

3rd Sub. S.B. 175

SCHOOL DISTRICT CAPITAL OUTLAY EQUALIZATION AMENDMENTS

Representative John Dougall proposes the following amendments:

1. Page 1, Line 18 through Page 2, Line 27:

- 18 revenue;
- 19 ~~{ provides a cap on the amount of distributions a local school board located in a~~
- 20 ~~county of the first class may receive from the first class county capital outlay~~
- 21 ~~equalization program;~~
- 22 ~~requires a county treasurer to return remaining capital outlay monies to school~~
- 23 ~~districts in proportion to the school districts' percentage of the total amount~~
- 24 ~~collected;~~
- 25 ~~provides a deadline for the elimination of the requirement for a local school board~~
- 26 ~~to participate in the first class county capital outlay equalization program; }~~ =
 - ▶ requires certain local school boards that use capital revenue for general fund purposes to refund a certain amount to the local school board's capital fund over a seven year period beginning in fiscal year 2012-13;
- 27 ▶ requires a school district in a county of the first class that receives property tax

▶ Page 3, Lines 65 through 66:

- 65 (3) {+} Beginning {+} ~~{ Except as provided in Subsection 53A-16-107.1(8), beginning }~~
- January
- 66 1, 2009, in order to qualify for receipt of the state contribution toward the minimum school

▶ Page 3, Lines 80 through 86:

- 80 (b) If a local school board uses the proceeds described in Subsection (5)(a) for general
- 81 fund purposes, the local school board shall ~~:~~
 - 82 (i) notify the public of the local school board's use of
 - 82 the capital outlay levy proceeds for general fund purposes:
 - 83 ~~{(i)}~~ (A) prior to the board's budget hearing in accordance with the notification requirements
 - 84 described in Section 53A-19-102; and
 - 85 ~~{(ii)}~~ (B) at a budget hearing required in Section 53A-19-102 ~~{:}~~ ; and
 - (ii) if the local school board's school district is a receiving school district as defined in Section 59-2-924.3, refund the amount of the proceeds described in Subsection (5)(a) used for general fund purposes back to the local school board's capital fund over seven years beginning with fiscal year 2012-13

and ending with fiscal year 2019-20.

86 (c) A local school board may not use the proceeds described in Subsection (5)(a) to

► Page 4, Line 118 through Page 5, Line 124:

118 ~~{(e) "Remaining capital outlay monies" means the difference between:~~
119 ~~——(i) the amount of revenue collected from the a .0006 portion of the capital outlay levy~~
120 ~~required in Subsection 53A-16-107(3) for a calendar year; and~~
121 ~~——(ii) the amount of revenue distributed pursuant to Subsection (2) from the revenue~~
122 ~~described in Subsection (1)(e)(i) for the same calendar year. }~~

123 ~~[(+) (2) {+} The {+} {Except as provided in Subsections (6) and (8), the} county~~
treasurer of a
124 county of the first class shall distribute revenues generated by the .0006 portion of the capital

► Page 5, Line 144 through Page 6, Line 166

House Committee Amendments

3-9-2010:

144 calendar year from the capital outlay levy described in Section 53A-16-107.

145 ~~{(6) (a) Notwithstanding Subsection (2), a distribution to a school district described in~~
146 ~~Subsection (2) may not exceed ~~it~~→ [the lesser of the following amounts:~~

147 ~~——(i) ~~it~~ the distribution the local school board received pursuant to this section for revenue~~
148 ~~collected for the 2009 calendar year ~~it~~→ [; or];—~~

149 ~~——[(ii) the distribution the local school board received pursuant to this section for revenue~~
150 ~~collected for the year prior to the current calendar year.] ~~it~~—~~

151 ~~——(b) If there are remaining capital outlay monies after all distributions described in~~
152 ~~Subsection (2) are made, the county treasurer shall return the remaining capital outlay monies~~
153 ~~to a school district in proportion to the school district's percentage of the total amount collected~~
154 ~~from the .0006 portion of the capital outlay levy required in Subsection 53A-16-107(3). }~~

155 ~~{(7)} (6) On or before the November meeting of the Education Interim Committee of each~~
156 ~~year, a receiving school district shall report to the committee:~~

157 (a) how the receiving school district spent the district's capital outlay increment monies
158 during the prior fiscal year; and

159 (b) the receiving school district's plan to increase student capacity of existing school
160 buildings within the district.

161 ~~{(8) Notwithstanding Subsections 53A-16-107(3) and (4), a local school board in a~~
162 ~~county of the first class is not required to impose a capital outlay levy of .0006 per dollar of~~
163 ~~taxable value nor subject to the requirements of this section beginning with the calendar year~~
164 ~~that all school districts that were receiving school districts in the 2009 calendar year are no~~
165 ~~longer receiving school districts. }~~

166 Section 3. Section 53A-19-102 is amended to read:

