

PROPERTY TAX ASSESSMENT AMENDMENTS

2024 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Wayne A. Harper

House Sponsor: _____

LONG TITLE

General Description:

This bill modifies provisions related to property tax assessment.

Highlighted Provisions:

This bill:

- ▶ provides additional remedies for a property owner who experiences an increase in taxes over a certain threshold solely due to valuation when there are no changes to the property;
- ▶ requires reporting to the State Tax Commission and the Revenue and Taxation Interim Committee when a county taxes property over the threshold;
- ▶ directs county assessors in rural areas to seek assistance in the assessment process;
- ▶ requires each county to adopt the statewide property tax system;
- ▶ provides that the State Tax Commission will conduct an education and training program for county assessors;
- ▶ provides for a penalty for a county assessor who fails to comply with the education and training requirement; and
- ▶ makes technical and conforming changes.

Money Appropriated in this Bill:

None

Other Special Clauses:

None



28 **Utah Code Sections Affected:**

29 AMENDS:

- 30 **59-2-303**, as last amended by Laws of Utah 2019, Chapter 16
- 31 **59-2-303.1**, as last amended by Laws of Utah 2016, Chapter 135
- 32 **59-2-703**, as last amended by Laws of Utah 2008, Chapter 382
- 33 **59-2-1004**, as last amended by Laws of Utah 2022, Chapter 168
- 34 **59-2-1008**, as repealed and reenacted by Laws of Utah 1988, Chapter 3
- 35 **59-2-1331**, as last amended by Laws of Utah 2018, Chapter 197
- 36 **59-2-1606**, as last amended by Laws of Utah 2020, Chapter 447
- 37 **59-2-1801**, as last amended by Laws of Utah 2023, Chapter 354

38 ENACTS:

- 39 **59-2-303.3**, Utah Code Annotated 1953
- 40 **59-2-702.5**, Utah Code Annotated 1953
- 41 **59-2-1802.1**, Utah Code Annotated 1953

42

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

44 Section 1. Section **59-2-303** is amended to read:

45 **59-2-303. General duties of county assessor.**

46 (1) (a) Before May 22 each year, the county assessor shall:

47 (i) ascertain the names of the owners of all property that is subject to taxation by the
48 county;

49 (ii) except as provided in Subsection (2), assess the property to the owner, claimant of
50 record, or occupant in possession or control at midnight on January 1 of the taxable year; and

51 (iii) conduct the review process described in Section **59-2-303.2**.

52 (b) No mistake in the name or address of the owner or supposed owner of property
53 renders the assessment invalid.

54 (2) If a conveyance of ownership of the real property was recorded in the office of a
55 county recorder after January 1 but more than 14 calendar days before the day on which the
56 county treasurer mails the tax notice, the county assessor shall assess the property to the new
57 owner.

58 (3) A county assessor shall become fully acquainted with all property in the county

59 assessor's county, as provided in Section [59-2-301](#).

60 (4) A county assessor in a county of the third, fourth, fifth, or sixth class shall seek
61 assistance from other county assessors or an appraiser contracted in accordance with Section
62 [59-2-703](#) for the county assessor to meet the requirements of Section [59-2-303.1](#).

63 Section 2. Section **59-2-303.1** is amended to read:

64 **59-2-303.1. Mandatory cyclical appraisals.**

65 (1) For purposes of this section:

66 (a) "Corrective action" includes:

67 (i) factoring pursuant to Section [59-2-704](#);

68 (ii) notifying the state auditor that the county failed to comply with the requirements of
69 this section; or

70 (iii) filing a petition for a court order requiring a county to take action.

71 (b) "Mass appraisal system" means a computer assisted mass appraisal system that:

72 (i) a county assessor uses to value real property; and

73 (ii) includes at least the following system features:

74 (A) has the ability to update all parcels of real property located within the county each
75 year;

76 (B) can be programmed with specialized criteria;

77 (C) provides uniform and equal treatment of parcels within the same class of real
78 property throughout the county; and

79 (D) annually updates all parcels of residential real property within the county using
80 accepted valuation methodologies as determined by rule.

81 (c) "Property review date" means the date a county assessor completes a detailed
82 review of the property characteristics of a parcel of real property in accordance with Subsection

83 (3)(a).

84 (2) (a) The county assessor shall annually update property values of property as
85 provided in Section [59-2-301](#) based on a systematic review of current market data using:

86 (i) on or before December 31, 2025, a mass appraisal system; and

87 (ii) beginning on January 1, 2026, the statewide property tax system described in
88 Section [59-2-1606](#).

89 ~~[(b) The county assessor shall conduct the annual update described in Subsection (2)(a)~~

90 by using a mass appraisal system on or before the following:]

91 [~~(i) for a county of the first class, January 1, 2009;~~]

92 [~~(ii) for a county of the second class, January 1, 2011;~~]

93 [~~(iii) for a county of the third class, January 1, 2014; and]~~

94 [~~(iv) for a county of the fourth, fifth, or sixth class, January 1, 2015.]~~

95 ~~[(e)]~~ (b) [The] Before January 1, 2026, the county assessor and the commission shall
96 jointly certify that the county's mass appraisal system meets the requirements:

97 (i) described in Subsection (1)(b); and

98 (ii) of the commission.

99 (3) (a) In addition to the requirements in Subsection (2), the county assessor shall
100 complete a detailed review of property characteristics for each property at least once every five
101 years.

102 (b) The county assessor shall maintain on the county's computer system, a record of the
103 last property review date for each parcel of real property located within the county assessor's
104 county.

105 (4) (a) The commission shall take corrective action if the commission determines that:

106 (i) a county assessor has not satisfactorily followed the current mass appraisal
107 standards, as provided by law;

108 (ii) the sales-assessment ratio, coefficients of dispersion, or other statistical measures
109 of appraisal performance related to the studies required by Section [59-2-704](#) are not within the
110 standards provided by law; or

111 (iii) the county assessor has failed to comply with the requirements of this section.

112 (b) If a county assessor fails to comply with the requirements of this section for one
113 year, the commission shall assist the county assessor in fulfilling the requirements of
114 Subsections (2) and (3).

115 (c) If a county assessor fails to comply with the requirements of this section for two
116 consecutive years, the county will lose the county's allocation of the revenue generated
117 statewide from the imposition of the multicounty assessing and collecting levy authorized in
118 Sections [59-2-1602](#) and [59-2-1603](#).

119 (d) If a county loses its allocation of the revenue generated statewide from the
120 imposition of the multicounty assessing and collecting levy described in Subsection (4)(c), the

121 revenue the county would have received shall be distributed to the Multicounty Appraisal Trust
 122 created by interlocal agreement by all counties in the state.

123 (5) (a) On or before July 1, 2008, the county assessor shall prepare a five-year plan to
 124 comply with the requirements of Subsections (2) and (3).

125 (b) The plan shall be available in the county assessor's office for review by the public
 126 upon request.

127 (c) The plan shall be annually reviewed and revised as necessary.

128 (6) (a) A county assessor shall create, maintain, and regularly update a database
 129 containing the following information that the county assessor may use to enhance the county's
 130 ability to accurately appraise and assess property on an annual basis:

131 ~~(a)~~ (i) fee and other appraisals;

132 ~~(b)~~ (ii) property characteristics and features;

133 ~~(c)~~ (iii) property surveys;

134 ~~(d)~~ (iv) sales data; and

135 ~~(e)~~ (v) any other data or information on sales, studies, transfers, changes to property,
 136 or property characteristics.

137 (b) A county assessor may provide access to the information in the database to another
 138 county assessor that requests assistance in accordance with Section [59-2-303](#).

139 Section 3. Section **59-2-303.3** is enacted to read:

140 **59-2-303.3. Automatic review for property with 150% or more tax increase.**

141 (1) As used in this section:

142 (a) "Qualifying increase" means a tax amount that is equal to or more than 150%
 143 higher than the previous year's property tax for property that:

144 (i) is county assessed; and

145 (ii) on or after January 1 of the previous year and before January 1 of the current year,
 146 has not had:

147 (A) a physical improvement if the fair market value of the physical improvement
 148 increases enough to result in the property tax increase solely as a result of the physical
 149 improvement;

150 (B) a zoning change if the fair market value of the real property increases enough to
 151 result in the property tax increase solely as a result of the zoning change; or

152 (C) a change in the legal description of the real property, if the fair market value of the
153 real property increases enough to result in the property tax increase solely as a result of the
154 change in the legal description of the real property.

155 (b) "Tax amount" means the amount calculated by multiplying assessed value by the
156 certified tax rate.

157 (2) (a) On or after June 8 but before June 22, the county assessor shall review the
158 assessment of a property with a qualifying increase.

159 (b) The county assessor shall retain a record of the properties for which the county
160 assessor conducts a review in accordance with this section and the results of that review.

161 (3) (a) If the county assessor determines that the assessed value of the property reflects
162 the property's fair market value, the county assessor may not adjust the property's assessed
163 value.

164 (b) If the county assessor determines that the assessed value of the property does not
165 reflect the review property's fair market value, the county assessor shall adjust the assessed
166 value of the review property to reflect the fair market value.

167 (4) (a) Upon completing the review described in Subsection (2), the county assessor
168 shall report to the commission:

169 (i) the number of properties that:

170 (A) required a review in accordance with Subsection (2); and

171 (B) the county reduced the value as a result of the review; and

172 (ii) the parcel number of any property:

173 (A) that required a review in accordance with Subsection (2); and

174 (B) for which the county assessor did not reduce value.

175 (b) A county that has any property subject to a review in accordance with this section
176 for two consecutive years shall report to the Revenue and Taxation Interim Committee:

177 (i) at the same meeting or a meeting after the meeting during which the commission
178 makes the report described in Section [59-2-1008](#);

179 (ii) in the same year as the commission report; and

180 (iii) on the number of properties with a qualifying increase and the reasons for the
181 qualifying increases.

182 (5) The review process described in this section does not supersede or otherwise affect

183 a taxpayer's right to appeal or to seek judicial review of the valuation or equalization of a
184 review property in accordance with:

185 (a) this part;

186 (b) Chapter 1, Part 6, Judicial Review; or

187 (c) Title 63G, Chapter 4, Part 4, Judicial Review.

188 Section 4. Section **59-2-702.5** is enacted to read:

189 **59-2-702.5. Education and training for county assessors.**

190 (1) (a) The commission shall conduct a program of education and training for county
191 assessors that offers instruction on:

192 (i) a county assessor's statutory obligations; and

193 (ii) the practical application of mass appraisal techniques to satisfy a county assessor's
194 statutory obligations.

195 (b) The commission shall confer a designation of completion upon a county assessor
196 each time that the county assessor completes the program under Subsection (1)(a).

197 (2) (a) A county assessor shall obtain a designation of completion under Subsection
198 (1)(b) within 12 months after the day on which the county assessor starts a term of office.

199 (b) If a county assessor fails to obtain a designation of completion, the commission
200 shall take corrective action, as defined in Section [59-2-303.1](#).

201 Section 5. Section **59-2-703** is amended to read:

202 **59-2-703. Commission to assist county assessors -- Appraisers provided upon**
203 **request -- Costs of services -- Contingency fee arrangements prohibited.**

204 (1) (a) The commission shall, upon request and pursuant to mutual agreement, provide
205 county assessors with technical assistance and appraisal aid.

206 (b) [~~It~~] The commission shall provide certified or licensed appraisers who, upon
207 request of the county assessor and pursuant to mutual agreement, shall perform appraisals of
208 property and other technical services as needed by the county assessor.

209 (c) The commission shall calculate the costs of these services [~~shall be computed by~~
210 ~~the commission upon the basis of~~] based on the number of days of services rendered.

211 (d) Each county shall pay to the commission 50% of the cost of the services [~~which~~
212 ~~they receive~~] that the county receives.

213 (2) (a) Both the commission and counties may contract with a private firm or an

214 individual to conduct appraisals.

215 (b) A county assessor may request the private firm or individual conducting appraisals
216 to assist the county assessor in meeting the requirements of Section 59-2-303.1.

217 ~~[(b)]~~ (c) (i) Notwithstanding Title 63G, Chapter 2, Government Records Access and
218 Management Act, the commission and counties may disclose the name of the taxpayer and the
219 taxpayer's address to the contract appraiser.

220 (ii) A private appraiser is subject to the confidentiality requirements and penalty
221 provisions provided in Title 63G, Chapter 2, Part 8, Remedies.

222 ~~[(c)]~~ (d) (i) Neither the commission nor a county may contract with a private firm or an
223 individual under a contingency fee arrangement to assess property or prosecute or defend an
224 appeal.

225 (ii) An appraisal that has been prepared on a contingency fee basis may not be allowed
226 in any proceeding before a county board of equalization or the commission.

227 Section 6. Section **59-2-1004** is amended to read:

228 **59-2-1004. Appeal to county board of equalization -- Real property -- Time**
229 **period for appeal -- Public hearing requirements -- Decision of board -- Extensions**
230 **approved by commission -- Appeal to commission.**

231 (1) As used in this section:

232 (a) "Final assessed value" means:

233 (i) for real property for which the taxpayer appealed the valuation or equalization to the
234 county board of equalization in accordance with this section, the value given to the real
235 property by the county board of equalization, including a value based on a stipulation of the
236 parties;

237 (ii) for real property for which the taxpayer or a county assessor appealed the valuation
238 or equalization to the commission in accordance with Section 59-2-1006, the value given to the
239 real property by:

240 (A) the commission, if the commission has issued a decision in the appeal or the
241 parties have entered a stipulation; or

242 (B) a county board of equalization, if the commission has not yet issued a decision in
243 the appeal and the parties have not entered a stipulation; or

244 (iii) for real property for which the taxpayer or a county assessor sought judicial review

245 of the valuation or equalization in accordance with Section 59-1-602 or Title 63G, Chapter 4,
246 Part 4, Judicial Review, the value given the real property by the commission.

247 (b) "Inflation adjusted value" means the value of the real property that is the subject of
248 the appeal as calculated by changing the final assessed value for the previous taxable year for
249 the real property by the median property value change.

250 (c) "Median property value change" means the midpoint of the property value changes
251 for all real property that is:

252 (i) of the same class of real property as the qualified real property; and

253 (ii) located within the same county and within the same market area as the qualified
254 real property.

255 (d) "Property value change" means the percentage change in the fair market value of
256 real property on or after January 1 of the previous year and before January 1 of the current year.

257 (e) "Qualified real property" means real property:

258 (i) for which:

259 (A) the taxpayer or a county assessor appealed the valuation or equalization for the
260 previous taxable year to the county board of equalization in accordance with this section or the
261 commission in accordance with Section 59-2-1006;

262 (B) the appeal described in Subsection (1)(e)(i)(A), resulted in a final assessed value
263 that was lower than the assessed value; and

264 (C) the assessed value for the current taxable year is higher than the inflation adjusted
265 value; and

266 (ii) that, on or after January 1 of the previous taxable year and before January 1 of the
267 current taxable year, has not had a qualifying change.

268 (f) "Qualifying change" means one of the following changes to real property that
269 occurs on or after January 1 of the previous taxable year and before January 1 of the current
270 taxable year:

271 (i) a physical improvement if, solely as a result of the physical improvement, the fair
272 market value of the physical improvement equals or exceeds the greater of 10% of fair market
273 value of the real property or \$20,000;

274 (ii) a zoning change, if the fair market value of the real property increases solely as a
275 result of the zoning change; or

276 (iii) a change in the legal description of the real property, if the fair market value of the
277 real property increases solely as a result of the change in the legal description of the real
278 property.

279 (2) (a) A taxpayer dissatisfied with the valuation or the equalization of the taxpayer's
280 real property may make an application to appeal by:

281 (i) filing the application with the county board of equalization within the time period
282 described in Subsection (3); or

283 (ii) making an application by telephone or other electronic means within the time
284 period described in Subsection (3) if the county legislative body passes a resolution under
285 Subsection (9) authorizing a taxpayer to make an application by telephone or other electronic
286 means.

287 (b) (i) The county board of equalization shall make a rule describing the contents of the
288 application.

289 (ii) In addition to any information the county board of equalization requires, the
290 application shall include information about:

291 (A) the burden of proof in an appeal involving qualified real property; and

292 (B) the process for the taxpayer to learn the inflation adjusted value of the qualified
293 real property.

294 (c) (i) (A) The county assessor shall notify the county board of equalization of a
295 qualified real property's inflation adjusted value within 15 business days after the date on which
296 the county assessor receives notice that a taxpayer filed an appeal with the county board of
297 equalization.

298 (B) The county assessor shall notify the commission of a qualified real property's
299 inflation adjusted value within 15 business days after the date on which the county assessor
300 receives notice that a person dissatisfied with the decision of a county board of equalization
301 files an appeal with the commission.

302 (ii) (A) A person may not appeal a county assessor's calculation of inflation adjusted
303 value but may appeal the fair market value of a qualified real property.

304 (B) A person may appeal a determination of whether, on or after January 1 of the
305 previous taxable year and before January 1 of the current taxable year, real property had a
306 qualifying change.

307 (3) (a) Except as provided in Subsection (3)(b) and for purposes of Subsection (2), a
308 taxpayer shall make an application to appeal the valuation or the equalization of the taxpayer's
309 real property on or before the later of:

310 (i) September 15 of the current calendar year; ~~[or]~~

311 (ii) the last day of a 45-day period beginning on the day on which the county auditor
312 provides the notice under Section [59-2-919.1](#)[-]; or

313 (iii) for a property that qualifies for a deferral under Section [59-2-1802.1](#), June 30 of
314 the year following the calendar year for which the property tax assessment is made.

315 (b) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the
316 commission shall make rules providing for circumstances under which the county board of
317 equalization is required to accept an application to appeal that is filed after the time period
318 prescribed in Subsection (3)(a).

319 (4) (a) Except as provided in Subsection (4)(b), the taxpayer shall include in the
320 application under Subsection (2)(a):

321 (i) the taxpayer's estimate of the fair market value of the property and any evidence that
322 may indicate that the assessed valuation of the taxpayer's property is improperly equalized with
323 the assessed valuation of comparable properties; and

324 (ii) a signed statement of the personal property located in a multi-tenant residential
325 property, as that term is defined in Section [59-2-301.8](#) if the taxpayer:

326 (A) appeals the value of multi-tenant residential property assessed in accordance with
327 Section [59-2-301.8](#); and

328 (B) intends to contest the value of the personal property located within the multi-tenant
329 residential property.

330 (b) (i) For an appeal involving qualified real property:

331 (A) the county board of equalization shall presume that the fair market value of the
332 qualified real property is equal to the inflation adjusted value; and

333 (B) except as provided in Subsection (4)(b)(ii), the taxpayer may provide the
334 information described in Subsection (4)(a).

335 (ii) If the taxpayer seeks to prove that the fair market value of the qualified real
336 property is below the inflation adjusted value, the taxpayer shall provide the information
337 described in Subsection (4)(a).

338 (5) In reviewing evidence submitted to a county board of equalization by or on behalf
339 of an owner or a county assessor, the county board of equalization shall consider and weigh:

340 (a) the accuracy, reliability, and comparability of the evidence presented by the owner
341 or the county assessor;

342 (b) if submitted, the sales price of relevant property that was under contract for sale as
343 of the lien date but sold after the lien date;

344 (c) if submitted, the sales offering price of property that was offered for sale as of the
345 lien date but did not sell, including considering and weighing the amount of time for which,
346 and manner in which, the property was offered for sale; and

347 (d) if submitted, other evidence that is relevant to determining the fair market value of
348 the property.

349 (6) (a) Except as provided in Subsection (6)(c), at least five days before the day on
350 which the county board of equalization holds a public hearing on an appeal:

351 (i) the county assessor shall provide the taxpayer any evidence the county assessor
352 relies upon in support of the county assessor's valuation; and

353 (ii) the taxpayer shall provide the county assessor any evidence not previously provided
354 to the county assessor that the taxpayer relies upon in support of the taxpayer's appeal.

355 (b) (i) The deadline described in Subsection (6)(a) does not apply to evidence that is
356 commercial information as defined in Section 59-1-404, if:

357 (A) for the purpose of complying with Section 59-1-404, the county assessor requires
358 that the taxpayer execute a nondisclosure agreement before the county assessor discloses the
359 evidence; and

360 (B) the taxpayer fails to execute the nondisclosure agreement before the deadline
361 described in Subsection (6)(a).

362 (ii) The county assessor shall disclose evidence described in Subsection (6)(b)(i) as
363 soon as practicable after the county assessor receives the executed nondisclosure agreement.

364 (iii) The county assessor shall provide the taxpayer a copy of the nondisclosure
365 agreement with reasonable time for the taxpayer to review and execute the agreement before
366 the deadline described in Subsection (6)(a) expires.

367 (c) If at the public hearing, a party presents evidence not previously provided to the
368 other party, the county board of equalization shall allow the other party to respond to the

369 evidence in writing within 10 days after the day on which the public hearing occurs.

370 (d) (i) A county board of equalization may adopt rules governing the deadlines
371 described in this Subsection (6), if the rules are no less stringent than the provisions of this
372 Subsection (6).

373 (ii) A county board of equalization's rule that complies with Subsection (6)(d)(i)
374 controls over the provisions of this subsection.

375 (7) (a) The county board of equalization shall meet and hold public hearings as
376 described in Section 59-2-1001.

377 (b) (i) For purposes of this Subsection (7)(b), "significant adjustment" means a
378 proposed adjustment to the valuation of real property that:

379 (A) is to be made by a county board of equalization; and

380 (B) would result in a valuation that differs from the original assessed value by at least
381 20% and \$1,000,000.

382 (ii) When a county board of equalization is going to consider a significant adjustment,
383 the county board of equalization shall:

384 (A) list the significant adjustment as a separate item on the agenda of the public
385 hearing at which the county board of equalization is going to consider the significant
386 adjustment; and

387 (B) for purposes of the agenda described in Subsection (7)(b)(ii)(A), provide a
388 description of the property for which the county board of equalization is considering a
389 significant adjustment.

390 (c) The county board of equalization shall make a decision on each appeal filed in
391 accordance with this section within 60 days after the day on which the taxpayer makes an
392 application.

393 (d) The commission may approve the extension of a time period provided for in
394 Subsection (7)(c) for a county board of equalization to make a decision on an appeal.

395 (e) Unless the commission approves the extension of a time period under Subsection
396 (7)(d), if a county board of equalization fails to make a decision on an appeal within the time
397 period described in Subsection (7)(c), the county legislative body shall:

398 (i) list the appeal, by property owner and parcel number, on the agenda for the next
399 meeting the county legislative body holds after the expiration of the time period described in

400 Subsection (7)(c); and

401 (ii) hear the appeal at the meeting described in Subsection (7)(e)(i).

402 (f) The decision of the county board of equalization shall contain:

403 (i) a determination of the valuation of the property based on fair market value; and

404 (ii) a conclusion that the fair market value is properly equalized with the assessed value
405 of comparable properties.

406 (g) If no evidence is presented before the county board of equalization, the county
407 board of equalization shall presume that the equalization issue has been met.

408 (h) (i) If the fair market value of the property that is the subject of the appeal deviates
409 plus or minus 5% from the assessed value of comparable properties, the county board of
410 equalization shall adjust the valuation of the appealed property to reflect a value equalized with
411 the assessed value of comparable properties.

412 (ii) Subject to Sections [59-2-301.1](#), [59-2-301.2](#), [59-2-301.3](#), and [59-2-301.4](#), equalized
413 value established under Subsection (7)(h)(i) shall be the assessed value for property tax
414 purposes until the county assessor is able to evaluate and equalize the assessed value of all
415 comparable properties to bring all comparable properties into conformity with full fair market
416 value.

417 (8) If any taxpayer is dissatisfied with the decision of the county board of equalization,
418 the taxpayer may file an appeal with the commission as described in Section [59-2-1006](#).

419 (9) A county legislative body may pass a resolution authorizing taxpayers owing taxes
420 on property assessed by that county to file property tax appeals applications under this section
421 by telephone or other electronic means.

422 Section 7. Section **59-2-1008** is amended to read:

423 **59-2-1008. Investigations by commission -- Assessment of escaped property --**
424 **Increase or decrease of assessed valuation.**

425 (1) As used in this section, "review information" means, as reported by a county
426 assessor:

427 (a) the number of properties that:

428 (i) required a review in accordance with Section [59-2-303.3](#); and

429 (ii) the county reduced the value as a result of the review; and

430 (b) the parcel number of any property:

431 (i) that required a review in accordance with Section 59-2-303.3; and

432 (ii) for which the county assessor did not reduce value.

433 (2) (a) Each year the commission shall conduct an investigation throughout each
434 county of the state to determine whether all property subject to taxation is on the assessment
435 rolls[;] and whether the property is being assessed at fair market value.

436 (b) When, after any investigation, [it is found] the commission finds that any property
437 [which] that is subject to taxation is not assessed, [then] the commission shall direct the county
438 assessor, the county board of equalization, or the county auditor, as [it] the commission may
439 determine, to enter the assessment of the escaped property.

440 ~~[(2)]~~ (3) If [it is found] the commission finds that any property in any county is not
441 being assessed at [its] the property's fair market value, the commission shall, for the purpose of
442 equalizing the value of property in the state, increase or decrease the valuation of the property
443 in order to enforce the assessment of all property subject to taxation upon the basis of its fair
444 market value, and shall direct the county assessor, the county board of equalization, or the
445 county auditor, as [it] the commission may determine, to correct the value of the property in a
446 manner prescribed by the commission.

447 ~~[(3)]~~ (4) The county assessors, county boards of equalization, and county auditors shall
448 make all increases or decreases as may be required by the commission to make the assessment
449 of all property within the county conform to [its] the property's fair market value.

450 (5) Each year, after receiving the review information from a county assessor and on or
451 before July 7, the commission shall:

452 (a) review the assessment of a property described in Subsection (1)(b); and

453 (b) if warranted, take action as described in Subsection 59-1-210(23).

454 (6) The commission shall report the review information and the number of properties
455 for which an adjustment is made in accordance with Subsection (5) to the Revenue and
456 Taxation Interim Committee annually on or before August 31.

457 (7) The commission shall include in the report the name of each county that reported
458 review information for the current calendar year and the previous calendar year.

459 Section 8. Section 59-2-1331 is amended to read:

460 **59-2-1331. Property tax due date -- Date tax is delinquent -- Penalty -- Interest --**
461 **Payments -- Refund of prepayment.**

462 (1) (a) Except as provided in Subsection (1)(b) and subject to Subsections (1)(c) and
463 (d), all property taxes, unless otherwise specifically provided for under Section 59-2-1332, or
464 other law, and any tax notice charges, are due on November 30 of each year following the date
465 of levy.

466 (b) If November 30 falls on a Saturday, Sunday, or holiday:

467 (i) the date of the next following day that is not a Saturday, Sunday, or holiday shall be
468 substituted in Subsection (1)(a) and Subsection 59-2-1332(1) for November 30; and

469 (ii) the date of the day occurring 30 days after the date under Subsection (1)(b)(i) shall
470 be substituted in Subsection 59-2-1332(1) for December 30.

471 (c) If a property tax is paid or postmarked after the due date described in this
472 Subsection (1) the property tax is delinquent.

473 (d) A county treasurer or other public official, public entity, or public employee may
474 not require the payment of a property tax before the due date described in this Subsection (1).

475 (2) (a) Except as provided in Subsections (2)(e) and (f), for each parcel, all delinquent
476 taxes and tax notice charges on each separately assessed parcel are subject to a penalty of 2.5%
477 of the amount of the delinquent taxes and tax notice charges or \$10, whichever is greater.

478 (b) Unless the delinquent taxes and tax notice charges, together with the penalty, are
479 paid on or before January 31, the amount of taxes and tax notice charges and penalty shall bear
480 interest on a per annum basis from the January 1 immediately following the delinquency date.

481 (c) Except as provided in Subsection (2)(d), for purposes of Subsection (2)(b), the
482 interest rate is equal to the sum of:

483 (i) 6%; and

484 (ii) the federal funds rate target:

485 (A) established by the Federal Open Markets Committee; and

486 (B) that exists on the January 1 immediately following the date of delinquency.

487 (d) The interest rate described in Subsection (2)(c) may not be:

488 (i) less than 7%; or

489 (ii) more than 10%.

490 (e) The penalty described in Subsection (2)(a) is 1% of the amount of the delinquent
491 taxes and tax notice charges or \$10, whichever is greater, if all delinquent taxes, all tax notice
492 charges, and the penalty are paid on or before the January 31 immediately following the

493 delinquency date.

494 (f) This section does not apply to the costs, charges, and interest rate accruing on any
495 tax notice charge related to an assessment assessed in accordance with:

496 (i) Title 11, Chapter 42, Assessment Area Act; or

497 (ii) Title 11, Chapter 42a, Commercial Property Assessed Clean Energy Act.

498 (g) The county shall waive any penalty or interest for a property granted a deferral in
499 accordance with Section 59-2-1802.1 from the day of the delinquency through the end of the
500 deferral period.

501 (3) (a) If the delinquency exceeds one year, the amount of taxes, tax notice charges,
502 and penalties for that year and all succeeding years shall bear interest until settled in full
503 through redemption or tax sale.

504 (b) The interest rate to be applied shall be calculated for each year as established under
505 Subsection (2) and shall apply on each individual year's delinquency until paid.

506 (4) The county treasurer may accept and credit on account against taxes and tax notice
507 charges becoming due during the current year, at any time before or after the tax rates are
508 adopted, but not subsequent to the date of delinquency, either:

509 (a) payments in amounts of not less than \$10; or

510 (b) the full amount of the unpaid tax and tax notice charges.

511 (5) (a) At any time before the county treasurer provides the tax notice described in
512 Section 59-2-1317, the county treasurer may refund amounts accepted and credited on account
513 against taxes and tax notice charges becoming due during the current year.

514 (b) Upon recommendation by the county treasurer, the county legislative body shall
515 adopt rules or ordinances to implement the provisions of this Subsection (5).

516 Section 9. Section **59-2-1606** is amended to read:

517 **59-2-1606. Statewide property tax system funding for counties -- Disbursements**
518 **to the Multicounty Appraisal Trust -- Use of funds -- County adoption of statewide**
519 **property tax system.**

520 (1) The funds deposited into the Multicounty Appraisal Trust in accordance with
521 Section 59-2-1602 shall be used to provide funding for a statewide property tax system that
522 will promote:

523 (a) the accurate valuation of property;

524 (b) the establishment and maintenance of uniform assessment levels among counties
525 within the state;

526 (c) efficient administration of the property tax system, including the costs of
527 assessment, collection, and distribution of property taxes; and

528 (d) the uniform filing of a signed statement a county assessor requests under Section
529 [59-2-306](#), including implementation of a statewide electronic filing system.

530 (2) The trustee of the Multicounty Appraisal Trust shall:

531 (a) determine which projects to fund; and

532 (b) oversee the administration of a statewide property tax system.

533 (3) With the assistance of the commission and an association that represents at least
534 two counties in the state, each county shall adopt the statewide property tax system on or before
535 January 1, 2026.

536 Section 10. Section **59-2-1801** is amended to read:

537 **59-2-1801. Definitions.**

538 As used in this part:

539 (1) "Abatement" means a tax abatement described in Section [59-2-1803](#).

540 (2) "Deferral" means a postponement of a tax due date granted in accordance with
541 Section [59-2-1802](#), [59-2-1802.1](#), or [59-2-1802.5](#).

542 (3) "Eligible owner" means an owner of an attached or a detached single-family
543 residence:

544 (a) (i) who is 75 years old or older on or before December 31 of the year in which the
545 individual applies for a deferral under this part;

546 (ii) whose household income does not exceed 200% of the maximum household
547 income certified to a homeowner's credit described in Section [59-2-1208](#); and

548 (iii) whose household liquid resources do not exceed 20 times the amount of property
549 taxes levied on the owner's residence for the preceding calendar year; or

550 (b) that is a trust described in Section [59-2-1805](#) if the grantor of the trust is an
551 individual described in Subsection (3)(a).

552 (4) "Household" means the same as that term is defined in Section [59-2-1202](#).

553 (5) "Household income" means the same as that term is defined in Section [59-2-1202](#).

554 (6) "Household liquid resources" means the following resources that are not included

555 in an individual's household income and held by one or more members of the individual's
556 household:

- 557 (a) cash on hand;
- 558 (b) money in a checking or savings account;
- 559 (c) savings certificates; and
- 560 (d) stocks or bonds.

561 (7) "Indigent individual" is a poor individual as described in Utah Constitution, Article
562 XIII, Section 3, Subsection (4), who:

- 563 (a) (i) is at least 65 years old; or
- 564 (ii) is less than 65 years old and:
 - 565 (A) the county finds that extreme hardship would prevail on the individual if the
566 county does not defer or abate the individual's taxes; or
 - 567 (B) the individual has a disability;
- 568 (b) has a total household income, as defined in Section 59-2-1202, of less than the
569 maximum household income certified to a homeowner's credit described in Section 59-2-1208;
- 570 (c) resides for at least 10 months of the year in the residence that would be subject to
571 the requested abatement or deferral; and
- 572 (d) cannot pay the tax assessed on the individual's residence when the tax becomes due.
- 573 (8) "Property taxes due" means the taxes due on an indigent individual's property:
 - 574 (a) for which a county granted an abatement under Section 59-2-1803; and
 - 575 (b) for the calendar year for which the county grants the abatement.
- 576 (9) "Property taxes paid" means an amount equal to the sum of:
 - 577 (a) the amount of property taxes the indigent individual paid for the taxable year for
578 which the indigent individual applied for the abatement; and
 - 579 (b) the amount of the abatement the county grants under Section 59-2-1803.
- 580 (10) "Qualifying increase" means a tax amount that is equal to or more than 150%
581 higher than the previous year's property tax for property that:
 - 582 (a) is county assessed; and
 - 583 (b) on or after January 1 of the previous year and before January 1 of the current year
584 has not had:
 - 585 (i) a physical improvement if the fair market value of the physical improvement

586 increases enough to result in the property tax increase solely as a result of the physical
587 improvement;

588 (ii) a zoning change if the fair market value of the real property increases enough to
589 result in the property tax increase solely as a result of the zoning change; or

590 (iii) a change in the legal description of the real property, if the fair market value of the
591 real property increases enough to result in the property tax increase solely as a result of the
592 change in the legal description of the real property.

593 ~~[(H)]~~ (11) "Relative" means a spouse, child, parent, grandparent, grandchild, brother,
594 sister, parent-in-law, brother-in-law, sister-in-law, nephew, niece, aunt, uncle, first cousin, or a
595 spouse of any of these individuals.

596 [(H)] (12) "Residence" means real property where an individual resides, including:

597 (a) a mobile home, as defined in Section 41-1a-102; or

598 (b) a manufactured home, as defined in Section 41-1a-102.

599 (13) "Tax amount" means the amount calculated by multiplying assessed value by the
600 certified tax rate.

601 Section 11. Section **59-2-1802.1** is enacted to read:

602 **59-2-1802.1. Property tax deferral for qualifying increase in tax.**

603 (1) A county shall grant a deferral for any real property that:

604 (a) applies for a property tax deferral; and

605 (b) has a qualifying increase for the tax year that begins on January 1, 2023, or January
606 1, 2024.

607 (2) (a) The period of deferral is five years.

608 (b) The property owner shall pay 20% of the tax increase during each year of the
609 five-year deferral period.

610 (c) A county shall grant a separate five-year deferral period if an owner has a qualifying
611 increase for both the tax year that begins on January 1, 2023, and the tax year that begins on
612 January 1, 2024.

613 (3) (a) Taxes deferred under this part accumulate as a lien against the residential
614 property.

615 (b) A lien described in this Subsection (3) has the same legal status as a lien described
616 in Section 59-2-1325.

617 (c) To release the lien described in this Subsection (3), an owner shall pay the total
618 amount subject to the lien on or before the earlier of:
619 (i) the day on which the five-year deferral period ends; or
620 (ii) the day the owner sells or otherwise disposes of the real property.
621 (d) When the deferral period ends:
622 (i) the lien becomes due as a property tax subject to the collection procedures described
623 in Section [59-2-1331](#); and
624 (ii) the date of levy is the date that the deferral period ends.
625 (4) (a) Notwithstanding Section [59-2-1331](#), a county may not impose a penalty or
626 interest during the period of deferral.
627 (b) If the property owner does not make all deferred payments before the day on which
628 the five-year deferral period ends, the county may assess a penalty or interest in accordance
629 with Section [59-2-1331](#) on the unpaid amount.
630 (5) (a) If a county grants an owner more than one deferral for the same property, the
631 county is not required to submit for recording more than one lien.
632 (b) Each subsequent deferral relates back to the date of the initial lien filing.
633 (6) (a) For each property for which the county grants a deferral, the treasurer shall
634 maintain a record that is an itemized account of the total amount subject to the lien for deferred
635 property taxes.
636 (b) The record described in this Subsection (6) is the official record of the amount of
637 the lien.
638 (7) A county shall notify the owner of record for each property with a qualifying
639 increase of:
640 (a) the option to file an appeal under the extended period described in Section
641 [59-2-1004](#);
642 (b) instructions for filing an appeal;
643 (c) the option to apply for a deferral in accordance with this section; and
644 (d) the ability of the county to waive any late penalty or interest assessed in accordance
645 with Section [59-2-1331](#).
646 Section 12. **Effective date.**
647 This bill takes effect on May 1, 2024.