, curb, gutter, sidewalk, walkways, tunnels, solid waste facilities,  
451 parking facilities, public transportation facilities, and parks, trails, and other recreational  
452 facilities;

453 (iii) snowmaking equipment and related improvements that can also be used for water  
454 storage or fire suppression purposes; and

455 (iv) a building and related improvements for occupancy by the public, the authority, the  
456 military, or military-related entities.

457 (24) "Remaining municipal services revenue" means municipal services revenue that  
458 the authority has not:

459 (a) spent during the authority's fiscal year for municipal services as provided in

460 Subsection 63H-1-503(1); or

461 (b) redirected to use in accordance with Subsection 63H-1-502(3).

462 (25) "Resort communities tax" means a sales and use tax imposed under Section  
463 59-12-401.

464 (26) "Taxable value" means the value of property as shown on the last equalized  
465 assessment roll.

466 (27) "Taxing entity":

467 (a) means a public entity that levies a tax on property within a project area; and

468 (b) does not include a public infrastructure district that the authority creates under Title  
469 17D, Chapter 4, Public Infrastructure District Act.

470 (28) "Telecommunications tax" means a telecommunications license tax under Title  
471 10, Chapter 1, Part 4, Municipal Telecommunications License Tax Act.

472 (29) "Transient room tax" means a tax under Section 59-12-352.

473 Section 5. Section 63H-1-202 is amended to read:

474 **63H-1-202. Applicability of other law.**

475 (1) As used in this section:

476 (a) "Subsidiary" means an authority subsidiary that is a public body as defined in  
477 Section 52-4-103.

478 (b) "Subsidiary board" means the governing body of a subsidiary.

479 (2) The authority or land within a project area is not subject to:

480 (a) Title 10, Chapter 9a, Municipal Land Use, Development, and Management Act;

481 (b) Title 17, Chapter 27a, County Land Use, Development, and Management Act;

482 (c) ordinances or regulations of a county or municipality, including those relating to  
483 land use, health, business license, or franchise; or

484 (d) the jurisdiction of a special district under Title 17B, Limited Purpose Local  
485 Government Entities - Special Districts, or a special service district under Title 17D, Chapter 1,  
486 Special Service District Act.

487 (3) The authority is subject to and governed by Sections 63E-2-106, 63E-2-107,  
488 63E-2-108, 63E-2-109, 63E-2-110, and 63E-2-111, but is not otherwise subject to or governed  
489 by Title 63E, Independent Entities Code.

490 (4) (a) The definitions in Section 57-8-3 apply to this Subsection (4).



491 (b) Notwithstanding the provisions of Title 57, Chapter 8, Condominium Ownership  
492 Act, or any other provision of law:

493 (i) if the military is the owner of land in a project area on which a condominium project  
494 is constructed, the military is not required to sign, execute, or record a declaration of a  
495 condominium project; and

496 (ii) if a condominium unit in a project area is owned by the military or owned by the  
497 authority and leased to the military for \$1 or less per calendar year, not including any common  
498 charges that are reimbursements for actual expenses:

499 (A) the condominium unit is not subject to any liens under Title 57, Chapter 8,  
500 Condominium Ownership Act;

501 (B) condominium unit owners within the same building or commercial condominium  
502 project may agree on any method of allocation and payment of common area expenses,  
503 regardless of the size or par value of each unit; and

504 (C) the condominium project may not be dissolved without the consent of all the  
505 condominium unit owners.

506 (5) Notwithstanding any other provision, when a law requires the consent of a local  
507 government, the authority is the consenting entity for a project area.

508 (6) (a) A department, division, or other agency of the state and a political subdivision  
509 of the state shall cooperate with the authority to the fullest extent possible to provide whatever  
510 support, information, or other assistance the authority requests that is reasonably necessary to  
511 help the authority fulfill the authority's duties and responsibilities under this chapter.

512 (b) Subsection (6)(a) does not apply to a political subdivision that does not have any of  
513 a project area located within the boundary of the political subdivision.

514 (7) (a) The authority and a subsidiary are subject to Title 52, Chapter 4, Open and  
515 Public Meetings Act, except that:

516 (i) notwithstanding Section [52-4-104](#), the timing and nature of training to authority  
517 board members or subsidiary board members on the requirements of Title 52, Chapter 4, Open  
518 and Public Meetings Act, may be determined by:

519 (A) the board chair, for the authority board; or

520 (B) the subsidiary board chair, for a subsidiary board;

521 (ii) authority staff may adopt a rule governing the use of electronic meetings under

522 Section 52-4-207, if, under Subsection 63H-1-301(3), the board delegates to authority staff the  
523 power to adopt the rule; and

524 (iii) for an electronic meeting of the authority board or subsidiary board that otherwise  
525 complies with Section 52-4-207, the authority board or subsidiary board, respectively:

526 (A) is not required to establish an anchor location; and

527 (B) may convene and conduct the meeting without the determination otherwise  
528 required under Subsection 52-4-207(5)(a)(i).

529 (b) ~~[Except as provided in Subsection (7)(c), the]~~ The authority [is] and subsidiaries  
530 are not required to physically post notice notwithstanding any other provision of law.

531 ~~[(c) The authority shall physically post notice in accordance with Subsection~~  
532 ~~52-4-202(3)(a).]~~

533 (8) The authority and a subsidiary are subject to Title 63G, Chapter 2, Government  
534 Records Access and Management Act, except that:

535 (a) notwithstanding Section 63G-2-701:

536 (i) the authority may establish an appeals board consisting of at least three members;

537 (ii) an appeals board established under Subsection (8)(a)(i) shall include:

538 (A) one of the authority board members appointed by the governor;

539 (B) the authority board member appointed by the president of the Senate; and

540 (C) the authority board member appointed by the speaker of the House of  
541 Representatives; and

542 (iii) an appeal of a decision of an appeals board is to district court, as provided in  
543 Section 63G-2-404, except that the State Records Committee is not a party; and

544 (b) a record created or retained by the authority or a subsidiary acting in the role of a  
545 facilitator under Subsection 63H-1-201(3)(v) is a protected record under Title 63G, Chapter 2,  
546 Government Records Access and Management Act.

547 (9) The authority or a subsidiary acting in the role of a facilitator under Subsection  
548 63H-1-201(3)(v) is not prohibited from receiving a benefit from a public-private partnership  
549 that results from the facilitator's work as a facilitator.

550 (10) (a) (i) A subsidiary created as a public infrastructure district under Title 17D,  
551 Chapter 4, Public Infrastructure District Act, may, subject to limitations of Title 17D, Chapter  
552 4, Public Infrastructure District Act, levy a property tax for the operations and maintenance of

553 the public infrastructure district's financed infrastructure and related improvements, subject to a  
554 maximum rate of .015.

555 (ii) A levy under Subsection (10)(a)(i) may be separate from a public infrastructure  
556 district property tax levy for a bond.

557 (b) If a subsidiary created as a public infrastructure district issues a bond:

558 (i) the subsidiary may:

559 (A) delay the effective date of the property tax levy for the bond until after the period  
560 of capitalized interest payments; and

561 (B) covenant with bondholders not to reduce or impair the property tax levy; and

562 (ii) notwithstanding a provision to the contrary in Title 17D, Chapter 4, Public  
563 Infrastructure District Act, the tax rate for the property tax levy for the bond may not exceed a  
564 rate that generates more revenue than required to pay the annual debt service of the bond plus  
565 administrative costs, subject to a maximum of .02.

566 (c) (i) A subsidiary created as a public infrastructure district under Title 17D, Chapter  
567 4, Public Infrastructure District Act, may create tax areas, as defined in Section 59-2-102,  
568 within the public infrastructure district and apply a different property tax rate to each tax area,  
569 subject to the maximum rate limitations described in Subsections (10)(a)(i) and (10)(b)(ii).

570 (ii) If a subsidiary created by a public infrastructure district issues bonds, the subsidiary  
571 may issue bonds secured by property taxes from:

572 (A) the entire public infrastructure district; or

573 (B) one or more tax areas within the public infrastructure district.

574 (11) (a) Terms defined in Section 57-11-2 apply to this Subsection (11).

575 (b) Title 57, Chapter 11, Utah Uniform Land Sales Practices Act, does not apply to an  
576 offer or disposition of an interest in land if the interest in land lies within the boundaries of the  
577 project area and the authority:

578 (i) (A) has a development review committee using at least one professional planner;

579 (B) enacts standards and guidelines that require approval of planning, land use, and  
580 plats, including the approval of plans for streets, culinary water, sanitary sewer, and flood  
581 control; and

582 (C) will have the improvements described in Subsection (11)(b)(i)(B) plus  
583 telecommunications and electricity; and

584 (ii) if at the time of the offer or disposition, the subdivider furnishes satisfactory  
585 assurance of completion of the improvements described in Subsection (11)(b)(i)(C).

586 (12) (a) As used in this Subsection (12), "officer" means the same as an officer within  
587 the meaning of the Utah Constitution, Article IV, Section 10.

588 (b) An official act of an officer may not be invalidated for the reason that the officer  
589 failed to take the oath of office.

590 Section 6. Section **63H-1-203** is amended to read:

591 **63H-1-203. Levy of a municipal tax -- Direct tax payment to MIDA.**

592 (1) A levy of a municipal energy tax, MIDA energy tax, telecommunications tax,  
593 transient room tax, [~~or~~] resort communities tax, or additional resort communities sales tax,  
594 including an increase in the applicable tax rate, requires the affirmative vote of:

595 (a) the authority board; and

596 (b) a majority of all elected members of the authority board.

597 (2) If the authority board levies a municipal energy tax, a consumer who acquires  
598 taxable energy shall pay the tax directly to the authority on a monthly basis if the consumer's  
599 energy supplier is not required under federal law to collect the tax in the manner described in  
600 Section 10-1-307.

601 Section 7. Section **63H-1-205** is amended to read:

602 **63H-1-205. MIDA accommodations tax.**

603 (1) As used in this section:

604 (a) "Accommodations and services" means an accommodation or service described in  
605 Subsection 59-12-103(1)(i).

606 (b) "Accommodations and services" does not include amounts paid or charged that are  
607 not part of a rental room rate.

608 (2) By ordinance, the authority board may impose a MIDA accommodations tax on a  
609 provider for amounts paid or charged for accommodations and services, if the place of  
610 accommodation is located within a project area and on:

611 (a) authority-owned or other government-owned property [~~within the project area~~]; [~~or~~]

612 (b) privately owned property on which the authority owns a condominium unit that is  
613 part of the place of accommodation[~~;~~]; or

614 (c) privately owned property on which the authority board finds that a provider is

615 providing a significant long-term benefit, including lodging but not including a benefit that is  
616 commonly provided, to members of the military at the property.

617 (3) The maximum rate of the MIDA accommodations tax is 15% of the amounts paid  
618 to or charged by the provider for accommodations and services.

619 (4) A provider may recover an amount equal to the MIDA accommodations tax from  
620 customers, if the provider includes the amount as a separate billing line item.

621 (5) If the authority imposes the tax described in this section, neither the authority nor a  
622 public entity may impose, on the amounts paid or charged for accommodations and services,  
623 any other tax described in:

624 (a) Title 59, Chapter 12, Sales and Use Tax Act; or

625 (b) Title 59, Chapter 28, State Transient Room Tax Act.

626 (6) Except as provided in Subsection (7) or (8), the tax imposed under this section shall  
627 be administered, collected, and enforced in accordance with:

628 (a) the same procedures used to administer, collect, and enforce the tax under:

629 (i) Title 59, Chapter 12, Part 1, Tax Collection; or

630 (ii) Title 59, Chapter 12, Part 2, Local Sales and Use Tax Act; and

631 (b) Title 59, Chapter 1, General Taxation Policies.

632 (7) The location of a transaction shall be determined in accordance with Sections  
633 59-12-211 through 59-12-215.

634 (8) (a) A tax under this section is not subject to Section 59-12-107.1 or 59-12-123 or  
635 Subsections 59-12-205(2) through (5).

636 (b) The exemptions described in Sections 59-12-104, 59-12-104.1, and 59-12-104.6 do  
637 not apply to a tax imposed under this section.

638 (9) The State Tax Commission shall:

639 (a) except as provided in Subsection (9)(b), distribute the revenue collected from the  
640 tax to the authority; and

641 (b) retain and deposit an administrative charge in accordance with Section 59-1-306  
642 from revenue the commission collects from a tax under this section.

643 (10) (a) If the authority imposes, repeals, or changes the rate of tax under this section,  
644 the implementation, repeal, or change shall take effect:

645 (i) on the first day of a calendar quarter; and

646 (ii) after a 90-day period beginning on the date the State Tax Commission receives the  
647 notice described in Subsection (10)(b) from the authority.

648 (b) The notice required in Subsection (10)(a)(ii) shall state:

649 (i) that the authority will impose, repeal, or change the rate of a tax under this section;

650 (ii) the effective date of the implementation, repeal, or change of the tax; and

651 (iii) the rate of the tax.

652 (11) In addition to the uses permitted under Section 63H-1-502, the authority may  
653 allocate revenue from the MIDA accommodations tax to a county in which a place of  
654 accommodation that is subject to the MIDA accommodations tax is located, if:

655 (a) the county had a transient room tax described in Section 59-12-301 in effect at the  
656 time the authority board imposed a MIDA accommodations tax by ordinance; and

657 (b) the revenue replaces revenue that the county received from a county transient room  
658 tax described in Section 59-12-301 for the county's general operations and administrative  
659 expenses.

660 Section 8. Section 63H-1-207 is amended to read:

661 **63H-1-207. Authority jurisdiction over Department of Transportation property.**

662 (1) As used in this section:

663 (a) "Highway land" means land that is:

664 (i) owned by the Department of Transportation, created in Section 72-1-201; and

665 (ii) ~~Ĥ→ [within an authority project area that:]~~ as of April 1, 2024, an area of no more  
665a than 35 total acres, adjacent to State Route 40, and within a military recreation facility project  
665b area. ←Ĥ

666 ~~Ĥ→ [(A) was created to provide military recreation facilities and support[.]; and~~

667 ~~——— (B) is within two miles of a state park.]~~ ←Ĥ

668 (b) "Highway land" does not include:

669 (i) a class A state road that is in active use; and

670 (ii) a shoulder or appurtenance that is contiguous to a class A state road that is in active  
671 use.

672 (2) Notwithstanding any other provision of statute, the authority has jurisdiction and  
673 control over highway land, subject to Subsection (3).

674 (3) (a) The executive director of the Department of Transportation may, in consultation  
675 with the authority, transfer, sell, trade, or lease the highway land or any interest in the highway  
676 land as provided in Section 72-5-111 and any applicable rules and regulations.

677 (b) (i) Notwithstanding Section 72-5-111, if the Department of Transportation sells  
678 highway land or any interest in highway land to the authority, the Department of Transportation  
679 shall transfer the proceeds of the sale to the authority.

680 (ii) The authority shall use any proceeds of a sale described in Subsection (3)(b)(i) for  
681 transportation or transit purposes within the project area where the sale of the highway land or  
682 interest in the highway land occurred.

683 Section 9. Section **63H-1-501** is amended to read:

684 **63H-1-501. Authority receipt and use of property tax allocation -- Contractual**  
685 **annual payment -- Distribution of property tax allocation.**

686 (1) (a) The authority may:

687 (i) subject to Subsection (1)(b):

688 (A) receive up to 75% of the property tax allocation for up to 25 years, as provided in  
689 this part; and

690 (B) after the time period described in Subsection (1)(a)(i)(A) expires, receive up to  
691 75% of the property tax allocation for up to 15 years, if the board determines the additional  
692 years will produce significant benefit; and

693 (ii) use the property tax allocation before, during, and after the period described in  
694 Subsection (1)(a)(i).

695 (b) With respect to a parcel located within a project area, the 25-year period described  
696 in Subsection (1)(a)(i)(A) begins on the day on which the authority receives the first property  
697 tax allocation from that parcel.

698 (2) (a) For purposes of Subsection (1)(b), the authority may designate an improved  
699 portion of a parcel in a project area as a separate parcel.

700 (b) An authority designation of an improved portion of a parcel as a separate parcel  
701 under Subsection (2)(a) is for purposes of Subsection (1)(b) only and does not constitute a  
702 subdivision for any other purpose.

703 (c) A county recorder shall assign a separate tax identification number to the improved  
704 portion of a parcel designated by the authority as a separate parcel under Subsection (2)(a).

705 (3) Improvements on a parcel within a project area become subject to property tax on  
706 January 1 immediately following the day on which the authority or an entity designated by the  
707 authority issues a certificate of occupancy with respect to those improvements.

708 (4) (a) If the authority or an entity designated by the authority has not issued a  
709 certificate of occupancy for a private parcel within a project area, the private parcel owner shall  
710 make an annual payment to the authority:

711 (i) that is equal to 1.2% of the taxable value of the parcel above the base taxable value  
712 of the parcel; and

713 (ii) until the parcel becomes subject to the property tax described in Subsection (3).

714 (b) The authority may use the revenue from payments described in Subsection (4)(a)  
715 for any purpose described in Subsection [63H-1-502\(1\)](#).

716 (c) The authority may submit for recording to the office of the recorder of the county in  
717 which a private parcel described in Subsection (4)(a) is located:

718 (i) a copy of an agreement between the authority and the private parcel owner that  
719 memorializes the payment obligation under Subsection (4)(a); or

720 (ii) a notice that describes the payment obligation under Subsection (4)(a).

721 (d) An owner of a private parcel described in Subsection (4)(a) may not be required to  
722 make a payment that exceeds or is in addition to the payment described in Subsection (4)(a)(i)  
723 until the private parcel becomes subject to the property tax described in Subsection (3).

724 (e) Upon the transfer of title of a private parcel described in Subsection (4)(a), the  
725 amount of the annual payment required under Subsection (4)(a) shall be:

726 (i) treated the same as a property tax; and

727 (ii) prorated between the previous owner and the owner who acquires title from the  
728 previous owner.

729 (f) A person who fails to pay or is delinquent in paying an annual payment described in  
730 Subsection (4)(a) is subject to the same penalties and interest as the failure or delinquent  
731 payment of a property tax in accordance with Title 59, Chapter 2, Property Tax Act.

732 (g) ~~[If requested by the authority, a]~~ A county treasurer shall:

733 (i) include the annual payment described in Subsection (4)(a) on a county property tax  
734 notice in accordance with Section [59-2-1317](#); and

735 (ii) collect the annual payment as part of the property tax collection.

736 (h) A county auditor shall include the annual payment described in Subsection (4)(a)  
737 on the notice of property valuation in accordance with Subsection [59-2-919.1\(1\)](#).

738 (5) Each county that collects property tax on property within a project area shall pay



739 and distribute to the authority the property tax allocation and dedicated tax collections that the  
740 authority is entitled to collect under this title, in the manner and at the time provided in Section  
741 [59-2-1365](#).

742 (6) (a) The board shall determine by resolution when the entire project area or an  
743 individual parcel within a project area is subject to property tax allocation.

744 (b) The board shall amend the project area budget to reflect whether a parcel within a  
745 project area is subject to property tax allocation.

746 (7) The following property owned by the authority is not subject to any property tax  
747 under Title 59, Chapter 2, Property Tax Act, or any privilege tax under Title 59, Chapter 4,  
748 Privilege Tax, regardless of whether the authority enters into a long-term operating agreement  
749 with a privately owned entity under which the privately owned entity agrees to operate the  
750 property:

751 (a) a hotel;

752 (b) a hotel condominium unit in a condominium project, as defined in Section [57-8-3](#);  
753 and

754 (c) a commercial condominium unit in a condominium project, as defined in Section  
755 [57-8-3](#).

756 Section 10. Section **63H-1-502** is amended to read:

757 **63H-1-502. Allowable uses of property tax allocation and other funds.**

758 (1) Other than municipal services revenue, the authority may use the property tax  
759 allocation and other funds available to the authority:

760 (a) for any purpose authorized under this chapter;

761 (b) for administrative, overhead, legal, and other operating expenses of the authority;

762 (c) to pay for, including financing or refinancing, all or part of the development of land  
763 within the project area from which the property tax allocation or other funds were collected,  
764 including assisting the ongoing operation of a development or facility within the project area;

765 (d) to pay the cost of the installation and construction of public infrastructure and  
766 improvements within the project area from which the property tax allocation funds were  
767 collected;

768 (e) to pay the cost of the installation and construction of public infrastructure and  
769 improvements, including a passenger ropeway, as defined in Section [72-11-102](#), outside the

770 project area if:

771 (i) (A) the authority board determines by resolution that the infrastructure and

772 improvements are of benefit to the project area; and

773 (B) for a passenger ropeway, at least one end of the ropeway is located within the

774 project area; or

775 (ii) (A) the funds expended are appropriated by the Legislature; and

776 (B) the authority is directed to expend the funds, and the project or purpose is directed,

777 by the Legislature;

778 (f) to pay the principal and interest on bonds issued by the authority;

779 (g) to pay for a morale, welfare, and recreation program [~~of a United States Air Force~~

780 ~~base in Utah~~], or other program that benefits the military or veterans, affiliated with the project

781 area from which the funds were collected; or

782 (h) to pay for the promotion of:

783 (i) a development within the project area; or

784 (ii) amenities outside of the project area that are associated with a development within

785 the project area.

786 (2) The authority may use revenue generated from the authority's operation of public

787 infrastructure and improvements to:

788 (a) operate and maintain the public infrastructure and improvements; and

789 (b) pay for authority operating expenses, including administrative, overhead, and legal

790 expenses.

791 (3) For purposes of Subsection (1), the authority may use:

792 (a) tax revenue received under Subsection [59-12-205\(2\)\(a\)\(ii\)\(B\)](#);

793 (b) resort communities tax revenue;

794 (c) MIDA energy tax revenue, received under Section [63H-1-204](#), which does not have

795 to be used in the project area where the revenue was generated;

796 (d) MIDA accommodations tax revenue, received under Section [63H-1-205](#);

797 (e) transient room tax revenue generated from hotels located on authority-owned or

798 other public-entity-owned property;

799 (f) municipal energy tax or telecommunications tax revenue generated from hotels

800 [~~located on authority-owned or other public-entity-owned property~~] that are subject to the

801 MIDA accommodations tax under Section 63H-1-205; or

802 (g) payments received under Subsection 63H-1-501(4).

803 (4) The determination of the authority board under Subsection (1)(e) regarding benefit  
804 to the project area is final.

805 (5) (a) Subject to Subsection (5)(b), the authority may enter into an agreement with a  
806 school district to pay the school district a certain portion of the property tax allocation the  
807 authority receives from the project area if:

808 (i) (A) the school district levies a property tax in a project area established prior to  
809 2023;

810 (B) the school district has a building authority that issued a lease revenue bond to  
811 construct a new school in 2022;

812 (C) the school district approved a property tax increase of its capital levy in 2023; and

813 (D) the authority and a county that entered into an interlocal cooperation agreement  
814 that allocated the property tax allocation agree to amend the interlocal agreement to allow for  
815 the payment; or

816 (ii) a school district levies a property tax for a general obligation bond authorized by an  
817 election after January 1, 2024.

818 (b) If the board approves an agreement described in Subsection (5)(a), the board shall  
819 provide that any annual tax payment is subordinate to any authority bonded indebtedness that  
820 pledged any property tax allocation from the project area as security for the bonds.

821 Section 11. Section 63H-1-701 is amended to read:

822 **63H-1-701. Annual authority budget -- Fiscal year -- Public hearing required --**  
823 **Auditor forms -- Requirement to file form.**

824 (1) The authority shall prepare [~~and its board adopt~~] an annual budget of revenues and  
825 expenditures for the authority for each fiscal year.

826 (2) [~~Each annual authority budget shall be adopted~~] The board shall adopt the annual  
827 authority budget before June 30.

828 (3) The authority's fiscal year shall be the period from July 1 to the following June 30.

829 (4) (a) Before adopting an annual budget, the authority board shall hold a public  
830 hearing on the annual budget.

831 (b) The authority shall provide notice of the public hearing on the annual budget by

832 publishing notice, as a class A notice under Section 63G-30-102, for at least one week  
833 immediately before the day of the public hearing.

834 (c) The authority shall make the annual budget available for public inspection at least  
835 three days before the date of the public hearing.

836 (5) The state auditor shall prescribe the budget forms and the categories to be contained  
837 in each authority budget, including:

838 (a) revenues and expenditures for the budget year; and

839 [~~(b) legal fees; and~~]

840 [~~(c)~~] (b) administrative costs, including legal fees, rent, supplies, and other materials,  
841 and salaries of authority personnel.

842 (6) (a) Within 30 days after adopting an annual budget, the authority board shall file a  
843 copy of the annual budget with the auditor of each county in which a project area of the  
844 authority is located, the State Tax Commission, the state auditor, the State Board of Education,  
845 and each taxing entity that levies a tax on property from which the authority collects property  
846 tax allocation.

847 (b) The requirement of Subsection (6)(a) to file a copy of the annual budget with the  
848 state as a taxing entity is met if the authority files a copy with the State Tax Commission and  
849 the state auditor.

850 Section 12. **Effective date.**

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