

DELINQUENT PROPERTY TAX COLLECTION AMENDMENTS

2022 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Wayne A. Harper

House Sponsor: _____

LONG TITLE

General Description:

This bill modifies the Accounts Receivable Collection part.

Highlighted Provisions:

This bill:

► provides ~~that~~ **when** the state, a governmental entity, or a local agency acting on behalf of a political subdivision may ~~not~~ collect a delinquent property tax from the debtor's overpayment or refund of income tax.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

63A-3-302, as last amended by Laws of Utah 2021, Chapter 49

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

Section 1. Section **63A-3-302** is amended to read:

63A-3-302. Unpaid accounts receivable -- Political subdivision agreement with local agency.

(1) (a) Except as provided in ~~Subsection~~ Subsections (1)(b) and (c), if any account



28 receivable at any point has been unpaid for 90 days or more, any agency or other authority of
29 the state, or any political subdivision responsible for collection of the account may proceed
30 under this part to collect the delinquent amount.

31 (b) A governmental entity within the state that is a health care provider may not
32 proceed under this part when the account receivable is for a medical material or service and the
33 debtor:

34 (i) has made a payment arrangement with the health care provider; and

35 (ii) is current on payments under the payment arrangement.

36 (c) The state, a governmental entity within the state, or a local agency acting on behalf
37 of a political subdivision within the state may ~~Ŝ→ [not proceed under this part when the account~~
38 ~~receivable is for a property tax imposed under Title 59, Chapter 2, Property Tax Act]~~ proceed under
38a this part on an account receivable that is for a property tax imposed under Title 59, Chapter 2,
38b Property Tax Act, only if the account receivable is three or more years delinquent ←Ŝ .

39 (2) (a) A political subdivision may enter into an agreement with a local agency under
40 which the local agency, for a reasonable fee that the political subdivision and local agency
41 agree upon, prepares and submits the political subdivision's accounts receivable for collection
42 as provided in this part.

43 (b) Notwithstanding an agreement under Subsection (2)(a), a participating political
44 subdivision shall:

45 (i) establish an agreement with the division for submitting delinquent accounts
46 receivable under this part; and

47 (ii) with respect to the accounts receivable that the participating political subdivision
48 submits through a local agency for collection under this part:

49 (A) receive and respond to an administrative hearing requested under Section
50 63A-3-305; and

51 (B) administer an adjudicative proceeding required under Section 63A-3-306.