

SCHOOL BOARD LEVY AMENDMENTS

2015 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Kraig Powell

Senate Sponsor: _____

LONG TITLE

General Description:

This bill amends provisions related to school district property taxes.

Highlighted Provisions:

This bill:

- ▶ provides that all school districts are subject to the same property tax rate cap for the board local levy; and
- ▶ makes technical amendments, including deleting old language.

Money Appropriated in this Bill:

None

Other Special Clauses:

This bill provides retrospective operation.

Utah Code Sections Affected:

AMENDS:

53A-17a-164, as last amended by Laws of Utah 2013, Chapters 178 and 313

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

Section 1. Section **53A-17a-164** is amended to read:

53A-17a-164. Board local levy -- State guarantee.

(1) Subject to the other requirements of this section, ~~[for a calendar year beginning on or after January 1, 2012,]~~ a local school board may levy a tax to fund the school district's



28 general fund.

29 ~~[(2)(a) Except as provided in Subsection (2)(b), a tax rate imposed by a school district~~
 30 ~~pursuant to this section may not exceed .0018 per dollar of taxable value in any calendar year.]~~

31 ~~[(b)] (2) A tax rate imposed by a school district pursuant to this section may not exceed~~
 32 ~~.0025 per dollar of taxable value in any calendar year [if, during the calendar year beginning on~~
 33 ~~January 1, 2011, the school district's combined tax rate for the following levies was greater~~
 34 ~~than .0018 per dollar of taxable value:].~~

35 ~~[(i) a recreation levy imposed under Section 11-2-7;]~~

36 ~~[(ii) a transportation levy imposed under Section 53A-17a-127;]~~

37 ~~[(iii) a board-authorized levy imposed under Section 53A-17a-134;]~~

38 ~~[(iv) an impact aid levy imposed under Section 53A-17a-143;]~~

39 ~~[(v) the portion of a 10% of basic levy imposed under Section 53A-17a-145 that is~~
 40 ~~budgeted for purposes other than capital outlay or debt service;]~~

41 ~~[(vi) a reading levy imposed under Section 53A-17a-151; and]~~

42 ~~[(vii) a tort liability levy imposed under Section 63G-7-704.]~~

43 (3) (a) In addition to the revenue a school district collects from the imposition of a levy
 44 pursuant to this section, the state shall contribute an amount sufficient to guarantee that each
 45 .0001 of the first .0004 per dollar of taxable value generates an amount equal to the state
 46 guarantee per weighted pupil unit described in Subsection 53A-17a-133(4).

47 (b) (i) The amount of state guarantee money to which a school district would otherwise
 48 be entitled to under this Subsection (3) may not be reduced for the sole reason that the district's
 49 levy is reduced as a consequence of changes in the certified tax rate under Section 59-2-924
 50 pursuant to changes in property valuation.

51 (ii) Subsection (3)(b)(i) applies for a period of five years following any changes in the
 52 certified tax rate.

53 ~~[(4) A school district that imposes a board local levy in the calendar year beginning on~~
 54 ~~January 1, 2012, is exempt from the public notice and hearing requirements of Section~~
 55 ~~59-2-919 if the school district budgets an amount of ad valorem property tax revenue equal to~~
 56 ~~or less than the sum of the following amounts:]~~

57 ~~[(a) the amount of revenue generated during the calendar year beginning on January 1,~~
 58 ~~2011, from the sum of the following levies of a school district:]~~

- 59 [~~(i) a recreation levy imposed under Section 11-2-7;~~]
- 60 [~~(ii) a transportation levy imposed under Section 53A-17a-127;~~]
- 61 [~~(iii) a board-authorized levy imposed under Section 53A-17a-134;~~]
- 62 [~~(iv) an impact aid levy imposed under Section 53A-17a-143;~~]
- 63 [~~(v) the portion of a 10% of basic levy imposed under Section 53A-17a-145 that is~~
- 64 budgeted for purposes other than capital outlay or debt service;]
- 65 [~~(vi) a reading levy imposed under Section 53A-17a-151; and]~~
- 66 [~~(vii) a tort liability levy imposed under Section 63G-7-704; and]~~
- 67 [~~(b) revenue from new growth as defined in Subsection 59-2-924(4)(c).]~~
- 68 Section 2. **Retrospective operation.**
- 69 This bill has retrospective operation to January 1, 2015.

Legislative Review Note
as of 1-30-15 2:09 PM

Office of Legislative Research and General Counsel