

Senator Derrin R. Owens proposes the following substitute bill:

PROPERTY TAX APPEALS AMENDMENTS

2024 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Derrin R. Owens

House Sponsor: _____

LONG TITLE

General Description:

This bill modifies provisions related to property tax appeals.

Highlighted Provisions:

This bill:

- ▶ authorizes counties to use certain local tax funds to pay for property tax refunds owed as a result of an objection to the assessment of property assessed by the State Tax Commission without voter approval;
- ▶ modifies the time period for which new growth is calculated for centrally-assessed property;
- ▶ repeals provisions requiring the State Tax Commission to stay an appeal of the valuation or equalization of property pending judicial review;
- ▶ allows a taxing entity to impose a judgment levy for multiple tax years;
- ▶ extends the period of time in which the state or a taxing entity has to pay a taxpayer that receives a reduction in the amount of taxes owed following an appeal; and
- ▶ makes technical changes.

Money Appropriated in this Bill:

None

Other Special Clauses:



26 None

27 **Utah Code Sections Affected:**

28 AMENDS:

29 **17-36-54**, as last amended by Laws of Utah 2014, Chapter 176

30 **59-2-924**, as last amended by Laws of Utah 2023, Chapter 502

31 **59-2-1330**, as last amended by Laws of Utah 2015, Chapter 201

32 REPEALS:

33 **59-1-613**, as enacted by Laws of Utah 2021, Chapter 238



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

36 Section 1. Section **17-36-54** is amended to read:

37 **17-36-54. Tax stability and trust fund -- Use of principal -- Determination of**
38 **necessity -- Election -- Exception.**

39 (1) [H] Except as provided in Subsection (2), if the legislative body of a county that has
40 established a tax stability and trust fund under Section 17-36-51 determines that it is necessary
41 for purposes of that county to use any portion of the principal of the fund, the county legislative
42 body shall submit this proposition to the electorate of that county in a special election called
43 and held in the manner provided for in Title 11, Chapter 14, Local Government Bonding Act,
44 for the holding of bond elections.

45 [~~2~~] (a) If the proposition is approved at the special election by a majority of the
46 qualified electors of the county voting at the election, then that portion of the principal of the
47 fund covered by the proposition may be transferred to the county general fund for use for
48 purposes of that county.

49 (2) (a) The requirements of Subsection (1) do not apply to the use of any portion of the
50 principal of a tax stability and trust fund established under Section 17-36-51 for payment of
51 any refund of property taxes owed by the county as a result of an objection to the assessment of
52 property assessed by the State Tax Commission under Section 59-2-1007.

53 (b) The legislative body of a county may, by ordinance or resolution, authorize the use
54 of any portion of the tax stability and trust fund for the purpose described in Subsection (2)(a).

55 Section 2. Section **59-2-924** is amended to read:

56 **59-2-924. Definitions -- Report of valuation of property to county auditor and**

57 **commission -- Transmittal by auditor to governing bodies -- Calculation of certified tax**
58 **rate -- Rulemaking authority -- Adoption of tentative budget -- Notice provided by the**
59 **commission.**

60 (1) As used in this section:

61 (a) (i) "Ad valorem property tax revenue" means revenue collected in accordance with
62 this chapter.

63 (ii) "Ad valorem property tax revenue" does not include:

64 (A) interest;

65 (B) penalties;

66 (C) collections from redemptions; or

67 (D) revenue received by a taxing entity from personal property that is semiconductor
68 manufacturing equipment assessed by a county assessor in accordance with Part 3, County
69 Assessment.

70 (b) "Adjusted tax increment" means the same as that term is defined in Section
71 [17C-1-102](#).

72 (c) (i) "Aggregate taxable value of all property taxed" means:

73 (A) the aggregate taxable value of all real property a county assessor assesses in
74 accordance with Part 3, County Assessment, for the current year;

75 (B) the aggregate taxable value of all real and personal property the commission
76 assesses in accordance with Part 2, Assessment of Property, for the current year; and

77 (C) the aggregate year end taxable value of all personal property a county assessor
78 assesses in accordance with Part 3, County Assessment, contained on the prior year's tax rolls
79 of the taxing entity.

80 (ii) "Aggregate taxable value of all property taxed" does not include the aggregate year
81 end taxable value of personal property that is:

82 (A) semiconductor manufacturing equipment assessed by a county assessor in
83 accordance with Part 3, County Assessment; and

84 (B) contained on the prior year's tax rolls of the taxing entity.

85 (d) "Base taxable value" means:

86 (i) for an authority created under Section [11-58-201](#), the same as that term is defined in
87 Section [11-58-102](#);

88 (ii) for the Point of the Mountain State Land Authority created in Section 11-59-201,
89 the same as that term is defined in Section 11-59-207;

90 (iii) for an agency created under Section 17C-1-201.5, the same as that term is defined
91 in Section 17C-1-102;

92 (iv) for an authority created under Section 63H-1-201, the same as that term is defined
93 in Section 63H-1-102;

94 (v) for a host local government, the same as that term is defined in Section 63N-2-502;
95 or

96 (vi) for a housing and transit reinvestment zone created under Title 63N, Chapter 3,
97 Part 6, Housing and Transit Reinvestment Zone Act, a property's taxable value as shown upon
98 the assessment roll last equalized during the base year, as that term is defined in Section
99 63N-3-602.

100 (e) "Centrally assessed benchmark value" means an amount equal to the [highest]
101 average year end taxable value of real and personal property the commission assesses in
102 accordance with Part 2, Assessment of Property, for [~~a previous calendar year that begins on or~~
103 ~~after January 1, 2015]~~ the previous three calendar years, adjusted for taxable value attributable
104 to:

105 (i) an annexation to a taxing entity;

106 (ii) an incorrect allocation of taxable value of real or personal property the commission
107 assesses in accordance with Part 2, Assessment of Property; or

108 (iii) a change in value as a result of a change in the method of apportioning the value
109 prescribed by the Legislature, a court, or the commission in an administrative rule or
110 administrative order.

111 (f) (i) "Centrally assessed new growth" means the greater of:

112 (A) zero; or

113 (B) the amount calculated by subtracting the centrally assessed benchmark value
114 [~~adjusted for prior year end incremental value~~] from the taxable value of real and personal
115 property the commission assesses in accordance with Part 2, Assessment of Property, for the
116 current year, adjusted for current year incremental value.

117 (ii) "Centrally assessed new growth" does not include a change in value as a result of a
118 change in the method of apportioning the value prescribed by the Legislature, a court, or the

119 commission in an administrative rule or administrative order.

120 (g) "Certified tax rate" means a tax rate that will provide the same ad valorem property
121 tax revenue for a taxing entity as was budgeted by that taxing entity for the prior year.

122 (h) "Community reinvestment agency" means the same as that term is defined in
123 Section 17C-1-102.

124 (i) "Eligible new growth" means the greater of:

125 (i) zero; or

126 (ii) the sum of:

127 (A) locally assessed new growth;

128 (B) centrally assessed new growth; and

129 (C) project area new growth or hotel property new growth.

130 (j) "Host local government" means the same as that term is defined in Section
131 63N-2-502.

132 (k) "Hotel property" means the same as that term is defined in Section 63N-2-502.

133 (l) "Hotel property new growth" means an amount equal to the incremental value that
134 is no longer provided to a host local government as incremental property tax revenue.

135 (m) "Incremental property tax revenue" means the same as that term is defined in
136 Section 63N-2-502.

137 (n) "Incremental value" means:

138 (i) for an authority created under Section 11-58-201, the amount calculated by
139 multiplying:

140 (A) the difference between the taxable value and the base taxable value of the property
141 that is located within a project area and on which property tax differential is collected; and

142 (B) the number that represents the percentage of the property tax differential that is
143 paid to the authority;

144 (ii) for the Point of the Mountain State Land Authority created in Section 11-59-201,
145 an amount calculated by multiplying:

146 (A) the difference between the current assessed value of the property and the base
147 taxable value; and

148 (B) the number that represents the percentage of the property tax augmentation, as
149 defined in Section 11-59-207, that is paid to the Point of the Mountain State Land Authority;

150 (iii) for an agency created under Section 17C-1-201.5, the amount calculated by
151 multiplying:

152 (A) the difference between the taxable value and the base taxable value of the property
153 located within a project area and on which tax increment is collected; and

154 (B) the number that represents the adjusted tax increment from that project area that is
155 paid to the agency;

156 (iv) for an authority created under Section 63H-1-201, the amount calculated by
157 multiplying:

158 (A) the difference between the taxable value and the base taxable value of the property
159 located within a project area and on which property tax allocation is collected; and

160 (B) the number that represents the percentage of the property tax allocation from that
161 project area that is paid to the authority;

162 (v) for a housing and transit reinvestment zone created pursuant to Title 63N, Chapter
163 3, Part 6, Housing and Transit Reinvestment Zone Act, an amount calculated by multiplying:

164 (A) the difference between the taxable value and the base taxable value of the property
165 that is located within a housing and transit reinvestment zone and on which tax increment is
166 collected; and

167 (B) the number that represents the percentage of the tax increment that is paid to the
168 housing and transit reinvestment zone;

169 (vi) for a host local government, an amount calculated by multiplying:

170 (A) the difference between the taxable value and the base taxable value of the hotel
171 property on which incremental property tax revenue is collected; and

172 (B) the number that represents the percentage of the incremental property tax revenue
173 from that hotel property that is paid to the host local government; or

174 (vii) for the State Fair Park Authority created in Section 11-68-201, the taxable value
175 of:

176 (A) fair park land, as defined in Section 11-68-101, that is subject to a privilege tax
177 under Section 11-68-402; or

178 (B) personal property located on property that is subject to the privilege tax described
179 in Subsection (1)(n)(vii)(A).

180 (o) (i) "Locally assessed new growth" means the greater of:

- 181 (A) zero; or
- 182 (B) the amount calculated by subtracting the year end taxable value of real property the
183 county assessor assesses in accordance with Part 3, County Assessment, for the previous year,
184 adjusted for prior year end incremental value from the taxable value of real property the county
185 assessor assesses in accordance with Part 3, County Assessment, for the current year, adjusted
186 for current year incremental value.
- 187 (ii) "Locally assessed new growth" does not include a change in:
- 188 (A) value as a result of factoring in accordance with Section 59-2-704, reappraisal, or
189 another adjustment;
- 190 (B) assessed value based on whether a property is allowed a residential exemption for a
191 primary residence under Section 59-2-103;
- 192 (C) assessed value based on whether a property is assessed under Part 5, Farmland
193 Assessment Act; or
- 194 (D) assessed value based on whether a property is assessed under Part 17, Urban
195 Farming Assessment Act.
- 196 (p) "Project area" means:
- 197 (i) for an authority created under Section 11-58-201, the same as that term is defined in
198 Section 11-58-102;
- 199 (ii) for an agency created under Section 17C-1-201.5, the same as that term is defined
200 in Section 17C-1-102; or
- 201 (iii) for an authority created under Section 63H-1-201, the same as that term is defined
202 in Section 63H-1-102.
- 203 (q) "Project area new growth" means:
- 204 (i) for an authority created under Section 11-58-201, an amount equal to the
205 incremental value that is no longer provided to an authority as property tax differential;
- 206 (ii) for the Point of the Mountain State Land Authority created in Section 11-59-201,
207 an amount equal to the incremental value that is no longer provided to the Point of the
208 Mountain State Land Authority as property tax augmentation, as defined in Section 11-59-207;
- 209 (iii) for an agency created under Section 17C-1-201.5, an amount equal to the
210 incremental value that is no longer provided to an agency as tax increment;
- 211 (iv) for an authority created under Section 63H-1-201, an amount equal to the

212 incremental value that is no longer provided to an authority as property tax allocation; or

213 (v) for a housing and transit reinvestment zone created under Title 63N, Chapter 3, Part
214 6, Housing and Transit Reinvestment Zone Act, an amount equal to the incremental value that
215 is no longer provided to a housing and transit reinvestment zone as tax increment.

216 (r) "Project area incremental revenue" means the same as that term is defined in
217 Section [17C-1-1001](#).

218 (s) "Property tax allocation" means the same as that term is defined in Section
219 [63H-1-102](#).

220 (t) "Property tax differential" means the same as that term is defined in Section
221 [11-58-102](#).

222 (u) "Qualifying exempt revenue" means revenue received:

223 (i) for the previous calendar year;

224 (ii) by a taxing entity;

225 (iii) from tangible personal property contained on the prior year's tax rolls that is
226 exempt from property tax under Subsection [59-2-1115\(2\)\(b\)](#) for a calendar year beginning on
227 January 1, 2022; and

228 (iv) on the aggregate 2021 year end taxable value of the tangible personal property that
229 exceeds \$15,300.

230 (v) "Tax increment" means:

231 (i) for a project created under Section [17C-1-201.5](#), the same as that term is defined in
232 Section [17C-1-102](#); or

233 (ii) for a housing and transit reinvestment zone created under Title 63N, Chapter 3,
234 Part 6, Housing and Transit Reinvestment Zone Act, the same as that term is defined in Section
235 [63N-3-602](#).

236 (2) Before June 1 of each year, the county assessor of each county shall deliver to the
237 county auditor and the commission the following statements:

238 (a) a statement containing the aggregate valuation of all taxable real property a county
239 assessor assesses in accordance with Part 3, County Assessment, for each taxing entity; and

240 (b) a statement containing the taxable value of all personal property a county assessor
241 assesses in accordance with Part 3, County Assessment, from the prior year end values.

242 (3) The county auditor shall, on or before June 8, transmit to the governing body of

243 each taxing entity:

244 (a) the statements described in Subsections (2)(a) and (b);

245 (b) an estimate of the revenue from personal property;

246 (c) the certified tax rate; and

247 (d) all forms necessary to submit a tax levy request.

248 (4) (a) Except as otherwise provided in this section, the certified tax rate shall be
249 calculated by dividing the ad valorem property tax revenue that a taxing entity budgeted for the
250 prior year minus the qualifying exempt revenue by the amount calculated under Subsection
251 (4)(b).

252 (b) For purposes of Subsection (4)(a), the legislative body of a taxing entity shall
253 calculate an amount as follows:

254 (i) calculate for the taxing entity the difference between:

255 (A) the aggregate taxable value of all property taxed; and

256 (B) any adjustments for current year incremental value;

257 (ii) after making the calculation required by Subsection (4)(b)(i), calculate an amount
258 determined by increasing or decreasing the amount calculated under Subsection (4)(b)(i) by the
259 average of the percentage net change in the value of taxable property for the equalization
260 period for the three calendar years immediately preceding the current calendar year;

261 (iii) after making the calculation required by Subsection (4)(b)(ii), calculate the product
262 of:

263 (A) the amount calculated under Subsection (4)(b)(ii); and

264 (B) the percentage of property taxes collected for the five calendar years immediately
265 preceding the current calendar year; and

266 (iv) after making the calculation required by Subsection (4)(b)(iii), calculate an amount
267 determined by:

268 (A) multiplying the percentage of property taxes collected for the five calendar years
269 immediately preceding the current calendar year by eligible new growth; and

270 (B) subtracting the amount calculated under Subsection (4)(b)(iv)(A) from the amount
271 calculated under Subsection (4)(b)(iii).

272 (5) A certified tax rate for a taxing entity described in this Subsection (5) shall be
273 calculated as follows:

274 (a) except as provided in Subsection (5)(b) or (c), for a new taxing entity, the certified
275 tax rate is zero;

276 (b) for a municipality incorporated on or after July 1, 1996, the certified tax rate is:

277 (i) in a county of the first, second, or third class, the levy imposed for municipal-type
278 services under Sections 17-34-1 and 17-36-9; and

279 (ii) in a county of the fourth, fifth, or sixth class, the levy imposed for general county
280 purposes and such other levies imposed solely for the municipal-type services identified in
281 Section 17-34-1 and Subsection 17-36-3(23);

282 (c) for a community reinvestment agency that received all or a portion of a taxing
283 entity's project area incremental revenue in the prior year under Title 17C, Chapter 1, Part 10,
284 Agency Taxing Authority, the certified tax rate is calculated as described in Subsection (4)
285 except that the commission shall treat the total revenue transferred to the community
286 reinvestment agency as ad valorem property tax revenue that the taxing entity budgeted for the
287 prior year; and

288 (d) for debt service voted on by the public, the certified tax rate is the actual levy
289 imposed by that section, except that a certified tax rate for the following levies shall be
290 calculated in accordance with Section 59-2-913 and this section:

291 (i) a school levy provided for under Section 53F-8-301, 53F-8-302, or 53F-8-303; and

292 (ii) a levy to pay for the costs of state legislative mandates or judicial or administrative
293 orders under Section 59-2-1602.

294 (6) (a) A judgment levy imposed under Section 59-2-1328 or 59-2-1330 may be
295 imposed at a rate that is sufficient to generate only the revenue required to satisfy one or more
296 eligible judgments.

297 (b) The ad valorem property tax revenue generated by a judgment levy described in
298 Subsection (6)(a) may not be considered in establishing a taxing entity's aggregate certified tax
299 rate.

300 (7) (a) For the purpose of calculating the certified tax rate, the county auditor shall use:

301 (i) the taxable value of real property:

302 (A) the county assessor assesses in accordance with Part 3, County Assessment; and

303 (B) contained on the assessment roll;

304 (ii) the year end taxable value of personal property:

305 (A) a county assessor assesses in accordance with Part 3, County Assessment; and
306 (B) contained on the prior year's assessment roll; and
307 (iii) the taxable value of real and personal property the commission assesses in
308 accordance with Part 2, Assessment of Property.

309 (b) For purposes of Subsection (7)(a), taxable value does not include eligible new
310 growth.

311 (8) (a) On or before June 30, a taxing entity shall annually adopt a tentative budget.

312 (b) If a taxing entity intends to exceed the certified tax rate, the taxing entity shall
313 notify the county auditor of:

314 (i) the taxing entity's intent to exceed the certified tax rate; and

315 (ii) the amount by which the taxing entity proposes to exceed the certified tax rate.

316 (c) The county auditor shall notify property owners of any intent to levy a tax rate that
317 exceeds the certified tax rate in accordance with Sections [59-2-919](#) and [59-2-919.1](#).

318 (9) (a) Subject to Subsection (9)(d), the commission shall provide notice, through
319 electronic means on or before July 31, to a taxing entity and the Revenue and Taxation Interim
320 Committee if:

321 (i) the amount calculated under Subsection (9)(b) is 10% or more of the year end
322 taxable value of the real and personal property the commission assesses in accordance with
323 Part 2, Assessment of Property, for the previous year, adjusted for prior year end incremental
324 value; and

325 (ii) the amount calculated under Subsection (9)(c) is 50% or more of the total year end
326 taxable value of the real and personal property of a taxpayer the commission assesses in
327 accordance with Part 2, Assessment of Property, for the previous year.

328 (b) For purposes of Subsection (9)(a)(i), the commission shall calculate an amount by
329 subtracting the taxable value of real and personal property the commission assesses in
330 accordance with Part 2, Assessment of Property, for the current year, adjusted for current year
331 incremental value, from the year end taxable value of the real and personal property the
332 commission assesses in accordance with Part 2, Assessment of Property, for the previous year,
333 adjusted for prior year end incremental value.

334 (c) For purposes of Subsection (9)(a)(ii), the commission shall calculate an amount by
335 subtracting the total taxable value of real and personal property of a taxpayer the commission

336 assesses in accordance with Part 2, Assessment of Property, for the current year, from the total
337 year end taxable value of the real and personal property of a taxpayer the commission assesses
338 in accordance with Part 2, Assessment of Property, for the previous year.

339 (d) The notification under Subsection (9)(a) shall include a list of taxpayers that meet
340 the requirement under Subsection (9)(a)(ii).

341 Section 3. Section **59-2-1330** is amended to read:

342 **59-2-1330. Payment of property taxes -- Payments to taxpayer by state or taxing**
343 **entity -- Refund of penalties paid by taxpayer -- Refund of interest paid by taxpayer --**
344 **Payment of interest to taxpayer -- Judgment levy -- Objections to assessments by the**
345 **commission -- Time periods for making payments to taxpayer.**

346 (1) Unless otherwise specifically provided by statute, property taxes shall be paid
347 directly to the county assessor or the county treasurer:

348 (a) on the date that the property taxes are due; and

349 (b) as provided in this chapter.

350 (2) A taxpayer shall receive payment as provided in this section if a reduction in the
351 amount of any tax levied against any property for which the taxpayer paid a tax or any portion
352 of a tax under this chapter for a calendar year is required by a final and unappealable judgment
353 or order described in Subsection (3) issued by:

354 (a) a county board of equalization;

355 (b) the commission; or

356 (c) a court of competent jurisdiction.

357 (3) (a) For purposes of Subsection (2), the state or any taxing entity that has received
358 property taxes or any portion of property taxes from a taxpayer described in Subsection (2)
359 shall pay the taxpayer if:

360 (i) the taxes the taxpayer paid in accordance with Subsection (2) are collected by an
361 authorized officer of the:

362 (A) county; or

363 (B) state; and

364 (ii) the taxpayer obtains a final and unappealable judgment or order:

365 (A) from:

366 (I) a county board of equalization;

367 (II) the commission; or
368 (III) a court of competent jurisdiction;
369 (B) against:
370 (I) the taxing entity or an authorized officer of the taxing entity; or
371 (II) the state or an authorized officer of the state; and
372 (C) ordering a reduction in the amount of any tax levied against any property for which
373 a taxpayer paid a tax or any portion of a tax under this chapter for the calendar year.
374 (b) The amount that the state or a taxing entity shall pay a taxpayer shall be determined
375 in accordance with Subsections (4) through (7).
376 (4) For purposes of Subsections (2) and (3), the amount the state shall pay to a taxpayer
377 is equal to the sum of:
378 (a) if the difference described in this Subsection (4)(a) is greater than \$0, the difference
379 between:
380 (i) the tax the taxpayer paid to the state in accordance with Subsection (2); and
381 (ii) the amount of the taxpayer's tax liability to the state after the reduction in the
382 amount of tax levied against the property in accordance with the final and unappealable
383 judgment or order described in Subsection (3);
384 (b) if the difference described in this Subsection (4)(b) is greater than \$0, the difference
385 between:
386 (i) any penalties the taxpayer paid to the state in accordance with Section 59-2-1331;
387 and
388 (ii) the amount of penalties the taxpayer is liable to pay to the state in accordance with
389 Section 59-2-1331 after the reduction in the amount of tax levied against the property in
390 accordance with the final and unappealable judgment or order described in Subsection (3);
391 (c) as provided in Subsection (6)(a), interest the taxpayer paid in accordance with
392 Section 59-2-1331 on the amounts described in Subsections (4)(a) and (4)(b); and
393 (d) as provided in Subsection (6)(b), interest on the sum of the amounts described in:
394 (i) Subsection (4)(a);
395 (ii) Subsection (4)(b); and
396 (iii) Subsection (4)(c).
397 (5) For purposes of Subsections (2) and (3), the amount a taxing entity shall pay to a

398 taxpayer is equal to the sum of:

399 (a) if the difference described in this Subsection (5)(a) is greater than \$0, the difference
400 between:

401 (i) the tax the taxpayer paid to the taxing entity in accordance with Subsection (2); and

402 (ii) the amount of the taxpayer's tax liability to the taxing entity after the reduction in
403 the amount of tax levied against the property in accordance with the final and unappealable
404 judgment or order described in Subsection (3);

405 (b) if the difference described in this Subsection (5)(b) is greater than \$0, the difference
406 between:

407 (i) any penalties the taxpayer paid to the taxing entity in accordance with Section
408 59-2-1331; and

409 (ii) the amount of penalties the taxpayer is liable to pay to the taxing entity in
410 accordance with Section 59-2-1331 after the reduction in the amount of tax levied against the
411 property in accordance with the final and unappealable judgment or order described in
412 Subsection (3);

413 (c) as provided in Subsection (6)(a), interest the taxpayer paid in accordance with
414 Section 59-2-1331 on the amounts described in Subsections (5)(a) and (5)(b); and

415 (d) as provided in Subsection (6)(b), interest on the sum of the amounts described in:

416 (i) Subsection (5)(a);

417 (ii) Subsection (5)(b); and

418 (iii) Subsection (5)(c).

419 (6) Except as provided in Subsection (7):

420 (a) interest shall be refunded to a taxpayer on the amount described in Subsection
421 (4)(c) or (5)(c) in an amount equal to the amount of interest the taxpayer paid in accordance
422 with Section 59-2-1331; and

423 (b) interest shall be paid to a taxpayer on the amount described in Subsection (4)(d) or
424 (5)(d):

425 (i) beginning on the later of:

426 (A) the day on which the taxpayer paid the tax in accordance with Subsection (2); or

427 (B) January 1 of the calendar year immediately following the calendar year for which
428 the tax was due;

429 (ii) ending on the day on which the state or a taxing entity pays to the taxpayer the
430 amount required by Subsection (4) or (5); and

431 (iii) at the interest rate earned by the state treasurer on public funds transferred to the
432 state treasurer in accordance with Section 51-7-5.

433 (7) Notwithstanding Subsection (6):

434 (a) the state may not pay or refund interest to a taxpayer under Subsection (6) on any
435 tax the taxpayer paid in accordance with Subsection (2) that exceeds the amount of tax levied
436 by the state for that calendar year as stated on the notice required by Section 59-2-1317; and

437 (b) a taxing entity may not pay or refund interest to a taxpayer under Subsection (6) on
438 any tax the taxpayer paid in accordance with Subsection (2) that exceeds the amount of tax
439 levied by the taxing entity for that calendar year as stated on the notice required by Section
440 59-2-1317.

441 (8) (a) Each taxing entity may levy a tax to pay its share of the final and unappealable
442 judgment or order described in Subsection (3) if:

443 (i) the final and unappealable judgment or order is issued no later than 15 days prior to
444 the date the certified tax rate is set under Section 59-2-924;

445 (ii) the ~~[amount of the judgment levy]~~ following information is included on the notice
446 under Section 59-2-919.1:

447 (A) the amount of the judgment levy; and

448 (B) the term of the judgment levy; and

449 (iii) the final and unappealable judgment or order is an eligible judgment, as defined in
450 Section 59-2-102.

451 (b) The levy under Subsection (8)(a) is in addition to, and exempt from, the maximum
452 levy established for the taxing entity.

453 (c) A taxing entity may impose a judgment levy under this Subsection (8) for more
454 than one tax year.

455 (9) (a) A taxpayer that objects to the assessment of property assessed by the
456 commission shall pay, on or before the property tax due date established under Subsection
457 59-2-1331(1) or Section 59-2-1332, the full amount of taxes stated on the notice required by
458 Section 59-2-1317 if:

459 (i) the taxpayer has applied to the commission for a hearing in accordance with Section

460 59-2-1007 on the objection to the assessment; and

461 (ii) the commission has not issued a written decision on the objection to the assessment
462 in accordance with Section 59-2-1007.

463 (b) A taxpayer that pays the full amount of taxes due under Subsection (9)(a) is not
464 required to pay penalties or interest on an assessment described in Subsection (9)(a) unless:

465 (i) a final and unappealable judgment or order establishing that the property described
466 in Subsection (9)(a) has a value greater than the value stated on the notice required by Section
467 59-2-1317 is issued by:

468 (A) the commission; or

469 (B) a court of competent jurisdiction; and

470 (ii) the taxpayer fails to pay the additional tax liability resulting from the final and
471 unappealable judgment or order described in Subsection (9)(b)(i) within a 45-day period after
472 the county bills the taxpayer for the additional tax liability.

473 (10) (a) Except as provided in Subsection (10)(b), a payment that is required by this
474 section shall be paid to a taxpayer:

475 (i) within [~~60 days~~] 12 months after the day on which the final and unappealable
476 judgment or order is issued in accordance with Subsection (3); or

477 (ii) if a judgment levy is imposed in accordance with Subsection (8):

478 (A) if the payment to the taxpayer required by this section is \$5,000 or more, no later
479 than December 31 of the year in which the judgment levy is imposed; and

480 (B) if the payment to the taxpayer required by this section is less than \$5,000, within
481 60 days after the date the final and unappealable judgment or order is issued in accordance with
482 Subsection (3).

483 (b) Notwithstanding Subsection (10)(a), a taxpayer may enter into an agreement:

484 (i) that establishes a time period other than a time period described in Subsection
485 (10)(a) for making a payment to the taxpayer that is required by this section; and

486 (ii) with:

487 (A) an authorized officer of a taxing entity for a tax imposed by a taxing entity; or

488 (B) an authorized officer of the state for a tax imposed by the state.

489 Section 4. **Repealer.**

490 This bill repeals:

491 Section **59-1-613**, **Judicial review -- Mandatory stay of certain commission cases.**

492 Section 5. **Effective date.**

493 This bill takes effect on May 1, 2024.