

HB0476S01 compared with HB0476

{Omitted text} shows text that was in HB0476 but was omitted in HB0476S01

inserted text shows text that was not in HB0476 but was inserted into HB0476S01

DISCLAIMER: This document is provided to assist you in your comparison of the two bills. Sometimes this automated comparison will NOT be completely accurate. Therefore, you need to read the actual bills. This automatically generated document could contain inaccuracies caused by: limitations of the compare program; bad input data; or other causes.

1

Tax Return Donation Amendments

2025 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Matt MacPherson

Senate Sponsor:

2

3 LONG TITLE

4 General Description:

5 This bill creates a School Meals Debt Relief Fund and provides for the fund's
6 administration.

7 Highlighted Provisions:

8 This bill:

- 9 ▶ creates a School Meals Debt Relief Fund;
- 10 ▶ allows individual taxpayers to designate contributions to the fund on tax returns;
- 11 ▶ ~~{allows corporate taxpayers to designate contributions to the fund on tax returns;}~~
- 12 ▶ establishes reporting requirements for local education agencies regarding school meals debt;
- 14 ▶ provides for a distribution process based on each local education agency's proportion of total
statewide school meals debt;
- 16 ▶ requires the State Board of Education to collect and verify school meals debt data;
- 17 ▶ delegates rulemaking authority to the State Board of Education for program administration; and
- 19 ▶ makes technical changes.

19 Money Appropriated in this Bill:

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20 None

21 **Other Special Clauses:**

22 This bill provides retrospective operation.

25 AMENDS:

26 **59-10-1304** , as last amended by Laws of Utah 2023, Chapters 419, 513 and 534 , as last amended
by Laws of Utah 2023, Chapters 419, 513 and 534

27 ENACTS:

28 **53G-9-205.2** , Utah Code Annotated 1953 , Utah Code Annotated 1953

30 ~~{59-7-627, Utah Code Annotated 1953, Utah Code Annotated 1953}~~

29 **59-10-1322** , Utah Code Annotated 1953 , Utah Code Annotated 1953

30

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

32 Section 1. Section 1 is enacted to read:

33 **53G-9-205.2. School meals debt balance relief.**

36 (1) As used in this section:

37 (a) "Fund" means the School Meals Debt Relief Fund created in Section 59-10-1322.

38 (b) "School meals debt" means outstanding unpaid balances for school meals provided to students.

40 (2) The state board shall:

41 (a) collect school meals debt data from LEAs annually by June 30;

42 (b) require each LEA to report:

43 (i) total outstanding school meals debt;

44 (ii) number of students with outstanding school meals debt;

45 (iii) verification of debt collection efforts; and

46 (iv) any other information deemed necessary by the state board;

47 (c) verify the accuracy of reported data;

48 (d) calculate each LEA's proportion of total statewide school meals debt; and

49 (e) maintain school meals debt information.

50 (3) Upon receiving funds from the State Tax Commission pursuant to Section 59-10-1322, the state
board shall:

52 (a) distribute funds to each qualifying LEA based on the LEA's proportion of total statewide school
meals debt as calculated under Subsection (2);

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- 54 (b) complete all distributions by September 1 of each year; and
55 (c) provide a report of distributions to the commission within 30 days of completion.
56 (4)
(a) An LEA shall:
57 (i) submit required data to the state board by the established deadline;
58 (ii) certify the accuracy of submitted data;
59 (iii) maintain records supporting submitted data for a period of five years; and
60 (iv) use distributed funds solely for the purpose of paying off student meal debts.
61 (b) Any funds not applied to student meal debts within 60 days shall be:
62 (i) returned to the state board; and
63 (ii) redistributed to other qualifying LEAs according to the formula in Subsection (2).
64 (5) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the state board shall
establish rules to administer this section.
66 Section 2. Section 2 is enacted to read:
67 **59-7-627. Corporate contribution to the School Meals Debt Relief Fund.**
68 (1)
(a) A corporation filing a return under this chapter may designate on the corporation's income tax return
a contribution to the School Meals Debt Relief Fund created in Section 59-10-1322.
71 (b) The corporation may designate:
72 (i) a contribution of a portion of the corporation's tax refund, if any; or
73 (ii) a contribution in addition to any tax amount due.
74 (2) The commission shall:
75 (a) collect all designated contributions under Subsection (1);
76 (b) deposit contributions into the School Meals Debt Relief Fund created in Section 59-10-1322; and
78 (c) treat designated contributions in the same manner as contributions collected under Section
59-10-1322.
80 (3)
(a) The commission shall combine all corporate contributions collected under this section with
individual contributions collected under Section 59-10-1322 before:
82 (i) disbursing from the School Meals Debt Relief Fund all money deposited into the fund since the
last disbursement; and

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84 (ii) transferring the combined funds to the State Board of Education for distribution to local
education agencies in accordance with Section 53G-9-205.2.

86 (b) The commission shall complete the transfer of funds to the State Board of Education by August 15
of each year.

64 Section 2. Section **59-10-1304** is amended to read:

65 **59-10-1304. Removal of designation and prohibitions on collection for certain contributions**
on income tax return -- Conditions for removal and prohibitions on collection -- Commission
publication requirements.

92 (1)

(a) If a contribution or combination of contributions described in Subsection (1)(b) generate less than \$30,000 per year for three consecutive years, the commission shall remove the designation for the contribution from the individual income tax return and may not collect the contribution from a resident or nonresident individual beginning two taxable years after the three-year period for which the contribution generates less than \$30,000 per year.

98 (b) The following contributions apply to Subsection (1)(a):

99 (i) the contribution provided for in Section 59-10-1306;

100 (ii) the sum of the contributions provided for in Subsection 59-10-1307(1);

101 (iii) the contribution provided for in Section 59-10-1308;

102 (iv) the contribution provided for in Section 59-10-1319;

103 (v) the contribution provided for in Section 59-10-1320;

104 (vi) the contribution provided for in Section 59-10-1322; or

105 ~~[(vi)]~~ (vii) the contribution provided for in Section 59-10-1321.

106 (2) If the commission removes the designation for a contribution under Subsection (1), the commission shall report to the Revenue and Taxation Interim Committee by electronic means that the commission removed the designation on or before the November interim meeting of the year in which the commission determines to remove the designation.

110 (3)

(a) Within a 30-day period after the day on which the commission makes the report required by Subsection (2), the commission shall publish a list in accordance with Subsection (3)(b) stating each contribution that the commission will remove from the individual income tax return.

114 (b) The list shall:

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- 115 (i) be published on:
116 (A) the commission's website; and
117 (B) the public legal notice website in accordance with Section 45-1-101;
118 (ii) include a statement that the commission:
119 (A) is required to remove the contribution from the individual income tax return; and
121 (B) may not collect the contribution;
122 (iii) state the taxable year for which the removal described in Subsection (3)(a) takes effect; and
124 (iv) remain available for viewing and searching until the commission publishes a new list in accordance
with this Subsection (3).

102 Section 3. Section 3 is enacted to read:

103 **59-10-1322. Contribution to the School Meals Debt Relief Fund.**

- 128 (1)
(a) There is created an expendable special revenue fund known as the "School Meals Debt Relief
Fund."
130 (b) The fund shall consist of all amounts deposited into the fund in accordance with {[Section 59-7-627](#)
[and](#)} Subsection (2).
132 (2) Except as provided in Section 59-10-1304, a resident or nonresident individual who files an income
tax return under this chapter may designate on the resident or nonresident individual's income tax
return a contribution to be:
135 (a) deposited into the School Meals Debt Relief Fund; and
136 (b) expended as provided in Subsection (3).
137 (3)
(a) Each year, the commission shall:
138 (i) disburse from the School Meals Debt Relief Fund all money deposited into the fund since the
last disbursement; and
140 (ii) transfer the money to the State Board of Education for distribution to local education agencies
in accordance with Section 53G-9-205.2.
142 (b) The commission shall complete the transfer of funds to the State Board of Education by August 15
of each year.

120 Section 4. **Effective date.**

This bill takes effect May 7, 2025.

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122 Section 5. **Retrospective Operation.**

{[This bill](#)} [Section 59-10-1322](#) has retrospective operation for a taxable year beginning on or after .

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