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## House Bills

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### **HB 31      Pollution Control Amendments**

**Amends:**      19-2-102, 59-1-1410, 59-12-104

**Enacts:**      19-12-101, 19-12-102, 19-12-201, 19-12-202, 19-12-203, 19-12-301, 19-12-302, 19-12-303,  
19-12-304, 19-12-305

**Repeals:**      19-2-123, 19-2-124, 19-2-125, 19-2-126, 19-2-127

**Effective:**    5/13/2014

This bill expands the sales tax exemption for pollution control facilities to include a consumable chemical, cleaning material, or supply that is reusable; no longer requires DEQ certification for repairs or replacements to qualify for the sales tax exemption.

### **HB 59      National Guard Program Amendments**

**Amends:**      59-12-104

**Enacts:**      39-9-101, 39-9-102, 39-9-103, 39-9-104, 39-9-105, 39-9-106, 39-9-107

**Effective:**    7/1/2014

This bill authorizes the establishment of a Utah National Guard Morale, Welfare, and Recreation Program; and provides a sales tax exemption for sales of goods and services at a morale, welfare, and recreation facility and made pursuant to this program.

### **HB 209     Extension of Sales and Use Tax Exemption**

**Amends:**      59-12-104

**Effective:**    5/13/2014

This bill extends the sales and use tax exemption related to a steel mill that would otherwise have expired on June 30, 2014.

### **HB 356     New Convention Facility Development Initiative**

**Amends:**      59-12-103, 63I-1-263, 63M-1-1403

**Enacts:**      17-31-9, 59-7-616, 59-10-1110, 63M-1-3401, 63M-1-3402, 63M-1-3403, 63M-1-3404, 63M-1-3405, 63M-1-3406, 36M-1-3407, 63M-1-3408, 63M-1-3409, 63M-1-3410, 63M-1-3411, 63M-1-3412, 63M-1-3413

**Effective:**    7/1/2014 and 1/1/2015

This bill enacts the New Convention Hotel Development Incentive Act; establishes a refundable corporate and individual income tax credit beginning January 1, 2015 for the owner of a new convention hotel or a local government entity in the amount of state and

local sales tax revenue generated from sales related to the construction of a new convention hotel and from sales on hotel property, and other local taxes; establishes requirements and criteria for qualifying for a tax credit; establishes a process for applying for and the issuance of a tax credit certificate, including an agreement between the Governor's Office of Economic Development and the hotel owner or local government in which the hotel is located; authorizes a community development and renewal agency of a host local government to receive incremental property tax revenue generated from hotel property during the eligibility period; limits how money derived from a tax credit and incremental property tax revenue may be spent; establishes an independent review committee to review tax credit applications; grants the Governor's Office of Economic Development rulemaking authority to carry out its responsibilities under and to implement provisions of this bill; beginning the second fiscal year after the fiscal year during which the Division of Finance receives notice that construction on a qualified hotel has begun, requires the Division of Finance to, for two consecutive fiscal years, annually deposit \$1.9 million of sales tax revenues into the Hotel Impact Mitigation Fund; requires a county in which a new convention hotel is located to make an annual payment into the Stay Another Day and Bounce Back Account.

## Senate Bills

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### **SB 47**      **Emergency Management Act Amendments**

**Amends:**      59-7-102, 59-7-404.5, 59-10-403, 59-12-104

**Enacts:**      53-2a-1201, 53-2a-1202, 53-2a-1203, 53-2a-1204, 53-2a-1205, 59-10-116.1

**Effective:**    **Multiple effective dates**

This bill defines an out-of-state business and provides that an out-of-state business that enters the state during a declared disaster or emergency to conduct work related to the disaster or emergency is exempt from licensing or registration requirements; provides: (1) retrospective to January 1, 2014, an out-of-state business is exempt from corporate tax and from withholding requirements for its employees for income earned during a disaster period and for the purpose of responding to the disaster, (2) retrospective to January 1, 2014, an out-of-state employee is exempt from individual income tax on income earned or passed through from an out-of-state business during a disaster period and for the purpose of responding to the disaster, (3) effective July 1, 2014, a sales tax exemption for property stored, used, or consumed in the state that is temporarily brought into the state during a period of disaster by an out-of-state business for disaster-related work and (4) effective May 13, 2014, property brought into the state temporarily is not subject to property tax; provides that any out-of-state business or out-of-state employee that remains in the state after the disaster period is subject to the state's normal standards for establishing presence or residency, or doing business in the state; and requires any out-of-state business that enters the state for disaster- or emergency-related work to provide the Division of Occupational and Professional Licensing a statement about the purpose of its business in the state, upon request.

### **SB 65**      **Sales and Use Tax Exemption Modifications**

**Amends:**      59-12-102, 59-12-103, 59-12-104

**Effective:**    7/1/2014

This bill modifies the definition of authorized carrier for purposes of a sales tax exemption (to recognize that the U.S. Surface Transportation Board no longer issues certificates for locomotives and rolling stock) to mean a person who uses locomotives or rolling stock in more than one state; provides that repair labor on exempt 3-year life equipment is not taxable even if the particular parts used in the repair have less than a 3-year life; clarifies the machinery and equipment that qualify for the mining sales tax exemption.

**SB 176      Local Funding for Rural Health Care Amendments****Amends:**      26-9-4, 59-12-801, 59-12-802, 59-12-804, 59-12-805, 59-12-803**Effective:**      5/13/2014

This bill expands the definition of a rural county nursing care facility, for purposes of the rural county health care facilities tax, to include a nursing care facility owned by a special service district that is created for the purpose of operating the nursing care facility within a county of the third, fourth, fifth, or sixth class and located outside of a standard metropolitan statistical area.

**SB 188      Local Option Sales Tax Amendments****Amends:**      59-12-2218**Effective:**      7/1/2014

This bill provides that a county, city, or town option sales and use tax for airports, highways, and systems for public transit may be used for additional purposes; provides that uses of a county, city, or town option sales and use tax for airports, highways, and systems for public transit shall be recommended by a metropolitan planning organization or council of governments; provides that a county, city, or town that has imposed this tax at the rate of .25% shall deposit the revenue collected from a tax rate of .05% into the Local Transportation Corridor Preservation Fund unless that tax had been imposed at .25% on July 1, 2010 or is imposed at that rate for a five-year continuous period beginning after July 1, 2010.

**SB 242      Alternative Energy Amendments****Amends:**      59-12-102, 63M-4-503**Effective:**      Multiple effective dates, retrospective to 1/1/2014

This bill requires an alternative energy entity to certify that it plans to produce at least 250 barrels per day if the alternative energy project is a biomass energy fuel production in order to qualify for corporate and income tax credits; effective July 1, 2014, amends the definitions of alternative energy and biomass energy for purposes of the sales tax exemptions relating to alternative energy.