

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: Bridger Bolinder

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;
- ▶ establishes exceptions to the requirement for the State Tax Commission to stay a pending appeal under judicial review;
- ▶ allows a taxing entity to impose a judgment levy in multiple 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 This bill provides a special effective date.

27 **Utah Code Sections Affected:**

28 AMENDS:

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

30 **59-1-613**, as enacted by Laws of Utah 2021, Chapter 238

31 **59-2-924**, as last amended by Laws of Utah 2023, Chapter 502

32 **59-2-1330**, as last amended by Laws of Utah 2015, Chapter 201



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

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

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

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

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

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

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

54 Section 2. Section **59-1-613** is amended to read:

55 **59-1-613. Judicial review -- Mandatory stay of certain commission cases.**

56 (1) [~~Unless~~] Except as provided in Subsection (2) or unless all parties otherwise agree,

57 upon request, the commission shall stay an appeal of the valuation or equalization of real or
58 personal property, if:

59 (a) a commission decision on the valuation or equalization of real or personal property
60 is under judicial review; and

61 (b) the commission decision described in Subsection (1)(a) and the pending
62 commission appeal involve the same:

63 (i) taxpayer;

64 (ii) legal issue or valuation principle; and

65 (iii) to a material degree, facts.

66 (2) Subsection (1) does not apply if:

67 (a) the commission determines that the case under judicial review is not likely to have
68 a material influence on the outcome of the pending commission appeal; or

69 (b) the property taxes subject to the pending commission appeal have not been paid in
70 accordance with Section [59-2-1330](#).

71 [~~2~~] (3) An appeal stayed in accordance with Subsection (1) is stayed until the court
72 issues a final decision after judicial review of the commission decision.

73 Section 3. Section **59-2-924** is amended to read:

74 **59-2-924. Definitions -- Report of valuation of property to county auditor and**
75 **commission -- Transmittal by auditor to governing bodies -- Calculation of certified tax**
76 **rate -- Rulemaking authority -- Adoption of tentative budget -- Notice provided by the**
77 **commission.**

78 (1) As used in this section:

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

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

82 (A) interest;

83 (B) penalties;

84 (C) collections from redemptions; or

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

88 (b) "Adjusted tax increment" means the same as that term is defined in Section
89 17C-1-102.

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

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

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

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

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

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

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

103 (d) "Base taxable value" means:

104 (i) for an authority created under Section 11-58-201, the same as that term is defined in
105 Section 11-58-102;

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

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

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

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

114 (vi) for a housing and transit reinvestment zone created under Title 63N, Chapter 3,
115 Part 6, Housing and Transit Reinvestment Zone Act, a property's taxable value as shown upon
116 the assessment roll last equalized during the base year, as that term is defined in Section
117 63N-3-602.

118 (e) "Centrally assessed benchmark value" means an amount equal to the [highest]

119 average year end taxable value of real and personal property the commission assesses in
120 accordance with Part 2, Assessment of Property, for [a previous calendar year that begins on or
121 after January 1, 2015] the previous three calendar years, adjusted for taxable value attributable
122 to:

123 (i) an annexation to a taxing entity;

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

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

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

130 (A) zero; or

131 (B) the amount calculated by subtracting the centrally assessed benchmark value
132 adjusted for prior year end incremental value from the taxable value of real and personal
133 property the commission assesses in accordance with Part 2, Assessment of Property, for the
134 current year, adjusted for current year incremental value.

135 (ii) "Centrally assessed new growth" does not include a change in value as a result of a
136 change in the method of apportioning the value prescribed by the Legislature, a court, or the
137 commission in an administrative rule or administrative order.

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

140 (h) "Community reinvestment agency" means the same as that term is defined in
141 Section [17C-1-102](#).

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

143 (i) zero; or

144 (ii) the sum of:

145 (A) locally assessed new growth;

146 (B) centrally assessed new growth; and

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

148 (j) "Host local government" means the same as that term is defined in Section

149 [63N-2-502](#).

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

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

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

155 (n) "Incremental value" means:

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

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

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

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

164 (A) the difference between the current assessed value of the property and the base
165 taxable value; and

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

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

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

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

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

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

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

180 (v) for a housing and transit reinvestment zone created pursuant to Title 63N, Chapter

181 3, Part 6, Housing and Transit Reinvestment Zone Act, an amount calculated by multiplying:

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

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

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

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

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

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

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

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

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

199 (A) zero; or

200 (B) the amount calculated by subtracting the year end taxable value of real property the
201 county assessor assesses in accordance with Part 3, County Assessment, for the previous year,
202 adjusted for prior year end incremental value from the taxable value of real property the county
203 assessor assesses in accordance with Part 3, County Assessment, for the current year, adjusted
204 for current year incremental value.

205 (ii) "Locally assessed new growth" does not include a change in:

206 (A) value as a result of factoring in accordance with Section 59-2-704, reappraisal, or
207 another adjustment;

208 (B) assessed value based on whether a property is allowed a residential exemption for a
209 primary residence under Section 59-2-103;

210 (C) assessed value based on whether a property is assessed under Part 5, Farmland
211 Assessment Act; or

212 (D) assessed value based on whether a property is assessed under Part 17, Urban
213 Farming Assessment Act.

214 (p) "Project area" means:

215 (i) for an authority created under Section 11-58-201, the same as that term is defined in
216 Section 11-58-102;

217 (ii) for an agency created under Section 17C-1-201.5, the same as that term is defined
218 in Section 17C-1-102; or

219 (iii) for an authority created under Section 63H-1-201, the same as that term is defined
220 in Section 63H-1-102.

221 (q) "Project area new growth" means:

222 (i) for an authority created under Section 11-58-201, an amount equal to the
223 incremental value that is no longer provided to an authority as property tax differential;

224 (ii) for the Point of the Mountain State Land Authority created in Section 11-59-201,
225 an amount equal to the incremental value that is no longer provided to the Point of the
226 Mountain State Land Authority as property tax augmentation, as defined in Section 11-59-207;

227 (iii) for an agency created under Section 17C-1-201.5, an amount equal to the
228 incremental value that is no longer provided to an agency as tax increment;

229 (iv) for an authority created under Section 63H-1-201, an amount equal to the
230 incremental value that is no longer provided to an authority as property tax allocation; or

231 (v) for a housing and transit reinvestment zone created under Title 63N, Chapter 3, Part
232 6, Housing and Transit Reinvestment Zone Act, an amount equal to the incremental value that
233 is no longer provided to a housing and transit reinvestment zone as tax increment.

234 (r) "Project area incremental revenue" means the same as that term is defined in
235 Section 17C-1-1001.

236 (s) "Property tax allocation" means the same as that term is defined in Section
237 63H-1-102.

238 (t) "Property tax differential" means the same as that term is defined in Section
239 11-58-102.

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

241 (i) for the previous calendar year;

242 (ii) by a taxing entity;

243 (iii) from tangible personal property contained on the prior year's tax rolls that is
244 exempt from property tax under Subsection 59-2-1115(2)(b) for a calendar year beginning on
245 January 1, 2022; and

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

248 (v) "Tax increment" means:

249 (i) for a project created under Section 17C-1-201.5, the same as that term is defined in
250 Section 17C-1-102; or

251 (ii) for a housing and transit reinvestment zone created under Title 63N, Chapter 3,
252 Part 6, Housing and Transit Reinvestment Zone Act, the same as that term is defined in Section
253 63N-3-602.

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

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

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

260 (3) The county auditor shall, on or before June 8, transmit to the governing body of
261 each taxing entity:

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

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

264 (c) the certified tax rate; and

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

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

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

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

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

274 (B) any adjustments for current year incremental value;
275 (ii) after making the calculation required by Subsection (4)(b)(i), calculate an amount
276 determined by increasing or decreasing the amount calculated under Subsection (4)(b)(i) by the
277 average of the percentage net change in the value of taxable property for the equalization
278 period for the three calendar years immediately preceding the current calendar year;
279 (iii) after making the calculation required by Subsection (4)(b)(ii), calculate the product
280 of:
281 (A) the amount calculated under Subsection (4)(b)(ii); and
282 (B) the percentage of property taxes collected for the five calendar years immediately
283 preceding the current calendar year; and
284 (iv) after making the calculation required by Subsection (4)(b)(iii), calculate an amount
285 determined by:
286 (A) multiplying the percentage of property taxes collected for the five calendar years
287 immediately preceding the current calendar year by eligible new growth; and
288 (B) subtracting the amount calculated under Subsection (4)(b)(iv)(A) from the amount
289 calculated under Subsection (4)(b)(iii).
290 (5) A certified tax rate for a taxing entity described in this Subsection (5) shall be
291 calculated as follows:
292 (a) except as provided in Subsection (5)(b) or (c), for a new taxing entity, the certified
293 tax rate is zero;
294 (b) for a municipality incorporated on or after July 1, 1996, the certified tax rate is:
295 (i) in a county of the first, second, or third class, the levy imposed for municipal-type
296 services under Sections 17-34-1 and 17-36-9; and
297 (ii) in a county of the fourth, fifth, or sixth class, the levy imposed for general county
298 purposes and such other levies imposed solely for the municipal-type services identified in
299 Section 17-34-1 and Subsection 17-36-3(23);
300 (c) for a community reinvestment agency that received all or a portion of a taxing
301 entity's project area incremental revenue in the prior year under Title 17C, Chapter 1, Part 10,
302 Agency Taxing Authority, the certified tax rate is calculated as described in Subsection (4)
303 except that the commission shall treat the total revenue transferred to the community
304 reinvestment agency as ad valorem property tax revenue that the taxing entity budgeted for the

305 prior year; and

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

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

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

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

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

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

319 (i) the taxable value of real property:

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

321 (B) contained on the assessment roll;

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

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

324 (B) contained on the prior year's assessment roll; and

325 (iii) the taxable value of real and personal property the commission assesses in
326 accordance with Part 2, Assessment of Property.

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

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

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

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

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

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

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

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

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

346 (b) For purposes of Subsection (9)(a)(i), the commission shall calculate an amount by
347 subtracting the taxable value of real and personal property the commission assesses in
348 accordance with Part 2, Assessment of Property, for the current year, adjusted for current year
349 incremental value, from the year end taxable value of the real and personal property the
350 commission assesses in accordance with Part 2, Assessment of Property, for the previous year,
351 adjusted for prior year end incremental value.

352 (c) For purposes of Subsection (9)(a)(ii), the commission shall calculate an amount by
353 subtracting the total taxable value of real and personal property of a taxpayer the commission
354 assesses in accordance with Part 2, Assessment of Property, for the current year, from the total
355 year end taxable value of the real and personal property of a taxpayer the commission assesses
356 in accordance with Part 2, Assessment of Property, for the previous year.

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

359 Section 4. Section **59-2-1330** is amended to read:

360 **59-2-1330. Payment of property taxes -- Payments to taxpayer by state or taxing**
361 **entity -- Refund of penalties paid by taxpayer -- Refund of interest paid by taxpayer --**
362 **Payment of interest to taxpayer -- Judgment levy -- Objections to assessments by the**
363 **commission -- Time periods for making payments to taxpayer.**

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

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

367 (b) as provided in this chapter.

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

372 (a) a county board of equalization;

373 (b) the commission; or

374 (c) a court of competent jurisdiction.

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

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

380 (A) county; or

381 (B) state; and

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

383 (A) from:

384 (I) a county board of equalization;

385 (II) the commission; or

386 (III) a court of competent jurisdiction;

387 (B) against:

388 (I) the taxing entity or an authorized officer of the taxing entity; or

389 (II) the state or an authorized officer of the state; and

390 (C) ordering a reduction in the amount of any tax levied against any property for which
391 a taxpayer paid a tax or any portion of a tax under this chapter for the calendar year.

392 (b) The amount that the state or a taxing entity shall pay a taxpayer shall be determined
393 in accordance with Subsections (4) through (7).

394 (4) For purposes of Subsections (2) and (3), the amount the state shall pay to a taxpayer
395 is equal to the sum of:

396 (a) if the difference described in this Subsection (4)(a) is greater than \$0, the difference
397 between:

398 (i) the tax the taxpayer paid to the state in accordance with Subsection (2); and
399 (ii) the amount of the taxpayer's tax liability to the state after the reduction in the
400 amount of tax levied against the property in accordance with the final and unappealable
401 judgment or order described in Subsection (3);
402 (b) if the difference described in this Subsection (4)(b) is greater than \$0, the difference
403 between:
404 (i) any penalties the taxpayer paid to the state in accordance with Section 59-2-1331;
405 and
406 (ii) the amount of penalties the taxpayer is liable to pay to the state in accordance with
407 Section 59-2-1331 after the reduction in the amount of tax levied against the property in
408 accordance with the final and unappealable judgment or order described in Subsection (3);
409 (c) as provided in Subsection (6)(a), interest the taxpayer paid in accordance with
410 Section 59-2-1331 on the amounts described in Subsections (4)(a) and (4)(b); and
411 (d) as provided in Subsection (6)(b), interest on the sum of the amounts described in:
412 (i) Subsection (4)(a);
413 (ii) Subsection (4)(b); and
414 (iii) Subsection (4)(c).
415 (5) For purposes of Subsections (2) and (3), the amount a taxing entity shall pay to a
416 taxpayer is equal to the sum of:
417 (a) if the difference described in this Subsection (5)(a) is greater than \$0, the difference
418 between:
419 (i) the tax the taxpayer paid to the taxing entity in accordance with Subsection (2); and
420 (ii) the amount of the taxpayer's tax liability to the taxing entity after the reduction in
421 the amount of tax levied against the property in accordance with the final and unappealable
422 judgment or order described in Subsection (3);
423 (b) if the difference described in this Subsection (5)(b) is greater than \$0, the difference
424 between:
425 (i) any penalties the taxpayer paid to the taxing entity in accordance with Section
426 59-2-1331; and
427 (ii) the amount of penalties the taxpayer is liable to pay to the taxing entity in
428 accordance with Section 59-2-1331 after the reduction in the amount of tax levied against the

429 property in accordance with the final and unappealable judgment or order described in
430 Subsection (3);

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

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

434 (i) Subsection (5)(a);
435 (ii) Subsection (5)(b); and
436 (iii) Subsection (5)(c).

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

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

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

443 (i) beginning on the later of:

444 (A) the day on which the taxpayer paid the tax in accordance with Subsection (2); or
445 (B) January 1 of the calendar year immediately following the calendar year for which
446 the tax was due;

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

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

451 (7) Notwithstanding Subsection (6):

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

455 (b) a taxing entity may not pay or refund interest to a taxpayer under Subsection (6) on
456 any tax the taxpayer paid in accordance with Subsection (2) that exceeds the amount of tax
457 levied by the taxing entity for that calendar year as stated on the notice required by Section
458 59-2-1317.

459 (8) (a) Each taxing entity may levy a tax to pay its share of the final and unappealable

460 judgment or order described in Subsection (3) if:

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

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

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

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

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

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

471 (c) A taxing entity may divide a judgment levy under this Subsection (8) and impose
472 the judgment levy in more than one subsequent tax year.

473 (9) (a) A taxpayer that objects to the assessment of property assessed by the
474 commission shall pay, on or before the property tax due date established under Subsection
475 59-2-1331(1) or Section 59-2-1332, the full amount of taxes stated on the notice required by
476 Section 59-2-1317 if:

477 (i) the taxpayer has applied to the commission for a hearing in accordance with Section
478 59-2-1007 on the objection to the assessment; and

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

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

483 (i) a final and unappealable judgment or order establishing that the property described
484 in Subsection (9)(a) has a value greater than the value stated on the notice required by Section
485 59-2-1317 is issued by:

486 (A) the commission; or

487 (B) a court of competent jurisdiction; and

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

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

493 (i) within ~~[60]~~ 120 days after the day on which the final and unappealable judgment or
494 order is issued in accordance with Subsection (3); or

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

496 (A) if the payment to the taxpayer required by this section is ~~[\$5,000]~~ \$15,000 or
497 more, no later than December 31 of the first year in which the judgment levy is imposed; and

498 (B) if the payment to the taxpayer required by this section is less than ~~[\$5,000]~~
499 \$15,000, within ~~[60]~~ 120 days after the date the final and unappealable judgment or order is
500 issued in accordance with Subsection (3).

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

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

504 (ii) with:

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

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

507 Section 5. **Effective date.**

508 (1) Except as provided in Subsection (2), this bill takes effect on May 1, 2024.

509 (2) The following sections take effect for a taxable year beginning on or after January
510 1, 2025:

511 (a) Section [59-1-613](#);

512 (b) Section [59-2-924](#); and

513 (c) Section [59-2-1330](#).