

Judgment Levy Increase

Each year the certified tax rate for the judgment levy is set to “0” consequently, a entity may not impose a judgment levy unless it first advertises its intention to do so and holds a public meeting. To be eligible for consideration the judgment must meet certain conditions as discussed in the criteria below. [Utah Code Ann 59-2-918.5 and Tax Commission Rule R884-24P-57]

Fiscal Year Entities

Taxing entities operating under a July 1 through June 30th fiscal year the public hearing for a judgment levy shall be held at least 10 days after the Notice of Property Valuation and Tax Changes is mailed.

Calendar Year Entities

For judgments issued from the prior June 1 through December 15, the public hearing shall be held at the same time as the hearing at which the annual budget is adopted, usually in December. Judgments issued December 16 These judgment levies will be included in the advertisements

For judgments issued from the prior December 16 through May 31 the public hearing shall be held at least 10 days after the Notice of Property Valuation and Tax Changes is mailed (July 22nd) . The judgment levy

Both calendar year end and fiscal year end entities need to contact the county auditor by June 22 and inform them of the pending judgment levy increases. The county auditor will then place on the Notice of Valuation and Tax Change information showing date, time, and place of any public hearing where the proposed judgment levy increase will be held. [Utah Code Ann 59-2-918.5 and Tax Commission Rule R884-24P-5].

Calendar year entities and fiscal year entities need to advertise the proposed judgment levy increase in July or August and hold a public meeting to discuss the judgment levy increase before the final rate is adopted, guided by the following conditions: [Utah Code Ann 59-3-918.5]

Judgment Levy Increase Advertisement Requirements

-For a judgment to be eligible, the judgment shall be a final and unappealable judgment or order that was issued no more than 14 months prior to the day on which the “Notice of Valuation and Tax Change” is to be mailed (July 22).

-The entity’s share of the judgment or order shall be no greater than or equal to the lesser of \$5,000 or 2.5% of the total ad valorem property taxes collected by the taxing entity in the previous fiscal year. This test applies to each judgment individually not as an aggregate. The advertisement may however, be an aggregate of several judgments.

-A judgment levy advertisement may be combined with a tax increase advertisement for a taxing entity.

- The advertisement shall be no less than ¼ page in size.

- The type used shall be no less than 18 point. A ¼ inch border shall surround the advertisement. The advertisement may not be placed in that portion of the newspaper where legal notices and classified advertisements appear. It is the legislative intent, whenever possible, the advertisement should appear in a newspaper that is published at least one day per week.
- The newspaper or combination of newspapers selected shall be of general interest and readership in the taxing entity, and not of limited subject matter.
- The advertisement shall be run once each week for two weeks preceding the first hearing included in the list compiled.
- The advertisement shall state that the taxing entity will meet on a certain day, time, and place fixed in the advertisement. The exact wording for the advertisement can be found in 59-2-919.
- The first scheduled hearing shall not be held less than seven days after the day the first advertisement is published.
- The scheduled hearing shall not be held less than ten days after the mailing of the "Notice of Property Valuation and Tax Change" by the county auditor.
- The scheduled meeting on the proposed increase may coincide with the hearing on the proposed budget.
- The scheduled meeting shall begin at or after 6 p.m.

All entities imposing a judgment levy shall file a signed statement to the Tax Commission before final tax rates are approved. The signed statement shall contain the following information for each judgment levy. [Tax Commission Rule R884-24P-57 (F)]

- The name of the taxpayer awarded the judgment
- The appeal number of the judgment
- The taxing entity's pro rata share of the judgment