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Major Sporting Event Venue Financing Amendments

2025 GENERAL SESSION STATE OF UTAH

Chief Sponsor: Jerry W. Stevenson

House Sponsor:

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LONG TITLE

General Description:

This bill enacts the Major Sporting Event Venue Zone Act and related provisions.

Highlighted Provisions:

- 7 This bill:
- 8 defines terms;
 - establishes objectives and requirements for a municipality or county to create a major sporting event venue zone to capture property tax increment and sales and use tax
- increment within a defined area around a major sporting event venue;
- 12 defines permitted uses and administration of property tax increment and sales and use tax 13 increment generated pursuant to a major sporting event venue zone;
- 14 authorizes a creating entity of a major sporting event venue to impose, under certain circumstances:
 - an accommodation tax within a major sporting event venue zone;
 - a resort communities sales and use tax within a major sporting event venue zone;
- an additional resort communities sales and use tax within a major sporting event venue zone:
- if the creating entity is a county, a municipal energy tax within a major sporting event venue zone; and
 - if the creating entity is a county, a municipal telecommunications tax within a major sporting event venue zone;
- provides that certain counties of the third class can implement a resort communities tax, the same as if the county of the third class were an eligible municipality;
 - authorizes a creating entity of a major sporting event venue zone to designate a community reinvestment agency or a public infrastructure district as a fiscal agent for major sporting event venue zone funds;
 - authorizes a creating entity to enter into an agreement with a person to utilize major sporting event venue zone funds in regard to:

- owning, leasing, or operating a major sporting event venue; or
 developing affordable housing in the major sporting event venue zone or impacted
- primary project area of a major sporting event venue zone;
- authorizes a creating entity to utilize major sporting venue zone funds to bond;
- requires a municipality or county to submit a major sporting event venue zone proposal to the Governor's Office of Economic Opportunity;
- requires the Governor's Office of Economic Opportunity to initiate an analysis of the feasibility of the major sporting event venue zone proposal;
- creates and defines the membership of a committee to review a proposed major sporting event venue zone:
- requires the committee to evaluate the proposed major sporting event venue zone and, if
 certain criteria are met, approve the proposal with or without modifications;
 - requires participation from local taxing entities if the major sporting event venue zone meets statutory requirements;
- provides procedures for a major sports event venue that overlaps with a community reinvestment project, a housing and transit reinvestment zone, a first home investment zone, or a revitalization zone; and
 - makes technical and conforming changes.
- 49 Money Appropriated in this Bill:
- 50 None

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- 51 Other Special Clauses:
- 52 None
- 53 Utah Code Sections Affected:
- 54 AMENDS:
- 55 **10-1-303**, as last amended by Laws of Utah 2024, Chapters 419, 438
- 56 **10-1-304**, as last amended by Laws of Utah 2024, Chapter 419
- 57 **10-1-403**, as last amended by Laws of Utah 2024, Chapter 419
- 58 **59-2-924**, as last amended by Laws of Utah 2024, Chapter 258
- 59 **59-12-103**, as last amended by Laws of Utah 2024, Chapters 88, 501
- 59-12-205, as last amended by Laws of Utah 2024, Chapter 535
- 61 **59-12-352**, as last amended by Laws of Utah 2024, Chapters 413, 419
- **59-12-354**, as last amended by Laws of Utah 2024, Chapter 419
- 63 **59-12-401**, as last amended by Laws of Utah 2024, Chapter 419
- **59-12-402**, as last amended by Laws of Utah 2024, Chapter 419

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         59-12-405, as last amended by Laws of Utah 2019, Chapter 245
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     ENACTS:
67
         11-71-101, Utah Code Annotated 1953
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         11-71-201, Utah Code Annotated 1953
69
         11-71-202, Utah Code Annotated 1953
70
         11-71-203, Utah Code Annotated 1953
71
         11-71-204, Utah Code Annotated 1953
72
         11-71-301, Utah Code Annotated 1953
73
         11-71-302, Utah Code Annotated 1953
74
         63N-3-1701, Utah Code Annotated 1953
75
         63N-3-1702, Utah Code Annotated 1953
76
         63N-3-1703, Utah Code Annotated 1953
77
         63N-3-1704, Utah Code Annotated 1953
78
         63N-3-1705, Utah Code Annotated 1953
79
         63N-3-1706, Utah Code Annotated 1953
80
         63N-3-1707, Utah Code Annotated 1953
81
         63N-3-1708, Utah Code Annotated 1953
82
         63N-3-1709, Utah Code Annotated 1953
83
         63N-3-1710, Utah Code Annotated 1953
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         63N-3-1711, Utah Code Annotated 1953
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         63N-3-1712. Utah Code Annotated 1953
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     Be it enacted by the Legislature of the state of Utah:
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           Section 1. Section 10-1-303 is amended to read:
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           10-1-303 . Definitions.
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         As used in this part:
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     (1) "Commission" means the State Tax Commission.
     (2) "Contractual franchise fee" means:
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         (a) a fee:
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             (i) provided for in a franchise agreement; and
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             (ii) that is consideration for the franchise agreement; or
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         (b)(i) a fee similar to Subsection (2)(a); or
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             (ii) any combination of Subsections (2)(a) and (b).
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     (3)(a) "Delivered value" means the fair market value of the taxable energy delivered for
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- sale or use in the municipality and includes:
- (i) the value of the energy itself; and
- 101 (ii) any transportation, freight, customer demand charges, services charges, or other
- 102 costs typically incurred in providing taxable energy in usable form to each class of
- 103 customer in the municipality.
- (b) "Delivered value" does not include the amount of a tax paid under:
- 105 (i) Title 59, Chapter 12, Sales and Use Tax Act; or
- 106 (ii) this part.
- 107 (4) "De minimis amount" means an amount of taxable energy that does not exceed the
- greater of:
- (a) 5% of the energy supplier's estimated total Utah gross receipts from sales of property
- or services; or
- 111 (b) \$10,000.
- 112 (5) "Energy supplier" means a person supplying taxable energy, except that the commission
- may by rule exclude from this definition a person supplying a de minimis amount of
- taxable energy.
- 115 (6) "Fairpark district" means the Utah Fairpark Area Investment and Restoration District,
- 116 created in Section 11-70-201.
- 117 (7) "Franchise agreement" means a franchise or an ordinance, contract, or agreement
- granting a franchise.
- 119 (8) "Franchise tax" means:
- 120 (a) a franchise tax;
- (b) a tax similar to a franchise tax; or
- (c) any combination of Subsections (8)(a) and (b).
- 123 (9) "Major sporting event venue zone" means the same as that term is defined in Section
- 124 63N-3-1701.
- [(9)] (10) "Military authority" means the Military Installation Development Authority,
- created in Section 63H-1-201.
- 127 $\left[\frac{10}{10}\right]$ (11) "Municipality" means a city or town.
- 128 $[\frac{(11)}{(12)}]$ (12) "Person" is as defined in Section 59-12-102.
- 129 [(12)] (13) "Point of the mountain authority" means the Point of the Mountain State Land
- 130 Authority, created in Section 11-59-201.
- 131 [(13)] (14) "Taxable energy" means gas and electricity.
- Section 2. Section **10-1-304** is amended to read:

133	10-1-304. Energy sales and use tax Rate Imposition or repeal of tax Tax
134	rate change Effective date Notice requirements Exemptions.
135	(1)(a) Except as provided in Subsections (4) and (5), a municipality may levy a
136	municipal energy sales and use tax on the sale or use of taxable energy within the
137	municipality:
138	(i) by ordinance as provided in Section 10-1-305; and
139	(ii) of up to 6% of the delivered value of the taxable energy.
140	(b) Subject to Section 63H-1-203, the military authority may levy a municipal energy
141	sales and use tax under this part within a project area described in a project area plan
142	adopted by the military authority under Title 63H, Chapter 1, Military Installation
143	Development Authority Act, as though the military authority were a municipality.
144	(c)(i) Beginning July 1, 2022, the point of the mountain authority may by resolution
145	levy a municipal energy sales and use tax under this part within the area that
146	constitutes the point of the mountain state land, as defined in Section 11-59-102,
147	as though the point of the mountain authority were a municipality.
148	(ii) The point of the mountain authority's adoption of a resolution under Subsection
149	(1)(c)(i) that otherwise complies with the requirements under this part applicable
150	to an ordinance is considered the equivalent of adopting an ordinance under this
151	part.
152	(d)(i) Beginning October 1, 2024, the fairpark district may by resolution levy a
153	municipal energy sales and use tax under this part within the district sales tax area,
154	as defined in Section 11-70-101, as though the fairpark district were a
155	municipality.
156	(ii) The fairpark district's adoption of a resolution under Subsection (1)(d)(i) that
157	otherwise complies with the requirements under this part applicable to an
158	ordinance is considered the equivalent of adopting an ordinance under this part.
159	(e) Beginning January 1, 2026, the legislative body of a county with a major sporting
160	event venue zone on unincorporated county land may, by ordinance, levy a municipal
161	energy sales and use tax on the sale or use of taxable energy within the portion of the
162	major sporting event venue zone that is on unincorporated county land, as though the
163	county were a municipality.
164	(2) A municipal energy sales and use tax imposed under this part may be in addition to any
165	sales and use tax imposed by the municipality under Title 59, Chapter 12, Sales and Use
166	Tax Act.

167	(3)(a) For purposes of this Subsection (3):
168	(i) "Annexation" means an annexation to a municipality under Chapter 2, Part 4,
169	Annexation.
170	(ii) "Annexing area" means an area that is annexed into a municipality.
171	(b)(i) If, on or after May 1, 2000, a city or town enacts or repeals a tax or changes the
172	rate of a tax under this part, the enactment, repeal, or change shall take effect:
173	(A) on the first day of a calendar quarter; and
174	(B) after a 90-day period beginning on the date the commission receives notice
175	meeting the requirements of Subsection (3)(b)(ii) from the municipality.
176	(ii) The notice described in Subsection (3)(b)(i)(B) shall state:
177	(A) that the city or town will enact or repeal a tax or change the rate of a tax under
178	this part;
179	(B) the statutory authority for the tax described in Subsection (3)(b)(ii)(A);
180	(C) the effective date of the tax described in Subsection (3)(b)(ii)(A); and
181	(D) if the city or town enacts the tax or changes the rate of the tax described in
182	Subsection (3)(b)(ii)(A), the new rate of the tax.
183	(c)(i) If, for an annexation that occurs on or after May 1, 2000, the annexation will
184	result in a change in the rate of a tax under this part for an annexing area, the
185	change shall take effect:
186	(A) on the first day of a calendar quarter; and
187	(B) after a 90-day period beginning on the date the commission receives notice
188	meeting the requirements of Subsection (3)(c)(ii) from the municipality that
189	annexes the annexing area.
190	(ii) The notice described in Subsection (3)(c)(i)(B) shall state:
191	(A) that the annexation described in Subsection (3)(c)(i) will result in a change in
192	the rate of a tax under this part for the annexing area;
193	(B) the statutory authority for the tax described in Subsection (3)(c)(ii)(A);
194	(C) the effective date of the tax described in Subsection (3)(c)(ii)(A); and
195	(D) the new rate of the tax described in Subsection (3)(c)(ii)(A).
196	(4)(a) Subject to Subsection (4)(b), a sale or use of electricity within a municipality is
197	exempt from the tax authorized by this section if the sale or use is made under a tariff
198	adopted by the Public Service Commission [of Utah-]only for purchase of electricity
199	produced from a new source of alternative energy, as defined in Section 59-12-102,
200	as designated in the tariff by the Public Service Commission[-of Utah].

201	(b) The exemption under Subsection (4)(a) applies to the portion of the tariff rate a
202	customer pays under the tariff described in Subsection (4)(a) that exceeds the tariff
203	rate under the tariff described in Subsection (4)(a) that the customer would have paid
204	absent the tariff.
205	(5)(a) A municipality may not levy a municipal energy sales and use tax:
206	(i) within any portion of the municipality that is within a project area described in a
207	project area plan adopted by the military authority under Title 63H, Chapter 1,
208	Military Installation Development Authority Act;
209	(ii) on or after July 1, 2022, within the point of the mountain state land, as defined in
210	Section 11-59-102; or
211	(iii) on or after October 1, 2024, within the district sales tax area, as defined in
212	Section 11-70-101.
213	(b) Subsection (5)(a) does not apply to:
214	(i) the military authority's levy of a municipal energy sales and use tax;
215	(ii) the point of the mountain authority's levy of a municipal energy sales and use tax
216	or
217	(iii) the fairpark district's levy of a municipal energy sales and use tax.
218	(6) A tax levied under this part by the military authority, point of the mountain authority, [
219	or-]fairpark district, or county with a major sporting event venue zone shall be
220	administered and collected on behalf of and paid to the military authority, point of the
221	mountain authority, [or-]fairpark district, or county with a major sporting event venue
222	zone respectively, in the same way that a tax levied under this part by a municipality is
223	administered and collected on behalf of and paid to the municipality.
224	Section 3. Section 10-1-403 is amended to read:
225	10-1-403. Levy of telecommunications license tax Recovery from customers
226	Enactment, repeal, or change in rate of tax Annexation.
227	(1)(a)(i) Subject to the provisions of this section, beginning July 1, 2004, a
228	municipality may levy on and provide that there is collected from a
229	telecommunications provider a municipal telecommunications license tax on the
230	telecommunications provider's gross receipts from telecommunications service
231	that are attributed to the municipality in accordance with Section 10-1-407.
232	(ii) Subject to Section 63H-1-203, the military installation development authority
233	created in Section 63H-1-201 may levy and collect a municipal
234	telecommunications license tax under this part for telecommunications service

235 provided within a project area described in a project area plan adopted by the 236 authority under Title 63H, Chapter 1, Military Installation Development Authority 237 Act, as though the authority were a municipality. 238 (iii) Beginning October 1, 2024, the Utah Fairpark Area Investment and Restoration 239 District, created in Section 11-70-201, may levy and collect a municipal 240 telecommunications license tax under this part for telecommunications service 241 provided within the district sales tax area, as defined in Section 11-70-101, to the 242 same extent and in the same manner that a municipality is authorized to levy and 243 collect a municipal telecommunications license tax under this part. 244 (iv) Beginning January 1, 2026, a county with a major sporting event venue zone 245 may by ordinance levy a municipal telecommunications license tax under this part 246 for telecommunications service provided within the portion of the major sporting 247 event venue zone that is on unincorporated county land as though the county were 248 a municipality. (b) To levy and provide for the collection of a municipal telecommunications license tax 249 250 under this part, the municipality shall adopt an ordinance that complies with the 251 requirements of Section 10-1-404. 252 (c) Beginning on July 1, 2007, a municipal telecommunications license tax imposed 253 under this part shall be at a rate of up to 3.5% of the telecommunications provider's 254 gross receipts from telecommunications service that are attributed to the municipality 255 in accordance with Section 10-1-407. 256 (2) A telecommunications provider may recover the amounts paid in municipal 257 telecommunications license taxes from the customers of the telecommunications 258 provider within the municipality imposing the municipal telecommunications license tax 259 through a charge that is separately identified in the statement of the transaction with the 260 customer as the recovery of a tax. 261 (3)(a) For purposes of this Subsection (3): 262 (i) "Annexation" means an annexation to a municipality under [Title 10], Chapter 2, 263 Part 4, Annexation. 264 (ii) "Annexing area" means an area that is annexed into a municipality. 265 (b)(i) If, on or after July 1, 2004, a municipality enacts or repeals a tax or changes the 266 rate of the tax under this part, the enactment, repeal, or change shall take effect: 267 (A) on the first day of a calendar quarter; and 268 (B) after a 90-day period beginning on the date the commission receives notice

269	meeting the requirements of Subsection (3)(b)(ii) from the municipality.
270	(ii) The notice described in Subsection (3)(b)(i)(B) shall state:
271	(A) that the municipality will enact or repeal a tax under this part or change the
272	rate of the tax;
273	(B) the statutory authority for the tax described in Subsection (3)(b)(ii)(A);
274	(C) the effective date of the tax described in Subsection (3)(b)(ii)(A); and
275	(D) if the municipality enacts the municipal telecommunications license tax or
276	changes the rate of the tax, the new rate of the tax.
277	(c)(i) If, for an annexation that occurs on or after July 1, 2004, the annexation will
278	result in a change in the rate of the tax under this part for an annexing area, the
279	change shall take effect:
280	(A) on the first day of a calendar quarter; and
281	(B) after a 90-day period beginning on the date the commission receives notice
282	meeting the requirements of Subsection (3)(c)(ii) from the municipality that
283	annexes the annexing area.
284	(ii) The notice described in Subsection (3)(c)(i)(B) shall state:
285	(A) that the annexation described in Subsection (3)(c)(i) will result in a change in
286	the rate of a tax under this part for the annexing area;
287	(B) the statutory authority for the tax described in Subsection (3)(c)(ii)(A);
288	(C) the effective date of the tax described in Subsection (3)(c)(ii)(A); and
289	(D) the new rate of the tax described in Subsection (3)(c)(ii)(A).
290	(4) Notwithstanding Subsection (3)(b), for purposes of a change in a municipal
291	telecommunications license tax rate that takes effect on July 1, 2007, a municipality is
292	not subject to the notice requirements of Subsection (3)(b) if:
293	(a) on June 30, 2007, the municipality has in effect an ordinance that levies a municipal
294	telecommunications license tax at a rate that exceeds 3.5%; and
295	(b) on July 1, 2007, the municipality has in effect an ordinance that levies a municipal
296	telecommunications license tax at a rate of 3.5%.
297	(5) Notwithstanding Subsection (3)(b), for purposes of a change in a municipal
298	telecommunications license tax rate that takes effect on July 1, 2007, the 90-day period
299	described in Subsection (3)(b)(i)(B) is considered to be a 30-day period if:
300	(a) on June 30, 2007, the municipality has in effect an ordinance that levies a municipal
301	telecommunications license tax at a rate that exceeds 3.5%; and
302	(b) on July 1, 2007, the municipality has in effect an ordinance that levies a municipal

303	telecommunications license tax at a rate that is less than 3.5%.
304	(6)(a)(i) A municipality may not levy or collect a municipal telecommunications
305	license tax for telecommunications service provided within any portion of the
306	municipality that is within a project area described in a project area plan adopted
307	by the military installation development authority under Title 63H, Chapter 1,
308	Military Installation Development Authority Act.
309	(ii) Beginning October 1, 2024, a municipality may not levy or collect a municipal
310	telecommunications license fee for telecommunications service provided within
311	any portion of the municipality that is within the district sales tax area, as defined
312	in Section 11-70-101.
313	(b) Subsection (6)(a) does not apply to:
314	(i) the military installation development authority's levy of a municipal
315	telecommunications license tax; or
316	(ii) the levy of a municipal telecommunications license tax by the Utah Fairpark Area
317	Investment and Restoration District, created in Section 11-70-201.
318	(7)(a) The State Tax Commission shall provide to the military installation development
319	authority the collection data necessary to verify that revenue collected by the State
320	Tax Commission is distributed to the military installation development authority in
321	accordance with this part.
322	(b) The data described in Subsection (7)(a) shall include the State Tax Commission's
323	breakdown of military installation development authority revenue, including reports
324	of collections and distributions.
325	Section 4. Section 11-71-101 is enacted to read:
326	CHAPTER 71. MAJOR SPORTING EVENT VENUE ZONES
327	Part 1. General Provisions
328	<u>11-71-101</u> . Definitions.
329	As used in this chapter:
330	(1) "Accommodations and services" means an accommodation or service described in
331	Subsection 59-12-103(1)(i).
332	(2) "Affordable housing" means a dwelling:
333	(a) offered for sale to a potential owner-occupier at a purchase price affordable to a
334	household with a gross income of no more than 120% of area median income for the
335	county in which the residential unit is offered for sale; or

336	(b) offered for rent at a rental price affordable to a household with a gross income of no
337	more than 80% of area median income for the county in which the residential unit is
338	offered for rent.
339	(3) "Agency" means a community reinvestment agency established by a creating entity
340	under Title 17C, Limited Purpose Local Government Entities - Community
341	Reinvestment Agencies.
342	(4) "Committee" means a major sporting event venue zone committee convened under Title
343	63N, Chapter 3, Part 17, Major Sporting Event Venue Zone Act.
344	(5) "Creating entity" means:
345	(a) a municipality or county with an approved major sporting event venue zone in the
346	jurisdictional boundaries of the municipality or county; or
347	(b) one or more municipalities, one or more counties, or a municipality and a county that
348	(i) have entered into an interlocal agreement to form a major sporting event venue
349	zone; and
350	(ii) have an approved major sporting event venue zone, as described in Title 63N,
351	Chapter 3, Part 17, Major Sporting Event Venue Zone Act.
352	(6) "Development" means:
353	(a) construction of a new major sporting event venue, including public infrastructure and
354	improvements;
355	(b) demolition, reconstruction, modification, upgrade, or expansion of an existing but
356	aging major sporting event venue, including new public infrastructure, public
357	infrastructure upgrades, or public infrastructure improvements; and
358	(c) the planning of, arranging for, or participation in activities listed in Subsections (5)(a)
359	and (b).
360	(7) "Fiscal agent" means:
361	(a) an agency; or
362	(b) a public infrastructure financing district created under Title 17D, Chapter 4, Public
363	Infrastructure District Act.
364	(8) "Impacted primary area" means the same as that term is defined in Section 63N-3-1701.
365	(9) "Major sporting event venue zone" means the area within a municipality or county
366	approved by a major sporting event venue zone committee, as described in Title 63N,
367	Chapter 3, Part 17, Major Sporting Event Venue Zone Act.
368	(10) "Major sporting event venue zone revenue" means the same as that term is defined in
369	Section 63N-3-1701

370	(11) "Owner-occupier" means an individual who owns, solely or jointly, a housing unit in
371	which the individual lives as the individual's primary residence.
372	(12) "Primary project area" means the same as that term is defined in Section 63N-3-1701.
373	(13)(a) "Public infrastructure and improvements" means infrastructure, improvements,
374	facilities, or buildings that:
375	(i)(A) benefit the public and are owned by a public entity or a public utility; or
376	(B) benefit the public and are publicly maintained or operated by a public entity; or
377	(ii)(A) are privately owned;
378	(B) benefit the public;
379	(C) as determined by the legislative body of the creating entity, provide a
380	substantial benefit to the development and operation of a major sporting event
381	venue zone or affordable housing units built in association with a major
382	sporting event venue zone; and
383	(D) are built according to applicable county or municipal design and safety
384	standards.
385	(b) "Public infrastructure and improvements" includes:
386	(i) facilities, lines, or systems that provide water, sewer, storm drainage, natural gas,
387	electricity, energy storage, clean energy, microgrids, or telecommunications
388	service; and
389	(ii) a transportation system or components of a transportation system.
390	(14) "Qualified development zone" means the same as that term is defined in Section
391	<u>63N-3-1701.</u>
392	(15) "Secondary project area" means the same as that term is defined in Section 63N-3-1701.
393	(16) "Transportation system" means the same as the term is defined in Section 63N-3-1701.
394	Section 5. Section 11-71-201 is enacted to read:
395	11-71-201 . Taxes within and for the benefit of a major sporting event venue zone.
396	(1) The legislative body of a creating entity may, by ordinance, impose within the
397	boundaries of a qualified development zone for a major sporting event venue:
398	(a)(i) the accommodations tax described in Section 11-71-202; or
399	(ii)(A) a transient room tax, as described in Section 59-12-352;
400	(B) a resort communities sales and use tax, as described in Section 59-12-401; and
401	(C) an additional resort communities sales and use tax, as described in Section
402	59-12-402; and
403	(b) for a creating entity county:

404	(i) a municipal energy sales and use tax on the sale or use of taxable energy within
405	the part of the qualified development zone on the county's unincorporated land, as
406	described in Section 10-1-304; and
407	(ii) a municipal telecommunications license tax under this part for
408	telecommunications service provided within the part of the qualified development
409	zone on the county's unincorporated land, as described in Section 10-1-403.
410	(2) Revenue generated by a tax described in Subsection (1) is governed by Section
411	<u>11-71-203.</u>
412	Section 6. Section 11-71-202 is enacted to read:
413	11-71-202 . Accommodations tax.
414	(1) A creating entity may impose by ordinance an accommodations tax on a provider for
415	amounts paid or charged for accommodations and services, if the place of
416	accommodation is:
417	(a) located within a qualified development zone of a major sporting event venue; and
418	(b) located on:
419	(i) municipality-owned or county-owned property;
420	(ii) privately owned property on which the creating entity owns some or all of the
421	place of accommodation; or
422	(iii) privately owned property on which the creating entity legislative body finds that
423	a private owner is receiving significant benefit due to the proximity of the major
424	sporting event venue to the privately owned property
425	(2) The maximum rate of the accommodations tax authorized by this section is 15% of the
426	amounts paid to or charged by the provider for accommodations and services.
427	(3) A provider may recover an amount equal to the accommodations tax authorized in this
428	section from customers, if the provider includes the amount as a separate billing line
429	<u>item.</u>
430	(4) If a creating entity imposes the tax described in this section for an area within a
431	qualified development zone, the creating entity may not also impose on the amounts
432	paid or charged for accommodations and services in the same area any other tax
433	described in:
434	(a) Title 59, Chapter 12, Sales and Use Tax Act; or
435	(b) Title 59, Chapter 28, State Transient Room Tax Act.
436	(5) Except as provided in Subsection (6) or (7), the tax imposed under this section shall be
437	administered, collected, and enforced in accordance with:

438	(a) the same procedures used to administer, collect, and enforce the tax under:
439	(i) Title 59, Chapter 12, Part 1, Tax Collection; or
440	(ii) Title 59, Chapter 12, Part 2, Local Sales and Use Tax Act; and
441	(b) Title 59, Chapter 1, General Taxation Policies.
442	(6) The location of a transaction shall be determined in accordance with Sections 59-12-211
443	through 59-12-215.
444	(7)(a) A tax under this section is not subject to Section 59-12-107.1 or 59-12-123 or
445	Subsections 59-12-205(2) through (5).
446	(b) The exemptions described in Sections 59-12-104, 59-12-104.1, and 59-12-104.6 do
447	not apply to a tax imposed under this section.
448	(8) The State Tax Commission shall:
449	(a) except as provided in Subsection (8)(b), distribute the revenue collected from the tax
450	to the creating entity; and
451	(b) retain and deposit an administrative charge in accordance with Section 59-1-306
452	from revenue the commission collects from a tax under this section.
453	(9)(a) If the creating entity imposes, repeals, or changes the rate of tax under this
454	section, the implementation, repeal, or change shall take effect:
455	(i) on the first day of a calendar quarter; and
456	(ii) after a 90-day period beginning on the date the State Tax Commission receives
457	the notice described in Subsection (9)(b) from the creating entity.
458	(b) The notice required in Subsection (9)(a)(ii) shall state:
459	(i) that the creating entity will impose, repeal, or change the rate of a tax under this
460	section;
461	(ii) the effective date of the implementation, repeal, or change of the tax; and
462	(iii) the rate of the tax.
463	Section 7. Section 11-71-203 is enacted to read:
464	11-71-203. Major sporting event venue zone revenue.
465	(1) The following are approved revenue sources for a major sporting event venue zone:
466	(a) property tax increment for:
467	(i) the major sporting event venue zone, for at least 25 years but no more than 40, as
468	approved by the committee; and
469	(ii) if applicable, the secondary project area, for at least 25 years but no more than 40,
470	as approved by the committee;
471	(b) sales and use tax increment for the major sporting event venue zone, for at least 25

472	years but no more than 40, as approved by the committee; and
473	(c) the revenue generated by a tax described in Section 11-71-201.
474	(2) Revenue generated from a source described in Subsection (1):
475	(a) is major sporting event venue zone revenue; and
476	(b) shall be administered by the creating entity or a fiscal agent designated by the
477	creating entity.
478	(3) If a creating entity designates a fiscal agent to administer major sporting event venue
479	zone revenue, the creating entity and fiscal agent shall first enter into an interlocal
480	agreement:
481	(a) governing the administration, distribution, use, and management of major sporting
482	event zone revenue; and
483	(b) with terms that are consistent with this chapter and Title 63N, Chapter 3, Part 17,
484	Major Sporting Event Venue Zone Act.
485	Section 8. Section 11-71-204 is enacted to read:
486	11-71-204. Allowable uses of major sporting event venue zone revenue.
487	(1) A creating entity or fiscal agent shall use major sporting event venue zone revenue
488	within, or for the direct benefit of:
489	(a) the major sporting event venue zone;
490	(b) a secondary project area, if any; and
491	(c) an impacted primary area, if:
492	(i) the creating entity finds that the use of the major sporting event venue zone
493	revenue will directly benefit the major sporting event venue; or
494	(ii) the major sporting event venue zone revenue is used to support the development
495	of affordable housing in the impacted primary area.
496	(2) A creating entity that receives major sporting event venue zone revenue, as described in
497	Section 11-22-203, shall allocate the revenue to:
498	(a) development in the major sporting event venue zone, including:
499	(i) constructing, furnishing, maintaining, or operating a major sporting event venue;
500	(ii) demolishing or remodeling an existing major sporting event venue, or portions of
501	a major sporting event venue;
502	(iii) public infrastructure and improvements supporting the major sporting event
503	venue; and
504	(iv) realigning public infrastructure within the primary project area to better support
505	the major sporting event venue;

506	(b) public infrastructure and improvements in a secondary project area, if any;
507	(c) public infrastructure and improvements in an impacted primary area, if the purpose is
508	to support the development of affordable housing; and
509	(d) making the annual payment of principal, interest, premiums, and necessary reserves
510	for any of the aggregate of bonds authorized under Subsection (3).
511	(3) A creating entity of a major sporting event venue zone may issue bonds, or cause bonds
512	to be issued, as permitted by law, to pay all or part of the costs incurred for the purposes
513	described in Subsections (2)(a) through (c), including the cost to issue and repay the
514	bonds including interest.
515	(4)(a) A creating entity or fiscal agent designated by a creating entity may create one or
516	more public infrastructure districts within the major sporting event venue zone under
517	Title 17D, Chapter 4, Public Infrastructure District Act, and pledge and utilize the
518	major sporting event venue zone funds to guarantee the payment of public
519	infrastructure bonds issued by a public infrastructure district.
520	(b) A public infrastructure district created by a creating entity may be designated a fiscal
521	agent by the creating entity.
522	(5) In addition to the purposes described in Subsection (2), a creating entity or fiscal agent
523	may also allocate major sporting event venue zone funding:
524	(a) to promote the major sporting event venue;
525	(b) to mitigate the impacts of the major sporting event venue on local services, including
526	solid waste disposal operations, law enforcement, and road repair and road upgrades;
527	<u>and</u>
528	(c) as described in Subsection (7).
529	(6)(a) The creating entity may use major sporting event venue zone revenue to cover the
530	costs of the creating entity to administer the major sporting event venue zone, not to
531	exceed:
532	(i) 2% of the total annual major sporting event venue zone revenue collected by the
533	creating entity for the benefit of the major sporting event venue zone; or
534	(ii) if the creating entity provides some major sporting event venue zone revenue to a
535	fiscal agent, 2% of the total annual major sporting event zone revenue retained by
536	the creating entity for the benefit of the major sporting event venue zone.
537	(b) If the creating entity provides some or all of the major sporting event venue zone
538	revenue to a fiscal agent, the interlocal agreement described in Subsection
539	11-71-203(3) shall provide that the fiscal agent expends no more than 2% of the

540	major sporting event venue zone revenue allocated by the creating entity to the fisca
541	agent on the fiscal agent's administrative costs.
542	(7) A creating entity may provide major sporting event venue zone revenue to a person
543	pursuant to a participation agreement or an agreement described in Section 11-71-301 or
544	<u>11-71-302.</u>
545	Section 9. Section 11-71-301 is enacted to read:
546	11-71-301 . Private-public partnerships for a major sporting event venue.
547	(1) A person that seeks to enter into a private-public partnership with a creating entity shall
548	provide the creating entity with an application that:
549	(a) demonstrates the applicant is qualified to operate, in whole or in part, a major
550	sporting event venue; and
551	(b) provides any additional information required by the creating entity.
552	(2) A creating entity may enter into a private-public partnership:
553	(a) if, after reviewing the application described in Subsection (1), the creating entity
554	determines a private-public partnership will promote the objectives of the major
555	sporting event venue zone; and
556	(b) through an agreement described in this section.
557	(3) An agreement to create a private-public partnership between a person and a creating
558	entity:
559	(a) may establish or recognize an ownership interest in the major sporting event venue
560	for the person, in consideration of the person's financial investment in the major
561	sporting event venue;
562	(b) may establish an ownership interest in the major sporting event venue for the
563	creating entity, in consideration of the creating entity's financial investment in the
564	major sporting event venue zone and primary project area; and
565	(c) may create a lease interest for the person in the major sporting event venue.
566	Section 10. Section 11-71-302 is enacted to read:
567	11-71-302 . Private-public partnerships for affordable housing projects.
568	(1) A creating entity may provide major sporting event venue zone revenue to a participant,
569	if the creating entity and participant enter into a participation agreement which requires
570	the participant to use the major sporting event venue zone revenue:
571	(a) to develop affordable housing; and
572	(b) as described in this chapter and Title 63N, Chapter 3, Part 17, Major Sporting Event
573	Venue Zone Act.

574	(2) Major sporting event venue zone revenue provided to a participant as described in this
575	section is not a retail facility incentives payment, as described in Chapter 41, Prohibition
576	on Retail Facility Incentive Payments Act.
577	Section 11. Section 59-2-924 is amended to read:
578	59-2-924. Definitions Report of valuation of property to county auditor and
579	commission Transmittal by auditor to governing bodies Calculation of certified tax
580	rate Rulemaking authority Adoption of tentative budget Notice provided by the
581	commission.
582	(1) As used in this section:
583	(a)(i) "Ad valorem property tax revenue" means revenue collected in accordance with
584	this chapter.
585	(ii) "Ad valorem property tax revenue" does not include:
586	(A) interest;
587	(B) penalties;
588	(C) collections from redemptions; or
589	(D) revenue received by a taxing entity from personal property that is
590	semiconductor manufacturing equipment assessed by a county assessor in
591	accordance with Part 3, County Assessment.
592	(b) "Adjusted tax increment" means the same as that term is defined in Section
593	17C-1-102.
594	(c)(i) "Aggregate taxable value of all property taxed" means:
595	(A) the aggregate taxable value of all real property a county assessor assesses in
596	accordance with Part 3, County Assessment, for the current year;
597	(B) the aggregate taxable value of all real and personal property the commission
598	assesses in accordance with Part 2, Assessment of Property, for the current
599	year; and
500	(C) the aggregate year end taxable value of all personal property a county assessor
501	assesses in accordance with Part 3, County Assessment, contained on the prior
502	year's tax rolls of the taxing entity.
503	(ii) "Aggregate taxable value of all property taxed" does not include the aggregate
504	year end taxable value of personal property that is:
505	(A) semiconductor manufacturing equipment assessed by a county assessor in
506	accordance with Part 3, County Assessment; and
507	(B) contained on the prior year's tax rolls of the taxing entity

608	(d) "Base taxable value" means:
609	(i) for an authority created under Section 11-58-201, the same as that term is defined
610	in Section 11-58-102;
611	(ii) for the Point of the Mountain State Land Authority created in Section 11-59-201,
612	the same as that term is defined in Section 11-59-207;
613	(iii) for the Utah Fairpark Area Investment and Restoration District created in Section
614	11-70-201, the same as that term is defined in Section 11-70-101;
615	(iv) for an agency created under Section 17C-1-201.5, the same as that term is
616	defined in Section 17C-1-102;
617	(v) for an authority created under Section 63H-1-201, the same as that term is defined
618	in Section 63H-1-102;
619	(vi) for a host local government, the same as that term is defined in Section
620	63N-2-502;
621	(vii) for a housing and transit reinvestment zone created under Title 63N, Chapter 3,
622	Part 6, Housing and Transit Reinvestment Zone Act, a property's taxable value as
623	shown upon the assessment roll last equalized during the base year, as that term is
624	defined in Section 63N-3-602;
625	(viii) for a home ownership promotion zone created under Title 10, Chapter 9a, Part
626	10, Home Ownership Promotion Zone for Municipalities, or Title 17, Chapter
627	27a, Part 12, Home Ownership Promotion Zone for Counties, a property's taxable
628	value as shown upon the assessment roll last equalized during the base year, as
629	that term is defined in Section 10-9a-1001 or Section 17-27a-1201; [or]
630	(ix) for a first home investment zone created under Title 63N, Chapter 3, Part 16,
631	First Home Investment Zone Act, a property's taxable value as shown upon the
632	assessment roll last equalized during the base year, as that term is defined in
633	Section 63N-3-1601[-] ; or
634	(x) for a major sporting event venue zone created under Title 63N, Chapter 3, Part
635	17, Major Sporting Event Venue Zone Act, a property's taxable value as shown
636	upon the assessment roll last equalized during the base year, as that term is
637	defined in Section 63N-3-1701.
638	(e) "Centrally assessed benchmark value" means an amount equal to the average year
639	end taxable value of real and personal property the commission assesses in
640	accordance with Part 2, Assessment of Property, for the previous three calendar
641	vears, adjusted for taxable value attributable to:

642	(i) an annexation to a taxing entity;
643	(ii) an incorrect allocation of taxable value of real or personal property the
644	commission assesses in accordance with Part 2, Assessment of Property; or
645	(iii) a change in value as a result of a change in the method of apportioning the value
646	prescribed by the Legislature, a court, or the commission in an administrative rule
647	or administrative order.
648	(f)(i) "Centrally assessed new growth" means the greater of:
649	(A) zero; or
650	(B) the amount calculated by subtracting the centrally assessed benchmark value
651	adjusted for prior year end incremental value from the taxable value of real and
652	personal property the commission assesses in accordance with Part 2,
653	Assessment of Property, for the current year, adjusted for current year
654	incremental value.
655	(ii) "Centrally assessed new growth" does not include a change in value as a result of
656	a change in the method of apportioning the value prescribed by the Legislature, a
657	court, or the commission in an administrative rule or administrative order.
658	(g) "Certified tax rate" means a tax rate that will provide the same ad valorem property
659	tax revenue for a taxing entity as was budgeted by that taxing entity for the prior year.
660	(h) "Community reinvestment agency" means the same as that term is defined in Section
661	17C-1-102.
662	(i) "Eligible new growth" means the greater of:
663	(i) zero; or
664	(ii) the sum of:
665	(A) locally assessed new growth;
666	(B) centrally assessed new growth; and
667	(C) project area new growth or hotel property new growth.
668	(j) "Host local government" means the same as that term is defined in Section 63N-2-502.
669	(k) "Hotel property" means the same as that term is defined in Section 63N-2-502.
670	(l) "Hotel property new growth" means an amount equal to the incremental value that is
671	no longer provided to a host local government as incremental property tax revenue.
672	(m) "Incremental property tax revenue" means the same as that term is defined in
673	Section 63N-2-502.
674	(n) "Incremental value" means:
675	(i) for an authority created under Section 11-58-201, the amount calculated by

676	multiplying:
677	(A) the difference between the taxable value and the base taxable value of the
678	property that is located within a project area and on which property tax
679	differential is collected; and
680	(B) the number that represents the percentage of the property tax differential that
681	is paid to the authority;
682	(ii) for the Point of the Mountain State Land Authority created in Section 11-59-201,
683	an amount calculated by multiplying:
684	(A) the difference between the current assessed value of the property and the base
685	taxable value; and
686	(B) the number that represents the percentage of the property tax augmentation, as
687	defined in Section 11-59-207, that is paid to the Point of the Mountain State
688	Land Authority;
689	(iii) for the Utah Fairpark Area Investment and Restoration District created in Section
690	11-70-201, the amount calculated by multiplying:
691	(A) the difference between the taxable value for the current year and the base
692	taxable value of the property that is located within a project area; and
693	(B) the number that represents the percentage of enhanced property tax revenue,
694	as defined in Section 11-70-101;
695	(iv) for an agency created under Section 17C-1-201.5, the amount calculated by
696	multiplying:
697	(A) the difference between the taxable value and the base taxable value of the
698	property located within a project area and on which tax increment is collected;
699	and
700	(B) the number that represents the adjusted tax increment from that project area
701	that is paid to the agency;
702	(v) for an authority created under Section 63H-1-201, the amount calculated by
703	multiplying:
704	(A) the difference between the taxable value and the base taxable value of the
705	property located within a project area and on which property tax allocation is
706	collected; and
707	(B) the number that represents the percentage of the property tax allocation from
708	that project area that is paid to the authority;
709	(vi) for a housing and transit reinvestment zone created pursuant to Title 63N,

710	Chapter 3, Part 6, Housing and Transit Reinvestment Zone Act, an amount
711	calculated by multiplying:
712	(A) the difference between the taxable value and the base taxable value of the
713	property that is located within a housing and transit reinvestment zone and on
714	which tax increment is collected; and
715	(B) the number that represents the percentage of the tax increment that is paid to
716	the housing and transit reinvestment zone;
717	(vii) for a host local government, an amount calculated by multiplying:
718	(A) the difference between the taxable value and the base taxable value of the
719	hotel property on which incremental property tax revenue is collected; and
720	(B) the number that represents the percentage of the incremental property tax
721	revenue from that hotel property that is paid to the host local government;
722	(viii) for a home ownership promotion zone created under Title 10, Chapter 9a, Part
723	10, Home Ownership Promotion Zone for Municipalities, or Title 17, Chapter
724	27a, Part 12, Home Ownership Promotion Zone for Counties, an amount
725	calculated by multiplying:
726	(A) the difference between the taxable value and the base taxable value of the
727	property that is located within a home ownership promotion zone and on which
728	tax increment is collected; and
729	(B) the number that represents the percentage of the tax increment that is paid to
730	the home ownership promotion zone; [or]
731	(ix) for a first home investment zone created pursuant to Title 63N, Chapter 3, Part
732	16, First Home Investment Zone Act, an amount calculated by multiplying:
733	(A) the difference between the taxable value and the base taxable value of the
734	property that is located within a first home investment zone and on which tax
735	increment is collected; and
736	(B) the number that represents the percentage of the tax increment that is paid to
737	the first home investment zone[-] ; or
738	(x) for a major sporting event venue zone created pursuant to Title 63N, Chapter 3,
739	Part 17, Major Sporting Event Venue Zone Act, an amount calculated by
740	multiplying:
741	(A) the difference between the taxable value and the base taxable value of the
742	property located within a major sporting event venue zone and a primary
743	project area and upon which tax increment is collected; and

744	(B) the number that represents the percentage of tax increment that is paid to the
745	major sporting event venue zone.
746	(o)(i) "Locally assessed new growth" means the greater of:
747	(A) zero; or
748	(B) the amount calculated by subtracting the year end taxable value of real
749	property the county assessor assesses in accordance with Part 3, County
750	Assessment, for the previous year, adjusted for prior year end incremental
751	value from the taxable value of real property the county assessor assesses in
752	accordance with Part 3, County Assessment, for the current year, adjusted for
753	current year incremental value.
754	(ii) "Locally assessed new growth" does not include a change in:
755	(A) value as a result of factoring in accordance with Section 59-2-704, reappraisal,
756	or another adjustment;
757	(B) assessed value based on whether a property is allowed a residential exemption
758	for a primary residence under Section 59-2-103;
759	(C) assessed value based on whether a property is assessed under Part 5, Farmland
760	Assessment Act; or
761	(D) assessed value based on whether a property is assessed under Part 17, Urban
762	Farming Assessment Act.
763	(p) "Project area" means:
764	(i) for an authority created under Section 11-58-201, the same as that term is defined
765	in Section 11-58-102;
766	(ii) for the Utah Fairpark Area Investment and Restoration District created in Section
767	11-70-201, the same as that term is defined in Section 11-70-101;
768	(iii) for an agency created under Section 17C-1-201.5, the same as that term is
769	defined in Section 17C-1-102; [or]
770	(iv) for an authority created under Section 63H-1-201, the same as that term is
771	defined in Section 63H-1-102[-] ; or
772	(v) for a major sporting event venue zone established under Title 63N, Chapter 3,
773	Part 17, the major sporting event venue zone and primary project area as defined
774	in Section 63N-3-1701.
775	(q) "Project area new growth" means:
776	(i) for an authority created under Section 11-58-201, an amount equal to the
777	incremental value that is no longer provided to an authority as property tax

778 differential; 779 (ii) for the Point of the Mountain State Land Authority created in Section 11-59-201, 780 an amount equal to the incremental value that is no longer provided to the Point of 781 the Mountain State Land Authority as property tax augmentation, as defined in 782 Section 11-59-207; 783 (iii) for the Utah Fairpark Area Investment and Restoration District created in Section 784 11-70-201, an amount equal to the incremental value that is no longer provided to 785 the Utah Fairpark Area Investment and Restoration District; 786 (iv) for an agency created under Section 17C-1-201.5, an amount equal to the 787 incremental value that is no longer provided to an agency as tax increment; 788 (v) for an authority created under Section 63H-1-201, an amount equal to the 789 incremental value that is no longer provided to an authority as property tax 790 allocation; 791 (vi) for a housing and transit reinvestment zone created under Title 63N, Chapter 3, 792 Part 6, Housing and Transit Reinvestment Zone Act, an amount equal to the 793 incremental value that is no longer provided to a housing and transit reinvestment 794 zone as tax increment: 795 (vii) for a home ownership promotion zone created under Title 10, Chapter 9a, Part 796 10, Home Ownership Promotion Zone for Municipalities, or Title 17, Chapter 797 27a, Part 12, Home Ownership Promotion Zone for Counties, an amount equal to 798 the incremental value that is no longer provided to a home ownership promotion 799 zone as tax increment; [or] 800 (viii) for a first home investment zone created under Title 63N, Chapter 3, Part 16, 801 First Home Investment Zone Act, an amount equal to the incremental value that is 802 no longer provided to a first home investment zone as tax increment[-]; or 803 (ix) for a major sporting event venue zone created under Title 63N, Chapter 3, Part 804 17, Major Sporting Event Venue Zone Act, an amount equal to the incremental 805 value that is no longer provided to a major sporting event venue zone as tax 806 increment. 807 (r) "Project area incremental revenue" means the same as that term is defined in Section 808 17C-1-1001. 809 (s) "Property tax allocation" means the same as that term is defined in Section 63H-1-102. 810 (t) "Property tax differential" means the same as that term is defined in Section 811 11-58-102.

812	(u) "Qualifying exempt revenue" means revenue received:	
813	(i) for the previous calendar year;	
814	(ii) by a taxing entity;	
815	(iii) from tangible personal property contained on the prior y	ear's tax rolls that is
816	exempt from property tax under Subsection 59-2-1115(2)	(b) for a calendar year
817	beginning on January 1, 2022; and	
818	(iv) on the aggregate 2021 year end taxable value of the tang	ible personal property
819	that exceeds \$15,300.	
820	(v) "Tax increment" means:	
821	(i) for a project created under Section 17C-1-201.5, the same	as that term is defined
822	in Section 17C-1-102;	
823	(ii) for a housing and transit reinvestment zone created under	Title 63N, Chapter 3,
824	Part 6, Housing and Transit Reinvestment Zone Act, the	same as that term is
825	defined in Section 63N-3-602;	
826	(iii) for a home ownership promotion zone created under Tit	le 10, Chapter 9a, Part
827	10, Home Ownership Promotion Zone for Municipalities	, or Title 17, Chapter
828	27a, Part 12, Home Ownership Promotion Zone for Cour	ities, the same as that
829	term is defined in Section 10-9a-1001 or Section 17-27a-	1201; [or]
830	(iv) for a first home investment zone created under Title 63N	I, Chapter 3, Part 16,
831	First Home Investment Zone Act, the same as that term is	s defined in Section
832	63N-3-1601[.] ; or	
833	(v) for a major sporting event venue zone created under Title	63N, Chapter 3, Part
834	17, Major Sporting Event Venue Zone Act, property tax i	increment, as that term is
835	defined in Section 63N-3-1701.	
836	(2) Before June 1 of each year, the county assessor of each county sh	all deliver to the
837	county auditor and the commission the following statements:	
838	(a) a statement containing the aggregate valuation of all taxable r	real property a county
839	assessor assesses in accordance with Part 3, County Assessment	ent, for each taxing
840	entity; and	
841	(b) a statement containing the taxable value of all personal prope	rty a county assessor
842	assesses in accordance with Part 3, County Assessment, from	the prior year end
843	values.	
844	(3) The county auditor shall, on or before June 8, transmit to the gove	erning body of each
845	taxing entity:	

846	(a) the statements described in Subsections (2)(a) and (b);
847	(b) an estimate of the revenue from personal property;
848	(c) the certified tax rate; and
849	(d) all forms necessary to submit a tax levy request.
850	(4)(a) Except as otherwise provided in this section, the certified tax rate shall be
851	calculated by dividing the ad valorem property tax revenue that a taxing entity
852	budgeted for the prior year minus the qualifying exempt revenue by the amount
853	calculated under Subsection (4)(b).
854	(b) For purposes of Subsection (4)(a), the legislative body of a taxing entity shall
855	calculate an amount as follows:
856	(i) calculate for the taxing entity the difference between:
857	(A) the aggregate taxable value of all property taxed; and
858	(B) any adjustments for current year incremental value;
859	(ii) after making the calculation required by Subsection (4)(b)(i), calculate an amount
860	determined by increasing or decreasing the amount calculated under Subsection
861	(4)(b)(i) by the average of the percentage net change in the value of taxable
862	property for the equalization period for the three calendar years immediately
863	preceding the current calendar year;
864	(iii) after making the calculation required by Subsection (4)(b)(ii), calculate the
865	product of:
866	(A) the amount calculated under Subsection (4)(b)(ii); and
867	(B) the percentage of property taxes collected for the five calendar years
868	immediately preceding the current calendar year; and
869	(iv) after making the calculation required by Subsection (4)(b)(iii), calculate an
870	amount determined by:
871	(A) multiplying the percentage of property taxes collected for the five calendar
872	years immediately preceding the current calendar year by eligible new growth;
873	and
874	(B) subtracting the amount calculated under Subsection (4)(b)(iv)(A) from the
875	amount calculated under Subsection (4)(b)(iii).
876	(5) A certified tax rate for a taxing entity described in this Subsection (5) shall be calculated
877	as follows:
878	(a) except as provided in Subsection (5)(b) or (c), for a new taxing entity, the certified
879	tax rate is zero;

880	(b) for a municipality incorporated on or after July 1, 1996, the certified tax rate is:
881	(i) in a county of the first, second, or third class, the levy imposed for municipal-type
882	services under Sections 17-34-1 and 17-36-9; and
883	(ii) in a county of the fourth, fifth, or sixth class, the levy imposed for general county
884	purposes and such other levies imposed solely for the municipal-type services
885	identified in Section 17-34-1 and Subsection 17-36-3(23);
886	(c) for a community reinvestment agency that received all or a portion of a taxing
887	entity's project area incremental revenue in the prior year under Title 17C, Chapter 1,
888	Part 10, Agency Taxing Authority, the certified tax rate is calculated as described in
889	Subsection (4) except that the commission shall treat the total revenue transferred to
890	the community reinvestment agency as ad valorem property tax revenue that the
891	taxing entity budgeted for the prior year; and
892	(d) for debt service voted on by the public, the certified tax rate is the actual levy
893	imposed by that section, except that a certified tax rate for the following levies shall
894	be calculated in accordance with Section 59-2-913 and this section:
895	(i) a school levy provided for under Section 53F-8-301, 53F-8-302, or 53F-8-303; and
896	(ii) a levy to pay for the costs of state legislative mandates or judicial or
897	administrative orders under Section 59-2-1602.
898	(6)(a) A judgment levy imposed under Section 59-2-1328 or 59-2-1330 may be imposed
899	at a rate that is sufficient to generate only the revenue required to satisfy one or more
900	eligible judgments.
901	(b) The ad valorem property tax revenue generated by a judgment levy described in
902	Subsection (6)(a) may not be considered in establishing a taxing entity's aggregate
903	certified tax rate.
904	(7)(a) For the purpose of calculating the certified tax rate, the county auditor shall use:
905	(i) the taxable value of real property:
906	(A) the county assessor assesses in accordance with Part 3, County Assessment;
907	and
908	(B) contained on the assessment roll;
909	(ii) the year end taxable value of personal property:
910	(A) a county assessor assesses in accordance with Part 3, County Assessment; and
911	(B) contained on the prior year's assessment roll; and
912	(iii) the taxable value of real and personal property the commission assesses in
913	accordance with Part 2, Assessment of Property.

914 (b) For purposes of Subsection (7)(a), taxable value does not include eligible new 915 growth. 916 (8)(a) On or before June 30, a taxing entity shall annually adopt a tentative budget. 917 (b) If a taxing entity intends to exceed the certified tax rate, the taxing entity shall notify 918 the county auditor of: 919 (i) the taxing entity's intent to exceed the certified tax rate; and 920 (ii) the amount by which the taxing entity proposes to exceed the certified tax rate. 921 (c) The county auditor shall notify property owners of any intent to levy a tax rate that 922 exceeds the certified tax rate in accordance with Sections 59-2-919 and 59-2-919.1. 923 (9)(a) Subject to Subsection (9)(d), the commission shall provide notice, through 924 electronic means on or before July 31, to a taxing entity and the Revenue and 925 Taxation Interim Committee if: 926 (i) the amount calculated under Subsection (9)(b) is 10% or more of the year end 927 taxable value of the real and personal property the commission assesses in 928 accordance with Part 2, Assessment of Property, for the previous year, adjusted 929 for prior year end incremental value; and 930 (ii) the amount calculated under Subsection (9)(c) is 50% or more of the total year 931 end taxable value of the real and personal property of a taxpayer the commission 932 assesses in accordance with Part 2, Assessment of Property, for the previous year. 933 (b) For purposes of Subsection (9)(a)(i), the commission shall calculate an amount by 934 subtracting the taxable value of real and personal property the commission assesses 935 in accordance with Part 2, Assessment of Property, for the current year, adjusted for 936 current year incremental value, from the year end taxable value of the real and 937 personal property the commission assesses in accordance with Part 2, Assessment of 938 Property, for the previous year, adjusted for prior year end incremental value. 939 (c) For purposes of Subsection (9)(a)(ii), the commission shall calculate an amount by 940 subtracting the total taxable value of real and personal property of a taxpayer the 941 commission assesses in accordance with Part 2, Assessment of Property, for the 942 current year, from the total year end taxable value of the real and personal property of 943 a taxpayer the commission assesses in accordance with Part 2, Assessment of 944 Property, for the previous year. 945 (d) The notification under Subsection (9)(a) shall include a list of taxpayers that meet the 946 requirement under Subsection (9)(a)(ii). 947 Section 12. Section **59-12-103** is amended to read:

948	59-12-103. Sales and use tax base Rates Effective dates Use of sales and
949	use tax revenue.
950	(1) A tax is imposed on the purchaser as provided in this part on the purchase price or sales
951	price for amounts paid or charged for the following transactions:
952	(a) retail sales of tangible personal property made within the state;
953	(b) amounts paid for:
954	(i) telecommunications service, other than mobile telecommunications service, that
955	originates and terminates within the boundaries of this state;
956	(ii) mobile telecommunications service that originates and terminates within the
957	boundaries of one state only to the extent permitted by the Mobile
958	Telecommunications Sourcing Act, 4 U.S.C. Sec. 116 et seq.; or
959	(iii) an ancillary service associated with a:
960	(A) telecommunications service described in Subsection (1)(b)(i); or
961	(B) mobile telecommunications service described in Subsection (1)(b)(ii);
962	(c) sales of the following for commercial use:
963	(i) gas;
964	(ii) electricity;
965	(iii) heat;
966	(iv) coal;
967	(v) fuel oil; or
968	(vi) other fuels;
969	(d) sales of the following for residential use:
970	(i) gas;
971	(ii) electricity;
972	(iii) heat;
973	(iv) coal;
974	(v) fuel oil; or
975	(vi) other fuels;
976	(e) sales of prepared food;
977	(f) except as provided in Section 59-12-104, amounts paid or charged as admission or
978	user fees for theaters, movies, operas, museums, planetariums, shows of any type or
979	nature, exhibitions, concerts, carnivals, amusement parks, amusement rides, circuses
980	menageries, fairs, races, contests, sporting events, dances, boxing matches, wrestling
981	matches, closed circuit television broadcasts, billiard parlors, pool parlors, bowling

982	lanes, golf, miniature golf, golf driving ranges, batting cages, skating rinks, ski lifts,
983	ski runs, ski trails, snowmobile trails, tennis courts, swimming pools, water slides,
984	river runs, jeep tours, boat tours, scenic cruises, horseback rides, sports activities, or
985	any other amusement, entertainment, recreation, exhibition, cultural, or athletic
986	activity;
987	(g) amounts paid or charged for services for repairs or renovations of tangible personal
988	property, unless Section 59-12-104 provides for an exemption from sales and use tax
989	for:
990	(i) the tangible personal property; and
991	(ii) parts used in the repairs or renovations of the tangible personal property described
992	in Subsection (1)(g)(i), regardless of whether:
993	(A) any parts are actually used in the repairs or renovations of that tangible
994	personal property; or
995	(B) the particular parts used in the repairs or renovations of that tangible personal
996	property are exempt from a tax under this chapter;
997	(h) except as provided in Subsection 59-12-104(7), amounts paid or charged for assisted
998	cleaning or washing of tangible personal property;
999	(i) amounts paid or charged for short-term rentals of tourist home, hotel, motel, or trailer
1000	court accommodations and services;
1001	(j) amounts paid or charged for laundry or dry cleaning services;
1002	(k) amounts paid or charged for leases or rentals of tangible personal property if within
1003	this state the tangible personal property is:
1004	(i) stored;
1005	(ii) used; or
1006	(iii) otherwise consumed;
1007	(l) amounts paid or charged for tangible personal property if within this state the tangible
1008	personal property is:
1009	(i) stored;
1010	(ii) used; or
1011	(iii) consumed;
1012	(m) amounts paid or charged for a sale:
1013	(i)(A) of a product transferred electronically; or
1014	(B) of a repair or renovation of a product transferred electronically; and
1015	(ii) regardless of whether the sale provides:

1016	(A) a right of permanent use of the product; or
1017	(B) a right to use the product that is less than a permanent use, including a right:
1018	(I) for a definite or specified length of time; and
1019	(II) that terminates upon the occurrence of a condition; and
1020	(n) sales of leased tangible personal property from the lessor to the lessee made in the
1021	state.
1022	(2)(a) Except as provided in Subsections (2)(b) through (f), a state tax and a local tax are
1023	imposed on a transaction described in Subsection (1) equal to the sum of:
1024	(i) a state tax imposed on the transaction at a tax rate equal to the sum of:
1025	(A) 4.70% plus the rate specified in Subsection (11)(a); and
1026	(B)(I) the tax rate the state imposes in accordance with Part 18, Additional
1027	State Sales and Use Tax Act, if the location of the transaction as determined
1028	under Sections 59-12-211 through 59-12-215 is in a county in which the
1029	state imposes the tax under Part 18, Additional State Sales and Use Tax Act;
1030	and
1031	(II) the tax rate the state imposes in accordance with Part 20, Supplemental
1032	State Sales and Use Tax Act, if the location of the transaction as determined
1033	under Sections 59-12-211 through 59-12-215 is in a city, town, or the
1034	unincorporated area of a county in which the state imposes the tax under
1035	Part 20, Supplemental State Sales and Use Tax Act; and
1036	(ii) a local tax equal to the sum of the tax rates a county, city, or town imposes on the
1037	transaction under this chapter other than this part.
1038	(b) Except as provided in Subsection (2)(f) or (g) and subject to Subsection (2)(l), a state
1039	tax and a local tax are imposed on a transaction described in Subsection (1)(d) equal
1040	to the sum of:
1041	(i) a state tax imposed on the transaction at a tax rate of 2%; and
1042	(ii) a local tax equal to the sum of the tax rates a county, city, or town imposes on the
1043	transaction under this chapter other than this part.
1044	(c) Except as provided in Subsection (2)(f) or (g), a state tax and a local tax are imposed
1045	on amounts paid or charged for food and food ingredients equal to the sum of:
1046	(i) a state tax imposed on the amounts paid or charged for food and food ingredients
1047	at a tax rate of 1.75%; and
1048	(ii) a local tax equal to the sum of the tax rates a county, city, or town imposes on the
1049	amounts paid or charged for food and food ingredients under this chapter other

1050 than this part. 1051 (d) Except as provided in Subsection (2)(f) or (g), a state tax is imposed on amounts paid 1052 or charged for fuel to a common carrier that is a railroad for use in a locomotive 1053 engine at a rate of 4.85%. 1054 (e)(i)(A) If a shared vehicle owner certifies to the commission, on a form 1055 prescribed by the commission, that the shared vehicle is an individual-owned 1056 shared vehicle, a tax imposed under Subsection (2)(a)(i)(A) does not apply to 1057 car sharing, a car-sharing program, a shared vehicle driver, or a shared vehicle 1058 owner. 1059 (B) A shared vehicle owner's certification described in Subsection (2)(e)(i)(A) is 1060 required once during the time that the shared vehicle owner owns the shared 1061 vehicle. 1062 (C) The commission shall verify that a shared vehicle is an individual-owned 1063 shared vehicle by verifying that the applicable Utah taxes imposed under this 1064 chapter were paid on the purchase of the shared vehicle. 1065 (D) The exception under Subsection (2)(e)(i)(A) applies to a certified 1066 individual-owned shared vehicle shared through a car-sharing program even if 1067 non-certified shared vehicles are also available to be shared through the same 1068 car-sharing program. 1069 (ii) A tax imposed under Subsection (2)(a)(i)(B) or (2)(a)(ii) applies to car sharing. 1070 (iii)(A) A car-sharing program may rely in good faith on a shared vehicle owner's 1071 representation that the shared vehicle is an individual-owned shared vehicle 1072 certified with the commission as described in Subsection (2)(e)(i). 1073 (B) If a car-sharing program relies in good faith on a shared vehicle owner's 1074 representation that the shared vehicle is an individual-owned shared vehicle 1075 certified with the commission as described in Subsection (2)(e)(i), the 1076 car-sharing program is not liable for any tax, penalty, fee, or other sanction 1077 imposed on the shared vehicle owner. 1078 (iv) If all shared vehicles shared through a car-sharing program are certified as 1079 described in Subsection (2)(e)(i)(A) for a tax period, the car-sharing program has 1080 no obligation to collect and remit the tax under Subsection (2)(a)(i)(A) for that tax 1081 period. 1082 (v) A car-sharing program is not required to list or otherwise identify an 1083 individual-owned shared vehicle on a return or an attachment to a return.

1084	(vi) A car-sharing program shall:
1085	(A) retain tax information for each car-sharing program transaction; and
1086	(B) provide the information described in Subsection (2)(e)(vi)(A) to the
1087	commission at the commission's request.
1088	(f)(i) For a bundled transaction that is attributable to food and food ingredients and
1089	tangible personal property other than food and food ingredients, a state tax and a
1090	local tax is imposed on the entire bundled transaction equal to the sum of:
1091	(A) a state tax imposed on the entire bundled transaction equal to the sum of:
1092	(I) the tax rate described in Subsection (2)(a)(i)(A); and
1093	(II)(Aa) the tax rate the state imposes in accordance with Part 18,
1094	Additional State Sales and Use Tax Act, if the location of the transaction
1095	as determined under Sections 59-12-211 through 59-12-215 is in a
1096	county in which the state imposes the tax under Part 18, Additional State
1097	Sales and Use Tax Act; and
1098	(Bb) the tax rate the state imposes in accordance with Part 20, Supplemental
1099	State Sales and Use Tax Act, if the location of the transaction as
1100	determined under Sections 59-12-211 through 59-12-215 is in a city,
1101	town, or the unincorporated area of a county in which the state imposes
1102	the tax under Part 20, Supplemental State Sales and Use Tax Act; and
1103	(B) a local tax imposed on the entire bundled transaction at the sum of the tax
1104	rates described in Subsection (2)(a)(ii).
1105	(ii) If an optional computer software maintenance contract is a bundled transaction
1106	that consists of taxable and nontaxable products that are not separately itemized
1107	on an invoice or similar billing document, the purchase of the optional computer
1108	software maintenance contract is 40% taxable under this chapter and 60%
1109	nontaxable under this chapter.
1110	(iii) Subject to Subsection (2)(f)(iv), for a bundled transaction other than a bundled
1111	transaction described in Subsection (2)(f)(i) or (ii):
1112	(A) if the sales price of the bundled transaction is attributable to tangible personal
1113	property, a product, or a service that is subject to taxation under this chapter
1114	and tangible personal property, a product, or service that is not subject to
1115	taxation under this chapter, the entire bundled transaction is subject to taxation
1116	under this chapter unless:
1117	(I) the seller is able to identify by reasonable and verifiable standards the

1118 tangible personal property, product, or service that is not subject to taxation 1119 under this chapter from the books and records the seller keeps in the seller's 1120 regular course of business; or 1121 (II) state or federal law provides otherwise; or 1122 (B) if the sales price of a bundled transaction is attributable to two or more items 1123 of tangible personal property, products, or services that are subject to taxation 1124 under this chapter at different rates, the entire bundled transaction is subject to 1125 taxation under this chapter at the higher tax rate unless: 1126 (I) the seller is able to identify by reasonable and verifiable standards the 1127 tangible personal property, product, or service that is subject to taxation 1128 under this chapter at the lower tax rate from the books and records the seller 1129 keeps in the seller's regular course of business; or 1130 (II) state or federal law provides otherwise. 1131 (iv) For purposes of Subsection (2)(f)(iii), books and records that a seller keeps in the 1132 seller's regular course of business includes books and records the seller keeps in 1133 the regular course of business for nontax purposes. 1134 (g)(i) Except as otherwise provided in this chapter and subject to Subsections 1135 (2)(g)(ii) and (iii), if a transaction consists of the sale, lease, or rental of tangible 1136 personal property, a product, or a service that is subject to taxation under this 1137 chapter, and the sale, lease, or rental of tangible personal property, other property, 1138 a product, or a service that is not subject to taxation under this chapter, the entire 1139 transaction is subject to taxation under this chapter unless the seller, at the time of the transaction: 1140 1141 (A) separately states the portion of the transaction that is not subject to taxation 1142 under this chapter on an invoice, bill of sale, or similar document provided to 1143 the purchaser; or 1144 (B) is able to identify by reasonable and verifiable standards, from the books and 1145 records the seller keeps in the seller's regular course of business, the portion of 1146 the transaction that is not subject to taxation under this chapter. 1147 (ii) A purchaser and a seller may correct the taxability of a transaction if: (A) after the transaction occurs, the purchaser and the seller discover that the 1148 1149 portion of the transaction that is not subject to taxation under this chapter was 1150 not separately stated on an invoice, bill of sale, or similar document provided 1151 to the purchaser because of an error or ignorance of the law; and

1152	(B) the seller is able to identify by reasonable and verifiable standards, from the
1153	books and records the seller keeps in the seller's regular course of business, the
1154	portion of the transaction that is not subject to taxation under this chapter.
1155	(iii) For purposes of Subsections (2)(g)(i) and (ii), books and records that a seller
1156	keeps in the seller's regular course of business includes books and records the
1157	seller keeps in the regular course of business for nontax purposes.
1158	(h)(i) If the sales price of a transaction is attributable to two or more items of tangible
1159	personal property, products, or services that are subject to taxation under this
1160	chapter at different rates, the entire purchase is subject to taxation under this
1161	chapter at the higher tax rate unless the seller, at the time of the transaction:
1162	(A) separately states the items subject to taxation under this chapter at each of the
1163	different rates on an invoice, bill of sale, or similar document provided to the
1164	purchaser; or
1165	(B) is able to identify by reasonable and verifiable standards the tangible personal
1166	property, product, or service that is subject to taxation under this chapter at the
1167	lower tax rate from the books and records the seller keeps in the seller's regular
1168	course of business.
1169	(ii) For purposes of Subsection (2)(h)(i), books and records that a seller keeps in the
1170	seller's regular course of business includes books and records the seller keeps in
1171	the regular course of business for nontax purposes.
1172	(i) Subject to Subsections (2)(j) and (k), a tax rate repeal or tax rate change for a tax rate
1173	imposed under the following shall take effect on the first day of a calendar quarter:
1174	(i) Subsection (2)(a)(i)(A);
1175	(ii) Subsection (2)(b)(i);
1176	(iii) Subsection (2)(c)(i); or
1177	(iv) Subsection $(2)(f)(i)(A)(I)$.
1178	(j)(i) A tax rate increase takes effect on the first day of the first billing period that
1179	begins on or after the effective date of the tax rate increase if the billing period for
1180	the transaction begins before the effective date of a tax rate increase imposed
1181	under:
1182	(A) Subsection $(2)(a)(i)(A)$;
1183	(B) Subsection (2)(b)(i);
1184	(C) Subsection (2)(c)(i); or
1185	(D) Subsection $(2)(f)(i)(A)(I)$.

1186	(ii) The repeal of a tax or a tax rate decrease applies to a billing period if the billing
1187	statement for the billing period is rendered on or after the effective date of the
1188	repeal of the tax or the tax rate decrease imposed under:
1189	(A) Subsection (2)(a)(i)(A);
1190	(B) Subsection (2)(b)(i);
1191	(C) Subsection (2)(c)(i); or
1192	(D) Subsection $(2)(f)(i)(A)(I)$.
1193	(k)(i) For a tax rate described in Subsection (2)(k)(ii), if a tax due on a catalogue sale
1194	is computed on the basis of sales and use tax rates published in the catalogue, a
1195	tax rate repeal or change in a tax rate takes effect:
1196	(A) on the first day of a calendar quarter; and
1197	(B) beginning 60 days after the effective date of the tax rate repeal or tax rate
1198	change.
1199	(ii) Subsection (2)(k)(i) applies to the tax rates described in the following:
1200	(A) Subsection $(2)(a)(i)(A)$;
1201	(B) Subsection (2)(b)(i);
1202	(C) Subsection (2)(c)(i); or
1203	(D) Subsection $(2)(f)(i)(A)(I)$.
1204	(iii) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act,
1205	the commission may by rule define the term "catalogue sale."
1206	(l)(i) For a location described in Subsection (2)(l)(ii), the commission shall determine
1207	the taxable status of a sale of gas, electricity, heat, coal, fuel oil, or other fuel
1208	based on the predominant use of the gas, electricity, heat, coal, fuel oil, or other
1209	fuel at the location.
1210	(ii) Subsection (2)(1)(i) applies to a location where gas, electricity, heat, coal, fuel oil,
1211	or other fuel is furnished through a single meter for two or more of the following
1212	uses:
1213	(A) a commercial use;
1214	(B) an industrial use; or
1215	(C) a residential use.
1216	(3)(a) The following state taxes shall be deposited into the General Fund:
1217	(i) the tax imposed by Subsection (2)(a)(i)(A);
1218	(ii) the tax imposed by Subsection (2)(b)(i);
1219	(iii) the tax imposed by Subsection (2)(c)(i); and

1220	(iv) the tax imposed by Subsection (2)(f)(i)(A)(I).
1221	(b) The following local taxes shall be distributed to a county, city, or town as provided
1222	in this chapter:
1223	(i) the tax imposed by Subsection (2)(a)(ii);
1224	(ii) the tax imposed by Subsection (2)(b)(ii);
1225	(iii) the tax imposed by Subsection (2)(c)(ii); and
1226	(iv) the tax imposed by Subsection (2)(f)(i)(B).
1227	(c) The state tax imposed by Subsection (2)(d) shall be deposited into the General Fund.
1228	(4)(a) Notwithstanding Subsection (3)(a), for a fiscal year beginning on or after July 1,
1229	2003, the lesser of the following amounts shall be expended as provided in
1230	Subsections (4)(b) through (g):
1231	(i) for taxes listed under Subsection (3)(a), the amount of tax revenue generated:
1232	(A) by a 1/16% tax rate on the transactions described in Subsection (1); and
1233	(B) for the fiscal year; or
1234	(ii) \$17,500,000.
1235	(b)(i) For a fiscal year beginning on or after July 1, 2003, 14% of the amount
1236	described in Subsection (4)(a) shall be transferred each year as designated sales
1237	and use tax revenue to the Division of Wildlife Resources to:
1238	(A) implement the measures described in Subsections 23A-3-214(3)(a) through (d)
1239	to protect sensitive plant and animal species; or
1240	(B) award grants, up to the amount authorized by the Legislature in an
1241	appropriations act, to political subdivisions of the state to implement the
1242	measures described in Subsections 23A-3-214(3)(a) through (d) to protect
1243	sensitive plant and animal species.
1244	(ii) Money transferred to the Division of Wildlife Resources under Subsection
1245	(4)(b)(i) may not be used to assist the United States Fish and Wildlife Service or
1246	any other person to list or attempt to have listed a species as threatened or
1247	endangered under the Endangered Species Act of 1973, 16 U.S.C. Sec. 1531 et
1248	seq.
1249	(iii) At the end of each fiscal year:
1250	(A) 50% of any unexpended designated sales and use tax revenue shall lapse to
1251	the Water Resources Conservation and Development Fund created in Section
1252	73-10-24;
1253	(B) 25% of any unexpended designated sales and use tax revenue shall lapse to the

1254	Utah Wastewater Loan Program Subaccount created in Section 73-10c-5; and
1255	(C) 25% of any unexpended designated sales and use tax revenue shall lapse to the
1256	Drinking Water Loan Program Subaccount created in Section 73-10c-5.
1257	(c) For a fiscal year beginning on or after July 1, 2003, 3% of the amount described in
1258	Subsection (4)(a) shall be deposited each year in the Agriculture Resource
1259	Development Fund created in Section 4-18-106.
1260	(d)(i) For a fiscal year beginning on or after July 1, 2003, 1% of the amount
1261	described in Subsection (4)(a) shall be transferred each year as designated sales
1262	and use tax revenue to the Division of Water Rights to cover the costs incurred in
1263	hiring legal and technical staff for the adjudication of water rights.
1264	(ii) At the end of each fiscal year:
1265	(A) 50% of any unexpended designated sales and use tax revenue shall lapse to
1266	the Water Resources Conservation and Development Fund created in Section
1267	73-10-24;
1268	(B) 25% of any unexpended designated sales and use tax revenue shall lapse to the
1269	Utah Wastewater Loan Program Subaccount created in Section 73-10c-5; and
1270	(C) 25% of any unexpended designated sales and use tax revenue shall lapse to the
1271	Drinking Water Loan Program Subaccount created in Section 73-10c-5.
1272	(e)(i) For a fiscal year beginning on or after July 1, 2003, 41% of the amount
1273	described in Subsection (4)(a) shall be deposited into the Water Resources
1274	Conservation and Development Fund created in Section 73-10-24 for use by the
1275	Division of Water Resources.
1276	(ii) In addition to the uses allowed of the Water Resources Conservation and
1277	Development Fund under Section 73-10-24, the Water Resources Conservation
1278	and Development Fund may also be used to:
1279	(A) conduct hydrologic and geotechnical investigations by the Division of Water
1280	Resources in a cooperative effort with other state, federal, or local entities, for
1281	the purpose of quantifying surface and ground water resources and describing
1282	the hydrologic systems of an area in sufficient detail so as to enable local and
1283	state resource managers to plan for and accommodate growth in water use
1284	without jeopardizing the resource;
1285	(B) fund state required dam safety improvements; and
1286	(C) protect the state's interest in interstate water compact allocations, including the
1287	hiring of technical and legal staff.

1288	(f) For a fiscal year beginning on or after July 1, 2003, 20.5% of the amount described in
1289	Subsection (4)(a) shall be deposited into the Utah Wastewater Loan Program
1290	Subaccount created in Section 73-10c-5 for use by the Water Quality Board to fund
1291	wastewater projects.
1292	(g) For a fiscal year beginning on or after July 1, 2003, 20.5% of the amount described
1293	in Subsection (4)(a) shall be deposited into the Drinking Water Loan Program
1294	Subaccount created in Section 73-10c-5 for use by the Division of Drinking Water to:
1295	(i) provide for the installation and repair of collection, treatment, storage, and
1296	distribution facilities for any public water system, as defined in Section 19-4-102;
1297	(ii) develop underground sources of water, including springs and wells; and
1298	(iii) develop surface water sources.
1299	(5)(a) Notwithstanding Subsection (3)(a), for a fiscal year beginning on or after July 1,
1300	2006, the difference between the following amounts shall be expended as provided in
1301	this Subsection (5), if that difference is greater than \$1:
1302	(i) for taxes listed under Subsection (3)(a), the amount of tax revenue generated for
1303	the fiscal year by a 1/16% tax rate on the transactions described in Subsection (1);
1304	and
1305	(ii) \$17,500,000.
1306	(b)(i) The first \$500,000 of the difference described in Subsection (5)(a) shall be:
1307	(A) transferred each fiscal year to the Department of Natural Resources as
1308	designated sales and use tax revenue; and
1309	(B) expended by the Department of Natural Resources for watershed rehabilitation
1310	or restoration.
1311	(ii) At the end of each fiscal year, 100% of any unexpended designated sales and use
1312	tax revenue described in Subsection (5)(b)(i) shall lapse to the Water Resources
1313	Conservation and Development Fund created in Section 73-10-24.
1314	(c)(i) After making the transfer required by Subsection (5)(b)(i), \$150,000 of the
1315	remaining difference described in Subsection (5)(a) shall be:
1316	(A) transferred each fiscal year to the Division of Water Resources as designated
1317	sales and use tax revenue; and
1318	(B) expended by the Division of Water Resources for cloud-seeding projects
1319	authorized by Title 73, Chapter 15, Modification of Weather.
1320	(ii) At the end of each fiscal year, 100% of any unexpended designated sales and use
1321	tax revenue described in Subsection (5)(c)(i) shall lapse to the Water Resources

1322	Conservation and Development Fund created in Section 73-10-24.
1323	(d) After making the transfers required by Subsections (5)(b) and (c), 85% of the
1324	remaining difference described in Subsection (5)(a) shall be deposited into the Water
1325	Resources Conservation and Development Fund created in Section 73-10-24 for use
1326	by the Division of Water Resources for:
1327	(i) preconstruction costs:
1328	(A) as defined in Subsection 73-26-103(6) for projects authorized by Title 73,
1329	Chapter 26, Bear River Development Act; and
1330	(B) as defined in Subsection 73-28-103(8) for the Lake Powell Pipeline project
1331	authorized by Title 73, Chapter 28, Lake Powell Pipeline Development Act;
1332	(ii) the cost of employing a civil engineer to oversee any project authorized by Title
1333	73, Chapter 26, Bear River Development Act;
1334	(iii) the cost of employing a civil engineer to oversee the Lake Powell Pipeline
1335	project authorized by Title 73, Chapter 28, Lake Powell Pipeline Development
1336	Act; and
1337	(iv) other uses authorized under Sections 73-10-24, 73-10-25.1, and 73-10-30, and
1338	Subsection (4)(e)(ii) after funding the uses specified in Subsections (5)(d)(i)
1339	through (iii).
1340	(e) After making the transfers required by Subsections (5)(b) and (c), 15% of the
1341	remaining difference described in Subsection (5)(a) shall be deposited each year into
1342	the Water Rights Restricted Account created by Section 73-2-1.6.
1343	(6) Notwithstanding Subsection (3)(a) and for taxes listed under Subsection (3)(a), each
1344	fiscal year, the commission shall deposit into the Water Infrastructure Restricted
1345	Account created in Section 73-10g-103 the amount of revenue generated by a 1/16% tax
1346	rate on the transactions described in Subsection (1) for the fiscal year.
1347	(7)(a) Notwithstanding Subsection (3)(a) and subject to Subsections (7)(b), (c), and (d),
1348	for a fiscal year beginning on or after July 1, 2023, the commission shall deposit into
1349	the Transportation Investment Fund of 2005 created by Section 72-2-124 a portion of
1350	the taxes listed under Subsection (3)(a) equal to 17% of the revenue collected from
1351	the following sales and use taxes:
1352	(i) the tax imposed by Subsection (2)(a)(i)(A) at a 4.7% rate;
1353	(ii) the tax imposed by Subsection (2)(b)(i);
1354	(iii) the tax imposed by Subsection (2)(c)(i); and
1355	(iv) the tax imposed by Subsection (2)(f)(i)(A)(I).

1356	(b)(i) For a fiscal year beginning on or after July 1, 2024, the commission shall
1357	annually reduce the deposit under Subsection (7)(a) into the Transportation
1358	Investment Fund of 2005 by an amount equal to .44% of the revenue collected
1359	from the following sales and use taxes:
1360	(A) the tax imposed by Subsection (2)(a)(i)(A) at a 4.7% rate;
1361	(B) the tax imposed by Subsection (2)(b)(i);
1362	(C) the tax imposed by Subsection (2)(c)(i); and
1363	(D) the tax imposed by Subsection (2)(f)(i)(A)(I).
1364	(ii) The commission shall annually deposit the amount described in Subsection
1365	(7)(b)(i) into the Cottonwood Canyons Transportation Investment Fund created in
1366	Section 72-2-124.
1367	(c)(i) Subject to Subsection (7)(c)(ii), for a fiscal year beginning on or after July 1,
1368	2023, the commission shall annually reduce the deposit into the Transportation
1369	Investment Fund of 2005 under Subsections (7)(a) and (7)(b) by an amount that is
1370	equal to 5% of:
1371	(A) the amount of revenue generated in the current fiscal year by the portion of
1372	taxes listed under Subsection (3)(a) that equals 20.68% of the revenue
1373	collected from taxes described in Subsections (7)(a)(i) through (iv);
1374	(B) the amount of revenue generated in the current fiscal year by registration fees
1375	designated under Section 41-1a-1201 to be deposited into the Transportation
1376	Investment Fund of 2005; and
1377	(C) revenue transferred by the Division of Finance to the Transportation
1378	Investment Fund of 2005 in accordance with Section 72-2-106 in the current
1379	fiscal year.
1380	(ii) The amount described in Subsection (7)(c)(i) may not exceed \$45,000,000 in a
1381	given fiscal year.
1382	(iii) The commission shall annually deposit the amount described in Subsection
1383	(7)(c)(i) into the Active Transportation Investment Fund created in Subsection
1384	72-2-124(11).
1385	(d)(i) For a fiscal year beginning on or after July 1, 2024, the commission shall
1386	annually reduce the deposit into the Transportation Investment Fund of 2005
1387	under this Subsection (7) by an amount that is equal to 1% of the revenue
1388	collected from the following sales and use taxes:
1389	(A) the tax imposed by Subsection (2)(a)(i)(A) at a 4.7% rate:

1390	(B) the tax imposed by Subsection (2)(b)(i);
1391	(C) the tax imposed by Subsection (2)(c)(i); and
1392	(D) the tax imposed by Subsection (2)(f)(i)(A)(I).
1393	(ii) The commission shall annually deposit the amount described in Subsection
1394	(7)(d)(i) into the Commuter Rail Subaccount created in Section 72-2-124.
1395	(8)(a) Notwithstanding Subsection (3)(a), in addition to the amounts deposited under
1396	Subsection (7), and subject to [Subsections] Subsection (8)(b)[-and (d)(ii)], for a fiscal
1397	year beginning on or after July 1, 2018, the commission shall annually deposit into
1398	the Transportation Investment Fund of 2005 created by Section 72-2-124 a portion of
1399	the taxes listed under Subsection (3)(a) in an amount equal to 3.68% of the revenue
1400	collected from the following taxes:
1401	(i) the tax imposed by Subsection (2)(a)(i)(A) at a 4.7% rate;
1402	(ii) the tax imposed by Subsection (2)(b)(i);
1403	(iii) the tax imposed by Subsection (2)(c)(i); and
1404	(iv) the tax imposed by Subsection (2)(f)(i)(A)(I).
1405	(b) For a fiscal year beginning on or after July 1, 2019, the commission shall annually
1406	reduce the deposit into the Transportation Investment Fund of 2005 under Subsection
1407	(8)(a) by an amount that is equal to 35% of the amount of revenue generated in the
1408	current fiscal year by the portion of the tax imposed on motor and special fuel that is
1409	sold, used, or received for sale or use in this state that exceeds 29.4 cents per gallon.
1410	(c) The commission shall annually deposit the amount described in Subsection (8)(b)
1411	into the Transit Transportation Investment Fund created in Section 72-2-124.
1412	(9) Notwithstanding Subsection (3)(a), for each fiscal year beginning with fiscal year
1413	2009-10, \$533,750 shall be deposited into the Qualified Emergency Food Agencies
1414	Fund created by Section 35A-8-1009 and expended as provided in Section 35A-8-1009.
1415	(10) Notwithstanding Subsection (3)(a), beginning the second fiscal year after the fiscal
1416	year during which the commission receives notice under Section 63N-2-510 that
1417	construction on a qualified hotel, as defined in Section 63N-2-502, has begun, the
1418	commission shall, for two consecutive fiscal years, annually deposit \$1,900,000 of the
1419	revenue generated by the taxes listed under Subsection (3)(a) into the Hotel Impact
1420	Mitigation Fund, created in Section 63N-2-512.
1421	(11)(a) The rate specified in this subsection is 0.15%.
1422	(b) Notwithstanding Subsection (3)(a), the commission shall, for a fiscal year beginning
1423	on or after July 1, 2019, annually transfer the amount of revenue collected from the

1424 rate described in Subsection (11)(a) on the transactions that are subject to the sales 1425 and use tax under Subsection (2)(a)(i)(A) into the Medicaid ACA Fund created in 1426 Section 26B-1-315. 1427 (12) Notwithstanding Subsection (3)(a), for each fiscal year beginning with fiscal year 1428 2020-21, the commission shall deposit \$200,000 into the General Fund as a dedicated 1429 credit solely for use of the Search and Rescue Financial Assistance Program created in, 1430 and expended in accordance with, Title 53, Chapter 2a, Part 11, Search and Rescue Act. 1431 (13)(a) For each fiscal year beginning with fiscal year 2020-21, the commission shall 1432 annually transfer \$1,813,400 of the revenue deposited into the Transportation 1433 Investment Fund of 2005 under Subsections (7) and (8) to the General Fund. 1434 (b) If the total revenue deposited into the Transportation Investment Fund of 2005 under 1435 Subsections (7) and (8) is less than \$1,813,400 for a fiscal year, the commission shall 1436 transfer the total revenue deposited into the Transportation Investment Fund of 2005 1437 under Subsections (7) and (8) during the fiscal year to the General Fund. 1438 (14) Notwithstanding Subsection (3)(a), and as described in Section 63N-3-610, beginning 1439 the first day of the calendar quarter one year after the sales and use tax boundary for a 1440 housing and transit reinvestment zone is established, the commission, at least annually, 1441 shall transfer an amount equal to 15% of the sales and use tax increment within an 1442 established sales and use tax boundary, as defined in Section 63N-3-602, into the Transit 1443 Transportation Investment Fund created in Section 72-2-124. 1444 (15) Notwithstanding Subsection (3)(a) and except as provided in Subsection (19), and as 1445 described in Section 63N-3-1711, beginning the first day of the calendar quarter one 1446 year after the sales and use tax boundary for a major sporting event venue zone is established, the commission, at least annually, shall transfer an amount equal to the 1447 1448 percentage of the sales and use increment approved by the committee from a sales and 1449 use tax imposed by Subsection (2)(a)(i)(A) at a 4.7% rate, on transactions occurring 1450 within an established sales and use tax boundary, as defined in Section 63N-3-1701 and 1451 established under Section 63N-3-1710, to the creating entity of the major sporting event 1452 venue zone. 1453 [(15)] (16) Notwithstanding Subsection (3)(a), the commission shall, for a fiscal year 1454 beginning on or after July 1, 2022, transfer into the Outdoor Adventure Infrastructure 1455 Restricted Account, created in Section 51-9-902, a portion of the taxes listed under 1456 Subsection (3)(a) equal to 1% of the revenue collected from the following sales and use 1457 taxes:

1458 (a) the tax imposed by Subsection (2)(a)(i)(A) at a 4.7% rate; 1459 (b) the tax imposed by Subsection (2)(b)(i); 1460 (c) the tax imposed by Subsection (2)(c)(i); and 1461 (d) the tax imposed by Subsection (2)(f)(i)(A)(I). 1462 [(16)] (17) Notwithstanding Subsection (3)(a), beginning October 1, 2024 the commission 1463 shall transfer to the Utah Fairpark Area Investment and Restoration District, created in 1464 Section 11-70-201, the revenue from the sales and use tax imposed by Subsection 1465 (2)(a)(i)(A) at a 4.7% rate, on transactions occurring within the district sales tax area, as 1466 defined in Section 11-70-101. 1467 $[\frac{(17)}{(18)}]$ (18)(a) As used in this Subsection $[\frac{(17)}{(18)}]$ (18): 1468 (i) "Additional land" means point of the mountain state land described in Subsection 1469 11-59-102(6)(b) that the point of the mountain authority acquires after the point of 1470 the mountain authority provides the commission a map under Subsection [(17)(e)]1471 (18)(c). (ii) "Point of the mountain authority" means the Point of the Mountain State Land 1472 1473 Authority, created in Section 11-59-201. 1474 (iii) "Point of the mountain state land" means the same as that term is defined in 1475 Section 11-59-102. 1476 (b) Notwithstanding Subsection (3)(a), the commission shall distribute to the point of the 1477 mountain authority 50% of the revenue from the sales and use tax imposed by 1478 Subsection (2)(a)(i)(A) at a 4.7% rate, on transactions occurring on the point of the mountain state land. 1479 1480 (c) The distribution under Subsection $\left[\frac{(17)(b)}{(18)(b)}\right]$ (18)(b) shall begin the next calendar 1481 quarter that begins at least 90 days after the point of the mountain authority provides 1482 the commission a map that: 1483 (i) accurately describes the point of the mountain state land; and 1484 (ii) the point of the mountain authority certifies as accurate. 1485 (d) A distribution under Subsection [(17)(b)] (18)(b) with respect to additional land shall 1486 begin the next calendar quarter that begins at least 90 days after the point of the 1487 mountain authority provides the commission a map of point of the mountain state 1488 land that: 1489 (i) accurately describes the point of the mountain state land, including the additional 1490 land; and

(ii) the point of the mountain authority certifies as accurate.

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1492	(e)(i) Upon the payment in full of bonds secured by the sales and use tax revenue
1493	distributed to the point of the mountain authority under Subsection [(17)(b)] (18)(b),
1494	the point of the mountain authority shall immediately notify the commission in
1495	writing that the bonds are paid in full.
1496	(ii) The commission shall discontinue distributions of sales and use tax revenue under
1497	Subsection $[(17)(b)]$ $(18)(b)$ at the beginning of the calendar quarter that begins at
1498	least 90 days after the date that the commission receives the written notice under
1499	Subsection $[(17)(e)(i)]$ $(18)(e)(i)$.
1500	(19)(a) As used in this Subsection (19):
1501	(i) "Qualified development zone" means, for a major sporting event venue zone
1502	created under Title 63N, Chapter 3, Part 17, Major Sporting Event Venue Zone
1503	Act, the sales and use tax boundary of the major sporting event venue zone as
1504	described in Section 63N-3-1710.
1505	(ii) "Schedule J sale" means a sale reported on State Tax Commission Form TC-62M,
1506	Schedule J or a substantially similar form as designated by the commission.
1507	(b) Notwithstanding Subsection (15), revenue generated by a Schedule J sale within a
1508	qualified development zone shall be distributed into the General Fund.
1509	Section 13. Section 59-12-205 is amended to read:
1510	59-12-205. Ordinances to conform with statutory amendments Distribution of
1511	tax revenue Determination of population.
1512	(1) To maintain in effect sales and use tax ordinances adopted pursuant to Section
1513	59-12-204, a county, city, or town shall adopt amendments to the county's, city's, or
1514	town's sales and use tax ordinances:
1515	(a) within 30 days of the day on which the state makes an amendment to an applicable
1516	provision of Part 1, Tax Collection; and
1517	(b) as required to conform to the amendments to Part 1, Tax Collection.
1518	(2)(a) Except as provided in Subsections (3) and (4) and subject to Subsection (5):
1519	(i) 50% of each dollar collected from the sales and use tax authorized by this part
1520	shall be distributed to each county, city, and town on the basis of the percentage
1521	that the population of the county, city, or town bears to the total population of all
1522	counties, cities, and towns in the state; and
1523	(ii)(A) except as provided in Subsections (2)(a)(ii)(B), (C), and (D), 50% of each
1524	dollar collected from the sales and use tax authorized by this part shall be
1525	distributed to each county, city, and town on the basis of the location of the

1526	transaction as determined under Sections 59-12-211 through 59-12-215;
1527	(B) 50% of each dollar collected from the sales and use tax authorized by this part
1528	within a project area descr
1529	(C) ibed in a project area plan adopted by the military installation development
1530	authority under Title 63H, Chapter 1, Military Installation Development
1531	Authority Act, shall be distributed to the military installation development
1532	authority created in Section 63H-1-201;
1533	[(C)] (D) beginning July 1, 2024, 20% of each dollar collected from the sales and
1534	use tax authorized by this part within a project area under Title 11, Chapter 58,
1535	Utah Inland Port Authority Act, shall be distributed to the Utah Inland Port
1536	Authority, created in Section 11-58-201; [and]
1537	[(D)] (E) 50% of each dollar collected from the sales and use tax authorized by this
1538	part within the lake authority boundary, as defined in Section 11-65-101, shall
1539	be distributed to the Utah Lake Authority, created in Section 11-65-201,
1540	beginning the next full calendar quarter following the creation of the Utah
1541	Lake Authority[-]; and
1542	(F) 50% of each dollar collected from the sales and use tax authorized by this part
1543	within a sales and use tax boundary, as defined in Section 63N-3-1701, shall be
1544	distributed to the creating entity of the major sporting event venue zone
1545	beginning the next full calendar quarter following the creation of the major
1546	sporting event venue zone.
1547	(b) Subsection (2)(a)(ii)(C) does not apply to sales and use tax revenue collected before
1548	July 1, 2022.
1549	(3)(a) As used in this Subsection (3):
1550	(i) "Eligible county, city, or town" means a county, city, or town that:
1551	(A) for fiscal year 2012-13, received a tax revenue distribution under Subsection
1552	(3)(b) equal to the amount described in Subsection (3)(b)(ii); and
1553	(B) does not impose a sales and use tax under Section 59-12-2103 on or before
1554	July 1, 2016.
1555	(ii) "Minimum tax revenue distribution" means the total amount of tax revenue
1556	distributions an eligible county, city, or town received from a tax imposed in
1557	accordance with this part for fiscal year 2004-05.
1558	(b) An eligible county, city, or town shall receive a tax revenue distribution for a tax
1559	imposed in accordance with this part equal to the greater of:

1560	(i) the payment required by Subsection (2); or
1561	(ii) the minimum tax revenue distribution.
1562	(4)(a) For purposes of this Subsection (4):
1563	(i) "Annual local contribution" means the lesser of \$275,000 or an amount equal to
1564	2.55% of the participating local government's tax revenue distribution amount
1565	under Subsection (2)(a)(i) for the previous fiscal year.
1566	(ii) "Participating local government" means a county or municipality, as defined in
1567	Section 10-1-104, that is not an eligible municipality certified in accordance with
1568	Section 35A-16-404.
1569	(b) For revenue collected from the tax authorized by this part that is distributed on or
1570	after January 1, 2019, the commission, before making a tax revenue distribution
1571	under Subsection (2)(a)(i) to a participating local government, shall:
1572	(i) adjust a participating local government's tax revenue distribution under Subsection
1573	(2)(a)(i) by:
1574	(A) subtracting an amount equal to one-twelfth of the annual local contribution for
1575	each participating local government from the participating local government's
1576	tax revenue distribution; and
1577	(B) if applicable, reducing the amount described in Subsection (4)(b)(i)(A) by an
1578	amount equal to one-twelfth of \$250 for each bed that is available at all
1579	homeless shelters located within the boundaries of the participating local
1580	government, as reported to the commission by the Office of Homeless Services
1581	in accordance with Section 35A-16-405; and
1582	(ii) deposit the resulting amount described in Subsection (4)(b)(i) into the Homeless
1583	Shelter Cities Mitigation Restricted Account created in Section 35A-16-402.
1584	(c) For a participating local government that qualifies to receive a distribution described
1585	in Subsection (3), the commission shall apply the provisions of this Subsection (4)
1586	after the commission applies the provisions of Subsection (3).
1587	(5)(a) As used in this Subsection (5):
1588	(i) "Annual dedicated sand and gravel sales tax revenue" means an amount equal to
1589	the total revenue an establishment described in NAICS Code 327320, Ready-Mix
1590	Concrete Manufacturing, of the 2022 North American Industry Classification
1591	System of the federal Executive Office of the President, Office of Management
1592	and Budget, collects and remits under this part for a calendar year.
1593	(ii) "Sand and gravel" means sand, gravel, or a combination of sand and gravel.

1594	(iii) "Sand and gravel extraction site" means a pit, quarry, or deposit that:
1595	(A) contains sand and gravel; and
1596	(B) is assessed by the commission in accordance with Section 59-2-201.
1597	(iv) "Ton" means a short ton of 2,000 pounds.
1598	(v) "Tonnage ratio" means the ratio of:
1599	(A) the total amount of sand and gravel, measured in tons, sold during a calendar
1600	year from all sand and gravel extraction sites located within a county, city, or
1601	town; to
1602	(B) the total amount of sand and gravel, measured in tons, sold during the same
1603	calendar year from sand and gravel extraction sites statewide.
1604	(b) For purposes of calculating the ratio described in Subsection (5)(a)(v), the
1605	commission shall:
1606	(i) use the gross sales data provided to the commission as part of the commission's
1607	property tax valuation process; and
1608	(ii) if a sand and gravel extraction site operates as a unit across municipal or county
1609	lines, apportion the reported tonnage among the counties, cities, or towns based on
1610	the percentage of the sand and gravel extraction site located in each county, city,
1611	or town, as approximated by the commission.
1612	(c)(i) Beginning July 2023, and each July thereafter, the commission shall distribute
1613	from total collections under this part an amount equal to the annual dedicated sand
1614	and gravel sales tax revenue for the preceding calendar year to each county, city,
1615	or town in the same proportion as the county's, city's, or town's tonnage ratio for
1616	the preceding calendar year.
1617	(ii) The commission shall ensure that the revenue distributed under this Subsection
1618	(5)(c) is drawn from each jurisdiction's collections in proportion to the
1619	jurisdiction's share of total collections for the preceding 12-month period.
1620	(d) A county, city, or town shall use revenue described in Subsection (5)(c) for class B
1621	or class C roads.
1622	(6)(a) Population figures for purposes of this section shall be based on the most recent
1623	official census or census estimate of the United States Bureau of the Census.
1624	(b) If a needed population estimate is not available from the United States Bureau of the
1625	Census, population figures shall be derived from the estimate from the Utah
1626	Population Committee.
1627	(c) The population of a county for purposes of this section shall be determined only from

1628	the unincorporated area of the county.
1629	(7)(a) As used in this Subsection (7):
1630	(i) "Qualified development zone" means the sales and use tax boundary, as described
1631	in Section 63N-3-1710, of a major sporting event venue zone created under Title
1632	63N, Chapter 3, Part 17, Major Sporting Event Venue Zone Act.
1633	(ii) "Schedule J sale" means a sale reported on State Tax Commission Form TC-62M
1634	Schedule J or a substantially similar form as designated by the commission.
1635	(b) Revenue generated by a Schedule J sale within a qualified development zone shall be
1636	distributed to the jurisdiction that would have received the revenue in the absence of
1637	the qualified development zone.
1638	Section 14. Section 59-12-352 is amended to read:
1639	59-12-352. Transient room tax authority for municipalities and certain
1640	authorities Purposes for which revenues may be used.
1641	(1)(a) Except as provided in Subsection (5), the governing body of a municipality may
1642	impose a tax of not to exceed 1% on charges for the accommodations and services
1643	described in Subsection 59-12-103(1)(i).
1644	(b) Subject to Section 63H-1-203, the military installation development authority created
1645	in Section 63H-1-201 may impose a tax under this section for accommodations and
1646	services described in Subsection 59-12-103(1)(i) within a project area described in a
1647	project area plan adopted by the authority under Title 63H, Chapter 1, Military
1648	Installation Development Authority Act, as though the authority were a municipality.
1649	(c) Beginning October 1, 2024, the Utah Fairpark Area Investment and Restoration
1650	District, created in Section 11-70-201, may impose a tax under this section for
1651	accommodations and services described in Subsection 59-12-103(1)(i) within the
1652	district sales tax area, as defined in Section 11-70-101, to the same extent and in the
1653	same manner as a municipality may impose a tax under this section.
1654	(d) Beginning October 1, 2025, the creating entity of a major sporting event venue zone
1655	approved pursuant to Title 63N, Chapter 3, Part 17, Major Sporting Event Venue
1656	Zone Act, may impose a tax under this section for accommodations and services
1657	described in Subsection 59-12-103(1)(i) within the qualified development zone area,
1658	as defined in Section 63N-3-1701:
1659	(i) to the same extent and in the same manner as a municipality may impose a tax
1660	under this section; and
1661	(ii) as described in Subsection (7).

1662 (2) Subject to the limitations of Subsection (1), a governing body of a municipality may, by ordinance, increase or decrease the tax under this part.

- 1664 (3) A governing body of a municipality shall regulate the tax under this part by ordinance.
- 1665 (4) A municipality may use revenues generated by the tax under this part for general fund purposes.
- (5)(a) A municipality may not impose a tax under this section for accommodations and services described in Subsection 59-12-103(1)(i) within a project area described in a project area plan adopted by[–]:
 - (i) the military installation development authority under Title 63H, Chapter 1, Military Installation Development Authority Act; or
 - (ii) the Utah Fairpark Area Investment and Restoration District under Title 11, Chapter 70, Utah Fairpark Area Investment and Restoration District.
 - (b) Subsection (5)(a) does not apply to the military installation development authority's imposition of a tax under this section.
 - (c) A municipality may not impose a tax under this section for accommodations and services described in Subsection 59-12-103(1)(i) within a qualified development zone of a major sporting event venue zone if the creating entity of the major sporting event venue zone imposes a tax as described in Subsection (7).
- 1680 (6)(a) As used in this Subsection (6):

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- (i) "Authority" means the Point of the Mountain State Land Authority, created in Section 11-59-201.
- (ii) "Authority board" means the board referred to in Section 11-59-301.
- 1684 (b) The authority may, by a resolution adopted by the authority board, impose a tax of not to exceed 5% on charges for the accommodations and services described in Subsection 59-12-103(1)(i) for transactions that occur on point of the mountain state land, as defined in Section 11-59-102.
 - (c) The authority board, by resolution, shall regulate the tax under this Subsection (6).
- (d) The authority shall use all revenue from a tax imposed under this Subsection (6) to
 provide affordable housing, consistent with the manner that a community
 reinvestment agency uses funds for income targeted housing under Section 17C-1-412.
- (e) A tax under this Subsection (6) is in addition to any other tax that may be imposed under this part.
- 1694 (7)(a) As used in this Subsection (7), "creating entity" means the same as that term is defined in Section 11-71-101.

1696	(b) Subject to Subsection 11-71-202(4), a creating entity may, by ordinance, impose a
1697	tax not to exceed 5% on charges for the accommodations and services described in
1698	Subsection 59-12-103(1)(i) for transactions that occur within the qualified
1699	development zone, as defined in Section 63N-3-1701, of a major sporting event
1700	venue zone.
1701	(c) A creating entity shall use all revenue from a tax imposed under this Subsection (7)
1702	as described in Section 11-71-204.
1703	(d) A tax under this Subsection (7) is in addition to any other tax that may be imposed
1704	under this part.
1705	Section 15. Section 59-12-354 is amended to read:
1706	59-12-354 . Collection of tax Administrative charge.
1707	(1) Except as provided in Subsections (2) and (3), the tax authorized under this part shall be
1708	administered, collected, and enforced in accordance with:
1709	(a) the same procedures used to administer, collect, and enforce the tax under:
1710	(i) Part 1, Tax Collection; or
1711	(ii) Part 2, Local Sales and Use Tax Act; and
1712	(b) Chapter 1, General Taxation Policies.
1713	(2)(a) The location of a transaction shall be determined in accordance with Sections
1714	59-12-211 through 59-12-215.
1715	(b) Except as provided in Subsection (2)(c), the commission_shall distribute the revenue
1716	collected from the tax to:
1717	(i)(A) the municipality within which the revenue was collected, for a tax imposed
1718	under this part by a municipality; or
1719	(B) the Utah Fairpark Area Investment and Restoration District, for a tax imposed
1720	under this part by the Utah Fairpark Area Investment and Restoration District;
1721	and]
1722	(ii) the Point of the Mountain State Land Authority, for a tax imposed under
1723	Subsection 59-12-352(6)[-] ; and
1724	(iii) the creating entity of a major sporting event venue zone, for a tax imposed under
1725	Subsection 59-12-352(7).
1726	(c) The commission shall retain and deposit an administrative charge in accordance with
1727	Section 59-1-306 from the revenue the commission collects from a tax under this part.
1728	(3) A tax under this part is not subject to Section 59-12-107.1 or 59-12-123 or Subsections
1729	59-12-205(2) through (5).

1730	Section 16. Section 59-12-401 is amended to read:
1731	59-12-401. Resort communities tax authority for cities, towns, and certain
1732	authorities and certain counties Base Rate Collection fees.
1733	(1)(a) In addition to other sales and use taxes, a city or town in which the transient room
1734	capacity as defined in Section 59-12-405 is greater than or equal to 66% of the
1735	municipality's permanent census population may impose a sales and use tax of up to
1736	1.1% on the transactions described in Subsection 59-12-103(1) located within the city
1737	or town.
1738	(b) Notwithstanding Subsection (1)(a), a city or town may not impose a tax under this
1739	section on:
1740	(i)(A) the sale of a motor vehicle, an aircraft, a watercraft, a modular home, a
1741	manufactured home, or a mobile home;
1742	(B) the sales and uses described in Section 59-12-104 to the extent the sales and
1743	uses are exempt from taxation under Section 59-12-104; and
1744	(C) except as provided in Subsection (1)(d), amounts paid or charged for food and
1745	food ingredients; or
1746	(ii) transactions that occur in the district sales tax area, as defined in Subsection (4), if
1747	the fairpark district, as defined in Subsection (4), has imposed a tax under
1748	Subsection (4).
1749	(c) For purposes of this Subsection (1), the location of a transaction shall be determined
1750	in accordance with Sections 59-12-211 through 59-12-215.
1751	(d) A city or town imposing a tax under this section shall impose the tax on the purchase
1752	price or the sales price for amounts paid or charged for food and food ingredients if
1753	the food and food ingredients are sold as part of a bundled transaction attributable to
1754	food and food ingredients and tangible personal property other than food and food
1755	ingredients.
1756	(2)(a) An amount equal to the total of any costs incurred by the state in connection with
1757	the implementation of Subsection (1) which exceed, in any year, the revenues
1758	received by the state from its collection fees received in connection with the
1759	implementation of Subsection (1) shall be paid over to the state General Fund by the
1760	cities and towns which impose the tax provided for in Subsection (1).
1761	(b) Amounts paid under Subsection (2)(a) shall be allocated proportionally among those
1762	cities and towns according to the amount of revenue the respective cities and towns
1763	generate in that year through imposition of that tax.

1764	(3)(a) Subject to Section 63H-1-203, the military installation development authority
1765	created in Section 63H-1-201 may impose a tax under this section on the transactions
1766	described in Subsection 59-12-103(1) located within a project area described in a
1767	project area plan adopted by the authority under Title 63H, Chapter 1, Military
1768	Installation Development Authority Act, as though the authority were a city or a town.
1769	(b) For purposes of calculating the permanent census population within a project area,
1770	the board, as defined in Section 63H-1-102, shall:
1771	(i) use the actual number of permanent residents within the project area as determined
1772	by the board;
1773	(ii) include in the calculation of transient room capacity the number, as determined
1774	by the board, of approved high-occupancy lodging units, recreational lodging
1775	units, special lodging units, and standard lodging units, even if the units are not
1776	constructed;
1777	(iii) adopt a resolution verifying the population number; and
1778	(iv) provide the commission any information required in Section 59-12-405.
1779	(c) Notwithstanding Subsection (1)(a), a board as defined in Section 63H-1-102 may
1780	impose the sales and use tax under this section if there are no permanent residents.
1781	(4)(a) As used in this Subsection (4):
1782	(i) "District sales tax area" means the same as that term is defined in Section
1783	11-70-101.
1784	(ii) "Fairpark district" means the Utah Fairpark Area Investment and Restoration
1785	District, created in Section 11-70-201.
1786	(iii) "Fairpark district board" means the board of the fairpark district.
1787	(b) The fairpark district, by resolution of the fairpark district board, may impose a tax
1788	under this section, as though the fairpark district were a city or town, on transactions
1789	described in Subsection 59-12-103(1):
1790	(i) located within the district sales tax area; and
1791	(ii) that occur on or after October 1, 2024.
1792	(c) For purposes of calculating the permanent census population within the district sales
1793	tax area, the fairpark district board shall:
1794	(i) use the actual number of permanent residents within the district sales tax area as
1795	determined by the fairpark district board;
1796	(ii) include in the calculation of transient room capacity the number, as determined
1797	by the fairpark district board, of approved high-occupancy lodging units,

1798	recreational lodging units, special lodging units, and standard lodging units, even
1799	if the units are not constructed;
1800	(iii) adopt a resolution verifying the population number; and
1801	(iv) provide the commission any information required in Section 59-12-405.
1802	(d) Notwithstanding Subsection (1)(a), the fairpark district may impose the sales and use
1803	tax under this section if there are no permanent residents within the district sales tax
1804	area.
1805	(5)(a) As used in this Subsection (5):
1806	(i) "Creating entity" means the same as that term is defined in Section 11-71-101.
1807	(ii) "Major sporting event venue zone" means an area approved to be a major sporting
1808	event venue zone under Title 63N, Chapter 3, Part 17, Major Sporting Event
1809	Venue Zone Act.
1810	(iii) "Qualified development zone" means the same as that term is defined in Section
1811	<u>63N-3-1701.</u>
1812	(b) Subject to Subsection 11-71-202(4), a creating entity of a major sporting event venue
1813	zone may, by ordinance, impose a tax under this section as though the creating entity
1814	were a city or town eligible to impose a tax under this section on the transactions
1815	described in Subsection 59-12-103(1):
1816	(i) located within the qualified development zone; and
1817	(ii) that occur on or after October 1, 2025.
1818	(6)(a) As used in this Subsection (6), "major sporting event venue" means the same as
1819	that term is defined in Subsection 63N-3-1701(6)(a) but not Subsection
1820	63N-3-1701(6)(b).
1821	(b) A county of the third class with at least three major sporting event venues within the
1822	jurisdiction of the county may, by ordinance, impose a tax under this section as
1823	though the county were a city or town eligible to impose a tax under this section on
1824	the transactions described in Subsection 59-12-103(1):
1825	(i) within the county; and
1826	(ii) that occur on or after October 1, 2025.
1827	(c) A county that imposes a tax under this Subsection (6) shall submit sufficient proof to
1828	the commission, on a form provided by the commission, that the county meets the
1829	requirements of Subsection (6)(b) at least one fiscal quarter before the tax imposed
1830	by the county under this Subsection (6) goes into effect.
1831	Section 17. Section 59-12-402 is amended to read:

1832	59-12-402 . Additional resort communities sales and use tax Base Rate
1833	Collection fees Resolution and voter approval requirements Election requirements
1834	Notice requirements Ordinance requirements Certain authorities and zones
1835	implementing additional resort communities sales and use tax.
1836	(1)(a) Subject to Subsections (2) through (6), the governing body of a municipality in
1837	which the transient room capacity as defined in Section 59-12-405 is greater than or
1838	equal to 66% of the municipality's permanent census population may, in addition to
1839	the sales tax authorized under Section 59-12-401, impose an additional resort
1840	communities sales tax in an amount that is less than or equal to .5% on the
1841	transactions described in Subsection 59-12-103(1) located within the municipality.
1842	(b) Notwithstanding Subsection (1)(a), the governing body of a municipality may not
1843	impose a tax under this section on:
1844	(i)(A) the sale of a motor vehicle, an aircraft, a watercraft, a modular home, a
1845	manufactured home, or a mobile home;
1846	(B) the sales and uses described in Section 59-12-104 to the extent the sales and
1847	uses are exempt from taxation under Section 59-12-104; and
1848	(C) except as provided in Subsection (1)(d), amounts paid or charged for food and
1849	food ingredients; or
1850	(ii) transactions that occur in the district sales tax area, as defined in Subsection
1851	59-12-401(4), if the Utah Fairpark Area Investment and Restoration District,
1852	created in Section 11-70-201, has imposed a tax under Subsection (8).
1853	(c) For purposes of this Subsection (1), the location of a transaction shall be determined
1854	in accordance with Sections 59-12-211 through 59-12-215.
1855	(d) A municipality imposing a tax under this section shall impose the tax on the
1856	purchase price or sales price for amounts paid or charged for food and food
1857	ingredients if the food and food ingredients are sold as part of a bundled transaction
1858	attributable to food and food ingredients and tangible personal property other than
1859	food and food ingredients.
1860	(2)(a) An amount equal to the total of any costs incurred by the state in connection with
1861	the implementation of Subsection (1) which exceed, in any year, the revenues
1862	received by the state from its collection fees received in connection with the
1863	implementation of Subsection (1) shall be paid over to the state General Fund by the
1864	cities and towns which impose the tax provided for in Subsection (1).
1865	(b) Amounts paid under Subsection (2)(a) shall be allocated proportionally among those

1866 cities and towns according to the amount of revenue the respective cities and towns 1867 generate in that year through imposition of that tax. 1868 (3) To impose an additional resort communities sales tax under this section, the governing 1869 body of the municipality shall: 1870 (a) pass a resolution approving the tax; and (b) except as provided in Subsection (6), obtain voter approval for the tax as provided in 1871 1872 Subsection (4). 1873 (4) To obtain voter approval for an additional resort communities sales tax under 1874 Subsection (3)(b), a municipality shall: 1875 (a) hold the additional resort communities sales tax election during: 1876 (i) a regular general election; or 1877 (ii) a municipal general election; and 1878 (b) post notice of the election for the municipality, as a class A notice under Section 63G-30-102, for at least 15 days before the day on which the election is held. 1879 1880 (5) An ordinance approving an additional resort communities sales tax under this section 1881 shall provide an effective date for the tax as provided in Section 59-12-403. 1882 (6)(a) Except as provided in Subsection (6)(b), a municipality is not subject to the voter 1883 approval requirements of Subsection (3)(b) if, on or before January 1, 1996, the 1884 municipality imposed a license fee or tax on businesses based on gross receipts 1885 pursuant to Section 10-1-203. 1886 (b) The exception from the voter approval requirements in Subsection (6)(a) does not 1887 apply to a municipality that, on or before January 1, 1996, imposed a license fee or 1888 tax on only one class of businesses based on gross receipts pursuant to Section 10-1-203. 1889 1890 (7) Subject to Subsection 63H-1-203(1), a military installation development authority 1891 authorized to impose a resort communities tax under Section 59-12-401 may impose an 1892 additional resort communities sales tax under this section. 1893 (8) The Utah Fairpark Area Investment and Restoration District, created in Section 1894 11-70-201, may impose an additional resort communities tax under this section on 1895 transactions that occur: 1896 (a) within the district sales tax area, as defined in Subsection 59-12-401(4); and 1897 (b) that occur on or after October 1, 2024. 1898 (9) Subject to Subsection 11-71-202(4), the creating entity of a major sporting event venue 1899 zone, established under Title 63N, Chapter 3, Part 17, Major Sporting Event Venue

1900	Zone Act, may by ordinance impose an additional resort communities tax under this
1901	section on transactions that occur:
1902	(a) within the major sporting event venue zone qualified development zone, as defined
1903	in Section 63N-3-1701; and
1904	(b) on or after October 1, 2025.
1905	Section 18. Section 59-12-405 is amended to read:
1906	59-12-405. Definitions Municipality filing requirements for lodging unit
1907	capacity Failure to meet eligibility requirements Notice to municipality
1908	Municipality authority to impose tax.
1909	(1) As used in this section:
1910	(a) "High-occupancy lodging unit" means each bedroom in a:
1911	(i) hostel; or
1912	(ii) a unit similar to a hostel as determined by the commission by rule.
1913	(b) "High-occupancy lodging unit capacity of a municipality" means the product of:
1914	(i) the total number of high-occupancy lodging units within the incorporated
1915	boundaries of a municipality on the first day of the calendar quarter during which
1916	the municipality files the form described in Subsection (3); and
1917	(ii) four.
1918	(c) "Recreational lodging unit" means each site in a:
1919	(i) campground that:
1920	(A) is issued a business license by the municipality in which the campground is
1921	located; and
1922	(B) provides the following hookups:
1923	(I) water;
1924	(II) sewer; and
1925	(III) electricity; [or]
1926	(ii) recreational vehicle park that provides the following hookups:
1927	(A) water;
1928	(B) sewer; and
1929	(C) electricity; or
1930	(iii) unit similar to Subsection (1)(c)(i) or (ii) as determined by the commission by
1931	rule.
1932	(d) "Recreational lodging unit capacity of a municipality" means the product of:
1933	(i) the total number of recreational lodging units within the incorporated boundaries

1934		of a municipality on the first day of the calendar quarter during which the
1935		municipality files the form described in Subsection (3); and
1936		(ii) four.
1937	(e)	"Special lodging unit" means a lodging unit:
1938		(i) that is a:
1939		(A) high-occupancy lodging unit;
1940		(B) recreational lodging unit; or
1941		(C) standard lodging unit;
1942		(ii) for which the commission finds that in determining the capacity of the lodging
1943		unit the lodging unit should be multiplied by a number other than a number
1944		described in:
1945		(A) for a high-occupancy lodging unit, Subsection (1)(b)(ii);
1946		(B) for a recreational lodging unit, Subsection (1)(d)(ii); or
1947		(C) for a standard lodging unit, Subsection (1)(i)(ii); and
1948		(iii) for which the municipality in which the lodging unit is located files a written
1949		request with the commission for the finding described in Subsection (1)(e)(ii).
1950	(f)	"Special lodging unit capacity of a municipality" means the sum of the special
1951		lodging unit numbers for all of the special lodging units within the incorporated
1952		boundaries of a municipality on the first day of the calendar quarter during which the
1953		municipality files the form described in Subsection (3).
1954	(g)	"Special lodging unit number" means the number by which the commission finds
1955		that a special lodging unit should be multiplied in determining the capacity of the
1956		special lodging unit.
1957	(h)	"Standard lodging unit" means each bedroom in:
1958		(i) a hotel;
1959		(ii) a motel;
1960		(iii) a bed and breakfast establishment;
1961		(iv) an inn;
1962		(v) a condominium that is:
1963		(A) part of a rental pool; or
1964		(B) regularly rented out for a time period of less than 30 consecutive days;
1965		(vi) a property used as a residence that is:
1966		(A) part of a rental pool; or
1967		(B) regularly rented out for a time period of less than 30 consecutive days; or

1968	(vii) a unit similar to Subsections (1)(h)(i) through (vi) as determined by the
1969	commission by rule.
1970	(i) "Standard lodging unit capacity of a municipality" means the product of:
1971	(i) the total number of standard lodging units within the incorporated boundaries of a
1972	municipality on the first day of the calendar quarter during which the municipality
1973	files the form described in Subsection (3); and
1974	(ii) three.
1975	(j) "Transient room capacity" means the sum of:
1976	(i) the high-occupancy lodging unit capacity of a municipality;
1977	(ii) the recreational lodging unit capacity of a municipality;
1978	(iii) the special lodging unit capacity of a municipality; and
1979	(iv) the standard lodging unit capacity of a municipality.
1980	(2) A municipality that imposes a tax under this part shall provide the commission the
1981	following information as provided in this section:
1982	(a) the high-occupancy lodging unit capacity of the municipality;
1983	(b) the recreational lodging unit capacity of the municipality;
1984	(c) the special lodging unit capacity of the municipality; and
1985	(d) the standard lodging unit capacity of the municipality.
1986	(3) A municipality shall file with the commission the information required by Subsection (2):
1987	(a) on a form provided by the commission; and
1988	(b) on or before:
1989	(i) for a municipality that is required by Section 59-12-403 to provide notice to the
1990	commission, the day on which the municipality provides the notice required by
1991	Section 59-12-403 to the commission; or
1992	(ii) for a municipality that is not required by Section 59-12-403 to provide notice to
1993	the commission, July 1 of each year.
1994	(4) If the commission determines that a municipality that files the form described in
1995	Subsection (3) has a transient room capacity that is less than 66% of the municipality's
1996	permanent census population, the commission shall notify the municipality in writing:
1997	(a) that the municipality's transient room capacity is less than 66% of the municipality's
1998	permanent census population; and
1999	(b)(i) for a municipality that is required by Section 59-12-403 to provide notice to the
2000	commission, within 30 days after the day on which the municipality provides the
2001	notice to the commission; or

2002	(ii) for a municipality that is not required by Section 59-12-403 to provide notice to
2003	the commission, on or before September 1.
2004	(5)(a) For a municipality that does not impose a tax under Section 59-12-401 on the day
2005	on which the municipality files the form described in Subsection (3), if the
2006	commission provides written notice described in Subsection (4) to the municipality,
2007	the municipality may not impose a tax under this part until the municipality meets the
2008	requirements of this part to enact the tax.
2009	(b) For a municipality that is not required by Section 59-12-403 to provide notice to the
2010	commission, if the commission provides written notice described in Subsection (4) to
2011	the municipality for three consecutive calendar years, the municipality may not
2012	impose a tax under this part:
2013	(i) beginning on July 1 of the year after the year during which the commission
2014	provided written notice described in Subsection (4):
2015	(A) to the municipality; and
2016	(B) for the third consecutive calendar year; and
2017	(ii) until the municipality meets the requirements of this part to enact the tax.
2018	(6) The requirements of this section do not apply to a municipality that:
2019	(a) is a creating entity of a major sporting event venue zone; and
2020	(b) only imposes a tax authorized under this part on transactions that occur within the
2021	qualified development area of a major sporting event venue zone.
2022	Section 19. Section 63N-3-1701 is enacted to read:
2023	Part 17. Major Sporting Event Venue Zone Act
2024	<u>63N-3-1701</u> . Definitions.
2025	As used in this part:
2026	(1) "Base taxable value" means the taxable value of land within a qualified development
2027	zone as of January 1 of the year in which a committee approves a proposal for a major
2028	sporting event venue zone.
2029	(2) "Base year" means, for each tax increment collection period triggered within a qualified
2030	development zone or a proposed qualified development zone, the calendar year before
2031	the calendar year in which the tax increment begins to be collected for the parcels
2032	triggered for that collection period.
2033	(3) "Committee" means a major sporting event venue zone committee described in Section
2034	63N-1a-1706.
2035	(4) "Creating entity" means a municipality or a county.

2036 (5) "Impacted primary area" means the land outside a primary project area but within one 2037 mile of the boundary of the primary project area. 2038 (6)(a) "Major sporting event venue" means: 2039 (i) for a venue that has been or is proposed to be used for the Olympic Games, as 2040 confirmed by the Salt Lake City-Utah Committee for the Games, a site, arena, or 2041 facility along with supporting or adjacent structures so long as the expected 2042 expenditures to construct, demolish, reconstruct, modify, upgrade, or expand the 2043 site, arena, or facility exceeds \$100,000,000; or 2044 (ii) for a venue that has been or is proposed to host international or professional 2045 sports competitions, a site, arena, golf course, playing field, stadium, or facility 2046 along with supporting or adjacent structures so long as: 2047 (A) the expected expenditures to construct, demolish, reconstruct, modify, 2048 upgrade, or expand the site, arena, golf course, playing field, stadium, or 2049 facility exceeds \$100,000,000; and 2050 (B) the total area for the venue is at least 50 acres in size. 2051 (b) "Major sporting event venue" includes structures where an international competition 2052 or professional athletic event is not taking place directly but where media, athletes, 2053 spectators, organizers, and officials associated with the international competition or 2054 professional athletic event are hosted in direct connection with the international 2055 competition or professional athletic event taking place at a location described in 2056 Subsection (6)(a). 2057 (7) "Major sporting event venue zone" means the land, as described in a proposal to create a 2058 major sporting event venue zone or a proposal to amend a major sporting event venue 2059 zone, or as approved by a committee for a major sporting event venue zone, upon which 2060 there are one or more major sporting event venues. 2061 (8) "Major sporting event venue zone revenue" means all the revenue captured by a creating 2062 entity for an area described in a major sporting event venue zone and the major sporting 2063 event venue zone primary project area, including: 2064 (a) property tax increment; 2065 (b) sales and use tax increment; 2066 (c) if applicable, municipal energy sales and use tax; 2067 (d) if applicable, municipal telecommunications license tax; 2068 (e) if applicable, accommodations tax: 2069 (f) if applicable, transient room tax; and

2070	(g) if applicable, resort communities sales and use tax and additional resort communities
2071	sales and use tax.
2072	(9)(a) "Property tax increment" means the difference between:
2073	(i) the amount of property tax revenue generated each tax year by a taxing entity
2074	within a qualified development zone, or proposed qualified development zone,
2075	from which property tax increment is to be collected, using the current assessed
2076	value and each taxing entity's current certified tax rate as defined in Section
2077	<u>59-2-924; and</u>
2078	(ii) the amount of property tax revenue that would be generated from the area
2079	described in Subsection (9)(a)(i) using the base taxable value and each taxing
2080	entity's current certified tax rate as defined in Section 59-2-924.
2081	(b) "Property tax increment" does not include property tax revenue from:
2082	(i) a multicounty assessing and collecting levy described in Subsection 59-2-1602(2)
2083	<u>or</u>
2084	(ii) a county additional property tax described in Subsection 59-2-1602(4).
2085	(10) "Proposal" means a document, physical or electronic, developed by a creating entity:
2086	(a) outlining the need for a major sporting event venue zone;
2087	(b) describing the proposed primary project area of a proposed major sporting event
2088	venue zone;
2089	(c) describing the impacted primary area of a proposed major sporting event venue zone;
2090	(d) describing the proposed secondary project area of a proposed major sporting event
2091	venue zone, if any; and
2092	(e) submitted to a major sporting event venue zone committee.
2093	(11) "Qualified development zone" means the property within a major sporting event venue
2094	zone, and, if applicable, the secondary project area, as approved by the committee as
2095	described in this part.
2096	(12) "Sales and use tax base year" means a sales and use tax year determined by the first
2097	year pertaining to the tax imposed in Section 59-12-103 after the sales and use tax
2098	boundary for a major sporting event venue zone is established.
2099	(13)(a) "Sales and use tax boundary" means a boundary established as described in
2100	Sections 63N-3-1707 and 63N-3-1710, based on state sales and use tax collection that
2101	corresponds as closely as reasonably practicable to the boundary of the major
2102	sporting event venue zone.
2103	(b) "Sales and use tax boundary" does not include land described in a secondary project

2104	<u>area.</u>
2105	(14) "Sales and use tax increment" means the difference between:
2106	(a) the amount of state sales and use tax revenue generated each year following the sales
2107	and use tax base year by the sales and use tax from the area within a sales and use tax
2108	boundary from which sales and use tax increment is to be collected; and
2109	(b) the amount of state sales and use tax revenue that was generated from within the
2110	sales and use tax boundary during the sales and use tax base year.
2111	(15)(a) "Secondary project area" means land, as described in a proposal to create a major
2112	sporting event venue zone or a proposal to amend a major sporting event venue zone,
2113	or as approved by a committee for a major sporting event venue zone:
2114	(i) located in the same jurisdiction as the creating entity for the major sporting event
2115	venue zone;
2116	(ii) located no more than two miles from the boundary of the major sporting event
2117	venue zone;
2118	(iii) connected to a primary project area by a transportation system; and
2119	(iv) not exceeding 50 acres.
2120	(b) "Secondary project area" may include:
2121	(i) land that is not contiguous to the primary project area, if the land designated in the
2122	secondary project area is the only or primary point of transit by which an
2123	individual may begin to access the primary project area; and
2124	(ii) the land on which a connecting transportation system sits if the transportation
2125	system requires infrastructure that is permanently affixed to the land.
2126	(16) "Transportation system" means:
2127	(a) a street, alley, road, highway, pathway, or thoroughfares of any kind, including
2128	connected structures;
2129	(b) an airport or aerial transit infrastructure;
2130	(c) a public transit facility; or
2131	(d) any other modes or form of conveyance used by the public.
2132	Section 20. Section 63N-3-1702 is enacted to read:
2133	63N-3-1702 . Applicability, requirements, and limitations on a major sporting
2134	event venue zone.
2135	(1) A major sporting event venue zone created pursuant to this part shall promote the
2136	following objectives:
2137	(a) redevelopment of existing but aging major sporting event venues:

2138		(b) development of new major sporting event venues;
2139		(c) development of infrastructure supporting a major sporting event venue;
2140		(d) increased utilization of public transportation when accessing a major sporting event
2141		venue;
2142		(e) improved efficiencies in parking and transportation with the goal of increasing
2143		walkability between a major sporting event venue and a public transit station;
2144		(f) improved commercial development, or mixed commercial-residential development,
2145		in areas near a major sporting event venue;
2146		(g) improving air quality by reducing fuel consumption and motor vehicle trips;
2147		(h) increasing tourism activity; and
2148		(i) the development of affordable housing near a major sporting event venue.
2149	<u>(2)</u>	In order to accomplish the objectives described in this section, a creating entity that
2150		initiates the process to create a major sporting event venue zone shall ensure that a
2151		proposal for a major sporting event venue zone includes information demonstrating how
2152		the proposed major sporting event venue zone shall achieve the objectives described in
2153		Subsection (1).
2154	<u>(3)</u>	Notice of commencement of collection of tax increment shall be sent by mail or
2155		electronically to the following entities no later than January 1 of the year for which the
2156		tax increment collection is proposed to commence:
2157		(a) the State Tax Commission;
2158		(b) the State Board of Education;
2159		(c) the state auditor;
2160		(d) the auditor of the county in which the major sporting event venue zone is proposed to
2161		be created;
2162		(e) each taxing entity to be affected by collection of tax increment in the proposed major
2163		sporting event venue zone;
2164		(f) the assessor of the county in which the major sporting event venue zone is proposed
2165		to be created; and
2166		(g) the Governor's Office of Economic Opportunity.
2167	<u>(4)</u>	A major sporting event venue zone proposal may include:
2168		(a) a proposal to capture property tax increment;
2169		(b) a proposal to capture sales and use tax increment; and
2170		(c) a proposal to implement a tax described in Section 11-71-202, either immediately
2171		upon creation of the major sporting event venue zone or on a specified timeline

2172	following the creation of the major sporting event venue zone.
2173	Section 21. Section 63N-3-1703 is enacted to read:
2174	63N-3-1703 . Process for proposing a major sporting event venue zone.
2175	(1)(a) A creating entity may propose a major sporting event venue zone as provided in
2176	this section.
2177	(b) One or more creating entities may jointly propose a major sporting event venue zone
2178	<u>if:</u>
2179	(i) the creating entities first enter an interlocal agreement governing how the creating
2180	entities shall manage the major sporting event venue zone, if approved; or
2181	(ii) the creating entities include a proposed interlocal agreement the creating entities
2182	will enter upon approval of the major sporting event venue zone.
2183	(c) A creating entity may not propose a major sporting event venue zone unless the
2184	owner of a major sporting event venue consents to the creation of the major sporting
2185	event venue zone through a participation agreement with the creating entity.
2186	(2) A proposal for a major sporting event venue zone shall:
2187	(a) identify if the proposal is to redevelop an existing but aging major sporting event
2188	venue, develop a new major sporting event venue, or both redevelop an existing but
2189	aging major sporting event venue and develop a new major sporting event venue;
2190	(b) demonstrate that the major sporting event venue zone will meet the objectives
2191	described in Subsection 63N-3-1702(1);
2192	(c) explain how the creating entity will achieve the requirements of Subsection
2193	63N-3-1702(2);
2194	(d) include the consent described in Subsection (1)(c);
2195	(e) define specific infrastructure needs, if any, and proposed improvements to:
2196	(i) the major sporting event venue zone; and
2197	(ii) if applicable, the secondary project area;
2198	(f) demonstrate how the major sporting event venue zone will:
2199	(i) ensure sufficient traffic control;
2200	(ii) provide multiple avenues for spectators or participants to access the major
2201	sporting event venue zone, including public transit; and
2202	(iii) promote increased visitation to and recreation in the major sporting event venue
2203	zone;
2204	(g) define the boundaries of the major sporting event venue zone;
2205	(h) define the boundaries of the secondary project area, if any;

2206	(i) identify any impediments to the development of a new major sporting event venue, or
2207	impediments to refurbishing an existing major sporting event venue, in the major
2208	sporting event venue zone and proposed strategies for addressing each one;
2209	(j) describe the proposed development or refurbishment to a sporting event venue in the
2210	major sporting event venue zone, including estimated costs;
2211	(k) subject to Subsection (3):
2212	(i) propose the collection period or periods for the major sporting event venue zone
2213	property tax increment, sales tax increment, or both;
2214	(ii) propose the collection period or periods for property tax increment in the
2215	secondary project area, if any;
2216	(iii) propose the sales tax increment to be collected for the benefit of the major
2217	sporting event venue zone; and
2218	(iv) propose the qualified development zone boundaries for purposes of the property
2219	tax increment boundary, as described in Section 63N-3-1709, and the sales and
2220	use tax boundary, as described in Section 63N-3-1710;
2221	(1) establish the timeline to levy additional taxes authorized under Title 11, Chapter 71,
2222	Major Sporting Event Venue Zones, if any, within the major sporting event venue
2223	zone and primary project area;
2224	(m) describe projected maximum revenues generated within the major sporting event
2225	venue zone by each permitted source of revenue, as described in Section 11-71-202;
2226	(n) describe proposed expenditures of revenue generated within the major sporting event
2227	venue zone;
2228	(o) include an analysis of other applicable or eligible incentives, grants, or sources of
2229	revenue that can be used to reduce any finance gap between generated revenue and
2230	estimated costs;
2231	(p)(i) describe any known opportunities for private-public partnership in developing,
2232	refurbishing, operating, or managing a major sporting event venue, as described in
2233	Section 11-71-301; or
2234	(ii) describe a strategy to pursue private-public partnership in developing or
2235	refurbishing a major sporting event venue;
2236	(q) propose a finance schedule to align expected revenue with required financing costs
2237	and payments;
2238	(r) evaluate possible benefits to active transportation, public transportation availability
2239	and utilization, street connectivity, and air quality; and

2240	(s) provides a pro forma for the planned development that:
2241	(i) satisfies the requirements described in Section 63N-3-1702; and
2242	(ii) includes data showing the cost difference between what type of redevelopment or
2243	development could feasibly occur without major sporting event venue zone
2244	revenue, and the type of redevelopment or development that is proposed to occur
2245	with major sporting event venue zone revenue.
2246	(3)(a) Property tax increment may be collected from a qualified development zone for no
2247	less than 25 years and no more than 40 years.
2248	(b) Sales and use tax increment may be collected for an area in a sales and use tax
2249	boundary for no more than 40 years.
2250	(c) The percentage of property tax increment collected for the benefit of a major sporting
2251	event venue zone is 75%.
2252	(d) The committee established under Section 63N-3-1706 shall determine the percentage
2253	of sales and use tax increment to be collected for the benefit of a major sporting event
2254	venue zone.
2255	(4) A creating entity shall submit a proposal described in Subsection (2) to a relevant school
2256	district to discuss the requirements of the proposal.
2257	(5) No earlier than 30 days after the day on which the creating entity submits the proposal
2258	to a relevant school district under Subsection (4), the creating entity shall provide the
2259	proposal described in Subsection (2) and any response or feedback to the proposal from
2260	a relevant school district to the office for consideration.
2261	(6)(a) Within 14 days after the date on which the office receives the proposal described
2262	in Subsection (5), the office shall provide notice of the proposal to all affected taxing
2263	entities, including the State Tax Commission, cities, counties, school districts,
2264	metropolitan planning organizations, and the county assessor and county auditor of
2265	the county in which the major sporting event venue zone would be located.
2266	(b) After receiving notice from the office of a proposed major sporting event venue zone
2267	as described in Subsection (6)(a), the creating entity, in consultation with the county
2268	assessor and the State Tax Commission, shall:
2269	(i) evaluate the feasibility of administering the tax implications of the proposal; and
2270	(ii) provide a letter to the office describing any challenges in the administration of the
2271	proposal, or indicating that the county assessor and State Tax Commission can
2272	feasibly administer the proposal.
2273	(7) After providing the office with the letter described in Subsection (6)(b), the creating

2274	entity proposing the major sporting event venue zone may:
2275	(a) amend the proposal and request that the office submit the amended proposal to the
2276	committee; or
2277	(b) request that the office submit the original major sporting event venue zone proposal
2278	to the committee.
2279	Section 22. Section 63N-3-1704 is enacted to read:
2280	$\underline{63N-3-1704}$. Consideration of proposals by the major sporting event venue zone
2281	committee.
2282	(1) A major sporting event venue zone proposed under this part is subject to approval by
2283	the major sporting event venue zone committee.
2284	(2)(a) The proposing creating entity shall present the proposal to the major sporting
2285	event venue zone committee described in Section 63N-3-1706 in a public meeting.
2286	(b) The committee shall evaluate and verify whether the objectives and elements of a
2287	major sporting event venue zone described in Section 63N-3-1702 have been met.
2288	(3) In considering a proposal under this part, a committee may request any information
2289	from a creating entity needed to make a determination about whether to approve or deny
2290	a proposal, or approve a proposal with modifications, including a description of the
2291	proposed uses of funds and how funds will be used to support public projects related to
2292	the major sporting event venue zone, including transit or affordable housing.
2293	(4)(a) Subject to Subsection (4)(b), the committee may:
2294	(i) request changes to the proposal based on the analysis, characteristics, and criteria
2295	described in Section 63N-3-1703; or
2296	(ii) vote to approve or deny the proposal.
2297	(b) Before the committee may approve the major sporting event venue zone proposal,
2298	the creating entity proposing the major sporting event venue zone shall:
2299	(i) for a creating entity that is made up of more than one municipality or county,
2300	ensure the requirement described in Subsection 63N-3-1703(1)(b) has been met;
2301	<u>and</u>
2302	(ii) ensure that the area of the proposed major sporting event venue zone is zoned in
2303	such a manner to accommodate the requirements of a major sporting event venue
2304	zone described in this section and the proposed development.
2305	Section 23. Section 63N-3-1705 is enacted to read:
2306	63N-3-1705 . Notice requirements for the creating entity.
2307	(1) In approving a proposal, the committee shall follow the hearing and notice requirements

2308		for proposing a major sporting event venue zone as described in this section.
2309	<u>(2)</u>	Within 30 days after the committee approves a proposed major sporting event venue
2310		zone as described in Section 63N-3-1707, the creating entity shall:
2311		(a) record with the recorder of the county in which the major sporting event venue zone
2312		is located a document containing:
2313		(i) a description of the land within the major sporting event venue zone, primary
2314		project area, and if applicable, the secondary project area;
2315		(ii) a statement that the proposed major sporting event venue zone has been approved
2316		(iii) the date of adoption; and
2317		(iv) the effective date of the major sporting event venue zone, as described in Section
2318		<u>63N-3-1707;</u>
2319		(b) transmit a copy of the description of the land within the major sporting event venue
2320		zone and an accurate map or plat indicating the boundaries of the major sporting
2321		event venue zone, primary project area, and if applicable, secondary project area to
2322		the Utah Geospatial Resource Center created under Section 63A-16-505; and
2323		(c) transmit a copy of the approved major sporting event venue zone proposal, map, and
2324		legal description of the major sporting event venue zone, primary project area, and if
2325		applicable, secondary project area, to:
2326		(i) the auditor, recorder, attorney, surveyor, and assessor of the county in which any
2327		part of the major sporting event venue zone is located;
2328		(ii) the officer or officers performing the function of auditor or assessor for each
2329		taxing entity that does not use the county assessment roll or collect the taxing
2330		entity's taxes through the county;
2331		(iii) the legislative body or governing board of each taxing entity;
2332		(iv) the State Tax Commission; and
2333		(v) the State Board of Education.
2334		Section 24. Section 63N-3-1706 is enacted to read:
2335		63N-3-1706. Major sporting event venue zone committee Creation.
2336	<u>(1)</u>	For any major sporting event venue zone proposed under this part, there is created a
2337		major sporting event venue zone committee with membership described in Subsection
2338		<u>(2).</u>
2339	<u>(2)</u>	Each major sporting event venue zone committee shall consist of the following
2340		members:
2341		(a) one representative from the office, designated by the executive director of the office;

2342	(b) one representative from the creating entity;
2343	(c)(i) if a proposal addresses a major sporting event venue that will be used during an
2344	Olympic Games, one member of the executive committee for the Salt Lake
2345	City-Utah Committee for the Games; or
2346	(ii) if a proposal does not address a major sporting event venue that will be used
2347	during an Olympic Games, one individual with expertise in a professional sports
2348	industry, appointed by the governor;
2349	(d) one individual from the Office of the State Treasurer, designated by the state
2350	treasurer;
2351	(e) two members designated by the president of the Senate;
2352	(f) two members designated by the speaker of the House of Representatives;
2353	(g) two representatives designated by the school superintendent from the school district
2354	affected by the major sporting event venue zone; and
2355	(h) one representative, representing the largest participating local taxing entity, after the
2356	creating entity and school district, in the proposed major sporting event venue zone.
2357	(3) After the office has received a request from the submitting creating entity to submit the
2358	proposal to the committee, as described in Subsection 63N-3-1703(7), the office shall
2359	notify each of the entities described in Subsection (2) of the formation of the major
2360	sporting event venue zone committee.
2361	(4) The individual designated by the office as described in Subsection (2)(a) shall serve as
2362	chair of the committee.
2363	(5)(a) A majority of the members of the committee constitutes a quorum.
2364	(b) An action by a majority of a quorum of the committee is an action of the committee.
2365	(6)(a) The chair of the committee shall convene a public meeting to consider the
2366	proposed major sporting event venue zone.
2367	(b) A meeting of the committee is subject to Title 52, Chapter 4, Open and Public
2368	Meetings Act.
2369	(7) The committee may:
2370	(a) request changes to the proposal based on the analysis, characteristics, and criteria
2371	described in Section 63N-3-1702 or 63N-3-1703; or
2372	(b) vote to approve or deny the proposal.
2373	(8) If a major sporting event venue zone is approved as described in Section 63N-3-1707:
2374	(a) the proposed major sporting event venue zone is established:
2375	(i) according to the terms of the proposal; or

2376	(ii) according to the modified terms of the proposal, as established by the committee
2377	in the committee's vote to approve the major sporting event venue zone;
2378	(b) affected local taxing entities are required to participate according to the terms
2379	approved by the committee; and
2380	(c) each affected taxing entity is required to participate at the same rate.
2381	(9)(a) Except as provided in Subsection (9)(b), any aspect of a major sporting event
2382	venue zone, including the approved use of major sporting event venue zone revenue
2383	or the boundary of the qualified development zone or sales and use tax boundary,
2384	may be amended by following the same procedure as approving a major sporting
2385	event venue zone proposal.
2386	(b) A boundary adjustment described in Section 63N-3-1711 does not require an
2387	amendment described in Subsection (9)(a).
2388	Section 25. Section 63N-3-1707 is enacted to read:
2389	$\underline{63N-3-1707}$. Approval of a major sporting event venue zone Effective date of a
2390	major sporting event venue zone Establishment of qualified development zone
2391	boundary Base taxable value year.
2392	(1) A major sporting event venue zone proposal may be approved, with or without
2393	modifications, by a majority vote of the committee.
2394	(2) The effective date of a major sporting event venue zone is January 1 following the
2395	approval of a proposal by the committee, as described in Subsection (1).
2396	(3)(a) The base taxable value of land within an approved major sporting event venue
2397	zone is determined as of January 1 of the year in which the committee approves a
2398	major sporting event venue zone proposal.
2399	(b) In approving the major sporting event venue zone, the committee shall establish:
2400	(i) the qualified development zone area for the purpose of calculating property tax
2401	increment; and
2402	(ii) the sales and use tax boundary for the purpose of calculating sales and use tax
2403	increment.
2404	Section 26. Section 63N-3-1708 is enacted to read:
2405	63N-3-1708. Major sporting venue event zone boundaries Reporting
2406	requirements.
2407	(1) After a major sporting event venue zone is approved by the committee, as described in
2408	Section 63N-3-1706, the committee shall provide notice to the State Tax Commission,
2409	no later than 90 days after the day on which the committee approves the proposal:

2410	(a) of the creation of the major sporting event venue zone, including the information
2411	described in Subsection (2):
2412	(b) if the committee approves the creating entity to receive sales and use tax increment,
2413	the information described in Subsection (3); and
2414	(c) any information to the State Tax Commission required by the State Tax
2415	Commission; and
2416	(2) The notice described in Subsection (1)(a) shall include:
2417	(a) a statement that the major sporting event venue zone will be established under this
2418	part;
2419	(b) the approval date and effective date of the major sporting event venue zone;
2420	(c) the boundary of the qualified development zone;
2421	(d) the sales and use tax base year, if applicable; and
2422	(e) the sales and use tax boundary, if applicable.
2423	(3) After the effective date of a major sporting event venue zone, as described in Section
2424	63N-3-1707, the creating entity shall provide a written report, no later than August 1, on
2425	the creating entity's activities to implement the objectives of the major sporting event
2426	venue zone to the executive director.
2427	(4)(a) The executive director shall annually provide a written report, no later than
2428	October 1, summarizing all reports received by the executive director under
2429	Subsection (3), to the:
2430	(i) Revenue and Taxation Interim Committee;
2431	(ii) Political Subdivisions Interim Committee; and
2432	(iii) Economic Development and Workforce Services Interim Committee.
2433	(b) The executive director shall include with the written report described in Subsection
2434	(4)(a) any recommendations to the Legislature for statutory changes to this chapter or
2435	Title 11, Chapter 71, Major Sporting Event Venue Zones.
2436	Section 27. Section 63N-3-1709 is enacted to read:
2437	63N-3-1709. Allowable property tax increment within a major sporting event
2438	venue zone.
2439	(1) A creating entity may receive and use property tax increment in accordance with this
2440	section and as described in Title 11, Chapter 71, Major Sporting Event Venue Zones.
2441	(2)(a) A county that collects property tax on property located within a qualified
2442	development zone shall, in accordance with Section 59-2-1365, distribute to the
2443	creating entity 75% of the tax increment.

2444	(b) Tax increment distributed to a creating entity in accordance with Subsection (2)(a):
2445	(i) is not revenue of the taxing entity or the creating entity; and
2446	(ii) constitutes major sporting event venue zone funds and shall be administered as
2447	described in Title 11, Chapter 71, Major Sporting Event Venue Zones.
2448	(3)(a) A creating entity may designate another local government entity to be the fiscal
2449	agent for property tax increment paid to the creating entity.
2450	(b) Before a fiscal agent may receive major sporting event venue zone funds from the
2451	creating entity, the creating entity and the fiscal agent shall enter into an agreement
2452	governing the use of the funds, consistent with this part and Title 11, Chapter 71,
2453	Major Sporting Event Venue Zones.
2454	(4) A creating entity and a creating entity's fiscal agent shall use major sporting event venue
2455	zone funds:
2456	(a) to achieve the purposes described in Subsections 63N-3-1702(1) and (2)
2457	(b) within, or for the direct benefit of, the major sporting event venue zone; and
2458	(c) as described in Section 11-71-204.
2459	Section 28. Section 63N-3-1710 is enacted to read:
2460	$\underline{63N-3-1710}$. Allowable sales and use tax increment within a major sporting
2461	event venue zone.
2462	(1)(a) A major sporting event venue zone proposal may, in consultation with the State
2463	<u>Tax Commission:</u>
2464	(i) propose a sales and use tax boundary as described in Subsection (2); and
2465	(ii) propose a sales and use tax base year and collection period to calculate and
2466	transfer the state sales and use tax increment within the major sporting event
2467	venue zone, which sales and use tax base year is established prospectively, 90
2468	days after the date of the notice described in Subsection (5).
2469	(b) A creating entity may only propose one sales and use tax increment period for a
2470	major sporting event venue zone established under this section.
2471	(2)(a) The creating entity, in consultation with the State Tax Commission, shall propose
2472	a sales and use tax boundary that:
2473	(i) is based on state sales and use tax collection boundaries, which are determined
2474	using the ZIP Code as defined in Section 59-12-102, including the four digit
0.455	
2475	delivery route extension;
24752476	

2478	(iii) is one contiguous area that includes at least the entire boundary of the major
2479	sporting event venue zone and the primary project area.
2480	(b) If a state sales and use tax boundary is bisected by the boundary of the major
2481	sporting event venue zone and primary project area, the major sporting event venue
2482	zone and primary project area may include the entire state sales and use tax boundary.
2483	(3) The committee may modify a proposed sales and use tax boundary before approving a
2484	major sporting event venue zone proposal.
2485	(4) A major sporting event venue zone sales and use tax boundary, as approved by the
2486	committee, is the qualified development zone for purposes of the calculations in
2487	Sections 59-12-103 and 59-12-205.
2488	(5) The establishment of a sales and use tax base year and the requirement to transfer
2489	incremental sales tax revenue shall take effect:
2490	(a) on the first day of a calendar quarter; and
2491	(b) after a 90-day waiting period, beginning on the date the State Tax Commission
2492	receives notice.
2493	Section 29. Section 63N-3-1711 is enacted to read:
2494	63N-3-1711 . Boundary adjustments.
2495	If the relevant county assessor or county auditor adjusts parcel or lot boundaries relevant
2496	to a major sporting event venue zone, the creating entity administering the tax increment
2497	collected in the major sporting event zone may:
2498	(1) make corresponding adjustments to the qualified development zone of the major
2499	sporting event venue zone; and
2500	(2) in consultation with the State Tax Commission, and with the approval of the State Tax
2501	Commission, make corresponding adjustments to the sales and use tax boundary.
2502	Section 30. Section 63N-3-1712 is enacted to read:
2503	63N-3-1712 . Applicability to an existing project.
2504	(1) If a major sporting event venue zone overlaps an area that is part of a project area, as
2505	that term is defined in Section 17C-1-102, and created under Title 17C, Chapter 1,
2506	Agency Operations, that parcel may not be triggered for collection unless the project
2507	area funds collection period, as that term is defined in Section 17C-1-102, has expired.
2508	(2) If a major sporting event venue zone overlaps any portion of an existing inactive
2509	industrial site community reinvestment project area plan created pursuant to Title 17C,
2510	<u>Limited Purpose Local Government Entities - Community Reinvestment Agency Act:</u>
2511	(a) if the community reinvestment project area plan captures less than 80% of the tax

2512	increment from a taxing entity, or if a taxing entity is not participating in the
2513	community reinvestment project area plan, the major sporting event venue zone may
2514	capture the difference between:
2515	(i) 80%; and
2516	(ii) the percentage of tax increment captured pursuant to the community reinvestment
2517	project area plan; and
2518	(b) if a community reinvestment project area plan expires before the major sporting
2519	event venue zone, the major sporting event venue zone may capture the tax increment
2520	allocated to the community reinvestment project area plan for any remaining portion
2521	of the term of the major sporting event venue zone.
2522	(3)(a) Except as provided in Subsection (3)(b), a major sporting event venue zone may
2523	not overlap a housing and transit reinvestment zone or a first home investment zone.
2524	(b) A major sporting event venue zone may overlap a housing and transit reinvestment
2525	zone or a first home investment zone if:
2526	(i)(A) the major sporting event venue zone does not collect property tax increment
2527	for the area overlapping with the housing and transit reinvestment zone or the
2528	first home investment zone; or
2529	(B) the major sporting event venue zone does not collect property tax increment
2530	for the area overlapping with the housing and transit reinvestment zone or the
2531	first home investment zone until the collection period for the housing and
2532	transit reinvestment zone's collection of property tax increment or the first
2533	home investment zone's collection of property tax increment has ended; and
2534	(ii)(A) the major sporting event venue zone does not collect sales and use tax
2535	increment for the area overlapping with the housing and transit reinvestment
2536	zone or first home investment zone, if the housing and transit reinvestment
2537	zone or the first home investment zone collects sales and use tax increment; or
2538	(B) the major sporting event venue zone does not collect sales and use tax
2539	increment for the area overlapping with the housing and transit reinvestment
2540	zone or the first home investment zone until the collection period for the
2541	housing and transit reinvestment zone's collection of sales and use tax
2542	increment or the first home investment zone's collection of sales and use tax
2543	increment has ended.
2544	Section 31. Effective Date.
2545	This bill takes effect on May 7, 2025.