

SB0193S01 compared with SB0193

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inserted text shows text that was not in SB0193 but was inserted into SB0193S01.

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Senator Ann Millner proposes the following substitute bill:

HIGHER EDUCATION PERFORMANCE FUNDING

2021 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Ann Millner

House Sponsor: _____

LONG TITLE

General Description:

This bill amends provisions related to higher education goals and funding based on an institution's performance.

Highlighted Provisions:

This bill:

- ▶ requires the Utah Board of Higher Education (board) to:
 - set five-year goals for the state system of higher education;
 - set five-year goals for each degree-granting institution and technical college that align with each system five-year goal;
 - establish a model for determining a degree-granting institution's or technical college's performance in meeting the goals the board sets; and
 - every five years, submit the goals and model to the Higher Education

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Appropriations Subcommittee and governor for comment;

- ▶ requires the Executive Appropriations Committee, the Higher Education Appropriations Subcommittee, and the Education Interim Committee to, every five years, prepare and consider legislation to adopt the goals and model the board submits;
- ▶ amends the distribution of the money in the Performance Funding Restricted Account to degree-granting institutions and technical colleges;
- ▶ permits the board to set aside unearned performance funding and allocate the set-aside funds to a degree-granting institution or technical college that meets or exceeds goals;
- ▶ defines terms; and
- ▶ makes technical and conforming changes.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

53B-1-301, as last amended by Laws of Utah 2020, Chapters 365 and 403

53B-7-702, as last amended by Laws of Utah 2020, Chapter 365

53B-7-703, as last amended by Laws of Utah 2020, Chapter 365

53B-7-705, as last amended by Laws of Utah 2020, Chapter 365

53B-7-706, as last amended by Laws of Utah 2020, Chapter 365

53E-1-201, as last amended by Laws of Utah 2020, Chapters 51, 174, 254, 274, 321, 354, 365 and last amended by Coordination Clause, Laws of Utah 2020, Chapters 254, 274, and 321

63I-2-253, as last amended by Laws of Utah 2020, Sixth Special Session, Chapter 13

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

Section 1. Section **53B-1-301** is amended to read:

53B-1-301. Reports to and actions of the Higher Education Appropriations

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Subcommittee.

(1) In accordance with applicable provisions and Section 68-3-14, the following recurring reports are due to the Higher Education Appropriations Subcommittee:

(a) the reports described in Sections 34A-2-202.5, 53B-17-804, and 59-9-102.5 by the Rocky Mountain Center for Occupational and Environmental Health;

(b) the report described in Section 53B-7-101 by the board on recommended appropriations for higher education institutions, including the report described in Section 53B-8-104 by the board on the effects of offering nonresident partial tuition scholarships;

(c) the report described in Section 53B-7-704 by the Department of Workforce Services and the Governor's Office of Economic Development on targeted jobs;

(d) the reports described in Section 53B-7-705 by the board on performance;

(e) the report described in Section 53B-8-201 by the board on the Regents' Scholarship Program;

(f) the report described in Section 53B-8-303 by the board regarding Access Utah promise scholarships;

(g) the report described in Section 53B-8d-104 by the Division of Child and Family Services on tuition waivers for wards of the state;

(h) the report described in Section 53B-12-107 by the Utah Higher Education Assistance Authority;

(i) the report described in Section 53B-13a-104 by the board on the Success Stipend Program;

(j) the report described in Section 53B-17-201 by the University of Utah regarding the Miners' Hospital for Disabled Miners;

(k) the report described in Section 53B-26-103 by the Governor's Office of Economic Development on high demand technical jobs projected to support economic growth;

(l) the report described in Section 53B-26-202 by the Medical Education Council on projected demand for nursing professionals; and

(m) the report described in Section 53E-10-308 by the State Board of Education and board on student participation in the concurrent enrollment program.

(2) In accordance with applicable provisions and Section 68-3-14, the following occasional reports are due to the Higher Education Appropriations Subcommittee:

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- (a) upon request, the information described in Section 53B-8a-111 submitted by the Utah Educational Savings Plan;
- (b) as described in Section 53B-26-103, a proposal by an eligible partnership related to workforce needs for technical jobs projected to support economic growth;
- (c) a proposal described in Section 53B-26-202 by an eligible program to respond to projected demand for nursing professionals;
- (d) a report in 2023 from Utah Valley University and the Utah Fire Prevention Board on the fire and rescue training program described in Section 53B-29-202; and
- (e) the reports described in Section 63C-19-202 by the Higher Education Strategic Planning Commission on the commission's progress.

(3) In accordance with applicable provisions, the Higher Education Appropriations Subcommittee shall complete the following:

(a) as required by Section 53B-7-703, the review of performance funding described in Section 53B-7-703;

~~[(b) the review described in Section 53B-7-705 of the implementation of performance funding;]~~

~~[(c)]~~ (b) an appropriation recommendation described in Section 53B-26-103 to fund a proposal responding to workforce needs of a strategic industry cluster;

~~[(d)]~~ (c) an appropriation recommendation described in Section 53B-26-202 to fund a proposal responding to projected demand for nursing professionals; and

~~[(e)]~~ (d) review of the report described in Section 63B-10-301 by the University of Utah on the status of a bond and bond payments specified in Section 63B-10-301.

Section 2. Section **53B-7-702** is amended to read:

53B-7-702. Definitions.

As used in this part:

(1) "Account" means the Performance Funding Restricted Account created in Section 53B-7-703.

(2) "Estimated revenue growth from targeted jobs" means the estimated increase in individual income tax revenue generated by individuals employed in targeted jobs, determined by the Department of Workforce Services in accordance with Section 53B-7-704.

(3) "Full new performance funding amount" means the maximum amount of new

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performance funding that a degree-granting institution or technical college may qualify for in a fiscal year, determined by the Legislature in accordance with Section 53B-7-705.

(4) "Full-time" means the number of credit hours the board determines is full-time enrollment for a student.

(5) "GOED" means the Governor's Office of Economic Development created in Section 63N-1-201.

(6) "Job" means an occupation determined by the Department of Workforce Services.

(7) "Membership hour" means 60 minutes of scheduled instruction provided by a technical college to a student enrolled in the technical college.

(8) "New performance funding" means the difference between the total amount of money in the account and the amount of money appropriated from the account for performance funding in the current fiscal year.

(9) "Performance" means total performance across the metrics described in Sections 53B-7-706 and 53B-7-707.

~~[(a) Section 53B-7-706 for a degree-granting institution; or]~~

~~[(b) Section 53B-7-707 for a technical college.]~~

(10) "Research university" means the University of Utah or Utah State University.

(11) "Targeted job" means a job designated by the Department of Workforce Services or GOED in accordance with Section 53B-7-704.

(12) "Technical college" means:

(a) the same as that term is defined in Section 53B-1-101.5;

(b) Salt Lake Community College's School of Applied Technology established in Section 53B-16-209;

(c) a USU regional institution as that term is defined in Section 53B-16-207; and

(d) Snow College Richfield campus established in Section 53B-16-205.

~~[(12)]~~ (13) "Technical college graduate" means an individual who:

(a) has earned a certificate from an accredited program at a technical college; and

(b) is no longer enrolled in the technical college.

Section 3. Section **53B-7-703** is amended to read:

53B-7-703. Performance Funding Restricted Account -- Creation -- Deposits into account -- Legislative review.

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(1) There is created within the Education Fund a restricted account known as the "Performance Funding Restricted Account."

(2) Money in the account shall be:

(a) used for performance funding for:

(i) degree-granting institutions; and

(ii) technical colleges; and

(b) appropriated by the Legislature in accordance with Section 53B-7-705.

(3) (a) Money in the account shall earn interest.

(b) All interest earned on account money shall be deposited into the account.

(4) (a) Except as provided in Subsection (4)(b)[(ii)], the Division of Finance shall deposit into the account an amount equal to ~~[(i) 14% of the estimated revenue growth from targeted jobs upon appropriation by the Legislature for the fiscal year beginning on July 1, 2018, and (ii)]~~ 20% of the estimated revenue growth from targeted jobs upon appropriation by the Legislature for a fiscal year beginning on or after July 1, 2019.

(b) (i) As used in this Subsection (4)(b), "total higher education appropriations" means, for the current fiscal year, the total state funded appropriations to:

(A) the board;

(B) degree-granting institutions; and

(C) technical colleges.

(ii) If a deposit described in Subsection (4)(a) would exceed 10% of total higher education appropriations, upon appropriation by the Legislature, the Division of Finance shall deposit into the account an amount equal to 10% of total higher education appropriations.

(c) The Legislature may appropriate money to the account.

(5) (a) As used in this Subsection (5):

(i) "Base budget" means the same as that term is defined in legislative rule.

(ii) "Remaining available ongoing Education Fund revenue" means the difference between:

(A) the estimated ongoing Education Fund and Uniform School Fund revenue available for the Legislature to appropriate in the next fiscal year; and

(B) the amount of ongoing appropriations from the Education Fund and Uniform School Fund for the current year plus ongoing appropriations required under Sections

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53F-9-201 and 53F-9-204 for the next fiscal year.

(b) Except as described in Subsection (5)(c), for a fiscal year beginning on or after July 1, ~~2022~~2023, when preparing the Higher Education Base Budget, the Office of the Legislative Fiscal Analyst shall:

(i) include in the base budget the lesser of the amount described in Subsection (4) or the remaining available ongoing Education Fund revenue; and

(ii) appropriate the funds described in Subsection (5)(b)(i) to the Utah Board of Higher Education to distribute to institutions as described in Section 53B-7-705.

(c) In a fiscal year beginning on or after July 1, ~~2022~~2023, in which the remaining available ongoing Education Fund revenue is less than zero, when preparing the base budget, the Office of the Legislative Fiscal Analyst shall include in the base budget the current year ongoing appropriation described in Subsection (4), adjusted for any base budget reductions as directed by the Executive Appropriations Committee.

~~[(5)]~~ (6) During the interim following a legislative general session in which an amount described in Subsection (4)(b) is deposited into the account, the Higher Education Appropriations Subcommittee shall review performance funding described in this part and make recommendations to the Legislature about:

(a) the performance levels required for degree-granting institutions and technical colleges to receive performance funding as described in Section 53B-7-705;

(b) the performance metrics described in Sections 53B-7-706 and 53B-7-707; and

(c) the amount of individual income tax revenue dedicated to higher education performance funding.

Section 4. Section **53B-7-705** is amended to read:

53B-7-705. Determination of full new performance funding amount -- Role of appropriations subcommittee -- Program review.

(1) In accordance with this section, and based on money deposited into the account, the Legislature shall, as part of the higher education appropriations budget process, annually determine the full new performance funding amount for each:

(a) degree-granting institution; and

(b) technical college.

(2) (a) ~~[The]~~ Before January 1, ~~2023~~2024, the Legislature shall annually allocate:

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~~[(a)]~~ (i) 90% of the money in the account to degree-granting institutions; and

~~[(b)]~~ (ii) 10% of the money in the account to technical colleges.

(b) After January 1, ~~2023~~2024, the Legislature shall annually allocate:

(i) 85% of the money in the account to degree-granting institutions; and

(ii) 15% of the money in the account to technical colleges.

(3) (a) The Legislature shall determine a degree-granting institution's full new performance funding amount based on the degree-granting institution's prior year share of:

(i) full-time equivalent enrollment in all degree-granting institutions; and

(ii) the total state-funded appropriated budget for all degree-granting institutions.

(b) In determining a degree-granting institution's full new performance funding amount, the Legislature shall give equal weight to the factors described in Subsections (3)(a)(i) and (ii).

(4) (a) The Legislature shall determine a technical college's full new performance funding amount based on the technical college's prior year share of:

(i) (A) before January 1, ~~2023~~2024, membership hours for all technical colleges; and

(B) after January 1, ~~2023~~2024, full-time equivalent enrollment for all technical colleges; and

(ii) the total state-funded appropriated budget for all technical colleges.

(b) In determining a technical college's full new performance funding amount, the Legislature shall give equal weight to the factors described in Subsections (4)(a)(i) and (ii).

(5) Annually, at least 30 days before the first day of the legislative general session the board shall submit a report to the Higher Education Appropriations Subcommittee on each degree-granting institution's and each technical college's performance.

(6) (a) In accordance with this Subsection (6), and based on the report described in Subsection (5), the Legislature shall determine for each degree-granting institution and each technical college:

(i) the portion of the full new performance funding amount earned; and

(ii) the amount of new performance funding to recommend that the Legislature appropriate, from the account, to the degree-granting institution or technical college.

(b) (i) This Subsection (6)(b) applies before January 1, ~~2023~~2024.

~~[(+)]~~ (ii) A degree-granting institution earns the full new performance funding amount

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if the degree-granting institution has a positive change in performance of at least 1% compared to the degree-granting institution's average performance over the previous five years.

~~[(ii)]~~ (iii) (A) Except as provided in Subsection (6)(b)~~[(ii)]~~(iii)(B), a technical college earns the full new performance funding amount if the technical college has a positive change in the technical college's performance of at least 5% compared to the technical college's average performance over the previous five years.

(B) A technical college's change in performance may be compared to the technical college's average performance over fewer than five years in accordance with Subsection 53B-7-707(3)(b).

(c) After January 1, ~~2023~~2024, a degree-granting institution or technical college earns the full new performance funding amount if the degree-granting institution or technical college meets the annual performance goals the board sets under Subsection 53B-7-706(1)(a)(ii).

~~[(e)]~~ (d) [A] Before January 1, ~~2023~~2024, a degree-granting institution or technical college that has a positive change in performance that is less than a change described in Subsection (6)(b) is eligible to receive a prorated amount of the full new performance funding amount.

~~[(d)]~~ (e) [A] Before January 1, ~~2023~~2024, a degree-granting or technical college that has a negative change, or no change, in performance over a time period described in Subsection (6)(b) is not eligible to receive new performance funding.

(f) After January 1, ~~2023~~2024, a degree-granting institution or technical college that does not meet the goals the board sets under Subsection 53B-7-706(1)(a)(ii):

(i) is not eligible to receive the full new performance funding amount; and

(ii) is eligible to receive a prorated amount of the full new performance funding amount for performance that is greater than zero as measured by the model the board establishes under Subsection 53B-7-706(1)(a)(i)(B).

(g) (i) After January 1, ~~2023~~2024, if a degree-granting institution or technical college does not earn the full new performance funding amount as described in Subsection (6)(c), the board shall:

(A) set aside the unearned new performance funding; and

(B) at the end of a five-year period for which the board sets goals under Subsection

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53B-7-706(1)(a)(ii), allocate the funds set aside under Subsection (6)(g)(i)(A) to a degree-granting institution or technical college that meets the degree-granting institution's or technical college's five-year goals described in Subsection 53B-7-706(1)(a)(ii)(B).

(ii) The board may reallocate the funds described in Subsection (6)(g)(i)(A) on a one-time basis to a degree-granting institution or technical college that exceeds the degree-granting institution's or technical college's annual performance goals until the board evaluates performance of five-year goals as described Subsection 53B-7-706(5).

(7) An appropriation described in this section is ongoing.

(8) Notwithstanding Section 53B-7-703 and Subsections (6) and (7), the Legislature may, by majority vote, appropriate or refrain from appropriating money for performance funding as circumstances require in a particular year.

~~[(9) On or before November 1, 2020, the Education Interim Committee, the Higher Education Appropriations Subcommittee, and the governor shall review the implementation of performance funding described in this part.]~~

Section 5. Section **53B-7-706** is amended to read:

53B-7-706. Performance metrics for degree-granting institutions --

Determination of performance.

(1) (a) ~~(i)(A)~~ The board shall establish a model for determining a degree-granting institution's performance.

~~(B) Beginning in March 2021, the board shall establish a model for determining degree-granting institution's or technical college's performance.~~

~~(ii) Beginning in May 2021, the board shall:~~

~~(A) set a five-year goal for the Utah System of Higher Education for each metric described in Subsection (2)(a)(ii);~~

~~(B) adopt five-year goals for each degree-granting institution and technical college that align with each goal described in Subsection (1)(a)(ii)(A); and~~

~~(C) ensure the goals the board adopts for each degree-granting institution and technical college described in Subsection (1)(a)(ii)(B) are sufficiently rigorous to meet the goals described in Subsection (1)(a)(ii)(A); and~~

(b) ~~(i)~~ The board shall submit a draft of the model described in this section to the Higher Education Appropriations Subcommittee and the governor for comments and

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recommendations.

(ii) Beginning in 2021, and every five years thereafter, the board shall:

(A) submit the model described in Subsection (1)(a)(i) and the goals described in Subsection (1)(a)(ii) to the Higher Education Appropriations Subcommittee and to the governor for comments and recommendations; and

(B) consider the comments and recommendations described in Subsection (1)(b)(ii)(A), and make any necessary changes to the model described in Subsection (1)(a)(i) and the goals described in Subsection (1)(a)(ii).

(c) Beginning in 2021, and every five years thereafter, the Executive Appropriations Committee, Higher Education Appropriations Subcommittee, and the Education Interim Committee shall prepare and jointly meet to consider legislation for introduction at the following general legislative session to adopt the goals described in Subsection (1)(a)(ii).

(2) (a) (i) The model described in Subsection (1)(a)(i)(A) shall include metrics, including:

~~[(i)]~~ (A) completion, measured by degrees and certificates awarded;

~~[(ii)]~~ (B) completion by underserved students, measured by degrees and certificates awarded to underserved students;

~~[(iii)]~~ (C) responsiveness to workforce needs, measured by degrees and certificates awarded in high market demand fields;

~~[(iv)]~~ (D) institutional efficiency, measured by degrees and certificates awarded per full-time equivalent student; and

~~[(v)]~~ (E) for a research university, research, measured by total research expenditures.

(ii) Beginning in 2021, the board shall set the goals and establish the performance model described in Subsection (1)(a)(i)(B) for the following metrics:

(A) access;

(B) timely completion; and

(C) high-yield awards.

(b) (i) Subject to Subsection ~~[(2)(e)]~~ (2)(b)(ii), the board shall determine the relative weights of the metrics described in Subsection (2)(a)(i).

~~[(e)]~~ (ii) The board shall assign the responsiveness to workforce needs metric described in Subsection ~~[(2)(a)(iii)]~~ (2)(a)(i)(C) a weight of at least 25% when determining a

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degree-granting institution's performance.

(c) Beginning in 2021, the board shall determine and establish in board policy, the definitions, measures, and relative weights of the metrics described in Subsection (2)(a)(ii) based on each degree-granting institution's and each technical college's mission.

(3) (a) For each degree-granting institution, the board shall annually determine the degree-granting institution's:

~~[(a)]~~ (i) performance; and

~~[(b)]~~ (ii) change in performance compared to the degree-granting institution's average performance over the previous five years.

(b) Beginning in 2022, for each degree-granting institution and technical college, the board shall annually:

(i) adopt annual performance goals for each metric described in Subsection (2)(a)(ii) that will advance the degree-granting institution or technical college toward achievement of the five-year goals described in Subsection (1)(a)(ii);

(ii) evaluate performance in meeting the goals described in Subsection (3)(b)(i); and

(iii) include a degree-granting institution's or technical college's performance under this section in the evaluation described in Subsection 53B-1-402(2)(i)(iii).

(4) (a) The board shall use the model described in ~~[this section]~~ Subsection (1)(a)(i)(A) to make the report described in Section 53B-7-705 for determining a degree-granting institution's performance funding for a fiscal year beginning on or after July 1, 2018[-], but before July 1, ~~2023~~2024.

(b) For a fiscal year beginning on or after July 1, ~~2023~~2024, the board shall use the model described in Subsection (2)(a)(i)(B) to make the report described in Section 53B-7-705 for determining a degree-granting institution's or technical college's performance funding.

(5) At the end of each five-year period for which the board sets goals under Subsection (1)(a)(ii):

(a) the board shall:

(i) review the Utah System of Higher Education's performance in meeting the goals the board sets under Subsection (1)(a)(ii)(A);

(ii) review each degree-granting institution's and each technical college's performance in meeting the goals the board sets under Subsection (1)(a)(ii)(B); and

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(iii) allocate any funds not allocated under Subsection 53B-7-705(6)(g) to each degree-granting institution and each technical college that meets or exceeds the goals the board sets under Subsection (1)(a)(ii)(B); and

(b) the Legislature may appropriate additional funds for the board to allocate to each degree-granting institution and each technical college that meets or exceeds goals as described in Subsection (5)(a)(iii).

(6) In year two or three of each five-year period for which the board sets goals under Subsection (1)(a)(ii), the following committees and the governor shall hold a joint open meeting to review the goals the board sets under Subsection (1)(a)(ii):

(a) the Executive Appropriations Committee;

(b) the Higher Education Appropriations Subcommittee; and

(c) the Education Interim Committee.

Section 6. Section **53E-1-201** is amended to read:

53E-1-201. Reports to and action required of the Education Interim Committee.

(1) In accordance with applicable provisions and Section 68-3-14, the following recurring reports are due to the Education Interim Committee:

(a) the report described in Section 9-22-109 by the STEM Action Center Board, including the information described in Section 9-22-113 on the status of the computer science initiative and Section 9-22-114 on the Computing Partnerships Grants Program;

(b) the prioritized list of data research described in Section 35A-14-302 and the report on research described in Section 35A-14-304 by the Utah Data Research Center;

(c) the report described in Section 35A-15-303 by the State Board of Education on preschool programs;

(d) the report described in Section 53B-1-402 by the Utah Board of Higher Education on career and technical education issues and addressing workforce needs;

(e) the annual report of the Utah Board of Higher Education described in Section 53B-1-402;

(f) the reports described in Section 53B-28-401 by the Utah Board of Higher Education regarding activities related to campus safety;

(g) the State Superintendent's Annual Report by the state board described in Section 53E-1-203;

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(h) the annual report described in Section 53E-2-202 by the state board on the strategic plan to improve student outcomes;

(i) the report described in Section 53E-8-204 by the state board on the Utah Schools for the Deaf and the Blind;

(j) the report described in Section 53E-10-703 by the Utah Leading through Effective, Actionable, and Dynamic Education director on research and other activities;

(k) the report described in Section 53F-4-203 by the state board and the independent evaluator on an evaluation of early interactive reading software;

(l) the report described in Section 53F-4-407 by the state board on UPSTART;

(m) the reports described in Sections 53F-5-214 and 53F-5-215 by the state board related to grants for professional learning and grants for an elementary teacher preparation assessment; and

(n) the report described in Section 53F-5-405 by the State Board of Education regarding an evaluation of a partnership that receives a grant to improve educational outcomes for students who are low income.

(2) In accordance with applicable provisions and Section 68-3-14, the following occasional reports are due to the Education Interim Committee:

(a) the report described in Section 35A-15-303 by the School Readiness Board by November 30, 2020, on benchmarks for certain preschool programs;

(b) the report described in Section 53B-28-402 by the Utah Board of Higher Education on or before the Education Interim Committee's November 2021 meeting;

(c) the report described in Section 53E-3-519 by the state board regarding counseling services in schools;

(d) the reports described in Section 53E-3-520 by the state board regarding cost centers and implementing activity based costing;

(e) if required, the report described in Section 53E-4-309 by the state board explaining the reasons for changing the grade level specification for the administration of specific assessments;

(f) if required, the report described in Section 53E-5-210 by the state board of an adjustment to the minimum level that demonstrates proficiency for each statewide assessment;

(g) in 2022 and in 2023, on or before November 30, the report described in Subsection

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53E-10-309(7) related to the PRIME pilot program;

(h) the report described in Section 53E-10-702 by Utah Leading through Effective, Actionable, and Dynamic Education;

(i) the report described in Section 53F-2-502 by the state board on the program evaluation of the dual language immersion program;

(j) if required, the report described in Section 53F-2-513 by the state board evaluating the effects of salary bonuses on the recruitment and retention of effective teachers in high poverty schools;

(k) upon request, the report described in Section 53F-5-207 by the state board on the Intergenerational Poverty Intervention Grants Program;

(l) the report described in Section 53F-5-210 by the state board on the Educational Improvement Opportunities Outside of the Regular School Day Grant Program;

(m) the report described in Section 53G-7-503 by the state board regarding fees that LEAs charge during the 2020-2021 school year;

(n) the reports described in Section 53G-11-304 by the state board regarding proposed rules and results related to educator exit surveys;

(o) upon request, the report described in Section 53G-11-505 by the state board on progress in implementing employee evaluations;

(p) the report described in Section 62A-15-117 by the Division of Substance Abuse and Mental Health, the State Board of Education, and the Department of Health regarding recommendations related to Medicaid reimbursement for school-based health services; and

(q) the reports described in Section 63C-19-202 by the Higher Education Strategic Planning Commission.

~~[(3) In accordance with Section 53B-7-705, the Education Interim Committee shall complete the review of the implementation of performance funding.]~~

Section 7. Section **63I-2-253** is amended to read:

63I-2-253. Repeal dates -- Titles 53 through 53G.

(1) (a) Section 53-2a-217, regarding procurement during an epidemic or pandemic emergency, is repealed on December 31, 2021.

(b) When repealing Section 53-2a-217, the Office of Legislative Research and General Counsel shall, in addition to the office's authority under Subsection 36-12-12(3), make

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necessary changes to subsection numbering and cross references.

(2) Section 53B-2a-103 is repealed July 1, 2021.

(3) Section 53B-2a-104 is repealed July 1, 2021.

(4) (a) Subsection 53B-2a-108(5), regarding exceptions to the composition of a technical college board of trustees, is repealed July 1, 2022.

(b) When repealing Subsection 53B-2a-108(5), the Office of Legislative Research and General Counsel shall, in addition to its authority under Subsection 36-12-12(3), make necessary changes to subsection numbering and cross references.

(5) Section 53B-6-105.7 is repealed July 1, 2024.

(6) (a) Subsection 53B-7-705(6)(b)[~~(ii)~~](iii)(A), the language that states "Except as provided in Subsection (6)(b)[~~(ii)~~](iii)(B)," is repealed July 1, 2021.

(b) Subsection 53B-7-705(6)(b)[~~(ii)~~](iii)(B), regarding comparing a technical college's change in performance with the technical college's average performance, is repealed July 1, 2021.

(7) (a) Subsection 53B-7-707(3)(a)(ii), the language that states "Except as provided in Subsection (3)(b)," is repealed July 1, 2021.

(b) Subsection 53B-7-707(3)(b), regarding performance data of a technical college during a fiscal year before fiscal year 2020, is repealed July 1, 2021.

(8) Section 53B-7-707 regarding performance metrics for technical colleges is repealed July 1, ~~2022~~2023.

[~~(8)~~] (9) Section 53B-8-114 is repealed July 1, 2024.

[~~(9)~~] (10) (a) The following sections, regarding the Regents' scholarship program, are repealed on July 1, 2023:

(i) Section 53B-8-202;

(ii) Section 53B-8-203;

(iii) Section 53B-8-204; and

(iv) Section 53B-8-205.

(b) (i) Subsection 53B-8-201(2), regarding the Regents' scholarship program for students who graduate from high school before fiscal year 2019, is repealed on July 1, 2023.

(ii) When repealing Subsection 53B-8-201(2), the Office of Legislative Research and General Counsel shall, in addition to its authority under Subsection 36-12-12(3), make

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necessary changes to subsection numbering and cross references.

~~[(10)]~~ (11) Section 53B-10-101 is repealed on July 1, 2027.

~~[(11)]~~ (12) Title 53B, Chapter 18, Part 14, Uintah Basin Air Quality Research Project, is repealed July 1, 2023.

~~[(12)]~~ (13) Section 53E-3-519 regarding school counselor services is repealed July 1, 2020.

~~[(13)]~~ (14) Section 53E-3-520 is repealed July 1, 2021.

~~[(14)]~~ (15) Subsection 53E-5-306(3)(b)(ii)(B), related to improving school performance and continued funding relating to the School Recognition and Reward Program, is repealed July 1, 2020.

~~[(15)]~~ (16) Section 53E-5-307 is repealed July 1, 2020.

~~[(16)]~~ (17) Subsection 53E-10-309(7), related to the PRIME pilot program, is repealed July 1, 2024.

~~[(17)]~~ (18) In Subsections 53F-2-205(4) and (5), regarding the State Board of Education's duties if contributions from the minimum basic tax rate are overestimated or underestimated, the language that states "or 53F-2-301.5, as applicable" is repealed July 1, 2023.

~~[(18)]~~ (19) Subsection 53F-2-301(1), relating to the years the section is not in effect, is repealed July 1, 2023.

~~[(19)]~~ (20) In Subsection 53F-2-515(1), the language that states "or 53F-2-301.5, as applicable" is repealed July 1, 2023.

~~[(20)]~~ (21) Section 53F-4-207 is repealed July 1, 2022.

~~[(21)]~~ (22) In Subsection 53F-9-302(3), the language that states "or 53F-2-301.5, as applicable" is repealed July 1, 2023.

~~[(22)]~~ (23) In Subsection 53F-9-305(3)(a), the language that states "or 53F-2-301.5, as applicable" is repealed July 1, 2023.

~~[(23)]~~ (24) In Subsection 53F-9-306(3)(a), the language that states "or 53F-2-301.5, as applicable" is repealed July 1, 2023.

~~[(24)]~~ (25) In Subsection 53G-3-304(1)(c)(i), the language that states "or 53F-2-301.5, as applicable" is repealed July 1, 2023.

~~[(25)]~~ (26) Subsections 53G-10-204(1)(c) through (e), and Subsection 53G-10-204(7),

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related to the civics engagement pilot program, are repealed on July 1, 2023.

~~[(26)]~~ (27) On July 1, 2023, when making changes in this section, the Office of Legislative Research and General Counsel shall, in addition to the office's authority under Subsection 36-12-12(3), make corrections necessary to ensure that sections and subsections identified in this section are complete sentences and accurately reflect the office's perception of the Legislature's intent.