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## HOUSE BILLS

**HB 15 CLEAN FUEL AMENDMENTS AND REBATES** – Rep. Stephen G. Handy (Effective 5/12/2015) This bill authorizes the Department of Environmental Quality to make grants from the Clean Fuels and Vehicle Technology Fund to a person who installs conversion equipment on a motor vehicle; describes the process for a person to apply for a grant to install conversion equipment on a motor vehicle; describes the amount of grant money the director of the Division of Air Quality may award to a person who installs conversion equipment on a motor vehicle; provides that a vehicle owner who receives the savings on the costs of conversion may not claim a tax credit for the conversion unless the savings are less than the tax credit, in which case the vehicle owner may claim a tax credit in the amount of the difference.

**HB 56 PROPERTY TAX DEFINITIONS** – Rep. V. Lowry Snow (Retrospective to 1/1/2015) This bill amends the definition of livestock, for property tax purposes, to include fish.

**HB 103 TAXATION OF PROPERTY AMENDMENTS** – Rep. Douglas V. Sagers (Effective 1/1/2016) This bill requires a county assessor to consider whether property that is not currently used for the storage of hazardous waste or radioactive waste but has been used in the past for the storage of hazardous waste or radioactive waste in determining the fair market value of property; and provides that provisions requiring a county assessor to consider certain factors in determining the fair market value of property apply to the privilege tax.

**HB 110 MOTOR VEHICLE EMISSIONS AMENDMENTS** – Rep. Patrice M. Arent (Effective 5/12/2015) This bill gives the Division of Motor Vehicles the authority to suspend a vehicle's registration if the vehicle does not meet air emission standards; does not apply to a vehicle with a GVWR greater than 26,000 pounds.

**HB 111 PAYMENT OF PROPERTY TAX AMENDMENTS** – Rep. R. Curt Webb (Effective 5/12/2015) This bill provides that a county treasurer or other public official, public entity, or public employee may not require a property tax to be paid before the due date.

**HB 179 LICENSE PLATE FEE AMENDMENTS** – Rep. John R. Westwood (Effective 7/1/2015) This bill provides an exemption from a new license plate fee for peace officer recipients of the Purple Heart Award or military recipients of the Purple Heart Award; while prior to the passage of this bill, military recipients were exempt from this fee only if they received a purple heart license plate, they now are exempt from the \$5 plate fee even if they do not receive the purple heart license plate.

**HB 204 TAX INCREMENT AMENDMENTS** – Rep. Jeremy A. Peterson (Effective 5/12/2015) This bill provides that "tax increment" may be generated from the funds of all tax levies, including funds restricted for a particular use by statute to the extent bond covenants are not impaired.

**HB 211 ARMED FORCES PROPERTY TAX EXEMPTION** – Rep. Curtis Oda (Retrospective to January 1, 2015) This bill increases the amount of taxable value of property that is exempt from property taxation under the armed forces exemption from \$200,000 (adjusted for inflation) to \$252,126 (adjusted for inflation); provides that property is considered to be the primary residence of a veteran with a disability or an active duty military

member who is admitted as an inpatient at a health care facility, and thus is allowed the armed forces exemption.

**HB 243 VINTAGE VEHICLE AMENDMENTS – Rep. Fred C. Cox** (Effective 5/12/2015) This bill amends provisions for the signed statement required of an owner applying for registration of a vintage vehicle to clarify that vintage vehicles are exempt from safety and emissions inspections.

**HB 276 AGRICULTURE STRUCTURE AMENDMENTS – Rep. Mike K. McKell** (Effective 5/12/2015) This bill defines the term "high tunnel" to mean a structure used for the storing, keeping, sale, or storage of an agricultural commodity; states that a municipality building code does not apply to a high tunnel; states that a high tunnel is exempt from assessment for property taxation purposes.

**HB 310 VINTAGE MOTORCYCLE AMENDMENTS – Rep. Jeremy A. Peterson** (Effective 5/12/2015) This bill provides that a vintage vehicle may include a motorcycle.

**HB 362 TRANSPORTATION INFRASTRUCTURE FUNDING – Rep. Johnny Anderson** (Effective 7/1/2015) This bill authorizes a county to impose a local option sales and use tax of .25% for highways and public transit; provides for the distribution of the tax within the imposing county; addresses the use of revenue collected from the local option sales and use tax for highways and public transit; requires a political subdivision that receives this sales and use tax revenue to submit certain information in audits, reviews, compilations, or fiscal reports; repeals the cents per gallon tax rate that is imposed on motor fuels and special fuels after 12/31/15; imposes a 12% tax per gallon on motor fuel and special fuel based on: (1) until December 31, 2018, the previous 12-month statewide average rack price of a gallon of regular unleaded motor fuel ending on the previous June 30, and (2) beginning on January 1, 2019, the previous 36-month statewide average rack price of a gallon of regular unleaded motor fuel ending on the previous June 30; establishes a minimum statewide average rack price of \$2.45 per gallon, and provides that once that minimum is reached, the minimum statewide average rack price shall be increased by any increases in the CPI; provides that the statewide average rack price may not exceed \$3.33 per gallon; establishes procedures for the State Tax Commission to determine the previous calendar year statewide average rack price of a gallon of regular unleaded motor fuel; specifies that the adjusted fuel tax rate shall take effect on January 1 each year; increases the tax rate on CNG and LNG from 8 ½ cents per gallon to 10 ½ cents per gallon on July 1, 2015, and an additional 2 cents per gallon on July 1, 2016, July 1, 2017 and July 1, 2018; imposes a special fuel tax on hydrogen used to operate a motor vehicle on the highway at the same rate imposed on CNG and LNG; repeals the requirement to post a tax rate decal on each motor fuel or undyed special fuel pump or dispensing device.

**HB 402 NEW CONVENTION FACILITIES DEVELOPMENT INCENTIVE ACT AMENDMENTS – Rep. Brad R. Wilson** (Effective 7/1/2015) This bill modifies the incentive for the development of new convention facilities from an income tax credit to payments of sales and use tax money from a restricted special revenue fund; provides for new tax revenue from a qualified hotel and identified by GOED to the State Tax Commission to be placed into a restricted special revenue fund; establishes a restricted special revenue fund and provides for its funding; modifies duties of the independent review committee; modifies provisions relating to the submission of a claim for a convention incentive and the processing of a claim; modifies provisions relating to incremental property tax revenue; and modifies provisions relating to the authorized use of a convention incentive.

**HB 406 NATURAL GAS VEHICLE AMENDMENTS – Rep. Stephen G. Handy** (Effective 5/12/2015) This bill provides a nonrefundable corporate and individual income tax credit with a 5-year carryforward for a taxable year beginning on or after January 1, 2015 for the purchase of a natural gas heavy duty vehicle; provides that the Air Quality Board shall issue a tax credit certificate for qualified purchases and shall determine the amount of the credit that may be claimed; increases the tax rate on CNG and LNG from 8 ½ cents per gallon to 10 ½ cents per gallon on July 1, 2015, and an additional 2 cents per gallon on July 1, 2016, July 1, 2017 and July 1, 2018.

**HB 415 REGULATION OF ELECTRONIC CIGARETTES – Rep. Paul Ray** (Effective 7/1/2015) This bill requires a person to obtain a license with the State Tax Commission in order to sell or distribute an electronic cigarette product; provides that this license: (1) is not necessary if the person already has a license to sell cigarettes or tobacco products, (2) is valid for 3 years, and (3) subject to a \$30 fee for the original license and \$20 for each renewal; requires the State Tax Commission to revoke this and any cigarette or tobacco licenses of the licensee if the Department of Health or a county or local health department determines that the licensee has violated provisions of Title 26, Chapters 42 or 57; and provides product quality and labeling standards for an electronic cigarette product.

**HB 454 PRISON DEVELOPMENT AMENDMENTS – Rep. Brad R. Wilson** (Effective 5/12/2015) This bill modifies the duties and authority of the Prison Relocation Commission; creates the Prison Development Commission and provides for its membership, duties, and operation; provides for Division of Facilities Construction and Management oversight of the prison design and construction project, in consultation with the Prison Development Commission; authorizes the issuance of bonds for the prison projects; creates a restricted account and capital projects fund for the prison project; provides a process for the choice of a new prison site; modifies a repeal provision relating to the Prison Relocation Commission and enacts a repeal provision relating to the Prison Development Commission; and allows the legislative body of a city or town in which construction of the prison has begun to enact a local option sales and use tax of up to .5% that may not be imposed on motor vehicles or food and food ingredients.

## SENATE BILLS

**SB 13 INCOME TAX AMENDMENTS** – **Sen. Diedre Henderson** (Retrospective to 1/1/2015) This bill repeals corporate and individual income tax credits that have expired for lack of use; exempts a tax credit for a combat related death from provisions that require the State Tax Commission to remove a tax credit from a tax return and prohibit a taxpayer from claiming or carrying forward a tax credit for low usage; repeals individual income tax contributions that have expired for lack of use. **Corporate credits repealed:** cash contributions for sheltered workshops; sophisticated technological equipment donated to schools; targeted jobs credit; qualifying solar projects. **Individual credit repealed:** tutoring tax credits for dependents with a disability. **Checkoff repealed:** nongame wildlife contribution.

**SB 14 RENEWABLE ENERGY TAX CREDIT AMENDMENTS** – **Sen. Ralph Okerlund** (Retrospective to 1/1/2015) This bill harmonizes the alternative energy types that qualify for the corporate and individual income renewable energy tax credits.

**SB 21 SALES AND USE TAX – MOLTEN MAGNESIUM** – **Sen. Deidre M. Henderson** (Effective 5/2/2015) This bill provides a sales and use tax exemption for a purchase or lease of molten magnesium; provides for retrospective operation to January 1, 2010, for a transaction that is the subject of an appeal pending on, or filed on or after, September 1, 2013.

**SB 51 MOTOR VEHICLE ENFORCEMENT DIVISION ACCOUNT AMENDMENTS** – **Sen. Wayne A. Harper** (Effective 7/1/2015) This bill creates the Motor Vehicle Enforcement Division Temporary Permit Restricted Account (Account); specifies the revenue sources for the Account; specifies the uses of funds in the Account; requires that temporary permit fees be deposited into the Account rather than being used as dedicated credits for the costs of the Motor Vehicle Enforcement Division; provides that appropriations from the Account to the State Tax Commission are nonlapsing.

**SB 62 CERTIFIED TAX RATES AMENDMENTS** – **Sen. Wayne A. Harper** (Effective 5/12/2015) This bill requires the State Tax Commission to: (1) increase a school district's certified tax rate by the amount necessary to offset a decrease in revenues that may result from the December 31, 2016 repeal of Section 59-2-924.3, and (2) decrease a school district's certified tax rate by the amount necessary to offset an increase in revenues that may result from the December 31, 2016 repeal of Section 59-2-924.3; provides that a school district is not subject to notice and public hearing requirements with respect to the certified tax rate adjustments.

**SB 64 UTAH EDUCATIONAL SAVINGS PLAN AMENDMENTS** – **Sen. Todd Weiler** (Multiple effective dates) Retrospective to January 1, 2015, this bill: (1) modifies corporate tax deductions and individual income tax credit provisions related to Utah Educational Savings Plan accounts so that a person may receive a credit for monies deposited into their UESP account by another person, and (2) provides that if the UESP account is owned by a grantor trust, the persons who receive the grantor trust income shall be allowed the maximum amount of a qualified investment that corresponds to the state income tax return they file (e.g., if the persons who receive the benefit of the income file a married filing joint income tax return, they are allowed the maximum amount of a qualified investment that a UESP account owned by a husband and wife filing jointly are allowed); effective January 1, 2016, modifies tax return contribution provisions related to Utah

Educational Savings Plan accounts to allow a person to direct part of their refund (instead of all of their refund) to their UESP account.

**SB 78 SCHOOL DISTRICT PROPERTY TAX AMENDMENTS – Sen. Howard A. Stephenson** (Effective 5/12/2015)

This bill removes the 5-year time limit on the requirement that a new district and remaining district continue to impose property tax levies that were imposed by the divided school district in the taxable year prior to the calendar year in which a new district begins to provide educational services.

**SB 86 REGISTRATION FEES FOR EMERGENCY MEDICAL AIRCRAFT – Sen. Curtis S. Bramble** (Retrospective to

1/1/2015) This bill expands the \$100 registration fee for emergency medical helicopters used exclusively by a 501(c)(3) entity for the emergency transportation of medical patients for at least 95% of its flight time to include aircraft used for those same purposes.

**SB 89 AQUATIC INVASIVE SPECIES FEE – Sen. Scott K. Jenkins** (Effective 7/1/2015) This bill imposes a \$10

aquatic invasive species fee as an addition to the registration fee of a motorboat or sailboat required to be registered under Section 73-18-7; requires the fee to be deposited into the Boating Account for the purpose of aquatic invasive species interdiction.

**SB 97 PROPERTY TAX EQUALIZATION AMENDMENTS – Sen. Aaron Osmond** (Effective 7/1/2015) This bill

creates the Minimum Basic Growth Account; increases the revenues for the minimum basic tax rate from \$296,709,700 in revenues statewide to \$380,172,300, with the preliminary estimate for the minimum basic tax rate increasing from .001477 to .001764; requires the state to contribute to each school district the difference between the minimum basic tax rate and a rate that generates \$75 million; distributes money deposited into the Minimum Basic Growth Account to fund the state's portion of the voted levy guarantee, the Capital Outlay Foundation Program, and the Capital Outlay Enrollment Growth Program.

**SB 144 MODIFICATIONS TO INCOME TAX – Sen. Deidre Henderson** (Effective 5/12/2015) This bill repeals

provisions requiring the State Tax Commission to notify state agencies that the State Tax Commission is required to remove certain tax credits from tax returns; enacts provisions requiring the State Tax Commission to publish information pertaining to the requirement that the State Tax Commission remove certain tax credits and contributions from tax returns on the agency's website and on the public legal notice website.

**SB 156 ENERGY EFFICIENT VEHICLE TAX CREDIT FOR MOTORCYCLES – Sen. Margaret Dayton** (Retrospective

to 1/1/2015) This bill enacts an energy efficient vehicle tax credit for qualifying electric motorcycles of the lesser of \$750 or 35% of the purchase price of the motorcycle.

**SB 165 PROPERTY TAX VALUATION AND ASSESSMENT MODIFICATIONS – Sen. Curtis S. Bramble** (Effective

1/1/2016) This bill authorizes the State Tax Commission to consult with a county during the valuation process; limits the county's ability to appeal to the Commission the Commission assessed property as follows: the county may be a party at a hearing that a property owner appeals if the county applies to the Commission no later than 30 days after the date the owner applied to the Commission; or if the property owner does not appeal, a county may not initiate an appeal to the Commission unless the county reasonably believes the Commission under-assessed the lesser of 50% or more of the current value or 50% or more of the prior year

value; requires a majority of the members of the county legislative body to approve filing an application for an appeal.

**SB 182 AMENDMENTS TO SALES AND USE TAX EXEMPTIONS** – Sen. Curtis S. Bramble (Effective 7/1/2015)

This bill defines “drilling equipment manufacturer;” enacts a sales and use tax exemption for purchases or leases of machinery, equipment, materials, or normal operating repair or replacement parts made by a drilling equipment manufacturer and used or consumed exclusively in the manufacturing process; does not apply to office equipment or office supplies; provides that, from July 1, 2015 until June 30, 2017 the exemption may only be claimed by paying the tax up front and filing for a refund of 50% of the tax paid.

**SB 199 LOCAL GOVERNMENT REVISIONS** – Sen. Karen Mayne (Effective 5/12/2015) This bill defines terms; provides population classification for a metro township; amends municipal annexation provisions; enacts provisions relating to incorporation provisions of metro townships and unincorporated islands in a county of the first class on and after May 12, 2015; requires a county of the first class to hold a special election on November 3, 2015, for the following ballot propositions: the incorporation of a planning township as a city, town, metro township, and whether unincorporated islands should be annexed by an eligible city or remain unincorporated; enacts provisions related to the administration of a metro township; requires a township located outside of a county of the first class to change its name to "planning advisory area;" enacts provisions related to the levy of a municipal services district property tax; and authorizes a metro township to levy 911 charges and impose a 1% local option sales and use tax.

**SB 201 SALES AND USE TAX EXEMPTION REVISIONS** – Sen. Howard A. Stephenson (Retrospective to 7/1/2012) This bill provides that the sales and use tax exemption related to research activities applies to machinery and equipment that may be depreciated.

**SB 216 HIGH COST INFRASTRUCTURE TAX CREDITS** – Sen. Ralph Okerlund (Effective 1/1/2016) This bill directs the Office of Energy Development to issue a tax credit certificate for a nonrefundable corporate or individual income tax credit with a 7-year carryforward to an entity developing a high cost infrastructure project under certain circumstances; and provides tax credit eligibility criteria for an entity developing a high cost infrastructure project.

**SB 241 SALES TAX AMENDMENTS** – Sen. Wayne A. Harper (Effective 5/12/2015) This bill modifies the date for obtaining voter approval to re-enact the city or town option sales and use tax from June 30, 2016 to March 31, 2016 in order to remain in compliance with the Streamlined Sales Tax Agreement.

**SB 250 INCOME TAX REVISIONS** – Sen. Curtis S. Bramble (Effective 1/1/2016) This bill requires an employer to electronically file with the State Tax Commission W-2s and 1099s filed for withholding purposes and requires they be filed on or before January 31; imposes penalties for failure to file the forms electronically and accurately; prohibits the State Tax Commission from issuing an individual income tax refund prior to March 1 unless the employer and employee have both filed forms and returns as required.

**SB 292 ACHIEVING A BETTER LIFE EXPERIENCE PROGRAM** – Sen. Todd Weiler (Effective 1/1/2016) This bill enacts the Achieving a Better Life Experience Program Act within the Department of Workforce Services, which includes the creation of accounts for the purpose of allowing contributions on behalf of a beneficiary for

the payment of qualified disability expenses; enacts nonrefundable corporate and individual income tax credits equal to the product of 5% and the total amount of contributions made during the taxable year for which the contributor receives a statement from the account administrator itemizing the contributions.