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Steve Eliason proposes the following substitute bill:

Income Tax Credit Review Amendments

2025 GENERAL SESSION STATE OF UTAH

Chief Sponsor: Daniel McCay

House Sponsor: Steve Eliason

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LONG TITLE			
Committee Note:			
The Revenue and Taxati	on Interim Commi	ttee recommended this	s bill.
Legislative Vote:	12 voting for	0 voting against	6 absent
General Description:			
This bill modifies the proc	ess for income tax	credit review.	
Highlighted Provisions:			
This bill:			
• extends the income tax	credit review cycle	e from three years to fi	ve years;
 provides a process for t 	he Office of the Le	egislative Auditor Gen	eral to audit the income
ax credits; and			
 makes technical change 	es.		
Money Appropriated in this	Bill:		
None			
Other Special Clauses:			
None			
Utah Code Sections Affected	:		
AMENDS:			
59-7-159 , as last amended	by Laws of Utah 2	2022, Chapters 264, 27	4
59-7-614.2 , as last amende	d by Laws of Utah	2022, Chapter 200	
59-7-614.5 , as last amende	d by Laws of Utah	2021, Chapter 282	
59-7-614.7 , as last amende	d by Laws of Utah	2023, Chapter 482	
59-7-614.10 , as last amend	led by Laws of Uta	ah 2021, Chapter 282	
59-7-619 , as last amended	by Laws of Utah 2	2023, Chapter 473	
59-10-137 , as last amended	d by Laws of Utah	2023, Chapter 460	
59-10-1025 , as last amende	ed by Laws of Uta	h 2019. Chapter 465	

59-10-1029, as last amended by Laws of Utah 2023, Chapter 482

59-10-1034 , as last amended by Laws of Utah 2021, Chapters 64, 280 and last amended
by Coordination Clause, Laws of Utah 2021, Chapter 280
59-10-1037, as last amended by Laws of Utah 2021, Chapter 282
59-10-1107, as last amended by Laws of Utah 2021, Chapter 282
59-10-1108, as last amended by Laws of Utah 2021, Chapter 282
ENACTS:
36-12-15.4 , Utah Code Annotated 1953
Be it enacted by the Legislature of the state of Utah:
Section 1. Section 36-12-15.4 is enacted to read:
36-12-15.4 . Income tax credit audits.
(1) As used in this section:
(a) "Committee" means the Revenue and Taxation Interim Committee.
(b) "Income tax credit" means a state tax credit described in Title 59, Chapter 7,
Corporate Franchise and Income Taxes, or Title 59, Chapter 10, Individual Income
Tax Act.
(c) "Office" means the Office of the Legislative Auditor General.
(2) In addition to other audits performed by the office, the office shall conduct, in
accordance with this section and under the direction of the Legislative Audit
Subcommittee, a comprehensive performance audit of the income tax credits.
(3)(a) On or before August 31 of each year, the committee may refer a list of income tax
credits to the office that the committee recommends for audit.
(b) The list may include an order in which the committee prefers the office to conduct
the income tax credit audit.
(4) If the committee does not refer a list of income tax credits, the office shall select which
income tax credits to audit, considering the income tax credit's usage in terms of dollars
and vulnerability to error or fraud.
Section 2. Section 59-7-159 is amended to read:
59-7-159. Review of credits allowed under this chapter.
(1) As used in this section, "committee" means the Revenue and Taxation Interim
Committee.
(2)[(a) The committee shall review the tax credits described in this chapter as provided
in Subsection (3) and make recommendations concerning whether the tax credits
should be continued, modified, or repealed.

64	(a) The committee shall review each tax credit described in this chapter once every five
65	years to determine whether to continue, modify, or repeal the tax credit.
66	(b) In conducting the review required under Subsection (2)(a), the committee shall:
67	(i) schedule time on [at least one] a committee agenda to conduct the review as needed;
68	(ii) invite state agencies, individuals, and organizations concerned with [the] a tax
69	credit under review to provide oral or written testimony;
70	(iii)(A) invite the Governor's Office of Economic Opportunity to present a
71	summary and analysis of the information for each tax credit regarding which
72	the Governor's Office of Economic Opportunity is required to make a report
73	under this chapter; and
74	(B) invite the Office of the Legislative Fiscal Analyst to present a summary and
75	analysis of the information for each tax credit regarding which the Office of the
76	Legislative Fiscal Analyst is required to make a report under this chapter;
77	(iv) [ensure that the committee's recommendations described in this section include
78	an evaluation of] evaluate:
79	(A) the cost of the tax credit to the state;
80	(B) the purpose and effectiveness of the tax credit; and
81	(C) the extent to which the state benefits from the tax credit; and
82	(v) undertake other review efforts as determined by the committee chairs or as
83	otherwise required by law.
84	[(3)(a) On or before November 30, 2017, and every three years after 2017, the
85	committee shall conduct the review required under Subsection (2) of the tax credits
86	allowed under the following sections:]
87	[(i) Section 59-7-601;]
88	[(ii) Section 59-7-607;]
89	[(iii) Section 59-7-612;]
90	[(iv) Section 59-7-614.1; and]
91	[(v) Section 59-7-614.5.]
92	[(b) On or before November 30, 2018, and every three years after 2018, the committee
93	shall conduct the review required under Subsection (2) of the tax credits allowed
94	under the following sections:]
95	[(i) Section 59-7-609;]
96	[(ii) Section 59-7-614.2;]
97	[(iii) Section 59-7-614.10; and]

98	[(iv) Section 59-7-619.]
99	[(e) On or before November 30, 2019, and every three years after 2019, the committee
100	shall conduct the review required under Subsection (2) of the tax credits allowed
101	under the following sections:]
102	[(i) Section 59-7-610;]
103	[(ii) Section 59-7-614; and]
104	[(iii) Section 59-7-614.7.]
105	[(d)(i) In addition to the reviews described in this Subsection (3), the committee
106	shall conduct a review of a tax credit described in this chapter that is enacted on or
107	after January 1, 2017.]
108	[(ii) The committee shall complete a review described in this Subsection (3)(d) three
109	years after the effective date of the tax credit and every three years after the initial
110	review date.]
111	Section 3. Section 59-7-614.2 is amended to read:
112	59-7-614.2 . Refundable economic development tax credit.
113	(1) As used in this section:
114	(a) "Business entity" means a taxpayer that meets the definition of "business entity" as
115	defined in Section 63N-2-103.
116	(b) "Incremental job" means the same as that term is defined in Section 63N-1a-102.
117	(c) "New state revenue" means the same as that term is defined in Section 63N-1a-102.
118	(d) "Office" means the Governor's Office of Economic Opportunity.
119	(2) Subject to the other provisions of this section, a business entity may claim a refundable
120	tax credit for economic development.
121	(3) The tax credit under this section is the amount listed as the tax credit amount on the tax
122	credit certificate that the office issues to the business entity for the taxable year.
123	(4)(a) In accordance with any rules prescribed by the commission under Subsection
124	(4)(b), the commission shall make a refund to a business entity that claims a tax
125	credit under this section if the amount of the tax credit exceeds the business entity's
126	tax liability for a taxable year.
127	(b) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the
128	commission may make rules providing procedures for making a refund to a business
129	entity as required by Subsection (4)(a).
130	(5)[(a) In accordance with Section 59-7-159, the Revenue and Taxation Interim
131	Committee shall study the tax credit allowed by this section and make

132	recommendations concerning whether the tax credit should be continued, modified,
133	or repealed.]
134	[(b) Except as provided in Subsection (5)(c), for purposes of the study required by this
135	Subsection (5),]
136	(a) To assist the Revenue and Taxation Interim Committee with the review required by
137	Section 59-7-159, the office shall provide the following information, if available to
138	the office, to the Revenue and Taxation Interim Committee by electronic means:
139	(i) the amount of tax credit that the office grants to each business entity for each
140	calendar year;
141	(ii) the criteria that the office uses in granting a tax credit;
142	(iii) the new state revenue generated by the business entity for the calendar year;
143	(iv) estimates for each of the next three calendar years of the following:
144	(A) the amount of tax credits that the office will grant;
145	(B) the amount of new state revenue that will be generated; and
146	(C) the number of new incremental jobs within the state that will be generated;
147	(v) the information contained in the office's latest report under Section 63N-2-106;
148	and
149	(vi) any other information that the Revenue and Taxation Interim Committee requests.
150	[(e)] $(b)[(i)]$ In providing the information described in Subsection $[(5)(b)]$ $(5)(a)$, the
151	office shall redact information that identifies a recipient of a tax credit under this
152	section.
153	[(ii)] (c) If, notwithstanding the redactions made under Subsection $[(5)(e)(i)]$ (5)(b),
154	reporting the information described in Subsection $[(5)(b)]$ $(5)(a)$ might disclose the
155	identity of a recipient of a tax credit, the office may file a request with the Revenue
156	and Taxation Interim Committee to provide the information described in Subsection [
157	(5)(b)] $(5)(a)$ in the aggregate for all business entities that receive the tax credit under
158	this section.
159	[(d) The Revenue and Taxation Interim Committee shall ensure that the
160	recommendations described in Subsection (5)(a) include an evaluation of:]
161	[(i) the cost of the tax credit to the state;]
162	[(ii) the purpose and effectiveness of the tax credit; and]
163	[(iii) the extent to which the state benefits from the tax credit.]
164	Section 4. Section 59-7-614.5 is amended to read:
165	59-7-614.5 . Refundable motion picture tax credit.

166	(1) As used in this section:
167	(a) "Motion picture company" means a taxpayer that meets the definition of a motion
168	picture company under Section 63N-8-102.
169	(b) "Office" means the Governor's Office of Economic Opportunity created in Section
170	63N-1a-301.
171	(c) "State-approved production" means the same as that term is defined in Section
172	63N-8-102.
173	(2) [For a taxable year beginning on or after January 1, 2009, a] A motion picture company
174	may claim a refundable tax credit for a state-approved production.
175	(3) The tax credit under this section is the amount listed as the tax credit amount on the tax
176	credit certificate that the office issues to a motion picture company under Section
177	63N-8-103 for the taxable year.
178	(4)(a) In accordance with any rules prescribed by the commission under Subsection
179	(4)(b), the commission shall make a refund to a motion picture company that claims a
180	tax credit under this section if the amount of the tax credit exceeds the motion picture
181	company's tax liability for a taxable year.
182	(b) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the
183	commission may make rules providing procedures for making a refund to a motion
184	picture company as required by Subsection (4)(a).
185	(5)[(a) In accordance with Section 59-7-159, the Revenue and Taxation Interim
186	Committee shall study the tax credit allowed by this section and make
187	recommendations concerning whether the tax credit should be continued, modified,
188	or repealed.]
189	[(b)] (a)(i) [Except as provided in Subsection (5)(b)(ii), for purposes of the study
190	required by this Subsection (5), the] To assist the Revenue and Taxation Interim
191	Committee with the review required by Section 59-7-159, the office shall provide
192	the following information, if available to the office, to the Office of the
193	Legislative Fiscal Analyst by electronic means:
194	(A) the amount of tax credit that the office grants to each motion picture company
195	for each calendar year;
196	(B) estimates of the amount of tax credit that the office will grant for each of the
197	next three calendar years;
198	(C) the criteria that the office uses in granting the tax credit;
199	(D) the dollars left in the state, as defined in Section 63N-8-102, by each motion

200	picture company for each calendar year;
201	(E) the information contained in the office's latest report under Section 63N-1a-306;
202	and
203	(F) any other information that the Office of the Legislative Fiscal Analyst requests.
204	[(ii)]
205	[(A)] (ii) In providing the information described in Subsection [(5)(b)(i)] (5)(a)(i), the
206	office shall redact information that identifies a recipient of a tax credit under this
207	section.
208	[(B)] (iii) If, notwithstanding the redactions made under Subsection [(5)(b)(ii)(A)]
209	(5)(a)(ii), reporting the information described in Subsection $[(5)(b)(i)]$ $(5)(a)(i)$
210	might disclose the identity of a recipient of a tax credit, the office may file a
211	request with the Revenue and Taxation Interim Committee to provide the
212	information described in Subsection $[(5)(b)(i)]$ $(5)(a)(i)$ in the aggregate for all
213	motion picture companies that receive the tax credit under this section.
214	[(e)] (b) [As part of the study required by this Subsection (5), the] The Office of the
215	Legislative Fiscal Analyst shall report to the Revenue and Taxation Interim
216	Committee a summary and analysis of the information provided to the Office of the
217	Legislative Fiscal Analyst by the office under Subsection $[(5)(b)]$ $(5)(a)$.
218	[(d) The Revenue and Taxation Interim Committee shall ensure that the
219	recommendations described in Subsection (5)(a) include an evaluation of:]
220	[(i) the cost of the tax credit to the state;]
221	[(ii) the effectiveness of the tax credit; and]
222	[(iii) the extent to which the state benefits from the tax credit.]
223	Section 5. Section 59-7-614.7 is amended to read:
224	59-7-614.7. Nonrefundable alternative energy development tax credit.
225	(1) As used in this section:
226	(a) "Alternative energy entity" means the same as that term is defined in Section
227	79-6-502.
228	(b) "Alternative energy project" means the same as that term is defined in Section
229	79-6-502.
230	(c) "Office" means the Office of Energy Development created in Section 79-6-401.
231	(2) Subject to the other provisions of this section, an alternative energy entity may claim a
232	nonrefundable tax credit for alternative energy development as provided in this section.
233	(3) The tax credit under this section is the amount listed as the tax credit amount on a tax

234	credit certificate that the office issues under Title 79, Chapter 6, Part 5, Alternative
235	Energy Development Tax Credit Act, to the alternative energy entity for the taxable year.
236	(4) An alternative energy entity may carry forward a tax credit under this section for a
237	period that does not exceed the next seven taxable years if:
238	(a) the alternative energy entity is allowed to claim a tax credit under this section for a
239	taxable year; and
240	(b) the amount of the tax credit exceeds the alternative energy entity's tax liability under
241	this chapter for that taxable year.
242	(5)[(a) In accordance with Section 59-7-159, the Revenue and Taxation Interim
243	Committee shall study the tax credit allowed by this section and make
244	recommendations concerning whether the tax credit should be continued, modified,
245	or repealed.]
246	[(b)] (a)(i) [Except as provided in Subsection (5)(b)(ii), for purposes of the study
247	required by this Subsection (5), the] To assist the Revenue and Taxation Interim
248	Committee with the review required by Section 59-7-159, the office shall provide
249	the following information, if available to the office, to the Office of the
250	Legislative Fiscal Analyst by electronic means:
251	(A) the amount of tax credit that the office grants to each alternative energy entity
252	for each taxable year;
253	(B) the new state revenues generated by each alternative energy project;
254	(C) the information contained in the office's latest report under Section 79-6-505;
255	and
256	(D) any other information that the Office of the Legislative Fiscal Analyst
257	requests.
258	[(ii)]
259	[(A)] (ii) In providing the information described in Subsection [(5)(b)(i)] (5)(a)(i), the
260	office shall redact information that identifies a recipient of a tax credit under this
261	section.
262	[(B)] (iii) If, notwithstanding the redactions made under Subsection [(5)(b)(ii)(A)]
263	(5)(a)(ii), reporting the information described in Subsection $[(5)(b)(i)]$ $(5)(a)(i)$
264	might disclose the identity of a recipient of a tax credit, the office may file a
265	request with the Revenue and Taxation Interim Committee to provide the
266	information described in Subsection $[(5)(b)(i)]$ $(5)(a)(i)$ in the aggregate for all
267	alternative energy entities that receive the tax credit under this section.

268	[(e)] (b) [As part of the study required by this Subsection (5), the] The Office of the
269	Legislative Fiscal Analyst shall report to the Revenue and Taxation Interim
270	Committee a summary and analysis of the information provided to the Office of the
271	Legislative Fiscal Analyst by the office under Subsection $[(5)(b)]$ $(5)(a)$.
272	[(d) The Revenue and Taxation Interim Committee shall ensure that the
273	recommendations described in Subsection (5)(a) include an evaluation of:]
274	[(i) the cost of the tax credit to the state;]
275	[(ii) the purpose and effectiveness of the tax credit; and]
276	[(iii) the extent to which the state benefits from the tax credit.]
277	(6) A taxpayer may not claim or carry forward a tax credit described in Subsection (2) in a
278	taxable year during which the taxpayer claims or carries forward a tax credit under
279	Section 59-7-614.
280	Section 6. Section 59-7-614.10 is amended to read:
281	59-7-614.10 . Nonrefundable enterprise zone tax credit.
282	(1) As used in this section:
283	(a) "Business entity" means a corporation that meets the definition of "business entity"
284	as that term is defined in Section 63N-2-202.
285	(b) "Office" means the Governor's Office of Economic Opportunity created in Section
286	63N-1a-301.
287	(2) Subject to the provisions of this section, a business entity may claim a nonrefundable
288	enterprise zone tax credit as described in Section 63N-2-213.
289	(3) The enterprise zone tax credit under this section is the amount listed as the tax credit
290	amount on the tax credit certificate that the office issues to the business entity for the
291	taxable year.
292	(4) A business entity may carry forward a tax credit under this section for a period that does
293	not exceed the next three taxable years, if the amount of the tax credit exceeds the
294	business entity's tax liability under this chapter for that taxable year.
295	(5)[(a) In accordance with Section 59-7-159, the Revenue and Taxation Interim
296	Committee shall study the tax credit allowed by this section and make
297	recommendations concerning whether the tax credit should be continued, modified,
298	or repealed.]
299	[(b)] (a)(i)[(i) Except as provided in Subsection (5)(b)(ii), for purposes of the study
300	required by this Subsection (5)] To assist the Revenue and Taxation Interim
301	Committee with the review required by Section 59-7-159, the office shall provide

302	by electronic means the following information for each calendar year to the Office
303	of the Legislative Fiscal Analyst:
304	(A) the amount of tax credits provided in each development zone;
305	(B) the number of new full-time employee positions reported to obtain tax credits
306	in each development zone;
307	(C) the amount of tax credits awarded for rehabilitating a building in each
308	development zone;
309	(D) the amount of tax credits awarded for investing in a plant, equipment, or other
310	depreciable property in each development zone;
311	(E) the information related to the tax credit contained in the office's latest report
312	under Section 63N-1a-301; and
313	(F) any other information that the Office of the Legislative Fiscal Analyst requests
314	(ii)[(A)] In providing the information described in Subsection [$(5)(b)(i)$] $(5)(a)(i)$,
315	the office shall redact information that identifies a recipient of a tax credit
316	under this section.
317	[(B)] (iii) If, notwithstanding the redactions made under Subsection $[(5)(b)(ii)(A)]$
318	(5)(a)(ii), reporting the information described in Subsection $[(5)(b)(i)]$ $(5)(a)(i)$
319	might disclose the identity of a recipient of a tax credit, the office may file a
320	request with the Revenue and Taxation Interim Committee to provide the
321	information described in Subsection $[(5)(b)(i)]$ $(5)(a)(i)$ in the aggregate for all
322	development zones that receive the tax credit under this section.
323	[(e)] (b) [As part of the study required by this Subsection (5), the] The Office of the
324	Legislative Fiscal Analyst shall report to the Revenue and Taxation Interim
325	Committee a summary and analysis of the information provided to the Office of the
326	Legislative Fiscal Analyst by the office under Subsection $[(5)(b)]$ $(5)(a)$.
327	[(d) The Revenue and Taxation Interim Committee shall ensure that the
328	recommendations described in Subsection (5)(a) include an evaluation of:]
329	[(i) the cost of the tax credit to the state;]
330	[(ii) the purpose and effectiveness of the tax credit; and]
331	[(iii) the extent to which the state benefits from the tax credit.]
332	Section 7. Section 59-7-619 is amended to read:
333	59-7-619. Nonrefundable high cost infrastructure development tax credit.
334	(1) As used in this section:
335	(a) "High cost infrastructure project" means the same as that term is defined in Section

336	79-6-602.
337	(b) "Infrastructure cost-burdened entity" means the same as that term is defined in
338	Section 79-6-602.
339	(c) "Infrastructure-related revenue" means the same as that term is defined in Section
340	79-6-602.
341	(d) "Office" means the Office of Energy Development created in Section 79-6-401.
342	(2) Subject to the other provisions of this section, a corporation that is an infrastructure
343	cost-burdened entity may claim a nonrefundable tax credit for development of a high
344	cost infrastructure project as provided in this section.
345	(3) The tax credit under this section is the amount listed as the tax credit amount on a tax
346	credit certificate that the office issues under Title 79, Chapter 6, Part 6, High Cost
347	Infrastructure Development Tax Credit Act, to the infrastructure cost-burdened entity for
348	the taxable year.
349	(4) An infrastructure cost-burdened entity may carry forward a tax credit under this section
350	for a period that does not exceed the next seven taxable years if:
351	(a) the infrastructure cost-burdened entity is allowed to claim a tax credit under this
352	section for a taxable year; and
353	(b) the amount of the tax credit exceeds the infrastructure cost-burdened entity's tax
354	liability under this chapter for that taxable year.
355	(5)(a) [In accordance with Section 59-7-159, the Revenue and Taxation Interim
356	Committee shall study the tax credit allowed by this section and make
357	recommendations concerning whether the tax credit should be continued, modified,
358	or repealed.]
359	[(b)(i) Except as provided in Subsection (5)(b)(ii), for purposes of the study required
360	by this Subsection (5),]
361	(i) To assist the Revenue and Taxation Interim Committee with the review required
362	by Section 59-7-159, the office shall provide the following information, if
363	available to the office, to the Office of the Legislative Fiscal Analyst:
364	(A) the amount of tax credit that the office grants to each infrastructure
365	cost-burdened entity for each taxable year;
366	(B) the infrastructure-related revenue generated by each high cost infrastructure
367	project;
368	(C) the information contained in the office's latest report under Section 79-6-605
369	and

370	(D) any other information that the Office of the Legislative Fiscal Analyst
371	requests.
372	[(ii)]
373	[(A)] (ii) In providing the information described in Subsection [(5)(b)(i)] (5)(a)(i), the
374	office shall redact information that identifies a recipient of a tax credit under this
375	section.
376	[(B)] (iii) If, notwithstanding the redactions made under Subsection $[(5)(b)(ii)(A)]$
377	(5)(a)(ii), reporting the information described in Subsection $[(5)(b)(i)]$ $(5)(a)(i)$
378	might disclose the identity of a recipient of a tax credit, the office may file a
379	request with the Revenue and Taxation Interim Committee to provide the
380	information described in Subsection $[(5)(b)(i)]$ $(5)(a)(i)$ in the aggregate for all
381	infrastructure cost-burdened entities that receive the tax credit under this section.
382	[(e)] (b) [As part of the study required by this Subsection (5), the] The Office of the
383	Legislative Fiscal Analyst shall report to the Revenue and Taxation Interim
384	Committee a summary and analysis of the information provided to the Office of the
385	Legislative Fiscal Analyst by the office under Subsection $[(5)(b)]$ $(5)(a)$.
386	[(d) The Revenue and Taxation Interim Committee shall ensure that the
387	recommendations described in Subsection (5)(a) include an evaluation of:]
388	[(i) the cost of the tax credit to the state;]
389	[(ii) the purpose and effectiveness of the tax credit; and]
390	[(iii) the extent to which the state benefits from the tax credit.]
391	(6) Notwithstanding Section 59-7-903, the commission may not remove the tax credit
392	described in this section from the tax return for a taxable year beginning before January
393	1, 2027.
394	Section 8. Section 59-10-137 is amended to read:
395	59-10-137. Review of credits allowed under this chapter.
396	(1) As used in this section, "committee" means the Revenue and Taxation Interim
397	Committee.
398	(2)[(a) The committee shall review the tax credits described in this chapter as provided
399	in Subsection (3) and make recommendations concerning whether the tax credits
400	should be continued, modified, or repealed.]
401	(a) The committee shall review each tax credit described in this chapter once every five
402	years to determine whether to continue, modify, or repeal the tax credit.
403	(b) In conducting the review required under Subsection (2)(a), the committee shall:

404	(i) schedule time on [at least one] a committee agenda to conduct the review as needed;
405	(ii) invite state agencies, individuals, and organizations concerned with [the] \underline{a} tax
406	credit under review to provide oral or written testimony;
407	(iii)(A) invite the Governor's Office of Economic Opportunity to present a
408	summary and analysis of the information for each tax credit regarding which
409	the Governor's Office of Economic Opportunity is required to make a report
410	under this chapter; and
411	(B) invite the Office of the Legislative Fiscal Analyst to present a summary and
412	analysis of the information for each tax credit regarding which the Office of the
413	Legislative Fiscal Analyst is required to make a report under this chapter;
414	(iv) [ensure that the committee's recommendations described in this section include
415	an evaluation of] evaluate:
416	(A) the cost of the tax credit to the state;
417	(B) the purpose and effectiveness of the tax credit; and
418	(C) the extent to which the state benefits from the tax credit; and
419	(v) undertake other review efforts as determined by the committee chairs or as
420	otherwise required by law.
421	[(3)(a) On or before November 30, 2017, and every three years after 2017, the
422	committee shall conduct the review required under Subsection (2) of the tax credits
423	allowed under the following sections:]
424	[(i) Section 59-10-1004;]
425	[(ii) Section 59-10-1010;]
426	[(iii) Section 59-10-1015;]
427	[(iv) Section 59-10-1025;]
428	[(v) Section 59-10-1027;]
429	[(vi) Section 59-10-1031;]
430	[(vii) Section 59-10-1032;]
431	[(viii) Section 59-10-1035;]
432	[(ix) Section 59-10-1105; and]
433	[(x) Section 59-10-1108.]
434	[(b) On or before November 30, 2018, and every three years after 2018, the committee
435	shall conduct the review required under Subsection (2) of the tax credits allowed
436	under the following sections:]
437	[(i) Section 59-10-1005;]

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438
               (ii) Section 59-10-1006;
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               (iii) Section 59-10-1012;
440
               (iv) Section 59-10-1022;
441
               (v) Section 59-10-1023;
442
               (vi) Section 59-10-1028;
443
               [(vii) Section 59-10-1034;]
444
               [(viii) Section 59-10-1037; and]
445
               (ix) Section 59-10-1107.
446
           (c) On or before November 30, 2019, and every three years after 2019, the committee
447
               shall conduct the review required under Subsection (2) of the tax credits allowed
448
               under the following sections:
449
               (i) Section 59-10-1007;
450
               (ii) Section 59-10-1014;
451
               [(iii) Section 59-10-1017;]
452
               (iv) Section 59-10-1018;
453
               [(v) Section 59-10-1019;]
454
               [(vi) Section 59-10-1024;]
455
               [(vii) Section 59-10-1029;]
456
               (viii) Section 59-10-1036;
457
               [(ix) Section 59-10-1106; and]
458
               [(x) Section 59-10-1111.]
459
           [(d)(i) In addition to the reviews described in this Subsection (3), the committee
460
               shall conduct a review of a tax credit described in this chapter that is enacted on or
461
               after January 1, 2017.
462
               (ii) The committee shall complete a review described in this Subsection (3)(d) three
463
                   years after the effective date of the tax credit and every three years after the initial
464
                   review date.1
465
             Section 9. Section 59-10-1025 is amended to read:
466
             59-10-1025. Nonrefundable tax credit for investment in certain life science
467
       establishments.
468
       (1) As used in this section:
469
           (a) "Commercial domicile" means the principal place from which the trade or business
470
               of a Utah small business corporation is directed or managed.
471
           (b) "Eligible claimant, estate, or trust" means the same as that term is defined in Section
```

505

472		63N-2-802.
473	(c)	"Life science establishment" means an establishment primarily engaged in the
474		development or manufacture of products in one or more of the following categories:
475		(i) biotechnologies;
476		(ii) medical devices;
477		(iii) medical diagnostics; and
478		(iv) pharmaceuticals.
479	(d)	"Office" means the Governor's Office of Economic Opportunity.
480	(e)	"Pass-through entity" means the same as that term is defined in Section 59-10-1402.
481	(f) '	'Pass-through entity taxpayer" means the same as that term is defined in Section
482		59-10-1402.
483	(g)	"Qualifying ownership interest" means an ownership interest that is:
484		(i)(A) common stock;
485		(B) preferred stock; or
486		(C) an ownership interest in a pass-through entity;
487		(ii) originally issued to:
488		(A) an eligible claimant, estate, or trust; or
489		(B) a pass-through entity if the eligible claimant, estate, or trust that claims a tax
490		credit under this section was a pass-through entity taxpayer of the pass-through
491		entity on the day on which the qualifying ownership interest was issued and
492		remains a pass-through entity taxpayer of the pass-through entity until the last
493		day of the taxable year for which the eligible claimant, estate, or trust claims a
494		tax credit under this section; and
495		(iii) issued:
496		(A) by a Utah small business corporation;
497		(B) on or after January 1, 2011; and
498		(C) for money or other property, except for stock or securities.
499	(h)(i	Except as provided in Subsection (1)(h)(ii), "Utah small business corporation"
500		means the same as that term is defined in Section 59-10-1022.
501		(ii) For purposes of this section, a corporation under Section 1244(c)(3)(A), Internal
502		Revenue Code, is considered to include a pass-through entity.
503	(2) Subj	ject to the other provisions of this section, [for a taxable year beginning on or after
504	Janu	hary 1, 2011, an eligible claimant, estate, or trust that holds a tax credit certificate

issued to the eligible claimant, estate, or trust in accordance with Section 63N-2-808 for

506	that taxable year may claim a nonrefundable tax credit in an amount up to 35% of the
507	purchase price of a qualifying ownership interest in a Utah small business corporation
508	by the claimant, estate, or trust if:
509	(a) the qualifying ownership interest is issued by a Utah small business corporation that
510	is a life science establishment;
511	(b) the qualifying ownership interest in the Utah small business corporation is purchased
512	for at least \$25,000;
513	(c) the eligible claimant, estate, or trust owned less than 30% of the qualifying
514	ownership interest of the Utah small business corporation at the time of the purchase
515	of the qualifying ownership interest; and
516	(d) on each day of the taxable year in which the purchase of the qualifying ownership
517	interest was made, the Utah small business corporation described in Subsection (2)(a)
518	has at least 50% of its employees in the state.
519	(3) Subject to Subsection (4), the tax credit under Subsection (2):
520	(a) may only be claimed by an eligible claimant, estate, or trust:
521	(i) for a taxable year for which the eligible claimant, estate, or trust holds a tax credit
522	certificate issued in accordance with Section 63N-2-808; and
523	(ii) subject to obtaining a tax credit certificate for each taxable year as required by
524	Subsection (3)(a)(i), for a period of three taxable years as follows:
525	(A) the tax credit in the taxable year in which the purchase of the qualifying
526	ownership interest was made may not exceed 10% of the purchase price of the
527	qualifying ownership interest;
528	(B) the tax credit in the taxable year after the taxable year described in Subsection
529	(3)(a)(ii)(A) may not exceed 10% of the purchase price of the qualifying
530	ownership interest; and
531	(C) the tax credit in the taxable year two years after the taxable year described in
532	Subsection (3)(a)(ii)(A) may not exceed 15% of the purchase price of the
533	qualifying ownership interest; and
534	(b) may not exceed the lesser of:
535	(i) the amount listed on the tax credit certificate issued in accordance with Section
536	63N-2-808; or
537	(ii) \$350,000 in a taxable year.
538	(4) An eligible claimant, estate, or trust may not claim a tax credit under this section for a
539	taxable year if the eligible claimant, estate, or trust:

540	(a) has sold any of the qualifying ownership interest during the taxable year; or
541	(b) does not hold a tax credit certificate for that taxable year that is issued to the eligible
542	claimant, estate, or trust by the office in accordance with Section 63N-2-808.
543	(5) If a Utah small business corporation in which an eligible claimant, estate, or trust
544	purchases a qualifying ownership interest fails, dissolves, or otherwise goes out of
545	business, the eligible claimant, estate, or trust may not claim both the tax credit provided
546	in this section and a capital loss on the qualifying ownership interest.
547	(6) If an eligible claimant is a pass-through entity taxpayer that files a return under Chapter
548	7, Corporate Franchise and Income Taxes, the eligible claimant may claim the tax credit
549	under this section on the return filed under Chapter 7, Corporate Franchise and Income
550	Taxes.
551	(7) A claimant, estate, or trust may not carry forward or carry back a tax credit under this
552	section.
553	(8)[(a) In accordance with Section 59-10-137, the Revenue and Taxation Interim
554	Committee shall study the tax credit allowed by this section and make
555	recommendations concerning whether the tax credit should be continued, modified,
556	or repealed.]
557	[(b)] (a) [Except as provided in Subsection (8)(c), for purposes of the study required by
558	this Subsection (8)
559	(i) To assist the Revenue and Taxation Interim Committee with the review required
560	by Section 59-10-137, the office shall provide the following information, if
561	available to the office, to the Office of the Legislative Fiscal Analyst by electronic
562	means:
563	[(i)] (A) the amount of tax credit that the office grants to each eligible business
564	entity for each taxable year;
565	[(ii)] (B) the amount of eligible new state tax revenues generated by each eligible
566	product or project;
567	[(iii)] (C) estimates for each of the next three calendar years of the following:
568	[(A)] (I) the amount of tax credit that the office will grant;
569	[(B)] (II) the amount of eligible new state tax revenues that will be generated:
570	and
571	[(C)] (III) the number of new incremental jobs within the state that will be
572	generated; and
573	(iv) (D) any other information that the Office of the Legislative Fiscal Analyst

574	requests.
575	[(c)]
576	$[\underbrace{(ii)}]$ (iii) In providing the information described in Subsection $[\underbrace{(8)(b)}]$ (8)(a)(i), the
577	office shall redact information that identifies a recipient of a tax credit under this
578	section.
579	[(ii)] (iii) If, notwithstanding the redactions made under Subsection [(8)(e)(i)] (8)(a)(ii)
580	reporting the information described in Subsection [(8)(b)] (8)(a)(i) might disclose
581	the identity of a recipient of a tax credit, the office may file a request with the
582	Revenue and Taxation Interim Committee to provide the information described in
583	Subsection $[(8)(b)]$ $(8)(a)(i)$ in the aggregate for all entities that receive the tax
584	credit under this section.
585	[(d)] (b) [As part of the study required by this Subsection (8), the] The Office of the
586	Legislative Fiscal Analyst shall report to the Revenue and Taxation Interim
587	Committee a summary and analysis of the information provided to the Office of the
588	Legislative Fiscal Analyst by the office under Subsection $[(8)(b)]$ $(8)(a)$.
589	[(e) The Revenue and Taxation Interim Committee shall ensure that the
590	recommendations described in Subsection (8)(a) include an evaluation of:]
591	[(i) the cost of the tax credit under this section;]
592	[(ii) the purpose and effectiveness of the tax credit; and]
593	[(iii) the extent to which the state benefits from the tax credit.]
594	Section 10. Section 59-10-1029 is amended to read:
595	59-10-1029 . Nonrefundable alternative energy development tax credit.
596	(1) As used in this section:
597	(a) "Alternative energy entity" means the same as that term is defined in Section
598	79-6-502.
599	(b) "Alternative energy project" means the same as that term is defined in Section
600	79-6-502.
601	(c) "Office" means the Office of Energy Development created in Section 79-6-401.
602	(2) Subject to the other provisions of this section, an alternative energy entity may claim a
603	nonrefundable tax credit for alternative energy development as provided in this section.
604	(3) The tax credit under this section is the amount listed as the tax credit amount on a tax
605	credit certificate that the office issues under Title 79, Chapter 6, Part 5, Alternative
606	Energy Development Tax Credit Act, to the alternative energy entity for the taxable year.
607	(4) An alternative energy entity may carry forward a tax credit under this section for a

608	period that does not exceed the next seven taxable years if:
609	(a) the alternative energy entity is allowed to claim a tax credit under this section for a
610	taxable year; and
611	(b) the amount of the tax credit exceeds the alternative energy entity's tax liability under
612	this chapter for that taxable year.
613	(5)[(a) In accordance with Section 59-10-137, the Revenue and Taxation Interim
614	Committee shall study the tax credit allowed by this section and make
615	recommendations concerning whether the tax credit should be continued, modified,
616	or repealed.]
617	[(b)] (a)(i) [Except as provided in Subsection (5)(b)(ii), for purposes of the study
618	required by this Subsection (5)] To assist the Revenue and Taxation Interim
619	Committee with the review required by Section 59-10-137, the office shall
620	provide the following information, if available to the office, to the Office of the
621	Legislative Fiscal Analyst by electronic means:
622	(A) the amount of tax credit that the office grants to each alternative energy entity
623	for each taxable year;
624	(B) the new state revenues generated by each alternative energy project;
625	(C) the information contained in the office's latest report under Section 79-6-505;
626	and
627	(D) any other information that the Office of the Legislative Fiscal Analyst
628	requests.
629	(ii)(A) In providing the information described in Subsection $[(5)(b)(i)]$ $(5)(a)(i)$,
630	the office shall redact information that identifies a recipient of a tax credit
631	under this section.
632	(B) If, notwithstanding the redactions made under Subsection $[(5)(b)(ii)(A)]$
633	(5)(a)(ii)(A), reporting the information described in Subsection $[(5)(b)(i)]$
634	(5)(a)(i) might disclose the identity of a recipient of a tax credit, the office may
635	file a request with the Revenue and Taxation Interim Committee to provide the
636	information described in Subsection $[(5)(b)(i)]$ $(5)(a)(i)$ in the aggregate for all
637	alternative energy entities that receive the tax credit under this section.
638	[(e)] (b) [As part of the study required by this Subsection (5), the] The Office of the
639	Legislative Fiscal Analyst shall report to the Revenue and Taxation Interim
640	Committee a summary and analysis of the information provided to the Office of the
641	Legislative Fiscal Analyst by the office under Subsection $[(5)(b)]$ $(5)(a)$.

642	(d) The Revenue and Taxation Interim Committee shall ensure that the
643	recommendations described in Subsection (5)(a) include an evaluation of:]
644	[(i) the cost of the tax credit to the state;]
645	[(ii) the purpose and effectiveness of the tax credit; and]
646	[(iii) the extent to which the state benefits from the tax credit.]
647	(6) A claimant, estate, or trust may not claim or carry forward a tax credit described in
648	Subsection (2) in a taxable year during which the taxpayer claims or carries forward a
649	tax credit under Section 59-10-1106.
650	Section 11. Section 59-10-1034 is amended to read:
651	59-10-1034 . Nonrefundable high cost infrastructure development tax credit.
652	(1) As used in this section:
653	(a) "High cost infrastructure project" means the same as that term is defined in Section
654	79-6-602.
655	(b) "Infrastructure cost-burdened entity" means the same as that term is defined in
656	Section 79-6-602.
657	(c) "Infrastructure-related revenue" means the same as that term is defined in Section
658	79-6-602.
659	(d) "Office" means the Office of Energy Development created in Section 79-6-401.
660	(2) Subject to the other provisions of this section, a claimant, estate, or trust that is an
661	infrastructure cost-burdened entity may claim a nonrefundable tax credit for
662	development of a high cost infrastructure project as provided in this section.
663	(3) The tax credit under this section is the amount listed as the tax credit amount on a tax
664	credit certificate that the office issues under Title 79, Chapter 6, Part 6, High Cost
665	Infrastructure Development Tax Credit Act, to the infrastructure cost-burdened entity for
666	the taxable year.
667	(4) An infrastructure cost-burdened entity may carry forward a tax credit under this section
668	for a period that does not exceed the next seven taxable years if:
669	(a) the infrastructure cost-burdened entity is allowed to claim a tax credit under this
670	section for a taxable year; and
671	(b) the amount of the tax credit exceeds the infrastructure cost-burdened entity's tax
672	liability under this chapter for that taxable year.
673	(5)[(a) In accordance with Section 59-10-137, the Revenue and Taxation Interim
674	Committee shall study the tax credit allowed by this section and make
675	recommendations concerning whether the tax credit should be continued, modified.

676	or repealed.]
677	[(b)] (a)(i) [Except as provided in Subsection (5)(b)(ii), for purposes of the study
678	required by this Subsection (5)] To assist the Revenue and Taxation Interim
679	Committee with the review required by Section 59-10-137, the office shall
680	provide the following information, if available to the office, to the Office of the
681	Legislative Fiscal Analyst:
682	(A) the amount of tax credit that the office grants to each infrastructure
683	cost-burdened entity for each taxable year;
684	(B) the infrastructure-related revenue generated by each high cost infrastructure
685	project;
686	(C) the information contained in the office's latest report under Section 79-6-605
687	and
688	(D) any other information that the Office of the Legislative Fiscal Analyst
689	requests.
690	(ii)[(A)] In providing the information described in Subsection [$(5)(b)(i)$] $(5)(a)(i)$,
691	the office shall redact information that identifies a recipient of a tax credit
692	under this section.
693	[(B)] (iii) If, notwithstanding the redactions made under Subsection [(5)(b)(ii)(A)]
694	(5)(a)(ii), reporting the information described in Subsection $[(5)(b)(i)]$ $(5)(a)(i)$
695	might disclose the identity of a recipient of a tax credit, the office may file a
696	request with the Revenue and Taxation Interim Committee to provide the
697	information described in Subsection $[(5)(b)(i)]$ $(5)(a)(i)$ in the aggregate for all
698	infrastructure cost-burdened entities that receive the tax credit under this section.
699	[(c)] (b) [As part of the study required by this Subsection (5), the] The Office of the
700	Legislative Fiscal Analyst shall report to the Revenue and Taxation Interim
701	Committee a summary and analysis of the information provided to the Office of the
702	Legislative Fiscal Analyst by the office under Subsection $[(5)(b)]$ $(5)(a)$.
703	[(d) The Revenue and Taxation Interim Committee shall ensure that the
704	recommendations described in Subsection (5)(a) include an evaluation of:]
705	[(i) the cost of the tax credit to the state;]
706	[(ii) the purpose and effectiveness of the tax credit; and]
707	[(iii) the extent to which the state benefits from the tax credit.]
708	Section 12. Section 59-10-1037 is amended to read:
709	59-10-1037 . Nonrefundable enterprise zone tax credit.

710	(1) As used in this section:
711	(a) "Business entity" means a claimant, estate, or trust that meets the definition of
712	"business entity" as that term is defined in Section 63N-2-202.
713	(b) "Office" means the Governor's Office of Economic Opportunity created in Section
714	63N-1a-301.
715	(2) Subject to the provisions of this section, a business entity may claim a nonrefundable
716	enterprise zone tax credit as described in Section 63N-2-213.
717	(3) The enterprise zone tax credit under this section is the amount listed as the tax credit
718	amount on the tax credit certificate that the office issues to the business entity for the
719	taxable year.
720	(4) A business entity may carry forward a tax credit under this section for a period that does
721	not exceed the next three taxable years, if the amount of the tax credit exceeds the
722	business entity's tax liability under this chapter for that taxable year.
723	(5)[(a) In accordance with Section 59-10-137, the Revenue and Taxation Interim
724	Committee shall study the tax credit allowed by this section and make
725	recommendations concerning whether the tax credit should be continued, modified,
726	or repealed.]
727	[(b)] (a)(i) [Except as provided in Subsection (5)(b)(ii), for purposes of the study
728	required by this Subsection (5)] To assist the Revenue and Taxation Interim
729	Committee with the review required by Section 59-10-137, the office shall
730	provide by electronic means the following information, if available to the office,
731	for each calendar year to the Office of the Legislative Fiscal Analyst:
732	(A) the amount of tax credits provided in each development zone;
733	(B) the number of new full-time employee positions reported to obtain tax credits
734	in each development zone;
735	(C) the amount of tax credits awarded for rehabilitating a building in each
736	development zone;
737	(D) the amount of tax credits awarded for investing in a plant, equipment, or other
738	depreciable property in each development zone;
739	(E) the information related to the tax credit contained in the office's latest report
740	under Section 63N-1a-306; and
741	(F) other information that the Office of the Legislative Fiscal Analyst requests.
742	(ii)[(A)] In providing the information described in Subsection [$(5)(b)(i)$] $(5)(a)(i)$,
743	the office shall redact information that identifies a recipient of a tax credit

744	under this section.
745	[(B)] (iii) If, notwithstanding the redactions made under Subsection [(5)(b)(ii)(A)]
746	(5)(a)(ii), reporting the information described in Subsection $[(5)(b)(i)]$ $(5)(a)(i)$
747	might disclose the identity of a recipient of a tax credit, the office may file a
748	request with the Revenue and Taxation Interim Committee to provide the
749	information described in Subsection $[(5)(b)(i)]$ $(5)(a)(i)$ in the aggregate for all
750	development zones that receive the tax credit under this section.
751	[(e)] (b) [As part of the study required by this Subsection (5), the] The Office of the
752	Legislative Fiscal Analyst shall report to the Revenue and Taxation Interim
753	Committee a summary and analysis of the information provided to the Office of the
754	Legislative Fiscal Analyst by the office under Subsection $[(5)(b)]$ $(5)(a)$.
755	[(d) The Revenue and Taxation Interim Committee shall ensure that the
756	recommendations described in Subsection (5)(a) include an evaluation of:]
757	[(i) the cost of the tax credit to the state;]
758	[(ii) the purpose and effectiveness of the tax credit; and]
759	[(iii) the extent to which the state benefits from the tax credit.]
760	Section 13. Section 59-10-1107 is amended to read:
761	59-10-1107. Refundable economic development tax credit.
762	(1) As used in this section:
763	(a) "Business entity" means a claimant, estate, or trust that meets the definition of
764	"business entity" as defined in Section 63N-2-103.
765	(b) "Incremental job" means the same as that term is defined in Section 63N-1a-102.
766	(c) "New state revenue" means the same as that term is defined in Section 63N-1a-102.
767	(d) "Office" means the Governor's Office of Economic Opportunity.
768	(2) Subject to the other provisions of this section, a business entity may claim a refundable
769	tax credit for economic development.
770	(3) The tax credit under this section is the amount listed as the tax credit amount on the tax
771	credit certificate that the office issues to the business entity for the taxable year.
772	(4)(a) In accordance with any rules prescribed by the commission under Subsection
773	(4)(b), the commission shall make a refund to a business entity that claims a tax
774	credit under this section if the amount of the tax credit exceeds the business entity's
775	tax liability for a taxable year.
776	(b) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the

778	entity as required by Subsection (4)(a).
779	(5)[(a) In accordance with Section 59-10-137, the Revenue and Taxation Interim
780	Committee shall study the tax credit allowed by this section and make
781	recommendations concerning whether the tax credit should be continued, modified,
782	or repealed.]
783	[(b)] (a) [Except as provided in Subsection (5)(c), for purposes of the study required by
784	this Subsection (5),] To assist the Revenue and Taxation Interim Committee with the
785	review required by Section 59-10-137, the office shall provide the following
786	information, if available to the office, to the Revenue and Taxation Interim
787	Committee by electronic means:
788	(i) the amount of tax credit the office grants to each taxpayer for each calendar year;
789	(ii) the criteria the office uses in granting a tax credit;
790	(iii) the new state revenue generated by each taxpayer for each calendar year;
791	(iv) estimates for each of the next three calendar years of the following:
792	(A) the amount of tax credits that the office will grant;
793	(B) the amount of new state revenue that will be generated; and
794	(C) the number of new incremental jobs within the state that will be generated;
795	(v) the information contained in the office's latest report under Section 63N-2-106;
796	and
797	(vi) any other information that the Revenue and Taxation Interim Committee requests.
798	$[\underline{(e)}]$ $\underline{(b)}[\underline{(i)}]$ In providing the information described in Subsection $[\underline{(5)(b)}]$ $\underline{(5)(a)}$, the
799	office shall redact information that identifies a recipient of a tax credit under this
800	section.
801	[(ii)] (c) If, notwithstanding the redactions made under Subsection $[(5)(c)(i)]$ (5)(b),
802	reporting the information described in Subsection $[(5)(b)]$ $(5)(a)$ might disclose the
803	identity of a recipient of a tax credit, the office may file a request with the Revenue
804	and Taxation Interim Committee to provide the information described in Subsection [
805	(5)(b)] $(5)(a)$ in the aggregate for all taxpayers that receive the tax credit under this
806	section.
807	[(d) The Revenue and Taxation Interim Committee shall ensure that the
808	recommendations described in Subsection (5)(a) include an evaluation of:]
809	[(i) the cost of the tax credit to the state;]
810	[(ii) the purpose and effectiveness of the tax credit; and]
811	[(iii) the extent to which the state benefits from the tax credit.]

812	Section 14. Section 59-10-1108 is amended to read:
813	59-10-1108. Refundable motion picture tax credit.
814	(1) As used in this section:
815	(a) "Motion picture company" means a claimant, estate, or trust that meets the definition
816	of a motion picture company under Section 63N-8-102.
817	(b) "Office" means the Governor's Office of Economic Opportunity created in Section
818	63N-1a-301.
819	(c) "State-approved production" means the same as that term is defined in Section
820	63N-8-102.
821	(2) [For a taxable year beginning on or after January 1, 2009, a] A motion picture company
822	may claim a refundable tax credit for a state-approved production.
823	(3) The tax credit under this section is the amount listed as the tax credit amount on the tax
824	credit certificate that the office issues to a motion picture company under Section
825	63N-8-103 for the taxable year.
826	(4)(a) In accordance with any rules prescribed by the commission under Subsection
827	(4)(b), the commission shall make a refund to a motion picture company that claims a
828	tax credit under this section if the amount of the tax credit exceeds the motion picture
829	company's tax liability for the taxable year.
830	(b) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the
831	commission may make rules providing procedures for making a refund to a motion
832	picture company as required by Subsection (4)(a).
833	(5)[(a) In accordance with Section 59-10-137, the Revenue and Taxation Interim
834	Committee shall study the tax credit allowed by this section and make
835	recommendations concerning whether the tax credit should be continued, modified,
836	or repealed.]
837	[(b)] (a)(i) [Except as provided in Subsection (5)(b)(ii), for purposes of the study
838	required by this Subsection (5)] To assist the Revenue and Taxation Interim
839	Committee with the review required by Section 59-10-137, the office shall
840	provide the following information, if available to the office, to the Office of the
841	Legislative Fiscal Analyst by electronic means:
842	(A) the amount of tax credit the office grants to each taxpayer for each calendar
843	year;
844	(B) estimates of the amount of tax credit that the office will grant for each of the
845	next three calendar years;

846	(C) the criteria the office uses in granting a tax credit;
847	(D) the dollars left in the state, as defined in Section 63N-8-102, by each motion
848	picture company for each calendar year;
849	(E) the information contained in the office's latest report under Section 63N-8-105
850	and
851	(F) any other information that the Office of the Legislative Fiscal Analyst requests
852	(ii)[(A)] In providing the information described in Subsection [$(5)(b)(i)$] $(5)(a)(i)$,
853	the office shall redact information that identifies a recipient of a tax credit
854	under this section.
855	[(B)] (iii) If, notwithstanding the redactions made under Subsection [$(5)(b)(ii)(A)$]
856	(5)(a)(ii), reporting the information described in Subsection $[(5)(b)(i)]$ $(5)(a)(i)$
857	might disclose the identity of a recipient of a tax credit, the office may file a
858	request with the Revenue and Taxation Interim Committee to provide the
859	information described in Subsection $[(5)(b)(i)]$ $(5)(a)(i)$ in the aggregate for all
860	taxpayers that receive the tax credit under this section.
861	[(e)] (b) [As part of the study required by this Subsection (5), the] The Office of the
862	Legislative Fiscal Analyst shall report to the Revenue and Taxation Interim
863	Committee a summary and analysis of the information provided to the Office of the
864	Legislative Fiscal Analyst by the office under Subsection $[(5)(b)]$ $(5)(a)$.
865	[(d) The Revenue and Taxation Interim Committee shall ensure that the
866	recommendations described in Subsection (5)(a) include an evaluation of:]
867	[(i) the cost of the tax credit to the state;]
868	[(ii) the effectiveness of the tax credit; and]
869	[(iii) the extent to which the state benefits from the tax credit.]
870	Section 15. Effective Date.
871	This bill takes effect on May 7, 2025.