

1 **ENROLLMENT GROWTH PROGRAM**

2 **AMENDMENTS**

3 2004 GENERAL SESSION

4 STATE OF UTAH

5 **Sponsor: Bradley G. Last**

7 **LONG TITLE**

8 **General Description:**

9 This bill modifies the funding formula for a program that provides money to school
10 districts for school building construction.

11 **Highlighted Provisions:**

12 This bill:

13 ▶ removes the requirement that a school district be a recipient of monies distributed
14 under the Capital Outlay Foundation Program to qualify for monies under the
15 Enrollment Growth Program; and

16 ▶ requires school districts to have a minimum percentage increase in enrollment to
17 qualify for monies under the Enrollment Growth Program.

18 **Monies Appropriated in this Bill:**

19 None

20 **Other Special Clauses:**

21 This bill takes effect on July 1, 2004.

22 **Utah Code Sections Affected:**

23 AMENDS:

24 **53A-21-103.5**, as enacted by Chapter 320, Laws of Utah 2003

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

27 Section 1. Section **53A-21-103.5** is amended to read:



28 **53A-21-103.5. Qualifications for participation in the Enrollment Growth**
 29 **Program -- Distribution formula -- State Board of Education rules.**

30 ~~[(1) (a) In order to qualify for monies under the Enrollment Growth Program~~
 31 ~~established in Section 53A-21-102, a school district must be a recipient of monies distributed~~
 32 ~~under the Capital Outlay Foundation Program, except as provided in Subsection (1)(b).]~~

33 ~~[(b) A school district that is not a recipient of Capital Outlay Foundation Program~~
 34 ~~monies in fiscal year 2003-04, fiscal year 2004-05, or both, may qualify for monies under the~~
 35 ~~Enrollment Growth Program if the school district received Capital Outlay Foundation Program~~
 36 ~~monies in fiscal year 2002-03.]~~

37 ~~[(2)]~~ (1) (a) The State Board of Education shall distribute monies in the Enrollment
 38 Growth Program to ~~[qualifying]~~ school districts ~~[whose]~~ for whom the average [net] of the
 39 annual percentage change in enrollment for the prior three years is a ~~[net increase in~~
 40 enrollment] positive 2% or more.

41 (b) The average of the annual percentage change in enrollment for the prior three years
 42 shall be calculated using the last four October 1 enrollment counts before the effective date of
 43 the legislative appropriation for the Enrollment Growth Program each year.

44 ~~[(b)]~~ (2) A school district that meets the criteria of Subsection ~~[(2)]~~ (1)(a) shall receive
 45 Enrollment Growth Program monies in the same proportion that the district's ~~[three-year~~
 46 average net] increase in enrollment in the prior three years bears to the total ~~[three-year net]~~
 47 increase in enrollment in the prior three years of all the districts that meet the criteria of
 48 Subsection ~~[(2)]~~ (1)(a).

49 ~~[(c)]~~ (3) The State Board of Education shall make rules in accordance with Title 63,
 50 Chapter 46a, Utah Administrative Rulemaking Act, to administer this section.

51 Section 2. **Effective date.**

52 This bill takes effect on July 1, 2004.

Legislative Review Note
 as of 1-15-04 10:25 AM

A limited legal review of this legislation raises no obvious constitutional or statutory concerns.

Office of Legislative Research and General Counsel

State Impact

Implementation of this bill would have no net fiscal impact on state funds. Bill provisions change the manner in which Enrollment Growth Program funds are distributed to school districts. Depending on the distribution criteria detailed in this bill and the distribution criteria currently in statute, the dispersal of Enrollment Growth Funds may change among the school districts.

Individual and Business Impact

No Fiscal Impact

Office of the Legislative Fiscal Analyst