

**NOTICE OF PUBLIC EDUCATION REPORTING  
REQUIREMENT**

2021 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Susan Pulsipher**

Senate Sponsor: \_\_\_\_\_

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**LONG TITLE**

**General Description:**

This bill enacts provisions related to legislation that affects reporting requirements for local education agencies.

**Highlighted Provisions:**

This bill:

- ▶ requires the Office of the Legislative Fiscal Analyst to indicate whether a bill impacts reporting requirements for local education agencies;
- ▶ directs the State Board of Education to comply with a request from the Office of the Legislative Fiscal Analyst related to its duty to report a bill's impact on reporting requirements; and
- ▶ makes technical changes.

**Money Appropriated in this Bill:**

None

**Other Special Clauses:**

None

**Utah Code Sections Affected:**

AMENDS:

**36-12-13**, as last amended by Laws of Utah 2018, Chapter 248

**53E-3-507**, as last amended by Laws of Utah 2020, Chapter 365



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

Section 1. Section **36-12-13** is amended to read:

**36-12-13. Office of the Legislative Fiscal Analyst established -- Powers, functions, and duties -- Qualifications.**

(1) There is established an Office of the Legislative Fiscal Analyst as a permanent staff office for the Legislature.

(2) The powers, functions, and duties of the Office of the Legislative Fiscal Analyst under the supervision of the fiscal analyst are:

(a) (i) to estimate general revenue collections, including comparisons of:

(A) current estimates for each major tax type to long-term trends for that tax type;

(B) current estimates for federal fund receipts to long-term federal fund trends; and

(C) current estimates for tax collections and federal fund receipts to long-term trends deflated for the inflationary effects of debt monetization; and

(ii) to report the analysis required under Subsection (2)(a)(i) to the Legislature's Executive Appropriations Committee before each annual general session of the Legislature;

(b) to analyze in detail the state budget before the convening of each legislative session and make recommendations to the Legislature on each item or program appearing in the budget, including:

(i) funding for and performance of programs, acquisitions, and services currently undertaken by state government to determine whether each department, agency, institution, or program should:

(A) continue at its current level of expenditure;

(B) continue at a different level of expenditure; or

(C) be terminated; and

(ii) increases or decreases to spending authority and other resource allocations for the current and future fiscal years;

(c) to prepare on all proposed bills fiscal estimates that reflect:

(i) potential state government revenue impacts;

(ii) anticipated state government expenditure changes;

(iii) anticipated expenditure changes for county, municipal, local district, or special

59 service district governments; and

60 (iv) anticipated direct expenditure by Utah residents and businesses, including the unit  
61 cost, number of units, and total cost to all impacted residents and businesses;

62 (d) to indicate whether each proposed bill will impact the regulatory burden for Utah  
63 residents or businesses, and if so:

64 (i) whether the impact increases or decreases the regulatory burden; and

65 (ii) whether the change in burden is high, medium, or low;

66 (e) to indicate whether each proposed bill will impact the reporting requirements for

67 local education agencies, as defined in Section 53E-1-102, and if so:

68 (i) whether the impact increases or decreases the reporting requirements; and

69 (ii) whether the change in requirements is high, medium, or low;

70 ~~(e)~~ (f) beginning in 2017 and repeating every three years after 2017, to prepare the  
71 following cycle of analyses of long-term fiscal sustainability:

72 (i) in year one, the joint revenue volatility report required under Section 63J-1-205;

73 (ii) in year two, a long-term budget for programs appropriated from major funds and  
74 tax types; and

75 (iii) in year three, a budget stress test comparing estimated future revenue to and  
76 expenditure from major funds and tax types under various potential economic conditions;

77 ~~(f)~~ (g) to report instances in which the administration may be failing to carry out the  
78 expressed intent of the Legislature;

79 ~~(g)~~ (h) to propose and analyze statutory changes for more effective operational  
80 economies or more effective administration;

81 ~~(h)~~ (i) to prepare, before each annual general session of the Legislature, a summary  
82 showing the current status of the following as compared to the past nine fiscal years:

83 (i) debt;

84 (ii) long-term liabilities;

85 (iii) contingent liabilities;

86 (iv) General Fund borrowing;

87 (v) reserves;

88 (vi) fund and nonlapsing balances; and

89 (vii) cash funded capital investments;

90           ~~[(h)]~~ (i) to make recommendations for addressing the items described in Subsection  
 91 (2)~~[(h)]~~(i) in the upcoming annual general session of the Legislature;  
 92           ~~[(j)]~~ (k) to prepare, after each session of the Legislature, a summary showing the effect  
 93 of the final legislative program on the financial condition of the state;  
 94           ~~[(k)]~~ (l) to conduct organizational and management improvement studies;  
 95           ~~[(l)]~~ (m) to prepare and deliver upon request of any interim committee or the  
 96 Legislative Management Committee, reports on the finances of the state and on anticipated or  
 97 proposed requests for appropriations;  
 98           ~~[(m)]~~ (n) to recommend areas for research studies by the executive department or the  
 99 interim committees;  
 100           ~~[(n)]~~ (o) to appoint and develop a professional staff within budget limitations;  
 101           ~~[(o)]~~ (p) to prepare and submit the annual budget request for the office;  
 102           ~~[(p)]~~ (q) to develop a taxpayer receipt:  
 103           (i) available to taxpayers through a website; and  
 104           (ii) that allows a taxpayer to view on the website an estimate of how the taxpayer's tax  
 105 dollars are expended for government purposes; and  
 106           ~~[(q)]~~ (r) to publish or provide other information on taxation and government  
 107 expenditures that may be accessed by the public.

108           (3) The legislative fiscal analyst shall have a master's degree in public administration,  
 109 political science, economics, accounting, or the equivalent in academic or practical experience.

110           (4) In carrying out the duties provided for in this section, the legislative fiscal analyst  
 111 may obtain access to all records, documents, and reports necessary to the scope of the  
 112 legislative fiscal analyst's duties according to the procedures contained in Title 36, Chapter 14,  
 113 Legislative Subpoena Powers.

114           Section 2. Section **53E-3-507** is amended to read:

115           **53E-3-507. Powers of the state board.**

116           The state board:

117           (1) shall establish minimum standards for career and technical education programs in  
 118 the public education system;

119           (2) may apply for, receive, administer, and distribute funds made available through  
 120 programs of federal and state governments to promote and aid career and technical education;

121 (3) shall cooperate with federal and state governments to administer programs that  
122 promote and maintain career and technical education;

123 (4) shall cooperate with the Utah Board of Higher Education, technical colleges, Salt  
124 Lake Community College's School of Applied Technology, Snow College, Utah State  
125 University Eastern, and Utah State University Blanding to ensure that students in the public  
126 education system have access to career and technical education at technical colleges, Salt Lake  
127 Community College's School of Applied Technology, Snow College, Utah State University  
128 Eastern, and Utah State University Blanding;

129 (5) shall require that before a minor student may participate in clinical experiences as  
130 part of a health care occupation program at a high school or other institution to which the  
131 student has been referred, the student's parent has:

132 (a) been first given written notice through appropriate disclosure when registering and  
133 prior to participation that the program contains a clinical experience segment in which the  
134 student will observe and perform specific health care procedures that may include personal  
135 care, patient bathing, and bathroom assistance; and

136 (b) provided specific written consent for the student's participation in the program and  
137 clinical experience; [~~and~~]

138 (6) shall, after consulting with school districts, charter schools, the Utah Board of  
139 Higher Education, technical colleges, Salt Lake Community College's School of Applied  
140 Technology, Snow College, Utah State University Eastern, and Utah State University Blanding,  
141 prepare and submit an annual report in accordance with Section [53E-1-203](#) detailing:

142 (a) how the career and technical education needs of secondary students are being met;  
143 and

144 (b) the access secondary students have to programs offered:

145 (i) at technical colleges; and

146 (ii) within the regions served by Salt Lake Community College's School of Applied  
147 Technology, Snow College, Utah State University Eastern, and Utah State University  
148 Blanding[~~;~~]; and

149 (7) shall comply with any request from the Office of the Legislative Fiscal Analyst  
150 related to the Office of the Legislative Fiscal Analyst's duties described in Subsection  
151 [36-12-13\(2\)\(e\)](#).