

PROPERTY TAX REVISIONS

2013 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: John L. Valentine

House Sponsor: Brian M. Greene

LONG TITLE

General Description:

This bill amends provisions related to taxing entity property tax levies.

Highlighted Provisions:

This bill:

- ▶ authorizes a taxing entity to levy a property tax that exceeds a maximum levy under certain circumstances; and
- ▶ makes technical and conforming changes.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

59-2-914, as last amended by Laws of Utah 2008, Chapters 61, 231, and 236

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

Section 1. Section **59-2-914** is amended to read:

59-2-914. Excess levies -- Commission to recalculate levy -- Notice to implement adjusted levies to county auditor -- Authority to exceed maximum levy permitted by law.

(1) If the commission determines that a levy established for a taxing entity set under Section 59-2-913 is in excess of the maximum levy permitted by law, the commission shall:

- (a) lower the levy so that it is set at the maximum level permitted by law;

30 (b) notify the taxing entity which set the excessive rate that the rate has been lowered;
31 and

32 (c) notify the county auditor of the county or counties in which the taxing entity is
33 located to implement the rate established by the commission.

34 (2) A levy set for a taxing entity by the commission under this section shall be the
35 official levy for that taxing entity unless:

36 (a) the taxing entity lowers the levy established by the commission; or

37 (b) the levy is subsequently modified by a court order.

38 (3) ~~[(a) Subject to the provisions of Subsections (1) and (2), beginning January 1, 1995,~~

39 ~~a] Notwithstanding Subsection (1) or (2), a taxing entity may impose a tax rate [in excess of]~~
40 ~~that exceeds the maximum levy permitted by law if the tax rate [established by] the taxing~~
41 ~~entity [for the current year generates revenues for the taxing entity in an amount that is less~~
42 ~~than the revenues that would be generated by the taxing entity under] imposes is at or below~~
43 ~~the taxing entity's certified tax rate established in Section 59-2-924.~~

44 ~~[(b) A taxing entity meeting the requirements of Subsection (3)(a) may impose a tax~~
45 ~~rate that does not exceed the certified rate established in Section 59-2-924.]~~